

Welt & Kuzemczak, LLC

Counselors at Law
990 Clifton Ave. 2nd Floor
Clifton, New Jersey 07013
Phone: (973) 773-9800
Fax: (973) 773-9807

David M. Welt
NJ & Florida Bars
Attorney ID: 033301980

E-mail: DWeltesq@gmail.com

Jerry Kuzemczak
NJ & PA Bars
Attorney ID: 019311993

E-mail: JKuzemczak@aol.com

Beata A. Bodyziak
NJ & NY Bars
Attorney ID: 119742016

E-mail: Bodyziakesq@gmail.com

Hector Olmo
Borough Administrator
Borough of Wallington
24 Union Boulevard
Wallington, New Jersey 07057

December 16, 2019

RE: Position of Wallington Public Defender

Dear Mr. Olmo:

It is an honor to be considered for the position of the Wallington Municipal Court Public Defender.

I have been practicing law since 1993, mainly in the areas of traffic, criminal, matrimonial and real estate law. Furthermore, myself and my staff are fluent in Polish, which is a language often utilized in Wallington Municipal Court. Please note that my office is located in Clifton, New Jersey, and is easily accessible to clients.

I hereby submit the following proposal for Professional Legal Services for the Calendar Year 2020. I shall provide professional legal services for \$5,000.00 on an as needed basis for the Borough of Wallington. Enclosed you will find my firm's brochure, references, Lawyers Professional Liability Declarations together with Annual Report Certification, and confirmation of my Continuing Legal Education compliance for your review and records.

Should you have any questions or require additional information do not hesitate to contact me. I look forward to serving the needs of Wallington Municipal Court for years to come.

Very truly yours,

Jerry Kuzemczak, Esq.

JK/ms
Encl.

REQUEST FOR PROPOSALS OF
QUALIFICATIONS FOR
Outside Legal Services for the 2020
Calendar Year

	(X) Please indicate the services RFPQ submission applies to:	
1		Borough Attorney
2		Labor/Employment Counsel
3		Appellate Practice (Federal, Superior Court, Civil Appeals)
4		Board of Health Counsel
5		Rent Control Board Counsel
6		Bond Counsel
7		Prosecutor
8	X	Public Defender
9		Redevelopment Counsel
10		Planning Board Attorney
11		Zoning Board Attorney
12		Special Counsel
13		Tax Appeals
14		Alternate Prosecutor
15		Alternate Public Defender
16		Alternate Borough Counsel
17		Conflicts Counsel
18		Special Litigation Counsel
19		Council on Affordable Housing Counsel
20		Hearing Officer
21		Affordable Housing Attorney
22		Special Investigation Counsel
23		Human Resources Investigation Counsel
24		
25		
26		
27		
28		
29		

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Attorney ID: 119742016

E-mail: Bodyziakesq@gmail.com

APPENDIX A LETTER OF INTENT

Respondents Federal EIN: 203-975-286

*Borough of Wallington
24 Union Boulevard
Wallington, NJ 07057*

December 16, 2019

Attn: Hector Olmo, Borough Administrator

Re: Public Defender

Dear Mr. Olmo:

The undersigned, as Respondent, has submitted the attached Proposal of Qualification Statement in response to a Request for Proposal of Qualifications (RFQ), issued by the Borough of Wallington ("Borough"), dated [insert date], in connection with the services set forth above.

Jerry Kuzemczak, Esq. HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information. We affirm that the contents of our Proposal of Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of the undersigned Respondent.

2. The undersigned Respondent is interested in being invited to respond to the Borough of Wallington request for Proposals of Qualifications (RFQ). It is the intent of Respondent, to complete

and submit a Qualification Statement for the provision of the services set forth above and to enter into a contract for said services if selected and awarded a contract by the Mayor and Council of the Borough of Wallington.

3. The undersigned Respondent agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Borough of Wallington Procurement schedule.

