

SUMMONS

Attorney(s) Christopher Perez, Esq., HANNA / PEREZ, PC
Office Address 185 Route 17 South
Town, State, Zip Code Paramus, NJ 07652
Telephone Number 201-224-9400
Attorney(s) for Plaintiff IOANA M. ANDREI
IOANA M. ANDREI

Superior Court of New Jersey

Bergen COUNTY
LAW DIVISION

Docket No: BER-L-2403-24

Plaintiff(s)

Vs.

BOROUGH OF PARAMUS, CARLOS M. ORTIZ-ACEVEDO,
ALEX ZAMORA, ET AL.

Defendant(s)

CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) 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 the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey 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 of \$175.00 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 or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). 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 directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

Michelle Smith

Clerk of the Superior Court

DATED: 4-24-24

Name of Defendant to Be Served: BOROUGH OF PARAMUS

Address of Defendant to Be Served: ONE JOCKISH SQUARE, PARAMUS, NJ 07652

COUNTY LAWYER REFERRAL/LEGAL SERVICES CONTACT INFORMATION

New Jersey Bar Association Lawyer Referral Service (732)249-5000 Legal Services of New Jersey, Inc. (908)572-9100	<u>Gloucester County</u> Gloucester County Bar Association Lawyer Referral Service (856)848-44071 *Regional Legal Services (856)848-5360	<u>Passaic County</u> Passaic County Bar Association Lawyer Referral Service (973)278-9223 Passaic County Legal Aid (973)523-2900
<u>Atlantic County</u> Atlantic County Bar Association Lawyer Referral Service (609)345-3444 Cape-Atlantic Legal Services (609)348-4200	<u>Hudson County</u> Hudson County Bar Association Lawyer Referral Service (201)798-2727 Hudson County Legal Services (201)792-6363	<u>Salem County</u> Salem County Bar Association Lawyer Referral Service (856)935-5629 *Regional Legal Services (856)496-4570
<u>Bergen County</u> Bergen County Bar Association Lawyer Referral Service (201)488-0044 Bergen County Legal Services (201)487-2166	<u>Hunterdon County</u> Hunterdon County Bar Association Lawyer Referral Service (908)200-7822 Hunterdon County Legal Services (908)782-7979	<u>Somerset County</u> Somerset County Bar Association Lawyer Referral Service (908)685-2323 Somerset-Sussex Legal Services (908)231-0840
<u>Burlington County</u> Burlington County Bar Association Lawyer Referral Service (609)261-4862 *Regional Legal Services (609)261-1088	<u>Mercer County</u> Mercer County Bar Association Lawyer Referral Service (609)585-6200 Legal Aid Society-Mercer County (609)695-6249	<u>Sussex County</u> Sussex County Bar Association Lawyer Referral Service (973)267-5882 Somerset-Sussex Legal Services (973-383-7400
<u>Camden County</u> Camden County Bar Association Lawyer Referral Service (856)482-0618 *Regional Legal Services (856)964-2010	<u>Middlesex County</u> Middlesex County Bar Association Lawyer Referral Service (732)828-0053 Middlesex County Legal Services (732)828-3433	<u>Union County</u> Union County Bar Association Lawyer Referral Service (908)353-4715 Union County Legal Services (908)354-4340
<u>Cape May County</u> Cape May County Bar Association Lawyer Referral Service (609)463-0313 Cape-Atlantic Legal Services (609)465-3001	<u>Monmouth County</u> Monmouth County Bar Association Lawyer Referral Service (732)431-5544 Ocean-Monmouth Legal Services (732)414-6750	<u>Warren County</u> Warren County Bar Association Lawyer Referral Service (908)387-1835 Warren County Legal Services (908)475-2010
<u>Cumberland County</u> Cumberland County Bar Assoc. Lawyer Referral Service (856)696-5550 Legal Aid Society (856)691-0494	<u>Morris County</u> Morris County Bar Association Lawyer Referral Service (973)267-5882 Legal Aid Society of Morris (973)285-6911	
<u>Essex County</u> Essex County Bar Association Lawyer Referral Service (973)622-6204 Essex County Legal Aid Assoc. (973)622-0063	<u>Ocean County</u> Ocean County Bar Association Lawyer Referral Service (732)431-5544 Ocean-Monmouth Legal Services (732)608-7794	* Camden Regional Legal Services, Inc. serves Burlington, Cumberland, Gloucester and Salem Counties.

Christopher Perez, Esq., Attorney ID No. 043602005
HANNA | PEREZ PC
185 Route 17 South
Paramus, New Jersey 07652
(201) 224-9400, Fax: (201) 224-9401
Attorney for Plaintiff, IOANA M. ANDREI

IOANA M. ANDREI,

Plaintiff,

vs.

