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Attorney(s) for Plaintiff(s): Clifford L. Van Syoc

SUSAN D. HOLTZ

Plaintiff(s)

vs.

JOHN COFFEY, TOWNSHIP OF PENNSAUKEN,
MICHAEL PROBASCO, LIEUTENANT ANTHONY,
AND JOHN DOES 1-25, inclusive, fictitious Defendant(s)
named defendants, j/s/a

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAMDEN COUNTY

DOCKET NO. CAM-L-3284-03

CIVIL ACTION

Summons

From the State of New Jersey
To the Defendant(s) Named Above:

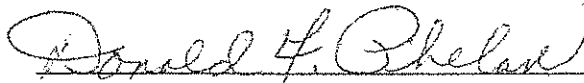
The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk 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. (The address of each deputy clerk of the Superior Court is provided.) 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 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 of \$135.00 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. A list of these offices is provided. 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.

Dated:

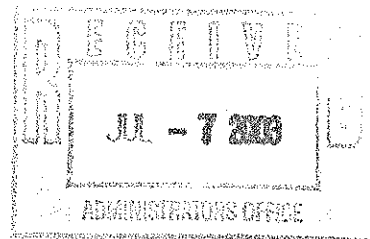
June 23, 2003


Superior Court Clerk

Name of Defendant to Be Served:

Address of Defendant to Be Served:

John Coffey
c/o Pennsauken Township Police Department
2400 Bethel Avenue
Pennsauken, NJ 08110





CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial Law Division - Civil Part pleadings (not motions) under Rule 4:5-1.
Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or if attorney's signature is not affixed.

FOR USE BY CLERK'S OFFICE ONLY

PAYMENT TYPE: CK CG CA

CHG / CK NO.

AMOUNT:

OVERPAYMENT:

BATCH NUMBER:

ATTORNEY / PRO SE NAME

Clifford L. Van Syoc

TELEPHONE NUMBER

(856) 910-8282

COUNTY OF VENUE

Camden

FIRM NAME (if applicable)

Van Syoc Chartered

DOCKET NUMBER (When available)

OFFICE ADDRESS

535 Route 38 East - Suite 501

Cherry Hill, NJ 08002

DOCUMENT TYPE

Complaint

JURY DEMAND

☒ YES ☐ NO

NAME OF PARTY (e.g. John Doe, Plaintiff)

Susan Holtz - Plaintiff

CAPTION

Holtz v. Van Syoc

CAMDEN COUNTY SUPERIOR COURT

3 284 03

CASE TYPE NUMBER

(See reverse side for listing)

618

IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO

IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.

RELATED CASES PENDING?

☐ YES ☒ NO

IF YES, LIST DOCKET NUMBERS

DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)?

☒ YES ☐ NO

NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN

☐ NONE ☒ UNKNOWN

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.

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

A. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP?

☒ YES ☐ NO

IF YES, IS THAT RELATIONSHIP

☒ EMPLOYER - EMPLOYEE

☐ FRIEND / NEIGHBOR

☐ OTHER (explain) _____

☐ FAMILIAL

☐ BUSINESS

B. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY?

☒ YES ☐ 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?

☐ YES ☒ NO

IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION: _____

WILL AN INTERPRETER BE NEEDED?

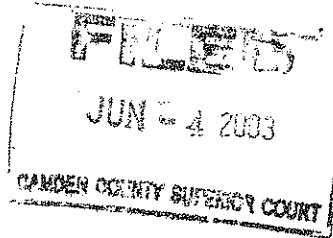
☐ YES ☒ NO

IF YES, FOR WHAT LANGUAGE: _____

ATTORNEY SIGNATURE

[Handwritten Signature]

VAN SYOC CHARTERED
535 ROUTE 38 EAST, SUITE 501
CHERRY HILL, NJ 08002
(856) 910-8282
ATTORNEYS FOR PLAINTIFF



SUSAN D. HOLTZ,
Plaintiff,

v.

JOHN COFFEY, TOWNSHIP OF
PENNSAUKEN, MICHAEL PROBASCO,
LIEUTENANT ANTHONY,
AND JOHN DOES 1-25, inclusive,
fictitious named defendants, jointly,
severally, and in the alternative,

Defendants.

SUPERIOR COURT OF NEW
JERSEY - LAW DIVISION -
CAMDEN COUNTY

DOCKET NO.

