

TOMS RIVER TOWNSHIP

NOV 18 2024

REC'D
LAW DEPARTMENT

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Rebecca Sayegh

Plaintiff(s)

vs.

Township of Toms River
Toms River Police Foundation
Matthew Broderick
Shaun O'Keefe
Patrick Dellane
Mitchell A. Little
ABC Corporations 1-5 (fictitious names describing presently
unidentified business entities)
John Does 1-5 (fictitious names describing presently unidentified
individuals)

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.: OCN-L-2837-24

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 provided and available in the Civil Division Management Office in the county listed above and online at <https://www.njcourts.gov/public/directories/court-services/clerks-legal-offices>) 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 provided and available in the Civil Division Management Office in the county listed above and online at <https://www.nicourts.gov/public/directories/court-services/clerks-legal-offices>.

Date: November 08, 2024

/s/ Michelle M. Smith

Michelle M. Smith

Clerk of the Superior Court

Name of Defendant to be Served: Township of Toms River

Address of Defendant to be Served: c/o Jonathan Salonis, Business Administrator
33 Washington Street, Toms River, NJ 08753

OCEAN COUNTY SUPERIOR COURT
OCEAN COUNTY COURTHOUSE
CIVIL LAW DIVISION
TOMS RIVER NJ 08754

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 504-0700
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 30, 2024
RE: SAYEGH REBECCA VS TOWNSHIP OF TOMS RIV ER
DOCKET: OCN L -002837 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 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 CRAIG L. WELLERSON

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (732) 504-0700 EXT 64366.

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: AUSTIN B. TOBIN
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REBECCA SAYEGH, Plaintiff, vs. TOWNSHIP OF TOMS RIVER; TOMS RIVER POLICE FOUNDATION; MATTHEW BRODERICK; SHAUN O'KEEFE; PATRICK DELLANE; MITCHELL A. LITTLE; ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals); Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION OCEAN COUNTY DOCKET NO.: <u>Civil Action</u> COMPLAINT & DEMAND FOR TRIAL BY JURY, FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES AND REQUESTS RELATED TO PUNITIVE DAMAGES
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Plaintiff, Rebecca Sayegh ("Plaintiff"), by way of Complaint against Defendant Township of Toms River ("Defendant Toms River"), Defendant Toms River Police Foundation ("Defendant Toms River Foundation"), Defendant ABC Corporations 1-5 (fictitious names describing presently unknown business entities) (along with "Defendant Toms River" and "Defendant Toms River Foundation," collectively referred to as "Corporate Defendants"), Defendant Matthew Broderick ("Defendant Broderick"), Defendant Shaun O'Keefe ("Defendant O'Keefe"), Defendant Patrick Dellane ("Defendant Dellane"), Defendant Mitchell A. Little ("Defendant Little"), and Defendant John Does 1-5 (fictitious names describing presently unidentified

individuals) (along with “Defendant Broderick,” “Defendant O’Keefe,” “Defendant Dellane,” and “Defendant Little,” collectively referred to as “Individual Defendants”) (all collectively the “Toms River Defendants” or “Defendants”) alleges as follows:

INTRODUCTION

Plaintiff, currently one of just a few female officers employed by Defendant Toms River’s Police Department (the “Department”), has been subjected to sexual harassment, disparate treatment, and retaliation on the basis of her gender, all in violation of New Jersey’s Law Against Discrimination, N.J.S.A. 10:5-1, et seq. (the “NJLAD”). Indeed, although Plaintiff has always performed her job duties in an exemplary fashion and maintained an unyielding loyalty to the force, she has been victimized by a campaign of disparaging, degrading, harassing, and discriminatory conduct by Defendants and the *de facto* “Boys Club” culture cultivated and maintained in the Department. By way of example but not limitation, Defendants spread false and defamatory rumors throughout the department that Plaintiff was sleeping with various male coworkers, commented on Plaintiff’s appearance, and insinuated that Plaintiff could not complete the responsibilities of her position simply because she is a woman.

Predictably, Defendants’ discriminatory and harassing culture allowed Defendant O’Keefe, a Captain of the Department, to feel comfortable sexually harassing Plaintiff on the job by shamelessly pursuing a sexual relationship with her. Worse, shortly after Defendant O’Keefe retired, at an event for Defendant Toms River Foundation, Defendant O’Keefe sexually harassed Plaintiff by following her into the bathroom, taking out his penis, and asking Plaintiff to “suck it.”

Plaintiff was traumatized by Defendant O’Keefe’s sexual harassment and, in turn, immediately complained to her supervisors in the Department. However, Defendants failed to open an investigation and/or take any meaningful remedial action whatsoever, instead closing ranks

around Defendant O'Keefe, their former Captain. Worse, soon after Plaintiff complained as to same, Defendants subjected Plaintiff to a campaign of further harassment, discrimination, and retaliation, in effect derailing her once promising career. Indeed, soon after Plaintiff filed a formal Notice of Tort Claim against the Department, Defendants recklessly released her personal address in retaliation, causing a public disclosure of same on Facebook on December 2, 2022. Plaintiff's complaints to Defendants as to same, too, fell on deaf ears. Further, Defendants again questioned Plaintiff's ability to perform her job responsibilities, including sexual assault calls, simply because she was a woman who was subjected to sexual harassment in the workplace. Finally, Defendants made their discriminatory and retaliatory animus clear when they ranked Plaintiff dead last out of 40 candidates in May 2023 during the annual Sergeant Promotional Process. In so doing, Defendants have made it extremely clear not only that they will not meaningfully address Plaintiff's complaints of sexual harassment, gender discrimination, and retaliation, but also, that Defendants will take whatever action they can to torment Plaintiff.

Fortunately, New Jersey provides redress for women, such as Plaintiff, subjected to such disparate treatment and retaliation in the workplace. Accordingly, Plaintiff brings this lawsuit under the NJLAD to assert her right to work in an environment free from such invidious harassment, discrimination and retaliation.

PARTIES

1. Plaintiff is an individual residing in Bayville, New Jersey, and at all times relevant hereto, was employed by Corporate Defendants.

2. Defendant Toms River is a municipality in Ocean County, in the State of New Jersey, with a primary office located at 33 Washington Street, Toms River, New Jersey 08753. Defendant Toms River operates the Toms River Police Department (the "Department"), with its

primary headquarters located at 225 Oak Avenue, Toms River, New Jersey 08753. Defendant Toms River is a parent, subsidiary, and/or affiliate of Defendant Toms River Foundation. At all times relevant hereto, Defendant Toms River is an “employer” as defined under the NJLAD.

3. Defendant Foundation is a New Jersey non-profit 501(c)(3) corporation with a principal place of business located at 1144 Hooper Avenue, Suite 209, Toms River, New Jersey 08753. According to its website, the purpose of Defendant Toms River Foundation is to collect donations to assist the Department. As such, Defendant Toms River Foundation is a parent, subsidiary, and/or affiliate of Defendant Toms River. At all times relevant hereto, Defendant Toms River Foundation is an “employer” as defined under the NJLAD. Upon information and belief, Defendants Toms River and Toms River Foundation’s operations are interrelated and unified, and they share common management, centralized control of labor relations, common ownership, common control, common business purposes, and interrelated business goals.

4. Defendant Broderick, at all times relevant hereto, is a Sergeant with Defendant Toms River’s Police Department. Accordingly, this claim is brought by Plaintiff against Defendant Broderick in his individual capacity and/or as an agent or servant of Defendant Toms River acting during the course of his employment. At all times relevant hereto, Defendant Broderick is an “employer” as defined under the NJLAD.

5. Defendant O’Keefe, at all times relevant hereto, is a former Head of the Detective Bureau and Captain with the Department. Accordingly, this claim is brought by Plaintiff against Defendant O’Keefe in his individual capacity and/or as an agent or servant of Defendant Toms River acting during the course of his employment. At all times relevant hereto, Defendant O’Keefe is an “employer” as defined under the NJLAD.

