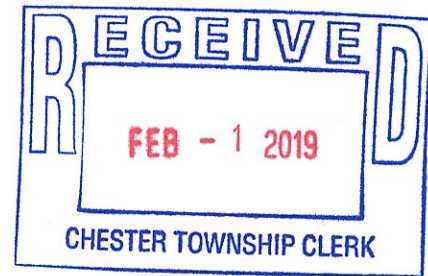


LAW OFFICES OF B. DAVID JARASHOW, P.A.
B. DAVID JARASHOW, ESQ. (#006561995)
31 W. Main Street—2nd Floor
FREEHOLD, NEW JERSEY 07728
(732) 303-6330
Attorneys for Plaintiff(s)



Plaintiff

JERAL PIMENTEL,

vs.

Defendant(s)

VERIZON COMMUNICATIONS INC., ET ALS.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO.: MID-L-8728-19

CIVIL ACTION

SUMMONS

Name and address of Defendant to be served: **DEFENDANT CHESTER TOWNSHIP (“CHESTER”)**
is a municipality located at 1 Parker Road, Chester, New Jersey.
From the State of NEW JERSEY, To The Defendant Named Above:

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided on the back of this Summons.) A \$175.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided on the back of this Summons. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided on the back of this Summons.

B. David Jarashow

B. DAVID JARASHOW, ESQ.
Attorney for Plaintiff
DATED: 1/28/19

Michelle M. Smith

Michelle M. Smith
Clerk of the Superior Court

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Attorney for Plaintiff

<i>Plaintiff</i>	:	SUPERIOR COURT OF NEW JERSEY
JERAL PIMENTEL,	:	LAW DIVISION, MIDDLESEX COUNTY
vs.	:	DOCKET NO.: MID-L-8728-18
	:	
<i>Defendant(s)</i>	:	CIVIL ACTION
VERIZON COMMUNICATIONS INC.,	:	
CELLCO PARTNERSHIP	:	AMENDED COMPLAINT
D/B/A VERIZON WIRELESS,	:	
VERIZON COMMUNICATIONS	:	
INC., MT. OLIVE TOWNSHIP,	:	
CHESTER TOWNSHIP, JOHN DOE	:	
POLICE DEPARTMENT, JOHN DOE	:	
MUNICIPALITY, JOHN DOE POLICE	:	
OFFICERS 1-10 and JOHN DOES 1-	:	
100.	:	

Plaintiff JERAL PIMENTEL, residing in BRONX COUNTY, NY by way of Complaint against the Defendant(s) VERIZON COMMUNICATIONS INC., CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, MT. OLIVE TOWNSHIP, CHESTER TOWNSHIP, JOHN DOE POLICE DEPARTMENT and JOHN DOE MUNICIPALITY says:

PARTIES

1. Defendant Verizon Communications Inc. ("Verizon") is multinational telecommunications corporation licensed to conduct business in New Jersey, with offices located at 201 Centennial Ave, Piscataway, New Jersey.
2. Defendant CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS ("Verizon Wireless") is a subsidiary company of Verizon Communications Inc., and is licensed to conduct business in New Jersey, with offices located 180 Washington Valley Road, Bedminster, New Jersey.
3. DEFENDANT MT. OLIVE TOWNSHIP ("Mt Olive") is a municipality located at 204 Flanders-Drakestown Road, Budd Lake, New Jersey.

4. DEFENDANT CHESTER TOWNSHIP ("CHESTER") is a municipality located at 1 Parker Road, Chester, New Jersey.
5. DEFENDANT JOHN DOE MUNICIPALITY is a government entity in New Jersey affiliated with the JOHN DOE POLICE DEPARTMENT.
6. JOHN DOE POLICE DEPARTMENT is the New Jersey police department that employed the officers that initially arrested Plaintiff on or about October 23, 2017.
7. JOHN DOE POLICE OFFICERS 1-10 are the police officers from JOHN DOE POLICE DEPARTMENT, MT. OLIVE and CHESTER involved in the issuing of warrants for the arrest of plaintiff, the arrest of plaintiff, and the detention of plaintiff.