Civil Action

3 284 03

COMPLAINT, DEMAND FOR JURY
TRIAL, AND DESIGNATION OF
TRIAL COUNSEL

Plaintiff Susan D. Holtz, a Pennsauken police officer, residing in Tuckahoe, New Jersey, by way of Complaint against defendants, says:

FIRST COUNT

1. At all relevant times herein, defendant John Coffey was an individual employee of the Police Department of the defendant Township of Pennsauken, a municipal entity located in Camden County, New Jersey, which was likewise the employer of the plaintiff.

2. The defendant Coffey is a member of upper management of the Pennsauken Township Police Department, and was at all relevant times herein.

3. At all relevant times herein, defendant Michael Probasco was an individual and, for most of the time, was plaintiff's superior, in a position of responsibility in the Pennsauken Township Police Department.

4. At all relevant times herein, defendant Lieutenant Anthony was an individual and, for most of the time, was plaintiff's superior, in a position of responsibility in the Pennsauken Township Police Department.

5. The defendants John Does 1 through 25, inclusive, are fictitious names for defendants whose identities are unknown at present, but which consist of all individuals, partnerships, joint ventures, corporations, or other forms of business entity, the identities of which are unknown, who are liable to the plaintiff by reason of their knowing conspiracy, aiding, abetting, or participation in the acts of discrimination and retaliation referred to herein, or who were responsible for the proper training, monitoring, supervision, and implementation of an aggressively enforced anti-sexual harassment and discrimination policy, but who failed to do so; the John Doe defendants expressly include all individuals or agents employed by or on behalf of Pennsauken Township who were in a position of responsibility to supervise the defendants Coffey and Probasco, including its governing body members.

6. On or about July 2, 1990, plaintiff was sworn in as a police officer for the Pennsauken Police Department.

7. During the course of plaintiff's employment, the defendant Michael Probasco became a very close friend of the plaintiff, which lasted until the time the defendant Probasco became plaintiff's superior and attempted to exploit the relationship as referred to herein..

8. In or about April, 1994, roughly three months after her personal relationship with Mr. Probasco began, plaintiff met her present husband, Larry Holtz, and began to date Mr. Holtz, as a result of which she cut off all personal interaction with Probasco.

9. Plaintiff's decision to cut off all personal interaction with Probasco and to devote her entire romantic attention to Mr. Holtz enraged Probasco, who tried repeatedly to convince

plaintiff not to continue to see Mr. Holtz, going so far as to deliberately lie by claiming that Mr. Holtz was seeing another female at his place of employment.

10. Probasco was appointed by the Police Department to the position of Sergeant, which put him in a position of command over the plaintiff, in connection with which Probasco made repeated attempts to see plaintiff on a personal basis.

11. Preferring to be monogamous with Mr. Holtz, plaintiff made it a point to avoid Probasco totally, who, in retaliation against the plaintiff, began to tell other officers, primarily rookies, that plaintiff was a "bad cop", and that those officers should stay away from plaintiff and not talk to her.

12. From that time to the present and continuing into the future, plaintiff has been subjected to a continuous and ongoing course of harassment, discrimination, and retaliation, which constitutes a continuing wrong in knowing, deliberate violation of New Jersey's Law Against Discrimination, N.J.S.A. 10:5-1 et seq., and will continue to be.

13. Around the time of Probasco's appointment to sergeant, he began a relationship with a Pennsauken police dispatcher, Cheryl Duffy, who was married at the time; shortly thereafter, Ms. Duffy was hired as a police officer, but nevertheless continued her extramarital relationship with Probasco, ultimately leading to an assault by Ms. Duffy's husband upon her and a divorce.

14. Ms. Duffy continued to have a dating relationship with Sergeant Probasco, as a result of which he gave Duffy favorable and preferential assignments and treatment, going so far as to permit her to ride in a supervisor car, which no other officer was allowed to do.

15. Plaintiff was disfavored at her place of employment, and Duffy was favored, because Duffy engaged in a continuing sexual relationship with Sergeant Probasco and plaintiff would not.