4. The undersigned Respondent agrees that all costs incurred by it (them) in connection with the preparation and submission of the Proposal of Qualification statement submitted in response to the RFQ or any negotiation which results therefrom shall be borne exclusively by the Respondent.

5. The undersigned Respondent hereby declares that the only persons participating in this Proposal of Qualification Statements as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal of Qualification Statement or in any contract to be entered with respect thereto. Additional person may subsequently be including as participating principals, but only if acceptable to the Borough of

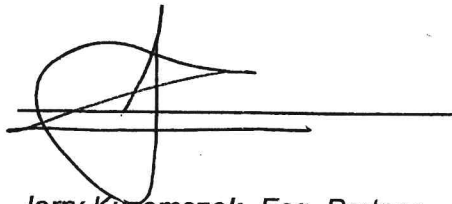
Wallington. The undersigned Respondent further declares that this Proposal of Qualification Statement is made without connection with any other person, firm or parties who has submitted a Proposal of Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

6. The undersigned Respondent acknowledge and agrees that the Borough of Wallington may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough of Wallington shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.

7. The undersigned Respondent acknowledges that any contract executed with respect to the provision of the above referenced services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

8. The undersigned Respondent acknowledges and agrees that it will be obligated to satisfy the requirements set forth in Section Two of this RFQ at the time of submission of its Proposal of Qualification Statement. The Respondent hereby states that (as of the date hereof) it has a reasonable expectation that it will be able to satisfy such criteria and requirements as of the date of its submittal.

[Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.]

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'K' that overlap, with a horizontal line extending to the right from the end of the signature.

Jerry Kuzemczak, Esq. Partner

Welt & Kuzemczak, LLC

Date; 12/16/19

(If a joint venture, partnership or other formal organization is submitting a Proposal of Qualification Statement, each participant shall execute this Letter of Intent.)

APPENDIX B
CERTIFICATIONS

In addition to responding to the foregoing items, the undersigned Respondent certifies that:

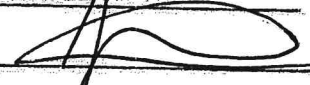
A. The firm's participation in the matters contemplated by this RFQ will not create any conflict of interest for the firm or any of its officers or employees.

B. The firm is an equal opportunity employer and does not discriminate against applicants or employees on the basis of race, color, religion, sex, age, disability, national origin, or ancestry.

C. The firm is not currently in violation of or under any investigation or review for a violation of any state or federal law or regulation that might have a material adverse impact on the firm's ability to serve if selected.

D. The firm understands and agrees that during the time it is a member of the group of qualified firms it will not be eligible to serve as financial advisor to the Borough of Wallington, and that it does not, and will not during that time, have a financial interest in any firm providing financial advisory services to the Borough of Wallington.

Firm: Welt & Kuzemczak, LLC

By: 

Name Jerry Kuzemczak, Esq.

Title: Partner

December 16, 2019

OWNERSHIP DISCLOSURE CERTIFICATION

This Statement Shall Be Included with Bid Submission

Name of Business Welt & Kuzemczak, LLC

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned. However if a parent entity holding 10% or more is a publicly traded entity, then the respondent in complying with N.J.S.A. 52:25-24.2 may submit the name and address of each publicly traded entity, and the name and address of each person holding 10% or more beneficial interest in the publicly traded entity as of the last the last annual filing with the Security Exchange Commission (SEC), or foreign equivalent.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship ☐ Limited Partnership
☒ Limited Liability Corporation ☐ Limited Liability Partnership ☐ Other

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: Jerry Kuzemczak

Name: David M. Welt

Home Address: 67 Forest Way

Home Address: 25 Shadowland

Morris Plains, New Jersey

Livingston, New Jersey

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Subscribed and sworn before me this 16 day of
December, 2019

(Notary Public)

Marta Suchcicki

My Commission expires: July 15, 2021

(Affiant)

Jerry Kuzemczak, Partner
(Print name & title of affiant)

MARTA SUCHCICKI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JULY 15, 2021

DISCLOSURE STATEMENT

The attention of prospective bidders is drawn to the provisions of the Local Government Ethics Law (N.J.S.A. 40A:9-22-1, et seq.) which prohibits a Borough Officer or employee or member of his/her immediate family from having an interest in a business organization or engaging in any business transaction, or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest.

