

THE **CRONIN** FIRM
TRIAL LAWYERS

Opened
2-17-15
JB

Emailed to
FR, RY, HL.

*Reply to Philadelphia

icronin@croninfirm.com
www.croninfirm.com

February 3, 2015

Custodian of Records
NJSPCA
1119 Livingston Avenue
New Brunswick, NJ 08901

**RE: New Jersey Open Public Records Act Request Concerning the Property
Located [REDACTED]**

Dear Custodian of Records:

Under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting an opportunity to inspect or obtain copies of public records concerning an anonymous complaint(s) made to the NJSPCA and/or the Haddonfield Police Department regarding the dogs that are pets [REDACTED] NJ 08033 (the "Property"). I am requesting any and all documents concerning any such complaints made from January 1, 2015 to the present, including the identity of the alleged complainant, the phone number(s) from which the complaint originated and the address of the complainant, and all documents concerning the NJSPCA's investigation of the same, including but not limited to [REDACTED] to the Property on Sunday, February 1, 2015.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the alleged complaint concerning the Property. This information is not being sought for commercial purposes.

Two Penn Center 1500 John F. Kennedy Boulevard Suite 1010 Philadelphia, PA 19102
215.751.9001 (T) 215.751.9009 (F)
175 Richey Avenue Collingswood, NJ 08107
856.368.2600 (T) 856.368.2697 (F)

Subj: **New Jersey State Opra Request**
Date: 9/29/2015 11:57:35 P.M. Eastern Daylight Time
From: [REDACTED]
To: biermannjb@aol.com

I would like copies of all invoices from ubiquity promotionals from 2014
I would like copies of all invoices from Midland Motors from 2014
I would like copies of all invoices from FMR Printing for 2014
I would like a copy of the check written for \$21,000 to JP MORGAN/Chase at the end of 2014 on your check register. I would supply you with a check number however that has been overlooked on your check register.
I would like copies of all invoices for Imaging Concepts for 2014
I would like a complete list of all members from 2104 and 2015, a listing of names would be sufficient as I do not need any type of personal information.

I would like copies of all invoices from premiums and promotions for 2014
I would like copies of the Operational Account Vendor List for 2014 and 2015.

I would like the last payroll records for the following agents: Phil Amato, Larry Donato, Rich Yocum, Frank Rizzo, Todd Fraher, Tim Kennedy, Steve Dash, Joe Biermann

Thank You
Patience

Subj: **OPRA REQUEST Oct 28, 2015 DUE Nov 10, 2015**
Date: 10/28/2015 9:59:20 A.M. Eastern Daylight Time
From: [REDACTED]
To: biermannjb@aol.com, jollyroger.williams@yahoo.com

October 28, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [REDACTED]

Copies of all donations to the NJSPCA from October 23, 2015 through October 23, 2015.

Copies of all emails to or from Richard Yokum of the (NJSPCA) (his government email address or **his personal email address** from October 23, 2015 to October 28, 2015 regarding the subject matter: "HHAS or Facebook". (Please search the subject, sender or body of the email).

Copies of all Facebook messages received or sent to or from the NJSPCA's facebook page, <https://www.facebook.com/njspca?fref=ts> from October 23, 2015 through October 28, 2015.

Copies of all attorney invoices from October 1, 2015 through October 28, 2015.

Copies of all Facebook deleted or hidden messages or posts from the NJSPCA's facebook page, <https://www.facebook.com/njspca?fref=ts> from October 23, 2015 through October 28, 2015.

Copies of all invoices for the receivership (temporary) of the shelter (Hunterdon Humane Society or HHAS) from January 1, 2010 through October 1, 2015

I look forward to your response within seven (7) business days.

Thursday, October 29, 2015 AOL: BIERMANNJB

Subj: **RE: OPRA REQUEST 9/24/15**
Date: 11/24/2015 7:31:51 P.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com

Dear Mr. Biermann,

When will I receive all of my OPRA requests? They are currently months late. I will follow with all legal remedies if I do not receive a response by the close of business tomorrow.