6. Defendant Dellane, at all times relevant hereto, is a Deputy Chief with the Department. Accordingly, this claim is brought by Plaintiff against Defendant Dellane in his individual capacity and/or as an agent or servant of Defendant Toms River acting during the course of his employment. At all times relevant hereto, Defendant Dellane is an “employer” as defined under the NJLAD.

7. Defendant Little, at all times relevant hereto, was the Chief of Police with the Department. Accordingly, this claim is brought by Plaintiff against Defendant Little in his individual capacity and/or as an agent or servant of Defendant Toms River acting during the course of his employment. At all times relevant hereto, Defendant Little is an “employer” as defined under the NJLAD.

8. Defendants ABC Corporations 1 through 5 are currently unidentified business entities who have acted in concert with Defendants Toms River and/or Toms River Foundation, and/or currently unidentified business entities responsible for the creation and/or implementation of harassment or anti-discrimination policies of Defendants Toms River and/or Toms River Foundation, and/or currently unidentified business entities who have liability for the damages suffered by Plaintiff under any theory advanced therein.

6. Defendants John Does 1 through 5 are currently unidentified individuals who acted in concert with Defendants and/or currently unidentified individuals responsible for the creation and/or implementation of harassment or anti-discrimination policies of Defendants Toms River and/or Toms River Foundation and are currently unidentified individuals who may have liability for the damages suffered by Plaintiff under any theory advanced herein.

FACTS COMMON TO ALL CLAIMS

7. Plaintiff repeats each and every allegation set forth above as if set forth more fully at length herein.

8. Defendants Toms River and Toms River Foundation claim, at all times relevant hereto, that they had in effect specific policies prohibiting sexual harassment, discrimination, and retaliation based on gender.

9. Defendants Toms River and Toms River Foundation claim, at all times relevant hereto, that they had in effect a zero-tolerance policy when it comes to sexual harassment, discrimination based on gender, and retaliation.

10. Defendants Toms River and Toms River Foundation claim, at all times relevant hereto, that they had in effect policies and procedures requiring an employee who believes he or she was the victim of harassment to report the harassment to supervisory and management staff.

11. Defendants Toms River and Toms River Foundation claim, at all times relevant hereto, that they had in effect policies and procedures whereby they would engage in a timely and effective investigation of complaints of harassment brought to their attention by its employees.

12. Defendants Toms River and Toms River Foundation claim, at all times relevant hereto, that they had in effect policies and procedures committing them to engage in a timely and effective investigation of complaints of sexual harassment, discrimination based on gender, and retaliation brought to their attention by employees.

13. Plaintiff began her employment with Defendant Toms River as a Patrol Officer for the Department in or around 2016.

14. Plaintiff excelled in her assignment with the Department's Patrol Division, and she consistently received positive performance reviews up and until the events recounted herein.

15. Notably, when hired, Plaintiff was one of only three (3) women in the 160-member Department. In the approximately eight (8) years since Plaintiff's hire, the Department has hired only six (6) additional women, bringing the total to only nine (9) women.

16. Further, the Department has never promoted a single woman to the rank of Sergeant or higher, and Plaintiff, with a tenure of only eight (8) years, is now the most senior female officer in the Department.

17. This *de facto* "Boy's Club" has negatively impacted Plaintiff at almost every turn of her career in the Department and contributed to an overwhelmingly hostile work environment characterized by disparate treatment, false and sexist rumors that Plaintiff was sleeping with male coworkers, discriminatory remarks about her physical attributes, and sexual harassment.

A. **Plaintiff Is Subjected to Discrimination and a Hostile Work Environment Because of Her Gender.**

22. From the start of Plaintiff's career with the Department, Plaintiff was the subject of jokes about being the "new girl" which, later, morphed into rampant sexist and discriminatory rumors that Plaintiff was sleeping with one or another of her male co-workers.

23. To the contrary, newly hired male officers were not called the "new boy," nor were they subjected to the same scrutiny or ridicule.

24. Further, rather than a simple introductory joke, the "new girl" moniker stuck to Plaintiff up and until approximately 2019.

25. In addition, Plaintiff was also subjected to constant questioning about her personal life and was subjected to increased scrutiny as to whether she can "handle" her job responsibilities simply because she is a woman.

26. When hired, Plaintiff was assigned to Patrol Squad 6, which was comprised solely of men.

27. When Plaintiff was added to Squad 6's pre-existing group chat soon after commencing her employment, she could view the negative comments which her fellow Squad members had previously posted about her, including jokes which presupposed that she was in a physical relationship with a fellow Squad 6 officer.

28. Once Plaintiff's Squad members realized that she had access to their harassing and discriminatory comments, Plaintiff's Squad members immediately deleted the old group chat and started a new one.

29. Thereafter, rumors about Plaintiff continued to date, including a rumor in 2022 that Plaintiff was engaged in a physical relationship with Officer Anthony Carafa.

30. Notably, the Department took zero action to stop these rumors or identify the sources of same, despite the fact that most of the supervisors in the Department, including Defendants Broderick and Dellane, were well aware of them. These sexist rumors contributed to a discriminatory and hostile work environment that Plaintiff still continues to endure, even to this day.

31. Moreover, in or around 2018, Plaintiff underwent breast augmentation surgery, a fact which she did not openly share with her co-workers. Still, rumors flew with respect to same, and Plaintiff became aware that one of her co-workers texted a photograph of reconstructed breasts to her fellow officers, falsely claiming that the woman in the photograph was her.

32. Around the same time period, one of Plaintiff's male coworkers, Officer Brian Dugan ("Officer Dugan"), asked Plaintiff, "How are the new boobs?" in the presence of other male officers. Plaintiff was taken aback and deeply embarrassed by Officer Dugan's harassing and discriminatory remark in that regard.

33. Plaintiff's former supervisor, Defendant Broderick, a Sergeant with the Department, also treated Plaintiff disparately on the basis of gender, including, but not limited to, making negative comments about and alienating Plaintiff, depriving Plaintiff of benefits and opportunities offered to male officers, and falsely evaluating her job performance.

34. Indeed, Defendant Broderick, who served as Plaintiff's supervisor from February 2021 to December 2021, subjected Plaintiff to disparate treatment throughout this time period.

35. By way of example, but not limitation, Defendant Broderick regularly criticized Plaintiff about what she wore during plainclothes assignments and advised Plaintiff that she "needed to grow up." Defendant Broderick, of course, did not similarly comment on male officers' plainclothes.

36. Further, upon information and belief, Defendant Broderick was the source of one of the rumors that Plaintiff was "hooking up" with Officer Anthony Carafa, a rumor that still haunts Plaintiff and tarnishes her reputation in the Department to this day.

37. Defendant Broderick would also blatantly ignore and exclude Plaintiff on calls when she tried to join the conversations of the responding male officers. He even ignored Plaintiff when she sought work-related assistance from him, seemingly hoping that she would simply go away.

38. As a third exemplar of Defendant Broderick's discriminatory and retaliatory animus towards Plaintiff, he once refused to permit Plaintiff to use the regular days off ("RDOs") she received from working the Police Unity Tour on the weekends; in stark contrast, he allowed male officers to use their RDOs on weekends.

39. Moreover, Defendant Broderick prepared Plaintiff's performance evaluation in 2021. Though he rated her overall work performance positively, the narrative section therein falsely accused Plaintiff of using sick time to attend weddings or to care for her sick dogs.

40. Critically, Plaintiff had never previously been monitored, counseled, or written up for any misuse of sick time. During her 2021 evaluation meeting, Plaintiff denied that she ever misused sick time and inquired to Defendant Broderick as to whether he had any proofs that she had.

41. In response, Defendant Broderick replied, "Well, that's what I heard." In reality, other than office gossip, Defendant Broderick had zero proofs whatsoever that Plaintiff had ever done anything wrong and, yet, Defendant Broderick's aforementioned negative evaluation containing misrepresentations about Plaintiff remains a part of Plaintiff's permanent personnel record.

42. Finally, in yet another example of disparate treatment on the basis of gender, rather than remediating the gender discrimination Plaintiff experienced, Defendants subjected Plaintiff to three (3) separate Internal Affairs investigations for issues that her male counterparts simply would not have been investigated for.