STATEMENT OF FACTS

1. On or about October 23, 2017 at approximately 9:00AM, Plaintiff was a passenger in a car that was pulled over by an unmarked police car on the NJ Turnpike.
2. Police from an unidentified police department ("John Doe Police Department") then demanded Plaintiff's identification.
3. After providing his identification, Plaintiff was placed under arrest by officers of the John Doe Police Department and taken to the Bergen County Jail.
4. Upon information and belief, two warrants for Plaintiff's arrest showed up from Mr. Olive and Chester for theft of cell phones from Verizon Wireless stores.
5. Shortly thereafter, Plaintiff was transported by the Mt. Olive Police to the Morris County Correctional Facility where he remained for the next approximately 36 hours.
6. On October 24, 2017 at approximately 10:30AM, Plaintiff appeared via videoconference in front of Superior Court Judge Thomas J. Critchley, Jr. (Morris County).
7. Following the hearing, Judge Critchley ruled that Plaintiff should be immediately released.
8. Despite this, Plaintiff was not released until approximately 6:00PM on October 24, 2017.
9. Upon information and belief, the warrants were based on a Verizon/Verizon Wireless employee's false identification of Plaintiff in connection with the aforementioned cell phone thefts.

10. Upon information and belief, videotapes of the incidents in question clearly show that Plaintiff was not involved in either of these thefts.
11. All charges against Plaintiff in connection with the alleged Verizon Wireless cell phone thefts from Mt. Olive and Chester were dismissed.

Count I – Negligence

1. Defendants owed a duty of care to properly and competently investigate and otherwise manage this matter.
2. Defendants breached said duty of care by: a) Failing to conduct an appropriate, timely and competent investigation; b) Wrongfully accusing Plaintiff of the theft of the cellular phones in question; and c) Wrongfully imprisoning Plaintiff.
3. As a direct and proximate result of Defendant's actions, Plaintiff has suffered damages.

Count II – Gross Negligence

(As to Defendants Verizon and Verizon Wireless)

1. Defendants engaged in conduct that was grossly negligent, marred by reckless and wanton behavior, and in total disregard of the probability of serious injury to Plaintiffs.
2. Specifically, an employee of Defendants falsely identified Plaintiff in connection with the aforementioned cell phone thefts.
3. The false identification of Plaintiff by the Defendants' employee was so grossly wrong as to reflect deliberate indifference and total disregard for the consequences of these actions.
4. That these defendants, by their actions and omissions, were engaging in conduct so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiff, and are therefore liable to Plaintiffs for gross negligence.

Count III- False Imprisonment

1. Defendants restrained Plaintiff.
2. Defendants intentionally restrained Plaintiff.
3. Defendants unlawfully restrained Plaintiff.
3. Plaintiff did not consent to such restraints/confinement.
4. As a proximate result of Defendants' actions, Plaintiff has suffered damages.

Count IV - Negligent and Intentional Infliction of Emotional Distress

1. Defendants acted intentionally or recklessly with deliberate disregard of a high degree of probability that emotional distress will follow. Defendants' conduct was extreme and so outrageous in character and degree as to go beyond all possible bounds of decency.
2. Defendants' conduct was so atrocious, it is utterly intolerable in a civilized community.
2. As a direct and proximate result of Defendants' conduct and abuse of authority detailed above, Plaintiff was deprived of his liberty and suffered economic loss in the form of attorneys' fees, loss of his employment, loss of his ability to meet his financial obligations, including but not limited to the resultant impact upon his credit, damage to his reputation, the invasion of his right to privacy, mental pain and suffering and emotional distress, as well as other non-economic damages for which Defendants are liable.

WHEREFORE, the Plaintiff, JERAL PIMENTEL, demands judgment against the Defendants, jointly, severally or in the alternative, for compensatory damages, punitive damages, interest and costs of suit, and such other and further relief as the court may deem just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues raised by these pleadings.

R.4:5-1 CERTIFICATION

I hereby certify that there are no proceedings dealing with the matter in this Complaint now pending or having been adjudicated by the Court or any arbitration proceedings now pending with respect to these parties and these issues and that there are no other parties that should be joined to this matter.

/s/B. DAVID JARASHOW, ESQ

Attorney for Plaintiffs

Dated: 12/31/18

DEMAND FOR ANSWERS TO FORM "C" INTERROGATORIES

Demand is hereby made upon the defendant(s) to furnish the plaintiffs with the complete certified answers to Uniform Form "C" interrogatories within the time specified in the Rules of the Court.

/s/B. DAVID JARASHOW, ESQ

Attorney for Plaintiffs

Dated: 12/31/18