In furtherance thereof, every bidder must disclose below, being a Wallington officer or employee or whether an immediate family member is a Wallington officer or employee. If the bidder is a business organization, then disclosure shall be made with respect to anyone having an interest in the business and their immediate family members.

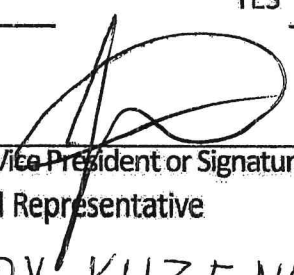
Please answer the following:

Is the bidder, or a member of the bidder's immediate family, or anyone having an interest in the bidder's business organization including their immediate family members, an officer or employee of Borough of Wallington

NO

X

YES



* President, Vice President or Signature of
Authorized Representative

JERRY KUZE MCZAK

Print Name

Partner

Title

If yes, provide the name of the individual and identify the position held, below, and notify in writing the Office of the Borough Administrator, 24 Union Boulevard, Wallington, NJ 07057. (Attach a copy of the correspondence to this form).

NOTE: All terms used herein are to be construed in accordance with their meaning under the Local Government Ethics Law, cited above.

*** FAILURE TO SIGN THIS AFFIDAVIT BY A DULY AUTHORIZED COMPANY OFFICIAL MAY RESULT IN REJECTION OF THIS PROPOSAL.**

Disclosure of Investment Activities in IRAN

BID/RFP/Solicitation Number: _____

Bidder/Offeror: _____

Part 1: Certification

BIDDERS ARE TO COMPLETE PART 1 BY CHECKING EITHER BOX.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:



I certify, pursuant to Public Law 012. c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran

pursuant to P.L. 2012. c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR



I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below.

Part 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran on additional sheets provided by you.

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name: (Print): JERRY KUZEMCZAK Signature: _____

Title: Partner

Date: 12/16/19

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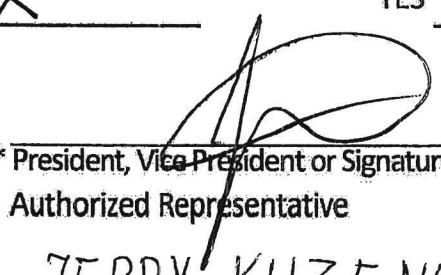
Please answer the following:

Is the bidder, or a member of the bidder's immediate family, or anyone having an interest in the bidder's business organization including their immediate family members, an officer or employee of Borough of Wallington

NO

X

YES


* President, Vice President or Signature of
Authorized Representative

JERRY KUZE MCZAK

Print Name

Partner

Title

If yes, provide the name of the individual and identify the position held, below, and notify in writing the Office of the Borough Administrator, 24 Union Boulevard, Wallington, NJ 07057. (Attach a copy of the correspondence to this form).

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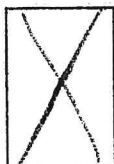
Bidder/Offeror: _____

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Full Name: (Print): TERRY KUZEMCZAK

Signature: 