Thank You,

Steven Wronko

To: biermannjb@aol.com; [REDACTED]
Subject: OPRA REQUEST 9/24/15
Date: Thu, 24 Sep 2015 23:11:43 -0400

THIS IS AN OPRA REQUEST

September 23, 2015
Email (biermannjb@aol.com)
Joseph Biermann, JBBMI, NJSPCA
Custodian of Records
New Jersey Society for the Prevention of Cruelty to Animals (NJSPCA)

I request the following records pursuant to OPRA and the common law right of access.
Please respond and email all responsive documents to me at [REDACTED]

1. A copy of the inventory list of all firearms owned by the NJSPCA including to whom they are assigned to that is current up to September 23, 2015.
2. A copy of all NJSPCA staff members certification of completing the FBI security awareness training class that is current up to September 23, 2015.
3. Copies of all summons issued by the NJSPCA from 1/1/2015 through 6/30/15.

I look forward to your response within seven (7) business days.
Thank You.

[REDACTED]
[REDACTED]
[REDACTED]
P.S. I am still waiting on a unredacted copy of the membership list.

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Subj: **OPRA REQUEST Dec 4**
Date: 12/4/2015 8:18:49 A.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com

December 4, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [REDACTED]

A copy of all attorney invoices from August 1, 2015 through December 1, 2015.

Copies of all emails to or from Richard Yokum of the (NJSPCA) (his government email address or **his personal email address** from October 1, 2015 to December 1, 2015 regarding the subject matter: "Jefferson or Facebook". (Please search the subject, sender or body of the email).

Copies of all emails to or from **Tiffany Marinelli** of the (NJSPCA) (her government email address or **his personal email address** from October 1, 2015 to December 1, 2015 regarding the subject matter: "Facebook". (Please search the subject, sender or body of the email).

Copies of all Facebook messages received or sent to or from the NJSPCA's facebook page, <https://www.facebook.com/njspca?fref=ts> from October 1, 2015 through December 1, 2015.

An updated copy of the banned list for the Facebook page that the NJ SPCA administers at: <https://www.facebook.com/njspca?fref=ts> from December 1, 2015.

A list of all current employees and volunteers for the NJSPCA as of December 1, 2015.

I look forward to your response within seven (7) business days.

Tuesday, December 08, 2015 AOL: BIERMANNJB

Subj: OPRA Request Dec 8, 2015
Date: 12/8/2015 3:17:26 P.M. Eastern Standard Time
From: [REDACTED]
To: [REDACTED]

December 8, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [REDACTED]

A copy of all attorney invoices from August 1, 2015 through December 8, 2015.

Copies of all invoices from vendors from August 1, 2015 through December 8, 2015.

Copies of all emails to or from **Tiffany Marinelli** of the (NJSPCA) (her government email address or her personal email address from September 29, 2015 to December 8, 2015 regarding the subject matter: "NJSPCA or Facebook". (Please search the subject, sender or body of the email).

Copies of all Facebook messages received or sent to or from the NJSPCA's facebook page, <https://www.facebook.com/njspca?fref=ts> from September 29, 2015 through December 8, 2015

Copies of the log book for calling the hotline, (800) 582-5979 for October 1, 2015 through December 8, 2015.

Copies of all grant applications from January 1, 2015 through December 8, 2015.

Copies of all receipts for purchases of merchandise through the njspca.org/store from August 1, 2015 through December 8, 2015.

Copies of all donations to the NJSPCA through Paypal from August 1, 2015 through December 8, 2015.

I look forward to your response within seven (7) business days.

Tuesday, December 08, 2015 AOL: BIERMANNJB

Subj: **OPRA REQUEST Dec 9, 2015**
Date: 12/9/2015 10:27:55 A.M. Eastern Standard Time
From: [REDACTED]
To: bierrm [REDACTED]

December 9, 2015

Email (bierrmannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me [REDACTED]

Copies of all posts to Facebook from **Tiffany Marinelli** of the (NJSPCA) (her government email address/account or **her personal email address/account** from December 2, 2015 to December 9, 2015 to the NJ SPCA's Facebook page at <https://www.facebook.com/njspca/?fref=ts>

Copies of all lawsuits filed against the NJ SPCA from January 1, 2015 through December 9, 2015.

Copies of all animal abuse complaints to the NJ SPCA, from all sources (Internet, hotline, tips, email, etc...) from October 1, 2015 through December 8, 2015.

Copies of all emails to or from Steve Shatkin of the (NJSPCA) (his government email address (sshakin@njspca.org) or **his personal email address** from August 2, 2015 to December 9, 2015 regarding the subject matter: "Gilliran". (Please search the subject, sender or body of the email).