16. In or about the month of August, 1994, the Chief of Police of Pennsauken Township, Chief Smalfus, was researching the prospect of creating a mounted police unit, and asked that any officers with experience with horses to submit a report if they were interested in being a part of same, in connection with which plaintiff submitted a report dated August 12, 1994, to Steven Petrillo, Director of Public Safety, following which Chief Smalfus, a member of upper management, advised plaintiff that she could have a horse if she would "do a Lady Godiva", thereby making a reference to plaintiff obtaining job benefits were she to appear nude.

17. The offensive statement by Smalfus was voiced in the presence of Robert Brandt, Raymond Taylor, and David Wilkers, such that plaintiff was subjected to public humiliation.

18. The conduct of the Chief of Police was sufficiently outrageous as to place the Township on notice of the need to have an effective policy aggressively enforced to preclude sexual harassment or sexual discrimination, despite which the Township did nothing.

19. In or about August, 1997, plaintiff having been subjected to ongoing and relentless harassment by Probasco for years, plaintiff arrived at police headquarters at approximately 12:30 a.m., by which time all of the officers on the second shift, 4:00 p.m. to 12:00 a.m., were already gone for the evening, and the officers for the 12:00 a.m. to 8:00 a.m. officers were already on the street; at that time and place, Sergeant Probasco, who was plaintiff's immediate supervisor at the time, waited for plaintiff to make it back to headquarters to log off duty, and

after plaintiff entered the women's locker room, Probasco, without authorization or plaintiff's consent, entered the same room.

20. At the time Sergeant Probasco entered the room, plaintiff was half undressed, wearing only a t-shirt and underwear.

21. As Sergeant Probasco walked in, he had his hand placed directly on his erect penis, and then proceeded to unzip his pants and expose his erect penis, grabbing it and telling plaintiff "I want you to suck this!"

22. Plaintiff loudly and vehemently remonstrated with Sergeant Probasco, adamantly rejecting his grotesque sexual advances and repeatedly demanding that he get out of the women's locker room; after repeatedly threatening Probasco that he would lose his job, plaintiff induced Probasco to leave the locker room and to desist from his apparent effort to sexually assault the plaintiff.

23. The Township had no effective policy or complaint mechanisms, such that plaintiff could not report Probasco's grotesque misconduct, particularly in light of the fact that he and the Chief at the time, the defendant Coffey, were best of friends, such that plaintiff was concerned of the potential retaliatory action of the Township and its upper management and the potential adverse impact of such retaliation upon plaintiff's career.

24. A few weeks later, as plaintiff was walking into work at the beginning of her shift, Sergeant Probasco was in back of the Township police building, and was openly and visibly staring at plaintiff's crotch; as plaintiff walked past Sergeant Probasco, he said to plaintiff, "I can see the outline of your lips in those pants," thereby making explicit reference to plaintiff's female genitalia.

25. Thereafter, the defendant Probasco continued to request that plaintiff go out with him on "dates", which plaintiff routinely turned down; as a result of plaintiff's rejection of Probasco's advances, plaintiff was assigned to the radio room, widely construed to be a punishment post in the Pennsauken Township Police Department.

26. During the same period of time, and over the ensuing years, Probasco, in his repeated requests to obtain sexual favors from the plaintiff, told plaintiff that it was a command level opinion that "all women officers will be trained in 911 just in case they get pregnant", and then claimed he could arrange to get plaintiff out of such training if she would "date him", despite which plaintiff still refused to "date" him, refused to go out with him to drink after work, repeatedly told him she was not interested, and demanded that he stop harassing her; however, he did not.

27. From April, 1994 continuing to the present, the defendant Probasco's very presence created and creates a hostile work environment for the plaintiff.

28. During the late 1990s, the defendant Probasco began to engage in outrageous fraud upon his employer, together with other officers, by coming into work, clocking in, and then shortly after roll call, taking turns leaving, with the supervisor remaining on duty clocking out the supervisors that had left early, such that the supervisors were getting paid for time that they did not work, permitting them to save their extra sick leave, vacation time, or holiday time for later use; Probasco was particularly bold and blatant with his abuse of the system, going so far as to have a new patrolman, Shaun Sampson, while being paid by the department, use Sampson's own personal pick-up truck and drive to Hunter's Glen Apartments in Delran, New Jersey, to help Probasco move furniture from his ex-wife's apartment to Probasco's new home in Deptford Township, New Jersey.