B. Defendant O'Keefe Subjects Plaintiff to Sexual Harassment.

43. After Plaintiff commenced her employment with the Department, the head of the Detective Bureau, and a Captain, Defendant O'Keefe, initially demonstrated interest in Plaintiff's career, as did Defendant Toms River's Chief of Police, Defendant Little.

44. Notably, Defendants Little and O'Keefe are close personal friends.

45. For example, Defendant Little routinely chose Plaintiff for “photo ops,” or public-facing assignments, and was outwardly friendly and cordial towards Plaintiff prior to her submitting any complaints of sexual harassment.

46. Similarly, Defendant O’Keefe repeatedly told Plaintiff, “If I could pick anyone,” or “if it was up to me,” he would assign Plaintiff to the Department’s highly prestigious and sought after SET (Drug) Team (the “Drug Team”).

47. Not realizing that she was being groomed to be the target of sexual harassment by Defendant O’Keefe, Plaintiff even asked Defendant O’Keefe for his reference to become a member of said Drug Team.

48. Unsurprisingly, however, the two (2) vacancies on the Drug Team were subsequently filled by two (2) male police officers.

49. Further, Defendant O’Keefe’s attention quickly turned personal and began making Plaintiff feel uncomfortable.

50. By way of example, but not limitation, Defendant O’Keefe “friended” Plaintiff on Facebook and would send her messages through the platform, often commenting on her physical appearance.

51. Plaintiff was scared to report Defendant O’Keefe because of his position as senior police management and because he was known to be a close personal friend of Defendant Little.

52. Defendant O’Keefe retired from the Department in March 2021.

53. However, he continued to reach out to Plaintiff on both Facebook and Instagram. For example, on April 15, 2021, Defendant O’Keefe wrote, “YOU [referring to Plaintiff] always look insane.”

54. On May 7, 2022, Defendant O'Keefe commented on one of Plaintiff's Facebook posts writing as follows:

To
To
Are you hanging with
Want that ass
Based
Orcc be done hot bikini

55. Plaintiff did not respond to these harassing and discriminatory messages, nor to any of the similar such messages later dispatched by Defendant O'Keefe.

56. On June 15, 2022, Defendant Toms River Foundation held its second annual golf outing at Bey Lea Golf Course in Toms River, New Jersey.

57. Notably, the Foundation is a non-profit 501(c)(3) corporation formed with the sole purpose of using the donations it collects to assist the Department in funding a variety of police projects, equipment, and community relations events.

58. In reality, the Foundation, which is housed in the Department and formerly run by Defendant Little, is little more than an arm of the municipality, as the Department and Foundation are integrally and symbiotically connected.

59. Plaintiff volunteered at the aforementioned golf outing as it was on her day off, and, in exchange, Plaintiff was given an RDO, underscoring that, in reality, same undoubtedly was a work event.

60. In fact, most of the officers who were on duty on June 15, 2022 actually played in the golf outing and/or were detailed to it.

61. The Foundation held a dinner after the golf outing at a restaurant located at the nearby Bay Lea Golf Course. The attendees, including Defendant O'Keefe, gathered on the back deck talking, eating, drinking alcohol, and the like.

62. Obviously intoxicated, Defendant O'Keefe began muttering inappropriate comments to Plaintiff under his breath, such as, "You are so hot."

63. At one point, Plaintiff walked inside to escape him, but Defendant O'Keefe followed her, saying "Rebecca [referring to the Plaintiff], I want to fuck you so badly."

64. Defendant O'Keefe then followed Plaintiff into the women's bathroom, continuing to make sexual advances towards her. When Plaintiff hurried into a bathroom stall, Defendant O'Keefe blocked Plaintiff from closing the stall door.

65. While Plaintiff was trapped, Defendant O'Keefe pulled out his penis and asked Plaintiff to "suck it."

66. Plaintiff repeatedly refused and, eventually, Defendant O'Keefe left the bathroom.

67. Shaken and scared, Plaintiff remained in the bathroom and texted her Sergeant, Teddy Maloney ("Sgt. Maloney"), to advise him of what had just occurred. Plaintiff advised Sgt. Malony that she would not exit the bathroom until she was assured that Defendant O'Keefe had left.

68. While she was still in the bathroom, Defendant O'Keefe messaged Plaintiff on Facebook at 9:48 p.m., writing:

Yo.
Really. You walked away.
Yo.

69. Defendant O'Keefe also tried calling Plaintiff on two separate occasions at 10:08 p.m. that night. Plaintiff did not respond to his messages or phone calls.

70. Once Sgt. Maloney assured Plaintiff that Defendant O'Keefe had left, she exited the bathroom, ran to Sgt. Maloney, and began profusely crying. Plaintiff again disclosed Defendant O'Keefe's unlawful conduct in the bathroom to Sgt. Maloney.

71. Sgt. Maloney, in turn, immediately notified the chain of command, including Defendant Dellane, the Deputy Chief of the Department, who was still present at the golf outing.

72. Following said golf outing, Defendant O'Keefe continued to try to contact Plaintiff via Facebook, text, and telephone. These messages included the following on June 16, 2022:

Good morning.
Good?
Text something. Lol

73. Other messages dispatched by Defendant O'Keefe to Plaintiff included, "Just want to touch base," and "Redo sober," on June 17 and June 18, 2022, respectively.

74. Plaintiff immediately reported the above to her supervisor, Sgt. Maloney, who again notified Defendant Toms River's Police Department's chain of command.

75. Sgt. Maloney later relayed to Plaintiff that Defendant Dellane contacted Defendant O'Keefe to tell him to stop contacting Plaintiff.

76. To Plaintiff's great detriment, most of the Department quickly learned of Defendant O'Keefe's sexual harassment of Plaintiff, which then became the subject of jokes within the Department. The ensuing stigma associated with same resulted in Plaintiff becoming isolated from many of her colleagues, negatively affecting Plaintiff's career growth as well as her emotional and mental well-being.

77. Further, Department supervisors were made aware that the foregoing incident occurred but were specifically ordered not to discuss same with Plaintiff. Accordingly, the Department took no meaningful remedial action in response to Plaintiff reporting the foregoing events.

78. Finally, on June 18, 2022, Defendant Dellane called Plaintiff to inform her that she could file criminal charges against Defendant O'Keefe if she wanted.

79. Defendant Dellane also offered to refer Plaintiff to Defendant Toms River's Employee Assistance Program ("EAP"). Defendant Dellane further confided that Defendant O'Keefe was a "piece of crap" and that "no one is surprised that he acted" that way toward Plaintiff, begging the question as to why the Department did not act sooner.

80. Critically, however, other than offer Plaintiff the right to file a criminal complaint, or call EAP (neither of which Plaintiff needed his permission for), Defendant Dellane did not take a report, refer to the matter to Internal Affairs, or otherwise take steps to protect Plaintiff, and/or stop the aforementioned invidious rumors circulating in the Department.

81. On June 20, 2022, Defendant Dellane messaged Plaintiff asking her to call him on his personal cell phone. Even though they were both on duty at the Department headquarters, Defendant Dellane inexplicably did not want to meet in person.

82. During their telephone conversation on that date, Defendant Dellane advised Plaintiff that he would document Defendant O'Keefe's aforementioned sexual harassment of Plaintiff and put it in a locked file to which only he, Internal Affairs, and Defendant Little would have access.

83. As ordered, Plaintiff then relayed the incident to Defendant Dellane.

84. However, upon information and belief, the Department took no further action other than furtively file away the secret report pertaining to the foregoing events.

85. Although Plaintiff reported a crime, Defendant Dellane did not file an incident report. The clear message conveyed to Plaintiff was that the Department wanted to "hush up" the incident and, still, the Department took no action to stop said rumors still spreading throughout the Department.

86. Of course, as Plaintiff's employer, Defendant Toms River is obligated to provide Plaintiff with non-discriminatory working conditions. Defendant O'Keefe's sexual advances, unwanted physical conduct, and inappropriate comments all violate Defendants' Anti-Harassment Policy.