Title: Partner

Date: 12/16/19

Jerry Kuzemczak

67 Forest Way
Morris Plains, New Jersey 07950
973-652-4920
jkuzemczak@aol.com

PROFESSIONAL EXPERIENCE

WELT & KUZEMCZAK, LLC. Clifton, New Jersey

Partner, June 2005 – present

- Represent clients in court or before government agencies.
- Present evidence to defend clients or prosecute defendants in criminal or civil litigation.
- Study Constitution, statutes, decisions, regulations, and ordinances of quasi-judicial bodies to determine ramifications for cases.
- Interpret laws, rulings and regulations for individuals and businesses.
- Present and summarize cases to judges and juries.
- Prepare legal briefs and file appeals in state and federal courts of appeal.
- Analyze the probable outcomes of cases, using knowledge of legal precedents.
- Evaluate findings and develop strategies and arguments in preparation for presentation of cases.
- Advise clients concerning claim liability, advisability of prosecuting or defending lawsuits, or legal rights and obligations.
- Gather evidence to formulate defense or to initiate legal actions, by such means as interviewing clients and witnesses to ascertain the facts of a case.
- Negotiate settlements of civil disputes.
- Prepare and draft legal documents, such as wills, deeds, leases, and contracts.
- Confer with colleagues with specialties in appropriate areas of legal issue to establish and verify bases for legal proceedings.
- Supervise legal assistants.
- Perform administrative and management functions related to the practice of law.
- Probate wills and represent and advise executors and administrators of estates.
- Search for and examine public and other legal records to write opinions or establish ownership.
- Act as agent, trustee, guardian, or executor for businesses or individuals.
- Work in environmental law, representing public interest groups with state and federal agencies.

PUBLIC DEFENDER- BOROUGH OF WALLINGTON, NEW JERSEY

- March 2012- Present

PASSAIC COUNTY ETHICS COMMITTEE

- **FEE ARBITRATION- CHAIRMAN OF PANEL C**
 - 2015, 2016 & 2017

EDUCATION

Rutgers State University of New Jersey, Newark, New Jersey
B.S. Accounting, May 1988

Seton Hall University School of Law, Newark, New Jersey
Juris Doctor, May 1993

- Member: Seton Hall Legislative Journal
- Author: A.B. 5051 - A Bill to Establish New Jersey Life and Health Insurance Guarantee Association. 16: A SETON HALL LEGIS. J. 849 (May 1992)

ADDITIONAL SKILLS

- Fluent in Ukrainian, Polish and Russian

Welt & Kuzemczak, LLC

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NJ & PA Bars
Attorney ID: 019311993

E-mail: JKuzemczak@aol.com

Beata A. Bodyziak
NJ & NY Bars
Attorney ID: 119742016

E-mail: Bodyziakesq@gmail.com

References

Thomas Duch, Esq.
550 Mola Blvd.
Elmwood Park, New Jersey 07407
(201) 794-7234

Henry Walentowicz, Esq.
1035 US 46
Clifton, New Jersey 07013
(973) 778-1771

Thomas Egan, Esq.
1000 Clifton Avenue
Clifton, New Jersey 07013
(973) 458-9800

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
ANNUAL REPORT CERTIFICATE

WELT AND KUZEMCZAK, LLC
0600255711

The Division of Revenue and Enterprise Services hereby affirms that the following annual report for WELT AND KUZEMCZAK, LLC was submitted on 09/19/2019 for the year: 2019

Registered Agent and Office

DAVID WELT
990 CLIFTON AVENUE, 2ND FLOOR
CLIFTON, NJ 07013

Main Business Address

990 CLIFTON AVENUE, 2ND FLOOR
CLIFTON, NJ 07013

Principal Business Address

990 CLIFTON AVENUE, 2ND FLOOR
CLIFTON, NJ 07013

Officers and Directors

GENERAL PARTNER
DAVID M WELT
990 CLIFTON AVENUE, 2ND FLOOR
CLIFTON, NJ 07013



Certificate Number : 2428127587
Verify this certificate online at
https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

*IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal, this
19th day of September, 2019*

Elizabeth Maher Muoio

Elizabeth Maher Muoio
State Treasurer



Lawyers Professional Liability Declarations

Markel Insurance Company
"A Stock Company"

Ten Parkway North
Deerfield, IL 60015

This is a claims made and reported policy
Please read this policy and all endorsements and attachments carefully

Claims Made and Reported Coverage: The coverage afforded by this policy is limited to liability for only those Claims which are first made against the Insured during the Policy Period or any applicable Extended Reporting Period, and which are reported to the Company in accordance with SECTION V - When to Report a Claim.