29. The honest police department employees were so outraged at this blatant fraud that they began to document who was leaving and at what time they left, ultimately resulting in Officer Jay Rouse advising the defendant Coffey of the scheme or plan, as a result of which Coffey suspended others, but not Probasco, who was equally guilty, thereby sending a clear message to the plaintiff that any complaint she might make to Coffey about Probasco's ongoing campaign of harassment would be fruitless.

30. In or about July, 1998, plaintiff was approached by Pennsauken Officer Scott Gehring, who warned plaintiff to watch her back because Probasco was falsely telling other officers that he was dating plaintiff, and had made an additional statement that he was going to "take [plaintiff] down", which statement plaintiff construed to mean that he would cause the wrongful termination of her employment or would physically assault and batter her.

31. Among the acts of harassment was a particularly grotesque one that occurred on or about July 15, 1998, during the evening hours, when plaintiff was at headquarters performing EMT duties for a young child's injured foot, at which time she noticed the defendant Probasco looking at plaintiff through a window in an interview room, blowing kisses toward plaintiff, winking, and then licking and sucking his middle finger in a sexual, degrading, demeaning, and humiliating manner, causing such revulsion on the part of the plaintiff that she ran from the interview room to get out of Probasco's visual presence.

32. On or about August 6, 1998, by way of retaliation against the plaintiff for her rejection of his advances, the defendant Probasco began to lie to plaintiff's fellow officers by stating that her husband, Larry Holtz, had called the defendant Coffey to induce an order that no EMT officers would be assigned to the radio room, a punishment post, such that the defendant Probasco made plaintiff's co-workers become hostile toward her, thereby resulting

in them shunning and ostracizing the plaintiff; the officers involved include Officers Shue, Bevins, Sanders, Rouse, and Dispatcher Horcher.

33. On or about August 17, 1998, by way of retaliation, plaintiff was called into headquarters by the defendant Probasco and was threatened, as a result of which plaintiff provided a written report to her superior, Sergeant David Henkel, in which plaintiff described Probasco's threatening behavior and his unlawful restraint of the plaintiff; as a result, the defendant Coffey began to conduct what purported to be an investigation into plaintiff's complaint.

34. Thereafter, in or about the month of August or early September, 1998, the defendant Coffey came to plaintiff's home to discuss the years of harassment she had endured, and spoke with plaintiff and her husband, Larry Holtz, at which time Coffey claimed he would take care of the problem so long as plaintiff did not sue the department or Probasco.

35. In or about September, 1998, plaintiff complied with instructions from the defendant Coffey by going to the Camden County Prosecutor's Office to file a complaint; plaintiff was required to be accompanied by a male superior, Captain Brandt, who made plaintiff feel very uncomfortable, and was required to speak with a female prosecutor's office investigator, who made it clear to the plaintiff that plaintiff was merely wasting her time, asking questions phrased in such a way as to hopefully solicit answers favorable to Probasco, again making it clear to the plaintiff that plaintiff had no effective means to complain of the harassment against her.

36. Immediately after plaintiff's reporting to the Prosecutor's Office, in retaliation against the plaintiff, plaintiff's vehicle was "keyed" down to the metal on the driver's side of

the vehicle while it was parked in the police parking lot, an area generally off limits to non-police personnel.

37. In October, 1998, plaintiff was advised by the defendant Coffey and Captain Brandt that the Camden County Prosecutor's Office had sent the complaint back to the Township, with no action to be taken; Coffey and Brandt further stated that their investigation was complete and they would not pursue the harassment complaint any further, thereby making it clear to the plaintiff that there would be no thorough investigation, nor would there be any remediation or repudiation of Probasco's years of misconduct.

38. Immediately after the investigation was dropped, the defendant Probasco began to display his previous harassing and obnoxious personality, having been very quiet and reserved during the short period of time that the purported investigation occurred, as a result of which plaintiff advised an individual in her chain of command, Lieutenant Newman, of the circumstances surrounding Probasco's mistreatment of her, requesting that Lieutenant Newman watch out for Probasco's improper actions and anticipated retaliation, as a result of which plaintiff was called into the defendant Coffey's office the next night and reprimanded for speaking to her own lieutenant requesting protection from a known harasser.

39. Thereafter, Probasco continued to harass plaintiff on an extremely frequent basis, by his physical and verbal behavior, obviously reassured, by Coffey's dropping of the investigation, that nothing adverse would occur to him.