87. Indeed, while Defendant O'Keefe created a hostile working environment for Plaintiff during his employment, a hostile and discriminatory environment that still remains to this day, Defendants' policies and procedures also explicitly prohibit the following as well:

Harassment of any Township employees by non-employees, in connection with the employee's work may also be a violation of the policy. An employee who experiences harassment by a non-employee, or who observes harassment of any employee by a non-employee, should report such harassment to their supervisor. Appropriate action will be taken against the non-employee.

C. In Lieu of Properly Remediating Plaintiff's Complaints, Defendants Instead Commence a Campaign of Further Harassment, Discrimination, and Retaliation Targeted Towards Plaintiff.

88. Rather than meaningfully investigating or responding to Plaintiff's complaint of sexual harassment, hostile work environment, and gender discrimination, Defendants have instead commenced a campaign of retaliation against Plaintiff.

89. Since her initial complaint, and continuing to this day, the Department has denied Plaintiff training opportunities and desirable assignments intended to enhance her future promotional opportunities.

90. For example, shortly after the golf outing, Plaintiff requested permission to attend a Patrol-level door breaching class, which was free. Sergeant Christopher McDowell ("Sgt. McDowell") approved Plaintiff's training request, but the Department's administration subsequently denied her permission, instead dispatching two (2) male officers who were already on the Department's emergency services unit.

91. In addition, after Plaintiff lodged her complaint against Defendant O'Keefe, the previously cordial and professional relationship between Plaintiff and Defendant Little disappeared, replaced by a working relationship wherein Defendant Little would not even acknowledge Plaintiff in the workplace. Defendant Little also purposefully no longer chose Plaintiff for promotional or public-facing opportunities in the Department, as he had done prior to Plaintiff's complaints as against Defendant O'Keefe.

92. The above-described retaliation continued a pattern and practice of subjecting Plaintiff to disparate treatment on the basis of her gender that has, and continues to, create a hostile work environment for Plaintiff within the Department.

D. In September 2022, Plaintiff Files a Formal Notice of Tort Claim and Defendants, In Turn, Continue to Subject Plaintiff to Further Disparate Treatment and Retaliation.

93. In or around September 12, 2022, Plaintiff filed a formal Notice of Tort Claim against Defendants Toms River and Toms River Foundation and the Department, outlining the allegations detailed above.

94. Notably, Plaintiff remains employed with the Department to this day.

95. However, instead of investigating Plaintiff's allegations, or taking any further remedial action whatsoever, Defendants have instead continued to harass, discriminate, and retaliate against her.

96. For example, on September 13, 2022, Plaintiff responded to a sexual assault call with Sergeant Kyle Martucci ("Sgt. Martucci"). The sexual assault complaint was false, but Sgt. Martucci, nevertheless, followed all protocols required for alleged victims of sex crimes.

97. Of course, the Department did not follow the same protocols when Plaintiff was sexually assaulted.

98. Following the September 13, 2022 call, Plaintiff was ordered into a meeting with Lieutenant Peter Sundack ("Lt. Sundack") at which time he questioned Plaintiff's psychological fitness for duty and ability to respond to said sexual assault call. The call was routine, and Plaintiff had not raised any issues in responding to it; instead, Lt. Sundack falsely assumed that Plaintiff was somehow too delicate to do her job.

99. Plaintiff was only released from the interrogation when Police Benevolent Association President Ken Thomas ("Mr. Thomas") asked Lt. Sundack whether he was bringing in every officer to question his or her ability after a call or whether he was only targeting Plaintiff.

100. In another act of blatant harassment, discrimination and retaliation against Plaintiff, shortly after Plaintiff served her aforementioned Tort Claim Notice against Defendants, and in response to an Open Public Records Act request for same, Defendants recklessly failed to redact Plaintiff's personal address, in blatant violation of N.J.S.A. 47:1A-1.1.

101. Indeed, on December 2, 2022, after viewing the disclosure of her private, personal information on Facebook, Plaintiff immediately complained to Sgt. McDowell about the inappropriate disclosure in that regard.

102. Despite Plaintiff's complaint as to same, Defendants failed to take any remedial action. Indeed, the unredacted information is still circulating the internet today.

103. As a result, the Berkeley Township Police Department ran checks on Plaintiff's residence for a period of time to ensure her safety.

104. Further, since Plaintiff filed said Notice of Tort Claim, she has been frozen out by her supervisors. For example, at a September 26, 2022 fundraiser, Defendant Little refused to speak to or look at Plaintiff simply because Plaintiff had the audacity to file her Notice of Tort Claim and put her complaints in writing.

105. Further, shortly thereafter, in or around November 20, 2022, Plaintiff happened to see Defendant Little out at a restaurant while they were both off duty. Prior to Plaintiff's complaint against Defendant O'Keefe, Defendant Little and Plaintiff would have exchanged pleasantries; this time, Defendant Little simply ignored Plaintiff altogether.

106. Moreover, Defendant Dellane openly criticized Plaintiff for including his involvement in obfuscating Defendant O'Keefe's sexual harassment in her Notice of Tort Claim.

107. Additionally, in November and December 2022, a discriminatory and offensive meme circulated in the Department. The meme was a photograph of Defendant Little at a September 2022 fundraising event accepting a donation check; however, the check had been altered. Specifically, said check was now made out to the amount of \$272,000.00. Notably, Defendant O'Keefe's badge number was 272, and said check's memo line reads, "hush fund," an obvious reference to the sexual harassment of Plaintiff by Defendant O'Keefe.

108. Upon information and belief, Department management, including Defendants Little and Dellane, were aware of the disparaging and discriminatory meme.

109. Yet again, however, Defendants failed to investigate or make clear that inappropriate behavior such as the meme would not be tolerated in the department. As a direct result of same, Plaintiff continued to experience harassment, discrimination, and retaliation in the Department.

110. Defendants' continued campaign of disparate treatment and retaliation has also stalled Plaintiff's career progression in the Department as well.

111. Indeed, in or around May 2023, each officer seeking a promotion, including Plaintiff, completed a Command Staff Presentation for the 2023 Sergeant Promotional Process.

112. Despite Plaintiff's stellar record with the Department, and clearly due to her repeated complaints of harassment, discrimination, and retaliation, Defendants Dellane and Little, on behalf of the Toms River Defendants, intentionally scored Plaintiff dead last out of 40 applicants, thereby ensuring that Plaintiff would not receive a promotion and intentionally derailing Plaintiff's career prospects.

113. Thus, to the present day, Plaintiff continues to experience harassment, gender discrimination, and retaliation in the workplace.

114. Plaintiff now brings this lawsuit with the hope that it will ensure no employee of Defendants will be forced to endure this kind of hostile, harassing, and discriminatory treatment ever again.

COUNT ONE

NJLAD – DISPARATE TREATMENT, SEXUAL HARASSMENT & HOSTILE WORK ENVIRONMENT DISCRIMINATION DUE TO GENDER

115. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

116. The pattern and practice of discrimination, harassment, and retaliation directed at Plaintiff is outlined above.

117. Plaintiff was subjected to repeated, pervasive, severe, and continuing instances of disparate treatment and harassment based on gender and sex.

118. The above-described conduct would not have occurred but for Plaintiff's gender.

119. The harassing and discriminatory conduct was severe or pervasive enough to make a reasonable person and employee believe that the conditions of employment were altered, and the working environment was hostile and discriminatory.

120. As the employer and/or supervisor of Plaintiff, Defendants Toms River and Toms River Foundation are vicariously, strictly, and/or directly liable to Plaintiff pursuant to the New Jersey Law Against Discrimination (“NJLAD”), N.J.S.A. 10:5-1, et seq., in that the affirmative acts of harassment, discrimination, and retaliation committed by the Individual Defendants occurred within the scope of employment; the creation of the hostile work environment was aided by Defendants Toms River and Toms River Foundation in delegating power to employees to control the day-to-day working environment; and/or Defendants Toms River and Toms River Foundation were deliberately indifferent, reckless, negligent, and/or tacitly approved the discrimination, hostile work environment, and/or retaliation; and/or Defendants Toms River and Toms River Foundation failed to create and/or have in place well-publicized and enforced anti-harassment policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same, despite the foreseeability of harassment, discrimination, and retaliation in the workplace; and/or by having actual knowledge of the harassment, discrimination, and retaliation of Plaintiff and failing to promptly and effectively act to stop it.