Notice: This policy may contain provisions that reduce the Limits of Liability stated in the policy by the costs of legal defense, unless the Named Insured has selected to purchase separate Limits of Liability for Claims Expenses as noted in Item 4. of the Declarations. This policy may contain provisions that permit legal defense costs to be applied against the deductible, unless the Named Insured has selected to purchase the deductible applicable to Damages only as noted in the Item 5. of the Declarations. Please read the policy carefully.

Policy Number: LA307171

Renewal of Policy: LA306049

1. NAMED INSURED: Welt & Kuzemczak, LLC

ADDRESS: 990 Clifton Avenue
Clifton

NJ 07013

2. POLICY PERIOD: From 01/14/2019 to 01/14/2020
at 12:01 A.M. Standard Time at the Named Insured's address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY,
THE COMPANY AGREES WITH THE INSURED TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

3. LIMITS OF LIABILITY: Each Claim: \$2,000,000
Aggregate: \$2,000,000

4. CLAIMS EXPENSES: Option Purchased
A. Included within the Limits of Liability ☐
B. Have separate Limits of Liability ☒

5. DEDUCTIBLE: Each Claim and Aggregate: \$5,000
A. Deductible applies to Damages only ☒
B. Deductible applies to Damages and Claims Expenses ☐

6. ANNUAL PREMIUM: \$ 12,676.00
NJ PLIGA 76.06

Total Premium \$ 12,752.06

7. RETROACTIVE DATE: Jan. 1, 1993

8. Forms and endorsements applying to this Coverage part and made part of this policy at the time of issue:

MLP 1400-NJ 07 13	NJ AMENDATORY ENDT
MLP 1218 02 17	BREACH MITIGATION EXPENSE COVG
MLP 1219 02 17	ENHANCEMENT ENDT
MIL 1214 09 17	TRADE OR ECONOMIC SANCTIONS
MPIL 1007 03 14	PRIVACY NOTICE
MPIL 1083 04 15	OFAC ADVISORY NOTICE
MLP 0001 07 13	MARKEL INS LAWYERS PROF POLICY

To Report a Loss

- Dial toll-free #1 (844)777-8323 or visit our
- Website: <https://my.rpsins.com/claimsfnol>
- Contact Insurer directly (see policy section)

9. Report Claims by fax, registered mail or email to:

Claims Service Center: Markel Service Incorporated; Ten Parkway North, Deerfield, Illinois 60015
Fax (847) 572-6338 E-mail: newclaims@markelcorp.com

These Declarations, together with the Common Policy Conditions and Coverage Form(s) and any Endorsement(s), complete the above numbered policy.

RPSBRD/SC/2019.01.09

Authorized Representative

Producer Name: RPS Plus Companies, 1150 U.S. Highway 22, Suite 120 Bridgewater, NJ 08807
MDLP 1000 02 17
Issue Date: 01/09/2019

Markel Producer # 36993

2019 ANNUAL ATTORNEY REGISTRATION STATEMENT

Attorney ID:
019311993

Name:
JERRY KUZEMCZAK

Date of Birth:
07/25/1965

The United States **jurisdictions**(excluding New Jersey and federal courts) where I was **ever licensed** as an attorney:

<u>Year</u>	<u>State</u>	<u>Year</u>	<u>State</u>	<u>Year</u>	<u>State</u>
1994	PA				

Do you engage in the private practice of New Jersey law in any jurisdiction? Private practice includes sole practitioners, partners, shareholders, associates, of counsel positions, and per diem attorneys. (Please contact the Office of Attorney Ethics at OAE.mailbox@njcourts.gov or call 609-403-7800 if you have questions about this employer type.)