40. In January, 2000, plaintiff first learned from Officer Hermansky, who had retired and was previously in Internal Affairs, that Internal Affairs had never been allowed to investigate the matter, that the file was sealed, and that no one was allowed to look at it, such

that plaintiff discovered that Coffey's statement to her was an outright lie, and that the entire "investigation" was a sham.

41. Plaintiff made her displeasure, upset, and anger at the fraudulent "investigation" well known around the department, as a result of which the environment became ever more hostile and retaliatory.

42. The retaliation included ongoing ostracism of the plaintiff, with her co-workers openly shunning her, and deliberate humiliation and demeaning conduct, such as (a) compelling the plaintiff to vacate her (properly working) patrol car on a hot July evening at approximately 7:00 p.m., and to turn it over to Rookie Officer Sabella, so that plaintiff could be reassigned an old and dilapidated patrol car with no air conditioning; (b) Sergeant Foss openly and very loudly yelling at and using disparaging comments toward the plaintiff in front of several employees of the police department, including civilian dispatchers, at a time when plaintiff was assigned to work the radio room, with the yelling occurring because plaintiff did not hold an emergency 9-1-1 call, but rather dispatched it immediately upon receipt thereof; and (c) Lieutenant Anthony and Sergeant Jeitner refusing to allow the plaintiff to go home sick at a time when she was so ill and upset with the aforementioned treatment by Sergeant Foss that her blood pressure rose to a dangerously high level.

43. The retaliatory misconduct, all of which was motivated by plaintiff's objections to the sexual harassment and discrimination against her, went so far as to require plaintiff to utilize a gun belt holster that was known by defendants not to be compatible for use by a female of plaintiff's dimensions, such that the defendants were deliberately endangering plaintiff's safety for no justifiable reason; indeed, the Pennsauken Police Department Rangemaster has advised the plaintiff that being forced to use the standard issue holster was

not only jeopardizing plaintiff's safety, but was exposing the Rangemaster himself to civil liability.

44. On or about March 25, 2002, plaintiff was dispatched to handle a possible domestic violence incident at 1718 Lexington Avenue, during the course of which, in addition to plaintiff and two other patrol officers arriving at the scene, three sergeants likewise arrived, apparently for the purpose of scrutinizing plaintiff's conduct.

45. Although there was no probable cause to lodge or file any criminal or other charges against anyone in connection with that event, the defendants began a retaliatory investigation regarding plaintiff's refusal to file charges for which there was no factual or legal basis.

46. On or about March 26, 2002, plaintiff was grilled endlessly as to why she did not charge the person arrested at the domestic violence call the previous day with terroristic threats, which threats had not occurred, and why plaintiff did not put him in jail on an arrest warrant, despite the fact that plaintiff's report pertaining to the incident clearly demonstrated that she had no reason to believe that the circumstances warranted either an arrest or a charge for terroristic threats.

47. Plaintiff was being badgered by individuals who were part of the "old boys" network at the Pennsauken Police Department, at this time, including Lieutenant Anthony, Sergeant Kay, and Sergeant Foss, who jointly began to falsely claim that there were weapons in the house and that the female involved had complained of back pain, information which was new to (and disbelieved by) the plaintiff, who had not seen any supervisor even talk to the victim or advise plaintiff that they had any sort of contact with the victim.

48. At the time of the domestic violence incident, Sergeant John Clements had reviewed the matter, had agreed that harassment was the proper charge, and had agreed that a summons, rather than a warrant, was proper, since there was absolutely no justification for a warrant under the court rules; when plaintiff repeatedly attempted to inform Anthony, Kay, and Foss of this undeniable fact, she was abruptly cut off and ordered to do a memo about the entire incident.

49. The conduct of the defendants through their agents on March 26, 2002, was so outrageous that plaintiff began to have extreme physiological actions as a result of her severe emotional distress, such that the next day plaintiff went to see her doctor, Dr. Macome, who advised plaintiff that her blood pressure was so high, reading 188/122, that plaintiff needed to have blood work done immediately to determine what was wrong; plaintiff was ordered by her physician not to return to work due to that high blood pressure, which plaintiff accurately reported to Lieutenant Anthony, telling Anthony that plaintiff would be out sick for a while due to work related stress resulting in a dangerously high blood pressure.