121. Defendants aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce the Individual Defendants to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff in violation of the supervisory duty to halt or prevent harassment, retaliation, and discrimination, rendering all Defendants individually and collectively liable to Plaintiff pursuant to N.J.S.A. 10:5-12(e).

122. The Individual Defendants and the managers and/or supervisors of Plaintiff aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendants Toms River and Toms River Foundation to commit acts and omissions that

were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff in violation of their supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiff pursuant to N.J.S.A. 10:5-12(e).

123. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, emotional distress damages, pre-and post-judgment interest, and attorneys' fees and costs of suit. More specifically, Plaintiff demands judgment against Defendants for harm suffered in violation of the NJLAD as follows:

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;
- G. Punitive damages;
- H. Prejudgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;

- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

COUNT TWO

NJLAD – RETALIATION/IMPROPER REPRISAL

124. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

125. Plaintiff complained and/or protested against the continuing course of harassing, discriminatory, and retaliatory conduct set forth at length above. Defendants had knowledge about those complaints and/or protests.

126. As a direct result, Defendants took retaliatory action against Plaintiff, which is outlined above.

127. Defendants are vicariously, strictly, and/or directly liable to Plaintiff for unlawful retaliatory conduct in violation of the NJLAD, pursuant to N.J.S.A. 10:5-12(d).

128. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained emotional and pecuniary damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre- and post-judgment interest, and attorneys' fees and costs of suit. More specifically, Plaintiff demands judgment against Defendants for harm suffered in violation of the NJLAD as follows:

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;
- G. Punitive damages;
- H. Prejudgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;
- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;

- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to Rule 4:10-2(b), demand is made that Defendants disclose to Plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of the judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide Plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary insurance coverage, but also any excess, catastrophe, and umbrella policies.

DEMAND FOR TRIAL BY JURY

Plaintiffs demand a trial by jury on all issues.

McOMBER McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: Austin B. Tobin, Esq.

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, R. ARMEN McOMBER, ESQUIRE, is hereby designated as trial counsel for Plaintiff.

CERTIFICATION

Pursuant to Rule 4:5-1, it is hereby certified that, to the best of my knowledge, there are no other civil actions or arbitration proceedings involving this matter with respect to this matter and no other parties need to be joined at this time.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: Austin B. Tobin, Esq.

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

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Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS RIVER
POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**PLAINTIFF'S FIRST SET OF
DOCUMENT REQUESTS,
INTERROGATORIES, PUNITIVE
DAMAGES REQUESTS, AND
DEPOSITION NOTICES TO ALL
DEFENDANTS**

**FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, PUNITIVE
DAMAGES REQUESTS, AND DEPOSITION NOTICES TO DEFENDANT(S)**

PLEASE TAKE NOTICE that, McOmber McOmber & Luber, P.C., attorneys for Plaintiff, Rebecca Sayegh ("Plaintiff"), demand that Defendants Township of Toms River, Toms River Police Foundation, Matthew Broderick, Shaun O'Keefe, Patrick Dellane, and Mitchell A. Little (collectively, "Defendants") produce true and complete copies of Documents responsive to the following Document Requests and answer under oath the following Interrogatories pursuant to the New Jersey Rules of Court.

DEFINITIONS

1. The term “Plaintiff” shall mean, individually and collectively, each Plaintiff identified in the above-captioned action. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendants must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.

2. The phrase “Defendant Toms River” shall mean the Township of Toms River and any of its officers, directors, employees, agents, representatives, successors, predecessors, assigns, divisions, affiliates, subsidiaries, and all Persons acting or purporting to act on its behalf.

3. The phrase “Defendant Toms River Foundation” shall mean the Toms River Police Foundation and any of its officers, directors, employees, agents, representatives, successors, predecessors, assigns, divisions, affiliates, subsidiaries, and all Persons acting or purporting to act on its behalf.

4. The phrase “Defendant Broderick” shall mean Matthew Broderick, Defendant in the above-captioned action.

5. The phrase “Defendant O’Keefe” shall mean Shaun O’Keefe, Defendant in the above-captioned action.

6. The phrase “Defendant Dellane” shall mean Patrick Dellane, Defendant in the above-captioned action.

7. The phrase “Defendant Little” shall mean Mitchell A. Little, Defendant in the above-captioned action.

8. “Defendant(s)” shall individually and collectively mean all Defendants in the above-captioned action.

9. The phrase "Corporate Defendant(s)" shall individually and collectively any Defendant company, corporation, partnership, union, joint venture, sole proprietorship, association, government agency, or organization, or any other similar type of group through which business is conducted, or any director, officer, employee, or agent thereof.

10. The phrase "Individual Defendant(s)" shall mean any defendant in this matter sued in his/her individual capacity or as an agent/servant of any Corporate Defendant.

11. The terms "You," "Your," or "Yours" shall mean the party answering these interrogatory questions.

12. The term "Entity" shall mean any company, corporation, partnership, union, joint venture, sole proprietorship, association, government agency, or organization, or any other similar type of group through which business is conducted, or any director, officer, employee, or agent thereof.

13. The term "Person" shall mean any natural Person, partnership, corporation, or other business Entity and all present and former officers, directors, agents, employees, attorneys and others acting or purporting to act on behalf of such natural Person, partnership, corporation or other business Entity.

14. The term "Action" shall mean the civil action captioned above.

15. The term "Complaint" shall mean the Complaint filed by Plaintiff(s) in this Action.

16. The term "Answer" shall mean any Answer to the Complaint filed by any party in this Action, which specifically includes all Affirmative Defenses, Denials, and Counterclaims, and was filed with the Court in the above-captioned Action.

17. The term “Investigation” shall mean any investigation, inquiry, analysis, review, examination, research, study, interview, interrogation, and/or collection of evidence, statements (oral or written), and Documents.

18. The term “Grievance” shall mean any complaint, grievance, accusation, allegation, protest, and/or objection (formal or otherwise) by Plaintiff(s) or any Person concerning any of the Defendant(s) and Plaintiff.

19. The terms “Document” and “Documents” are defined in accordance with R. 4:18-1 and includes the original and all drafts and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced, or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including, but not limited to, memoranda, schedules, lists, letter (sent or received), telephone Messages (including but not limited to reports of telephone conversations and conferences), transcripts of telephone conversations and any other retrievable data, magazines, booklets, circulars, bulletins, questionnaires, assignments, orders, checks, vouchers, notebooks, acknowledgments, instructions, records, stories, index, disc, data sheet or data processing card, notes, minutes, records, photographs, computer programs, correspondence, telegraphs, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statements, charts, studies, reports, tables, analyses, graphs, statements, notebooks, handwritten notes, application, feasibility studies, papers, books, pamphlets, periodicals, appointment calendars, calendar entries, diary entries, notes, records and recordings of oral conversations or voicemails, emails, inter-office or intra-office Communications, handwritten or other notices, diaries, invoices, purchase orders, bills, bills of lading, work papers, or any other written, recorded, transcribed, punched, taped, filmed,

photographed, videotaped or graphic matter, however produced or reproduced, and also including, but not limited to, originals and all copies which are different from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, representatives, employees, or attorneys of Defendant(s), or all Persons acting on Defendant(s)' behalf, including Documents at any time in the possession, custody or control of such Individuals or entities who are known by Defendant(s) to exist. Include any catalog, brochure, or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant(s) have or have had access.

20. The term "Communication" means any conversation, correspondence, discussion, meeting, Message, record of phone calls, or other occurrence in which data, conclusions, information, opinions, or thoughts are exchanged between two or more Persons, whether it be written, oral, or electronically transmitted.