Y

The amount of time I engage in the private practice of New Jersey law	FULL-TIME
The nature of my private practice of New Jersey law can best be described as	PARTNER
The number of attorneys employed at my primary law office practice	3-5
Trust and Business Accounts maintained per R.1:21-6 and R.1:28A	
PRIMARY N.J. TRUST ACCOUNT	PRIMARY N.J. BUSINESS ACCOUNT
Account No: 041115678	Account No: 041115686
Bank: VALLEY NATIONAL BANK	Bank: VALLEY NATIONAL BANK

Are you employed in any jurisdiction or in any capacity as corporate or insurance house counsel, for which you practice New Jersey law? (Please contact the Superior Court Clerk's Office at PublicAccess.mailbox@njcourts.gov or 609-421-6100 if you have questions about this employer type.)

N

Are you employed in any capacity, in any jurisdiction by a public entity, governmental, judicial or court system, educational institution, or non-profit organization, such as the Judiciary, Attorney General, Public Defender, County Prosecutor, or Legal Services, where you work in New Jersey or practice New Jersey law? (Please contact the Superior Court Clerk's Office at PublicAccess.mailbox@njcourts.gov or 609-421-6100 if you have questions about this employer type.)

Y

PRO BONO ASSIGNMENT QUESTIONNAIRE

Are you eligible for an exemption from pro bono services? No

Assignment County: PASSAIC

CONTACT INFORMATION

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Primary Law Office Address:

Firm Name: WELT & KUZEMCZAK, LLC

Address 1: 990 CLIFTON AVE

Address 2: 2ND FL

Phone: 973-773-9800

Business Address:

Business Name: WALLINGTON MUNICIPAL COURT

Address 1: 54 UNION BLVD.

Address 2:

City: WALLINGTON

County: BERGEN

Zip: 07057

State: NEW JERSEY

Country: UNITED STATES

Phone: 973-777-0318

Mailing Address:

Business Name: WELT & KUZEMCZAK LLC

Address 1:

Address 2: 990 CLIFTON AVE

City: CLIFTON

County: PASSAIC

Zip: 07013

State: NEW JERSEY

Country: UNITED STATES

Phone: 973-773-9800

Home Address:

Address 1: 67 FOREST WAY

Address 2:

City: MORRIS PLAINS

County: MORRIS

Zip: 07950

State: NEW JERSEY

Country: UNITED STATES

Phone:

Current Billing Status: PAID FOR 2019 - AMOUNT PAID - \$212.00 ON 02/25/2019

CLE Current Year Status: Compliant

CLE Overall Status: ACTIVE

WELT & KUZEMCZAK, LLC
COUNSELORS AT LAW
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CLIFTON, NEW JERSEY 07013
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FIRM BROCHURE

INTRODUCTION and FIRM PHILOSOPHY

The Law Offices of Welt & Kuzemczak, LLC is a full service law firm specializing in the defense of civil claims and lawsuits. The firm is dedicated to effective and vigorous client service throughout New Jersey with offices centrally located in Clifton. The firm utilizes state-of-the-art facilities and technology.

The firm is cognizant of the balanced demand for cost efficiency without a compromise of quality service. We regard our clients as partners with whom we work together on the task of achieving successful results through a mutually beneficial billing structure. We are always open to flexibly tailored rate planning in order to accomplish this important balance.

AREAS OF PRACTICE

The firm's clients include a number of insurance companies, Third Party Administrators, school boards, municipalities, water and sewage commissions, and self insured corporations.

Our litigation practice is notably diversified, with primary emphasis in the area of insurance defense and the defense of public entities. Matters relating to the garden variety automobile and general liability claims to the more complex cases involving Title 59, Employer's Liability, Public Officials Liability, CEPA and LAD litigation, construction litigation, architects, engineers and other professional malpractice, employment discrimination, and products liability are all areas which have been litigated extensively by one or more members of the firm.

Clients increasingly consult us in anticipation of potential disputes, and the firm is routinely involved in the claim stage with an eye towards alternative dispute resolution. The firm litigates in the federal and state courts and appears before arbitration panels, including the American Arbitration Association and private industry tribunals.