50. Plaintiff returned to work, consistent with doctor's orders, on April 8, 2002, only to find that the harassment, discrimination, and retaliation against her had not stopped at all; indeed, the defendants apparently released plaintiff's confidential medical information throughout the department, including to numerous officers and clerks working in the record office, and plaintiff was assigned to the information/booking desk for the entire week, a punishment post.

51. On the same day of plaintiff's return, April 8, 2002, plaintiff was required to submit a detailed report concerning the domestic violence incident, despite Lieutenant

Anthony having released her from the requirement of preparing same at approximately 11:00 p.m. on March 26, 2002, based on Sergeant Clements' agreement with plaintiff.

52. On April 11, 2002, plaintiff submitted the report concerning the domestic violence incident, and again complained about the improper discrimination, retaliation, and harassment.

53. On April 15, 2002, plaintiff was ordered into the Internal Affairs Office and handed a letter from the defendant Coffey, ordering plaintiff to immediately write a report detailing the harassment she was experiencing in the department; plaintiff was given one hour to complete her task, was not permitted to refer to any documents, and was not allowed to speak with anyone, nor could plaintiff use either a computer or typewriter.

54. The next day, April 16, 2002, plaintiff was advised by Officer Rouse that the police department upper management were getting "their ducks in a row", stating that all of the supervisors had gotten together and written their reports so that each of their reports would be consistent with one another, but would conflict with plaintiff's report; Rouse further advised the plaintiff that the supervisors were expecting plaintiff to sue, and that the purpose of the meeting was to get their stories straight; lastly, Rouse warned plaintiff to be careful because "they" were out to get plaintiff.

55. At the end of her shift on April 16, 2002, Officer Wayne Fowler approached plaintiff to give her another warning, stating "you're a smart girl; watch your back."

56. On April 22, 2002, plaintiff was ordered to report to Sergeant Piccinini's office, with which she complied, at which time plaintiff was advised by Sergeant Piccinini, in the presence of Detective Sergeant Michael Basileo, that plaintiff's complaint was being investigated, but then went on to advise plaintiff that she was looking at anywhere from a

five-day suspension to a 30-day suspension, with the penalty (for conduct unknown) to be set by the defendant Coffey.

57. On April 22, 2002, at approximately 6:16 p.m., Officer Ray Gilbert approached plaintiff and advised her that all of the supervisors were telling other officers throughout the department about plaintiff's high blood pressure, were suggesting that plaintiff should not be on the streets, and that Sergeant Kay had told Gilbert about plaintiff's high blood pressure and joked about the possibility of plaintiff having a stroke while at work, going so far as to say that no one should give plaintiff "CPR" if she did have a stroke.

58. Inasmuch as defendant Lieutenant Anthony was the one and only person who had been informed about the high blood pressure, plaintiff asserts that Lieutenant Anthony released her confidential medical information and spread it throughout the department in an effort to retaliate against the plaintiff for her complaints of sexual discrimination and harassment and retaliation.

59. On or about April 23, 2002, plaintiff called Sergeant David Henkel at home, who advised plaintiff that all of the supervisors had gotten together to write their reports in such a way as to attempt to discredit plaintiff, told plaintiff that the odds were against her, and stated that she should look out for herself by getting an attorney right away.

60. On or about May 13, 2002, plaintiff was served with a preliminary notice of disciplinary action dated May 8, 2002, falsely charging plaintiff with one count of insubordination for purportedly failing to follow orders regarding the filing of criminal charges in regard to the domestic violence incident; these charges were knowingly false when brought, constitute an abuse of the disciplinary process, and were brought in retaliation for plaintiff's complaints of sexual harassment, discrimination, and retaliation against her.

61. Shortly after plaintiff demanded a hearing on the false charge against her, on or about May 17, 2002, plaintiff was assigned to the booking desk, but was deprived permission to take her normal dinner break, dispute the fact that every other officer was permitted to do so, yet another petty act of harassment and retaliation.

62. At the same date, plaintiff was required to report to the police range to qualify with her firearms, at which time the range master, Officer Sanders, noticed plaintiff was not wearing the holster he had recommended, in compliance with the department's orders, and, when told that plaintiff had been ordered to wear a holster which sat so high on plaintiff's waist that removal of her weapon was extraordinarily difficult, stated, "Unbelievable! If something happens to you and you can't get the gun out, I could get sued."