21. The term "Message" shall mean text messages, short messaging service (SMS), multimedia messaging service (MMS), iMessages, instant messages (IM) platform (such as Telegram, Skype, Zoom, Facebook Messenger, Instagram Messenger, LinkedIn, Google Meet/Chat, Discord, Signal, Slack, WhatsApp, Teams, and Salesforce Chatter), and other intranet Message platforms.

22. The "Relevant Time Period" is 2016 until present.

23. The term "concerning" is construed in the broadest possible sense to include comprising, constituting, containing, commenting on, dealing with, describing, discussing,

embodying, evidencing, illustrating, pertaining to, referring to, reflecting, regarding, relating to, responding to, stating, or supporting in any way, either directly or indirectly.

24. The phrases “relating to,” “relate to,” “relates to,” “refer to,” “refers to,” “referred,” “relating to,” and/or “regarding” shall be construed in the broadest possible sense to include, *inter alia*, concerning to, embodying, constituting, describing, connected with, commenting on, responding to, evidencing, identifying, supporting, contradicting, rebutting, pertaining to, and/or relating in any way.

25. The terms “including” and “include” shall be construed in the broadest possible sense to include “including without limitation.”

INSTRUCTIONS

1. The terms “all” and “any” shall both be construed as “any and all.”
2. The terms “and,” “or,” and “and/or” as used herein shall be construed conjunctively or disjunctively to bring within the scope of these topics and requests any and all information which might otherwise be construed as outside their scope.
3. In addition to the specific instructions contained herein, these Document Requests and Interrogatories shall be subject to the New Jersey Rules of Court.
4. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendant(s) must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.
5. Interrogatory answers shall be typed beneath the questions and the original shall be returned in accordance with R. 4:17-4(c).
6. If at any time prior to trial, You obtain information which renders any answer You provide incomplete or inaccurate, amended answers shall be served pursuant to R. 4:17-7.

7. When referring to a Person, "to identify" means to give, to the extent known, the Person's full name, present or last known address, and last known place of employment.

8. These Document Requests and Interrogatories shall be deemed continuing in nature so as to require prompt supplementation if, as, and when You obtain additional information.

9. If anyone identified in response to any of the Document Requests and/or Interrogatories was formerly, but is no longer, employed by You, please so state in the answer and provide the former employee's current address and telephone number (business or home), if known. If the current address and telephone number are not known, then please provide the former employee's last known address and telephone number.

10. If You cannot respond to any of these Document Requests and Interrogatories in full after exercising due diligence to secure the information to do so, then respond to the extent possible and explain Your inability to provide a complete answer. State whatever information or knowledge You have about the unanswered portion of any Document Request and/or Interrogatories.

11. When a Document Request or Interrogatory asks for You to identify a date, state the exact day, month, and year, if ascertainable or, if not, the best approximation thereof.

12. Document shall be produced in their original state, i.e., in their original file folders in the exact order as found, without removal or rearrangement of anything contained therein.

13. Each Document Request that seeks information relating in any way to Communications to, from, or within a business or Entity is hereby designated to mean, and should be construed to include, all Communications by and between that business and/or Entity's present or former representatives, employees, agents, and servants of the business and/or Entity.

14. All Documents shall be organized and labeled to correspond with the numbered paragraphs of these Document Requests. If there are no Documents responsive to a particular Document Request, Defendant(s) shall so state in writing.

15. For each Discovery Request to which Defendant(s) are producing Documents, Defendant(s) shall identify in its written response the Bates range of Documents produced which are responsive to that request.

16. All electronically stored information shall be produced in a reasonably usable form, and it shall not be converted from the form in which it is ordinarily maintained to a different form that would make it more difficult or burdensome for Plaintiff to use such information.

17. In the event that any oral Communication, statement, Document or portion thereof is withheld on the basis of any privilege or otherwise claimed to be protected against production, such Document shall be identified with in a privilege log which includes: (a) the nature of the privilege or reason for withholding which Defendant(s) contend applied; (b) the factual basis for Defendant(s)' assertion of privilege or the reason for withholding; (c) the type of Document, e.g., letter, memorandum, etc.; (d) all authors and addressees; (e) all indicated and blind copies; (f) all Persons to whom the Document was distributed, shown, or explained; (g) the Document's date; (h) a summary description of the Document's subject matter; (i) the number of pages and attachments or appendices comprising the Document; and (j) its present custodian. Whenever a claim of privilege concerns any oral Communication or statement, identify the participants to the Communication and the Person giving and receiving the statement, set forth the date and place of the Communication or statement, state the general subject matter thereof, and state the basis for the claim of privilege.

18. If any Document was, but is no longer, in Defendant(s)' possession, or subject to Defendant(s)' control, or in existence, state whether it: (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others; or (d) has been otherwise disposed of. In each instance, explain the circumstances surrounding any such disposition, including the authorization of the disposition, the date of destruction or discard, the manner of destruction or discard, the reason for destruction or discard, the Person(s) who authorized and carried out such destruction or discard, whether any copies of the Document presently exist, and, if so, the name of the custodian of each copy.

19. An objection or claim of privilege directed to part of a request does not constitute an excuse for failure to respond to the parts of the Document Request or Interrogatory for which no objection or claim of privilege is made.

20. If a refusal to answer a Document Request or Interrogatory is based on the grounds that the request is overly burdensome, identify the number and nature of Documents that need to be searched.

21. The Punitive Damages Requests relate to Corporate Defendant(s)' financial condition for purposes of punitive damages. "Case law recognizes the Defendant's financial condition as a relevant factor in all punitive-damage awards." Herman v. Sunshine Chem.Specialties, Inc., 133 N.J. 329, 339 (1993). In order to properly determine the appropriate punitive damage award amount, the trier of fact "must consider evidence of the Defendant's financial condition." Id. at 342. "The degree of punishment resulting from a judgment must be, to some extent, in proportion to the means of the guilty Person." McDonough v. Jorda, 214 N.J. Super. 338, 349 (App. Div. 1986) (citing Restatement (Second) of Torts 908 cmt. d (1977)), certif. denied, 110 N.J. 302 (1988) cert. denied, 489 U.S. 1065 (1989).

22. Masculine forms of any noun or pronoun shall embrace and be read to include feminine or neuter, as the context may make appropriate.

Document Requests

DOCUMENT REQUESTS

(Directed to All Defendants)

1. Any and all Documents relating to any insurance policy or reinsurance policy that may be used to pay all or part of any judgment entered against Defendant(s) in this Action.

Personnel Files

2. A complete copy of the personnel file Defendant(s) maintained pertaining to Plaintiff, including, but not limited to, copies of Documents relating to the following: (a) medical records and reports; (b) pay and benefits provided to Plaintiff; (c) attendance, sick time, disability time, personal time and/or vacation time; (d) commendations and/or performance reviews regarding Plaintiff; (e) job title or job status changes; (f) Documents relating to any leave of absence; and (g) employer policy information provided to Plaintiff, if any.

3. Limited portions of the personnel file(s) Defendant(s) maintained pertaining to any and all Individual Defendant(s), including, but not limited to, copies of Documents (written or electronic) relating to the following: (a) disciplinary action (i.e., oral reprimand, written reprimand, suspension, demotion, loss of pay, termination) being taken against any Individual Defendant; (b) performance evaluations that were conducted for any Individual Defendant; and (c) job title or job status changes for any Individual Defendant.

Plaintiff's Hiring & Employment

4. Any and all Documents that relate to, discuss, or memorialize the Plaintiff's hiring.

5. Any and all Documents (including the job application) that Plaintiff completed in connection with her seeking or application of employment at Corporate Defendant(s).

6. Produce Corporate Defendant(s) application for employment that was used during Relevant Time Period.

7. Any and all statements, Documents, or Communications related to the policies,

Document Requests

procedures, or Documents reviewed with or provided to Plaintiff during Plaintiff's onboarding with Corporate Defendant(s).

8. Any and all policies, practices, procedures that Plaintiff was required to comply with while employed by Corporate Defendant(s).