BOROUGH OF PARAMUS, CARLOS M.
ORTIZ-ACEVEDO, ALEX ZAMORA,
JOHN DOES 1-5 (fictitiously named
operators, lessors, lessees, ridesharing entity,
employers, agents, or owners of sanitation
trucks), and ABC CORP. 1-5 (fictitiously
named operators, lessors, lessees, ridesharing
entity, employers, agents, or owners of
sanitation trucks),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

DOCKET NO.: BER-L-

Civil Action

**COMPLAINT, JURY DEMAND, &
DISCOVERY DEMANDS**

Plaintiff, IOANA M. ANDREI, residing at 233 North Mill View Way, in the City of Jacksonville, County of St. John, and State of Florida, by way of Complaint against defendants declares:

FIRST COUNT

1. On or about May 20, 2022, plaintiff, IOANA M. ANDREI, was operating a motor vehicle, traveling eastbound on Broadway Boulevard, at or near the intersection with Salem Street, in the Borough of Paramus, County of Bergen, and State of New Jersey.

2. At the aforesaid time and place, defendant, CARLOS M. ORTIZ-ACEVEDO was operating a sanitation truck, under the course and scope of his employment, agency agreement, or contract with the vehicle owner or lessee, defendant, BOROUGH OF PARAMUS.

3. At the aforesaid time and place, defendant, ALEX ZAMORA was operating a sanitation truck, under the course and scope of his employment, agency agreement, or contract with the vehicle

owner or lessee, defendant, BOROUGH OF PARAMUS, and/or was using the sanitation truck in the collection and disposition of municipal waste, under the course and scope of his employment with the vehicle owner, defendant, BOROUGH OF PARAMUS.

4. At the same time and place, defendants, JOHN DOES 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks), their agents or assigns, negligently and/or recklessly operated, maintained, repaired, used, entrusted, and/or owned, said sanitation truck, causing a collision with plaintiff's vehicle.

5. At the same time and place, defendants, JOHN DOES 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks), their agents or assigns, negligently and/or recklessly retained, hired, trained, instructed, employed, supervised, managed, dispatched, and/or participated in an agreement with the aforesaid sanitation truck operator to provide sanitation services.

6. At the aforesaid time and place, defendants negligently and/or recklessly operated, maintained, repaired, used, entrusted, and/or owned, said sanitation truck, causing a collision with plaintiff's vehicle.

7. At all times relevant herein, defendants, CARLOS M. ORTIZ-ACEVEDO, ALEX ZAMORA, and/or JOHN DOES 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) were carrying out the business of defendants, BOROUGH OF PARAMUS and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks), as an employee, agent, contractor, and/or independent contractor of defendant, BOROUGH OF PARAMUS and/or ABC

CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks).

8. At all times relevant herein, defendants, BOROUGH OF PARAMUS and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks), had a duty to supervise, oversee, manage, train and/or instruct any operators of commercial vehicles utilized to carry out its business.

9. At all times relevant herein, defendants, BOROUGH OF PARAMUS and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) should not have permitted, nor entrusted defendants, CARLOS M. ORTIZ-ACEVEDO, ALEX ZAMORA, and/or JOHN DOES 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) to operate the aforesaid commercial vehicle.

10. At all times relevant herein, defendant, BOROUGH OF PARAMUS and/or ABC CORP. 1-5 (fictitiously named operators, lessors, lessees, ridesharing entity, employers, agents, or owners of sanitation trucks) negligently, carelessly and/or recklessly breached to supervise, oversee, manage, train and/or instruct any operators of commercial vehicles utilized to carry out its business by negligently and carelessly hiring, recruiting, procuring, and contracting agents or drivers of its commercial vehicles; by failing to conduct proper background checks of the drivers, agents, contractors, and/or independent contractors carrying out its business; by failing to properly train and supervise drivers, agents, contractors, and/or independent contractors charged with carrying out its business; and/or otherwise by negligently entrusting its vehicle to a driver and/or agent whom it knew or should have known would present an unreasonable risk of injury to others.

11. As a direct and proximate result of defendants' negligence, plaintiff was caused to sustain serious and permanent injuries and has suffered great pain, shock, and mental anguish, and was and still is incapacitated and will be permanently disabled, has in the past and will in the future be

caused to expend substantial sums of money for medical treatment, and has in the past and will in the future be caused to lose employment earnings.

WHEREFORE, plaintiff demands judgment for damages against defendants, jointly and severally, together with interest, attorney's fees, and costs of suit.

DEMAND FOR ANSWERS TO INTERROGATORIES

Pursuant to R. 4:17-1 et seq., plaintiff hereby demands that all defendants provide answers to Form C and C(1) interrogatories.