Copies of all emails to or from Frank Rizzo of the (NJSPCA) (his government email address (frizzo@njspca.org) or **his personal email address** from August 2, 2015 to December 9, 2015 regarding the subject matter: "Gilliran". (Please search the subject, sender or body of the email).

Copies of all emails to or from Frankie Rizzo Junior of the (NJSPCA) (his government email address or **his personal email address** from August 2, 2015 to December 9, 2015 regarding the subject matter: "Gilliran". (Please search the subject, sender or body of the email).

Copies of all emails to or from Steve Dash of the (NJSPCA) (his government email address

(sdash@njspca.org) or his personal email address from August 2, 2015 to December 9, 2015 regarding the subject matter: "Gilliran ". (Please search the subject, sender or body of the email).

Copies of all text messages to or from Frank Rizzo of the (NJSPCA) (his government cell phone or his personal cell phone from December 8, 2015 to December 9, 2015. regarding the subject matter: "NJSPCA, meeting, or Wronko". (Please search the subject, sender or body of the email).

I look forward to your response within seven (7) business days.

Much Appreciated,

[REDACTED]
[REDACTED]

Subj: OPRA REQUEST Dec 10, 2015
Date: 12/10/2015 7:33:28 P.M. Eastern Standard Time
From: [redacted]
To: [redacted]

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [redacted]

A copy of the latest payroll records as of December 10, 2015..

A copy of all invoices for veterinary bills to the NJSPCA from January 1, 2015 through December 10, 2015.

Copies of all emails to or from Gluckshaw of the (Lobbying Firm of the NJSPCA) (their government email addresses) or their personal email addresses from August 2, 2015 to December 10, 2015 regarding the subject matter: "A-3502/S-2281, reform or Wayne DeAngelo". (Please search the subject, sender or body of the email).

Copies of all emails to or from Matt Stanton of the (NJSPCA) (his government email address (mstanton@njspca.org) or his personal email address from August 2, 2015 to December 10, 2015 regarding the subject matter: "A-3502/S-2281, reform or Wayne DeAngelo". (Please search the subject, sender or body of the email).

Copies of all emails to or from Frank Rizzo of the (NJSPCA) (his government email address (frizzo@njspca.org) or his personal email address from August 2, 2015 to December 9, 2015 regarding the subject matter: ""A-3502/S-2281, reform or Wayne DeAngelo". (Please search the subject, sender or body of the email).

Copies of all text messages to or from Matt Stanton of the (NJSPCA) (his government cell phone or his

Thursday, December 10, 2015 AOL: BIERMANNJB

personal cell phone from August 1, 2015 through December 9, 2015 from the sender or receiver Rick Yokum or Frank Rizzo. (Please search the subject, sender or body of the email).

I look forward to your response within seven (7) business days.

Much Appreciated,

[REDACTED]

Subj: **OPRA Request Dec 11, 2015 NJSPCA**
Date: 12/11/2015 9:23:21 P.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com

December 11, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [REDACTED]

A copy of the activity log for the NJ SPCA's facebook page at <https://www.facebook.com/njspca/?fref=ts> from December 1, 2015 through December 11, 2015.

Copies of all emails to or from Frank Rizzo of the (NJSPCA) (his government email address (frizzo@njspca.org) or **his personal email address** from August 2, 2015 to December 9, 2015 regarding the subject matter: ""appeal". (Please search the subject, sender or body of the email).

I look forward to your response within seven (7) business days.

Much Appreciated,

[REDACTED]
[REDACTED]
[REDACTED]

Friday, December 11, 2015 AOL: BIERMANNJB

Subj: **OPRA REQUEST DECEMBER 18, 2015**
Date: 12/18/2015 12:37:00 A.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com

December 18, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me at [REDACTED]

Copies of all Tort Claim Notices filed with the NJ SPCA from January 1, 2000 through December 1, 2015.

Copies of all litigation settlement agreements for the NJ SPCA from January 1, 2000 through December 1, 2015.

I look forward to your response within seven (7) business days.

Much Appreciated,

[REDACTED]

Friday, December 18, 2015 AOL: BIERMANNJB

Subj: **OPRA REQUEST Dec 17, 2015**
Date: 12/17/2015 9:46:32 P.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com

December 17, 2015

Email (biermannjb@aol.com)

Joseph Biermann,
Custodian of Records

New Jersey Society for the Prevention of Cruelty to Animals

I request the following records pursuant to the Open Public Records Act and the common law right of access.