63. At the same time, plaintiff was advised that a girlfriend of another officer, Andy Wilson, had been arrested by the Cherry Hill Police Department at a time when she was driving Officer Wilson's car with Wilson's hand gun in the car at the time she was arrested for buying controlled dangerous substances; in order to protect Officer Wilson, the defendant Coffey intervened to have the charges dismissed, thereby sending plaintiff yet another message that even deliberate criminal wrongdoing by his favorite officers would be overlooked and protected, further communicating to plaintiff that there was no relief in sight from the hostile and retaliatory work environment she found herself in.

64. A hearing on the administrative charge falsely filed against the plaintiff occurred on October 7 and 8, 2002; in retaliation against the plaintiff for fighting those charges, plaintiff, after having to attend the hearing all day, was then required to work all night, the defendant Coffey having denied plaintiff's request for the time off so that she would be able to meaningfully participate in the hearing against her.

65. During the course of the hearing, plaintiff learned from Lieutenant Anthony during the course of his testimony that he kept a "black book", allegedly on police officers in the department; when pressed on cross-examination, Anthony admitted that the book was dedicated to one, and only one police officer, the plaintiff.

66. On October 7 and 8, 2002, plaintiff submitted a request for overtime to be paid for her presence at the department hearing, in light of the fact that the hearing officer had stated, on October 7, 2002, at page 64, that testimony could not be taken without plaintiff being present; on October 9, 2002, the defendant Coffey denied her request for overtime, which denial was retaliatory.

67. Thereafter, plaintiff submitted a formal grievance regarding the denial of the request for overtime, which was repeatedly denied by the defendant Coffey, such that plaintiff submitted a formal grievance to the Township Administrator.

68. On or about May 3, 2002, plaintiff's personal vehicle was stolen, in connection with which the plaintiff's assigned handcuffs and police baton, which were in the truck, were missing; despite plaintiff submitting the report to the department regarding the theft and the police-related Township issued equipment that was stolen, which was needed for plaintiff to properly and safely perform her duties, the Department refused to replace the handcuffs and police baton for months and months and months; indeed, these items have not been replaced even as of the date that this Complaint is being filed.

69. In an effort to make plaintiff's work environment ever more hostile, plaintiff had been assigned to work under the direct supervision of the defendant Probasco, who by this time was a Lieutenant.

70. On or about July 26, 2002, plaintiff was advised by a fellow officer that the defendant Coffey and Lieutenant Probasco had established in the past a practice of deliberately denying defendants their due process rights by writing a motor vehicle ticket, then destroying each copy of the ticket except for the Court's copy, in order that the individual would be issued a warrant for arrest for failure to show up in Court, despite not having received a ticket advising them that they should show up in Court, which information again communicated to the plaintiff that she was working under the supervision of an outlaw Police Chief who had created a "good ol' boys" network that had no hesitance whatsoever at deliberately violating the law, such that plaintiff reached the reasonable conclusion that she would never obtain relief from the hostile work environment in which she found herself.

71. The harassment and retaliation has persisted against the plaintiff to this very day; for example, throughout the month of December, 2002, plaintiff was approached by numerous officers, including Officers Watkins, Bevins, Goschler, Gilbert, and Killian that they had been told by their supervisors that they were not allowed to talk to plaintiff about anything, with Coffey going so far as to issue a written reprimand to Officer Goschler on December 31, 2002, simply for talking to plaintiff, and then reprimanding plaintiff in writing for the same conduct.

72. By document dated March 21, 2003, but not served on plaintiff until April 16, 2003, plaintiff was formally notified by way of Final Notice of Disciplinary Action that all of the charges against her alleging insubordination and refusal to obey proper orders which were served upon her on May 13, 2002, and resulted in a hearing of October 7 and 8, 2002, were dismissed; the defendants deliberately delayed serving the document on the plaintiff in order to maximize her emotional distress and to make the work environment as hostile as possible

in retaliation for plaintiff engaging in protected conduct by objecting to the hostile work environment and sexual harassment.