DEMAND FOR ANSWERS TO SUPPLEMENTAL INTERROGATORIES

Pursuant to R. 4:17-1 et seq., plaintiff hereby demands that all defendants provide answers to the following supplemental interrogatories:

1. State where you were coming from immediately prior to the incident and also prior to your arrival at the scene of the accident, and state your intended destination.
2. State whether you observed the plaintiff prior to the collision. If yes, state the approximate speed of each vehicle/person; where you were at the time you first observed the other vehicle/person; the distance between you and the other vehicle/person at the first moment you observed the other vehicle/person; and the amount of time that passed from the time of your first observation to the time of the impact.
3. State whether you had ever been in the area of the incident prior to the date referenced above, and if so, state when was the last time you were in the area and the frequency with which you were in the area in the past.
4. State whether you have any illnesses or take any medications which would impair or in any way affect your ability to operate a motor vehicle.
5. State whether you had any restrictions on your driver's license at the time of the accident.

DEMAND FOR PRODUCTION OF DOCUMENTS

Pursuant to R. 4:18-1, et seq., plaintiff hereby demands that all defendants provide the following documents:

1. Any and all statements or reports made by any person or governmental entity concerning this civil action or its subject matter.
2. Copies of any and all photographs in your possession of the vehicles, the location, or the parties involved in this accident.

3. Copies of any and all repairs estimates of the vehicles involved in this accident as well as any cancelled checks regarding payment for property damage.
4. Copies of any claims information bureau or other insurance claims searches or other documents referencing any prior or subsequent injuries and/or claims by the plaintiff.
5. Copies of any statements made by any person with regard to the happening of the collision or having to do with the subject matter of this action.
6. Copies of any and all expert reports, reports of diagnostic tests, hospital and medical records, X-rays, CAT scan films, MRI films and any other films and bills relating to any condition or injury sustained by the plaintiff.
7. Copies of all written reports or summaries of oral reports of all expert or treating or examining physicians along with their curriculum vitae.
8. Copies of any and all books, treatises, commentaries, reports, statutes, codes, ordinances, rules, regulations or other published documents referred to, utilized by or relied upon by any expert witness whom plaintiff/defendant intends to call at the time of trial.
9. Copies of any and all documents, reports, correspondence, blue prints, charts, diagrams, drawings, graphs, maps, plats, plans, photographs, models or other visual reproductions of any object, place or thing prepared or utilized by, referred to or relied upon by any expert witnesses, whether or not you intend on calling them at the time of trial.
10. Copies of any and all photographs, diagrams, charts, drawings, maps, plans or models or other visual reproductions of any object, place or thing related to this litigation.
11. All documents, tangible evidence or other items relevant to the incident set forth in the plaintiff's complaint.
12. All deeds, leases, contracts, invoices, maintenance agreements, or records pertaining to any person, vehicle, or premises identified in the plaintiff's complaint.
13. If you are not supplying any statement, report, medical record or other item requested herein, identify the item; indicate who has possession of the item; specify their address and state the reason why the items are not being provided.

JURY DEMAND

Plaintiff demands a trial by jury as to all issues herein.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:5-1(c), Christopher Perez, Esq., is designated as trial counsel.

CERTIFICATION

Pursuant to R. 4:5-1, the undersigned certifies that the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding.

HANNA | PEREZ PC
Attorney for Plaintiff

By: /s/ Christopher Perez
CHRISTOPHER PEREZ

Dated: April 23, 2024

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-002403-24

Case Caption: ANDREI IOANA VS BOROUGH OF
PARAMUS

Case Initiation Date: 04/23/2024

Attorney Name: CHRISTOPHER PEREZ

Firm Name: HANNA PEREZ, PC

Address: 185 NJ-17 SOUTH
PARAMUS NJ 07652

Phone: 2012249400

Name of Party: PLAINTIFF : ANDREI, IOANA, M

Name of Defendant's Primary Insurance Company
(if known): None

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (VERBAL
THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: IOANA M ANDREI? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? YES Consumer Fraud? NO
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the
court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

04/23/2024

Dated

/s/ CHRISTOPHER PEREZ

Signed

BERGEN COUNTY COURTHOUSE
SUPERIOR COURT LAW DIV
BERGEN COUNTY JUSTICE CTR RM 415
HACKENSACK NJ 07601-7680

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (201) 221-0700
COURT HOURS 8:30 AM - 4:30 PM

DATE: APRIL 23, 2024
RE: ANDREI IOANA VS BOROUGH OF PARAMUS
DOCKET: BER L -002403 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JOHN D. ODWYER

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (201) 221-0700 EXT 25683.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.

PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: CHRISTOPH PEREZ
HANNA PEREZ, PC
185 NJ-17 SOUTH
PARAMUS NJ 07652

ECOURTS