9. Produce a copy of the employee handbook in force and effect at the time of the Plaintiff's employment with Defendant(s).

10. Produce a copy of any and all Personnel manuals in force and effect at the time of the Plaintiff's employment with Defendant(s).

11. Any and all Documents relating to any and all employee benefits or benefit plan in which the Plaintiff was eligible to participate during his/her employment with Defendant(s).

12. Produce Documents related to Plaintiff's compensation, including paystubs, timesheets, and earning statements.

13. Any and all statements, Documents, or Communications concerning any agreement or contract between the Plaintiff and Defendant(s).

14. Any and all statements, Documents, or Communications relating to Plaintiff's performance.

15. Any and all statements, Documents, or Communications concerning any occasion in which Defendant(s) reprimanded or disciplined Plaintiff.

16. Any and all Documents and Electronic Data that relate to, refer to, discuss, or memorialize any alleged adverse employment action against Plaintiff (e.g., the termination, demotion, suspension, separation, and/or resignation of Plaintiff).

Document Requests

Job Description & History

a) A written job description for each and every position that Plaintiff held during Plaintiff's employment with Corporate Defendant(s).

b) A written job description for each and every position held by any Individual Defendant or any employee or agent of Defendant(s) during his/her tenure of employment with Corporate Defendant(s).

Policies & Procedures

19. Produce a copy of Defendant(s)' policies, practices, and/or procedures concerning discrimination, harassment, and retaliation during the Relevant Time Period.

Training

20. Any and all statements, Documents, or Communications relating to anti-harassment, anti-discrimination, and/or anti-retaliation training or education completed by Defendant(s) during the Relevant Time Period.

21. Any and all statements, Documents, or Communications concerning Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace conduct during the Relevant Time Period.

Statement & Witnesses

22. Any and all statements, Documents, or Communications concerning or made by any Person that relate to the allegations asserted in the Complaint.

23. Any and all statements, Documents, or Communications relating to statements of witnesses provided to and/or obtained by Defendant(s) that relate to this Action.

24. Any and all statements, Documents, or Communications concerning or made by any Person (including any of Defendant(s)' employees or coworkers) that relate to the defenses,

Document Requests

affirmative defenses, and/or denials asserted in the Answer.

25. Any and all statements, Documents, or Communications concerning any and all of Defendant(s)' denials of the allegations set forth in the Complaint.

26. Any and all statements, Documents, or Communications concerning any Person who has knowledge and/or information relating to this Action.

27. Any and all statements, Documents, or Communications between the Plaintiff and Defendant(s) that relate to this Action.

28. Any and all statements, Documents, or Communications concerning any and all admissions by or of Defendant(s) that relate to this Action.

Trial & Experts

29. All Documents Defendant(s) intend to use for any purpose in this litigation, including, but not limited to, the data it intends to use in depositions or at trial.

30. All Documents any expert who may testify on Defendant(s)' behalf and which Defendant(s) intend to use or may rely upon at trial.

31. Any and all reports relevant to this matter written by an expert utilized by Defendant(s).

32. Copies of any and all books, treatises, pamphlets or other printed material upon which Defendant(s) or any experts retained by Defendant(s) will rely on to support its defenses, including using as an exhibit at trial.

Internal Complaints & Investigation

33. Any and all statements, Documents, or Communications relating to any complaints, protected conduct, and/or Grievances made by the Plaintiff regarding Defendants.

34. Any and all statements, Documents, or Communications concerning any

Document Requests

Investigation that relates (i) to the claims and defenses asserted in this Action, (ii) to Plaintiff, and/or (iii) to Defendants. This includes all statements, Documents, or Communications concerning any Investigation concerning discrimination, harassment, hostile work environment, retaliation, or any conduct pertaining to Plaintiff's alleged NJLAD claims.

35. Any and all reports (including drafts) relating to any Investigations or Grievances concerning Defendant(s) and/or the Plaintiff.

Other Litigation

36. Any and all Documents concerning any and all internal complaints, lawsuits, and Grievances at Corporate Defendants for the past ten (10) years concerning harassment, discrimination, hostile work environment, retaliation, or alleged violation of federal law, state law, or NJLAD.

37. Any and all Documents concerning any lawsuits, claims, charges, arbitrations, and/or proceedings – previously or currently before state court, federal court, administrative agency, U.S. Equal Employment Opportunity Commission, the NJ Department of Labor, civil rights agency, commission, board, or department – against Defendant(s) for the past ten (10) years concerning harassment, discrimination, hostile work environment, retaliation, or alleged violation of federal law, state law, or NJLAD.

Communication

38. Produce any and all photographs, videos, or recordings that relate to this matter.

39. Produce a copy of any and all Messages and Communication between Defendant(s) and Plaintiff.

40. Produce a copy of any and all Messages and Communication between or among Individual Defendants that concern or relate to Plaintiff.

Document Requests

41. Produce a copy of any and all Messages and Communication between Defendant(s) and Defendant(s)' agents, servants, or representatives referring and/or relating to the subject matter of this litigation.

42. Any and all statements, Documents, or Communications concerning any and all Communication between Defendant(s) and Defendant(s)' Human Resources department(s) regarding Plaintiff.

43. Any and all Documents or logs relegating to phone calls between the Plaintiff and Defendants, including cell phones, traditional phones, and softphones.

44. Any and all statements, Documents, or Communications concerning teleconference and videoconference (such as Zoom and Teams) that related to this matter.

Other

ss) Any and all Documents identified or referenced in Defendant(s)' Answers to Plaintiff's First Set of Interrogatories to Defendant(s).

tt) Any and all Documents Defendant(s)' relied up upon when drafting their Answer.

Notices

uu) Produce any and all notices, posters, bulletins, or other Documents Defendant(s) displayed in the workplace regarding federal, state, and local employment laws during the Relevant Time Period.

Data Preservation

48. Any and all Documents relating to Corporate Defendant(s)' policies, practices, and/or procedures concerning Electronic Data retention and preservation.

Document Requests

Job Comparators & Replacement

49. Any and all Documents relating to any Person who assumed Plaintiff's position, or who assumed or performed Plaintiff's roles/duties/responsibilities, including that individual's contract, offer letter, and Personnel file.

50. Produce portions of the Personnel file(s) Defendant(s) maintained pertaining to any and all of Plaintiff's "job comparators" during Plaintiff's employment, including, but not limited to, copies of Documents (written or electronic) relating to the following: (a) disciplinary action (i.e., oral reprimand, written reprimand, suspension, demotion, loss of pay, termination) being taken against said employees; (b) performance evaluations that were conducted for any said employees; (c) pay records maintained for said employees; and (d) job title or job status changes for any said employees.

51. Produce job descriptions for each and every position held by any and all "job comparators" of the Plaintiff during his/her tenure of employment with Corporate Defendant(s).

52. Any and all Documents relating to job or positions vacancies/postings/openings/advertisements opportunities where Defendant(s) sought to hire an individual or promote an employee to fulfill or assume Plaintiff's former job duties.

Corporate Structure

53. Produce Documents relating to Corporate Defendants' organizational chart or management hierarchy.

Interrogatories

INTERROGATORIES

(Directed to All Defendants)

Insurance

1. Please set forth the existence and contents of any insurance agreement pertaining to the issues in the case, insuring the party answering this litigation. This request is made pursuant to R. 4:10-2(b).

2. State the policy limits of any and all insurance policies naming Defendant(s) as an insured which cover the claims in this litigation, along with the name of the insurance carrier and policy number, the amount of any applicable deductible, and if the claim is being defended under a Reservation of Rights Agreement or letter, attach a copy of said Reservation of Rights Agreement or letter.

Employment

3. State whether there are any forms required to be filled out by an applicant for original hire, promotion, transfer, or other change in terms and conditions of employment, and, if so, state:

- i) the name and identifying number of each form;
- ii) the purpose of each form; and
- iii) produce the form.

4. State whether there was any collective bargaining agreement in effect during the period referred to in the complaint providing for any connection with, authority over, or direct or indirect effect or control over any hiring practices or procedures of Corporate Defendant(s).