Please respond and email all responsive documents to me [REDACTED]

A copy of the activity log for the NJ SPCA's facebook page at <https://www.facebook.com/njspca/?fref=ts> from December 15, 2015 through December 17 2015.

Copies of all emails to or from Frank Rizzo of the (NJSPCA) (his government email address (frizzo@njspca.org) or **his personal email address** from December 10, 2015 to December 18, 2015 regarding the subject matter: "appeal, raid or hoarding". (Please search the subject, sender or body of the email).

Copies of all emails to or from FB@NJSPCA.ORG from December 16, 2015 to December 18, 2015.

A copy of all messages sent or received from the NJ SPCA's facebook page at <https://www.facebook.com/njspca/?fref=ts> from December 8, 2015.

I look forward to your response within seven (7) business days.

Much Appreciated,

Friday, December 18, 2015 AOL: BIERMANNJB

Subj: **OPRA Request **Immediate Release*** 12/21 NJSPCA**
Date: 12/20/2015 4:33:44 P.M. Eastern Standard Time
From: [REDACTED]
To: biermannjb@aol.com, tyocum@njspca.org, harrylevin@levincyphers.com

Subject to immediate release please provide all legal bills including full detailed billing for all legal bills received from Harry Levin in 2015. Additionally, please provide all payments made to Harry Levin in 2015. Please email all records in pdf format.



OPRA Request NJSPCA

Thu, Oct 29, 2015 at 1:20 PM

To: Joseph Biemann <BIERMANNJB@aol.com>
Cc: "Col. Frank Rizzo" <frizzo@njspca.org>, ryocum@njspca.org

This is both an OPRA and Common Law Right of Access request.

As I have explained before, I'm an open government activist. Several people have come to me for assistance with getting the NJSPCA to comply with their requests for records. It has been brought to my attention that now the SPCA is flat out refusing to honor anyone's OPRA requests and that you have suddenly taken the position that you are not subject to OPRA.

I am filing this OPRA request to verify your compliance. I am requesting a copy of ALL OPRA requests submitted to your agency in 2015. In addition I am requesting all responses. This would be the emails or cover letters or emails either granting or denying access.

If you fail to comply with my request I will file for a court order without further warning. I will also issue a press release so that this dispute can be heard in the court of public opinion. I think the residents of NJ including your donors have a right to know what is going on and the lack of transparency.

If you have not complied with anyone's OPRA requests I suggest you get working on them. I will not go away until everyone has what they asked for.

NEVER Received prior
To Filing GRC complaint
Received on 12/20/15
JB



New Jersey State
Humane Police
STATE PBA # 391

1119 LIVINGSTON AVENUE
NEW BRUNSWICK, NJ 08901
1.800.582.5979
Form #051215.1



New Jersey State SPCA Government Records Request Form

Requestor Information- please print

First Name: [REDACTED] MI: [REDACTED] Last Name: [REDACTED]

Company name: [REDACTED]

Mailing address: [REDACTED] 58

City: LAYTON State: NJ Zip code: 07851

Your e mail address: [REDACTED]

Check here if an e mail response is ok ☒ Telephone #: [REDACTED]

Circle one: Under penalty of N.J.S.A. 2C:28-3 I certify I have / Have not been convicted of any indictable offense anywhere in the United States.

Signature: [REDACTED] Date: 1-4-16

Record Request Information: To expedite the request, be as specific as possible in describing the records being requested. A separate sheet may be used if needed.

ON OR ABOUT 7-1-2015, OFFICER KEVIN
RUDOLPH OF THE NJSPCA RESPONDED TO [REDACTED]
[REDACTED] D, SANDYSTON TWP (LAYTON), NJ
07851 TO INVESTIGATE ANIMAL CRUELTY.
THE ABOVE LISTED RESIDENCE BELONGS
TO [REDACTED] WHO OPERATES AN
ILLEGAL KENNEL UNDER THE TRADE NAME
[REDACTED] NCH
[REDACTED] 75, KINDLY FORWARD A COPY
OF THIS INVESTIGATION TO THE ABOVE LISTED
EMAIL. THANKS IN ADVANCE

#2