73. Yet another example of the ongoing pervasive and severe harassment occurred on or about March 4, 2003, when plaintiff was verbally reprimanded or counseled by Sergeant Henkel for allegedly engaging in improper procedure by failing to give her precise street location; one-half hour after plaintiff's allegedly improper call, a fellow officer, who was male, called out for dinner and did not give his precise street location, yet no reprimand or verbal counseling was provided to him whatsoever; in addition, when Sergeant Henkel gave plaintiff a performance notice documenting her verbal reprimand at approximately 11:20 p.m. on March 4, 2003, he admitted that he had been told by Captain David Newman to just put the document in plaintiff's file and not to give plaintiff a copy.

74. In addition, despite the knowledge of the defendants Coffey, Probasco, and the John Doe defendants of plaintiff's history with the defendant Probasco of harassment and retaliation, plaintiff has been assigned so that she will be forced to work in direct and close proximity with the defendant Probasco, which is so uncomfortable and so unreasonable as to cause plaintiff to take personal time off rather than to work with Probasco; defendants have assigned plaintiff to work with Probasco in a deliberate effort to induce her to leave her employment, and plaintiff is close to the point where she will have to leave her employment, having been constructively discharged from same.

75. The work environment in which plaintiff has been forced to engage in her employment has become so hostile and the treatment of plaintiff so vicious that plaintiff believes, as any reasonable woman would, that she can no longer work in said department, such that plaintiff has been constructively discharged from her employment in reprisal for

plaintiff's objections to sexually harassing misconduct by her superiors, conduct protected under the Law Against Discrimination.

76. In addition, plaintiff has learned of and witnessed discrimination and harassment of other females employed by Pennsauken Township, who have been so mistreated they have been forced to obtain the involvement of the United States Government through the Department of Labor, Equal Employment Opportunity Commission, to attempt to rectify the hostile work environment at the Pennsauken Township Police Department.

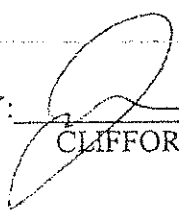
77. There exists a direct causal relationship between plaintiff's objections to Probasco's sexual come-ons and the ongoing course of harassment, discrimination, and retaliation against the plaintiff, including plaintiff's constructive wrongful discharge.

78. The conduct of the defendants as aforescribed was knowing, intentional, willful, wanton, and reckless, occurred with actual malice, and occurred with willful and wanton disregard of plaintiff's civil rights under the New Jersey Law Against Discrimination and the New Jersey State Constitution, under which plaintiff has a protected property interest in her continuing public employment.

79. As a direct and proximate result of the foregoing, plaintiff has been damaged.

WHEREFORE, plaintiff demands judgment against the defendants jointly, severally, and in the alternative, for compensatory damages, punitive damages, interest, attorney's fees, costs of suit, and such other relief as is just and equitable.

VAN SYOC CHARTERED
Attorneys for Plaintiff

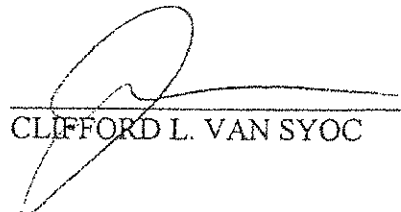
BY: 

CLIFFORD L. VAN SYOC

Dated: 6-3-07

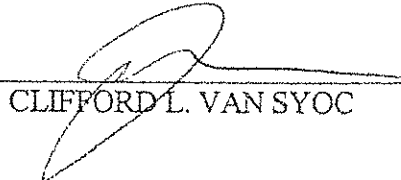
DEMAND FOR JURY TRIAL

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


CLIFFORD L. VAN SYOC

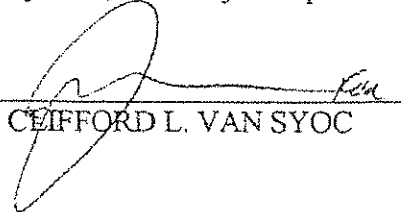
DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Clifford L. Van Syoc, Esquire as trial counsel in this matter.

BY: 
CLIFFORD L. VAN SYOC

CERTIFICATION

The undersigned counsel certifies that there are no other actions or arbitrations pending or contemplated involving the subject matter of this controversy at this time and there are no additional known parties who should be joined to the present action at this time. I certify the foregoing to be true. I am aware if the above is willfully false, I am subject to punishment.

BY: 
CLIFFORD L. VAN SYOC

DATED: 6-3-03