GENERAL LIABILITY

Matters relating to the garden variety automobile case, premises liability, landlord\tenant liability, wrongful deaths, negligent supervision, nursing homes are routinely litigated by the firm. We pride ourselves in defending more complex cases involving Title 59, Employer's liability, Public Officials liability, CEPA and LAD litigation, construction litigation, architects and engineers malpractice and products liability.

We recently obtained a favorable settlement of a case filed by the estate of an individual who was murdered in a restaurant located in a high crime area of Paterson, New Jersey. Notwithstanding the trial judge's ruling that evidence of prior violent crimes committed in the restaurant were admissible, the case settled for \$7,000.

EMPLOYEE V. EMPLOYER LIABILITY

Employees suing their employers for more than worker's compensation benefits is on the rise in New Jersey. The common law trend is to permit this type of litigation where the employer's conduct is so egregious that there is a virtual certainty that an injury will result from that conduct.

In a case that made national headlines, Mr. Welt defended a water utility which employed a high level chemist who was murdered in its plant by a co-employee. The case settled only for an accelerated payment of worker's compensation benefits.

PRODUCTS LIABILITY

Allegedly defective scaffolding, power saws, snow blowers and furnaces are all cases which the firm has defended.

Recent successes include the payment of property damage only when an exploding boiler destroyed a house, forcing its occupant to evacuate the burning premises, sustaining a heart attack in the process. After discovery, plaintiff's counsel voluntarily dismissed the personal injury portion of the case.

In a products case involving the destruction of a roof shingles plant, the insurance company felt more comfortable with having our firm defend the litigation in North

Carolina where the incident occurred in lieu of retaining local counsel in that state.

SCHOOL BOARD LIABILITY

The firm represents a number of school districts whose teachers have been involved in a variety of claims including retaliatory discharge, discrimination, harassment, whistle blowing, and inappropriate sexual contact with students.

Recent successes include the defense of a school board in a case involving the suicide of a gay student allegedly as a result of a sexual relationship with his teacher. The case settled for \$35,000 used to establish a scholarship fund.

In a case in which a high school teacher allegedly raped a student in the school, plaintiff's counsel filed a voluntary dismissal of the case after the student's mother was deposed by Mr. Welt.

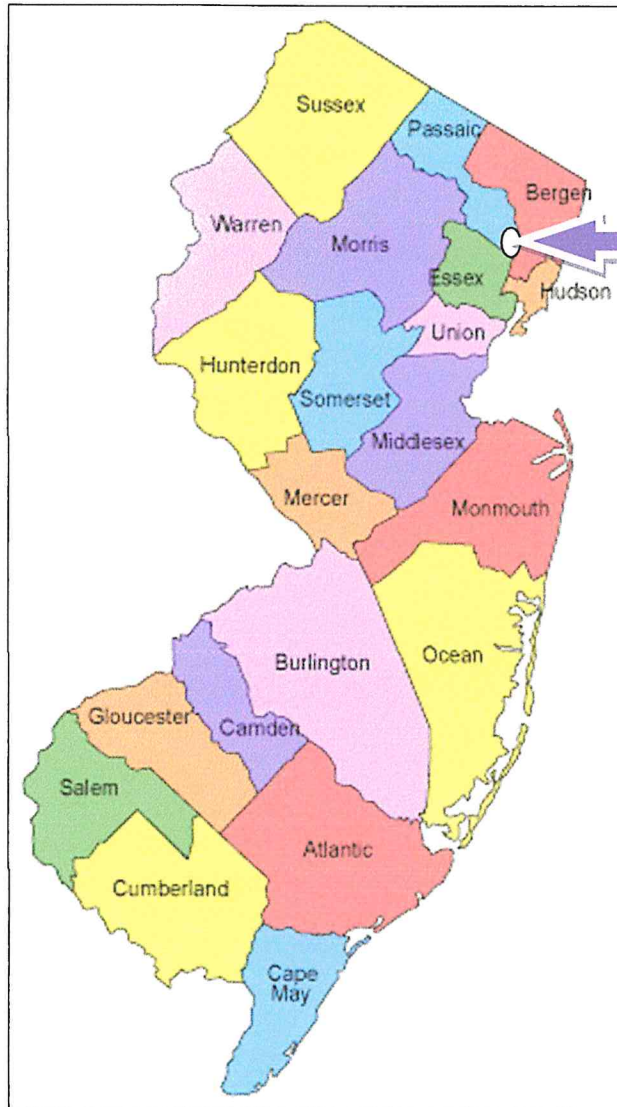
PUBLIC ENTITY LIABILITY

As a member of the Municipal Joint Insurance Fund, Mr. Welt has represented a number of counties, cities, towns and municipal agencies such as water and sewerage commissions. Issues related to sovereign immunity, dangerous conditions of property within the meaning of Title 59, Public Officials Liability and defamation.

CONSTRUCTION LITIGATION

The firm has experience with construction cases, primarily as counsel for architects and engineers in either defense of malpractice claims against these professionals or in defense of construction defects on projects which either cause damage to third parties or delay damages are claimed.

FIRM LOCATION



Welt & Kuzemczak, LLC
990 Clifton Ave., 2nd Floor
Clifton, New Jersey 07013

Our firm is located near the Garden State Parkway in the southeast corner of Passaic County. Bordering Bergen, Essex, Morris and Hudson Counties, the firm handles cases in all of northern New Jersey.

OUR ATTORNEYS AND PROFESSIONAL STAFF

DAVID M. WELT, ESQ.

Admitted to New Jersey and Florida Bars, 1980. Education: Hiram College (B.A., *Magna cum Laude*, 1974); **Member:** *Phi Beta Kappa* and *Pi Gamma Mu*; Case Western University School of Law (J.D. 1980). **Editor:** Case Western Reserve Law Review. **Partner:** Morgan Melhuish Monaghan Arvidson Abrutyn & Lisowski (1982-1998). **Partner:** Welt & David, P.C. (1998-2005). **Partner:** Welt & Kuzemczak, LLC. (2005 to present).

Mr. Welt brings to the partnership 31 years of trial experience in all courts. Upon graduation from law school, he began his career as a litigation claims supervisor and then claims manager for the Insurance Company of North America (now Ace). As a partner in one of New Jersey's leading insurance defense firms, he has represented a number of insurance companies, municipalities, water and sewerage authorities and self-insured corporate clients in matters including the defense of automobile claims, general liability, Title 59, construction litigation, products liability, professional malpractice and employment discrimination. Mr. Welt enjoys a reputation for tenacity that is unparalleled in this state.

JERRY KUZEMCZAK, ESQ.

Admitted to Bar, 1993, New Jersey and Pennsylvania. Education: Rutgers State University of New Jersey (B.S. Accounting 1988); Seton Hall University School of Law (J.D. 1993). **Member:** Seton Hall Legislative Journal. **Author:** A.B. 5051 - A Bill to Establish New Jersey Life and Health Insurance Guarantee Association, 16: A SETON HALL LEGIS. J. 849 (May 1992).

As a Certified Public Accountant and a pre-law school career with Prudential Insurance Company, Mr. Kuzemczak brings his specialized expertise to our defense litigation team. While in law school, Mr. Kuzemczak worked for the Office of the Attorney General - Division of Law. Since graduating from Seton Hall University School of Law, he has been an associate with a Newark law firm handling all aspects of insurance defense litigation. He was also responsible for the firm's residential real estate practice. As a partner in the firm, Mr. Kuzemczak has continued to handle insurance defense, civil litigation and real estate practice areas.

FULL COMPLEMENT OF SUPPORT AND PART-TIME STAFF

The firm also maintains a full complement of part-time professional staff, including lawyers and paralegals. Each member of the part-time staff has a particular area of special interest including litigation, condominium law and real estate.