5. With respect to Plaintiff, state the following:

- a) the original date of hire;
- b) the gross earnings or compensation for each year of employment since the original date of hire to the present;

Interrogatories

- c) all fringe benefits payable to the plaintiff at time of discharge, including pension, welfare, health, retirement, savings, deferred compensation, bonus and/or profit sharing plans; and
- d) if the benefit plans have changed since the time of discharge, detail all the changes.

6. State identified the employee compensation and benefits that the Corporate Defendant(s) offered to Plaintiff, including, but not limited to, the following, and describe in detail:

- a) hourly or salary wage;
- b) any compensation;
- c) overtime;
- d) stock options;
- e) sabbaticals;
- f) sick leave;
- g) disability leave;
- h) vacation leave;
- i) Christmas/holiday bonuses;
- j) other bonuses;
- k) health insurance;
- l) life insurance;
- m) maternity leave;
- n) child-rearing leave;
- o) other leaves of absence;
- p) pensions and retirement benefits;
- q) education leave; and
- r) contribution toward educational expenses.

7. List chronologically each and every job title held by the Plaintiff while employed by any Defendant(s) indicating the time period during which each position was held.

8. For any position held by the Plaintiff while employed by Defendant(s) for which there is no job description, describe with specificity the job functions of each and every such position to the best of Defendant(s)' knowledge.

9. State the required qualifications and skills for each and every job title that the Plaintiff held while employed by any Defendant(s).

10. State whether the Plaintiff was ever promoted while employed by any Defendant(s). For each promotion, state the following:

Interrogatories

- a) from what position or job title the promotion was from and to what position or job title the promotion was to; the date of the promotion;
- b) the reason(s) for the promotion;
- c) the names, last known addresses, last known telephone numbers, and job titles, of all Persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- d) the criteria used in making the decision; and
- e) identify all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

11. State whether the Plaintiff was/were ever demoted while employed by any Defendant(s). For each demotion, state the following:

- a) from what position or job title the demotion was from and to what position or job title the demotion was to;
- b) the date of the demotion;
- c) the reason(s) for the demotion;
- d) the names, last known addresses, last known telephone numbers, and job titles, of all Persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- e) the criteria used in making the decision; and
- f) identify all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

12. List chronologically each and every job title held by Individual Defendant(s) while employed by any Defendant(s), indicating the time period during which each position was held.

13. For any position held by Individual Defendant(s) while employed by any Defendant(s) which there is no job description, describe with specificity the job functions of each and every such position to the best of Defendant(s)' knowledge.

14. State the required qualifications and skills for each and every job title that Defendant(s) held while employed by any Defendant(s).

15. State whether Individual Defendant(s) was/were ever promoted while employed by any Defendant(s). For each promotion, state the following:

- a) from what position or job title the promotion was from and to what position or job title the promotion was to;
- b) the date of the promotion;
- c) the reason(s) for the promotion;

Interrogatories

- d) the names, last known addresses, last known telephone numbers, and job titles, of all Persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- e) the criteria used in making the decision; and
- f) identify all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

16. State whether Individual Defendant(s) were ever demoted while employed by any Defendant(s). For each demotion, state the following:

- a) from what position or job title the demotion was from and to what position or job title the demotion was to;
- b) the date of the demotion;
- c) the reason(s) for the demotion;
- d) the names, last known addresses, last known telephone numbers, and job titles, of all Persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- e) the criteria used in making the decision; and
- f) identify all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

17. State the full name of each and every manager that worked with or oversaw the Plaintiff during the course of Plaintiff's employment, and include dates that each and every manager oversaw Plaintiff.

Procedures & Policies

18. Identify and describe in full detail Defendant(s)' policy relating to an employee's complaint of discrimination, harassment, and/or retaliation.

19. Identify and describe in detail Defendant(s)' policies, practices, and/or procedures for reprimanding, suspending, and terminating employees.

20. Describe, in detail, any Investigation, determination and/or disciplinary actions taken by Defendant(s) relating to any of the parties in this Action in the past ten (10) years.

21. Identify and describe the facts and details relating to each instance in which any of the Defendant(s) reprimanded or disciplined Plaintiff while employed at Defendant(s).

22. Identify and describe the facts and details relating to each instance in which any of

Interrogatories

the Defendant(s) were reprimanded or disciplined during the course of their employment.

23. Describe, in full detail, the facts and circumstances relating to any change in Plaintiff's position and/or job responsibilities.

24. Describe, in full detail, the facts and circumstances relating to any change in Defendant(s) position and/or job responsibilities.

Investigation

25. Identify and provide full details concerning any Investigation relating to the allegations and claims in the Complaint, including, but not limited to, who was questioned or interviewed, what was discovered, and what corrective Action was taken. Identify those who Defendant(s) contacted or assigned to conduct each specific Investigation or inquiry, who was questioned, what was discovered, and what corrective Action was taken to the best of Defendant(s)' knowledge. Provide copies of any examinations, audits, findings, reports, or notices in Individual Defendant(s)' possession.

26. Identify and provide full details concerning any Investigation relating to any denials or defenses asserted in the Answer, including, but not limited to, who was questioned or interviewed, what was discovered, and what corrective Action was taken.

Grievances

27. Please describe in detail complaints or Grievances (formal or otherwise) made by the Plaintiff with regard to discrimination, harassment, hostile workplace environment, and/or retaliation regarding Defendant(s).

28. Describe, in detail, all complaints or Grievances (formal or otherwise) by any employees of Defendant(s) relating to discrimination, harassment, hostile workplace environment, and/or retaliation by Defendant(s) in the past ten (10) years.

Interrogatories

29. Describe, in detail, the Investigation, determination, and/or disciplinary actions taken by Defendant(s) relating to all complaints or Grievances of discrimination, harassment, hostile workplace environment, and/or retaliation by Defendant(s) in the past ten (10) years.

30. Describe, in detail, the facts and circumstances relating to the method and process by which complaints or Grievances are handled and resolved with the Human Resources Departments (or similar departments) at Defendant(s).

HR & Training

31. Identify any and all Persons employed by Defendant(s) who are responsible for Human Resources, Personnel matter, training, orientation, and Personnel monitoring for the previous five (5) years to the present, to the best of Defendant(s)' knowledge, and provide the dates of employment for each.

32. Provide the name, last known address, last known job title, and last known telephone number of each and every Equal Employment Opportunity officer employed by Corporate Defendant(s) or the previous five (5) years to the present, and for each, state the dates of employment of each EEO officer.

33. State whether any Defendant(s) received or went through an orientation program when he/she was hired to work at Defendant(s) and describe said program. If so:

- a) provide a description of the system(s) or procedure(s) used for orientation for the past five (5) years; and
- b) identify and produce all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

34. Identify and provide full details concerning any and all harassment and discrimination prevention training conducted by Defendant(s) in the past five (5) years.

35. In connection with Defendant(s)' response to the preceding Interrogatory, provide full details of such training, including the dates, and provide any and all written materials used in

Interrogatories

such training. If the training was provided by a third party, please forward the third party's name, business address, and last known phone number, together with the third party's qualifications to perform such training.

36. Identify and describe the facts and details of each and every instance concerning any of the Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace language and conduct.

37. Does Corporate Defendant maintain records and post employment notices as required by federal, state, or local employment laws, and the regulations adopted pursuant thereto? If so, identify the records and notices and describe in detail how compliance has taken place and particularly describe the compliance in the last five (5) years to the present.

38. State whether the Corporate Defendant(s) has received any notices, posters, bulletins, or other Documents from the Equal Employment Opportunity Commission or the New Jersey Department of Labor with instructions to post them in conspicuous places on the premises, and, if so, state where and when the notices, posters, bulletins or Documents were posted, and if they are posted at the present time, state where and when the notices, posters, bulletins or Documents are posted.

Other Cases

39. State whether any lawsuits, claims, charges, arbitrations, and/or proceedings – including with state court, federal court, administrative agency, U.S. Equal Employment Opportunity Commission, the NJ Department of Labor, civil rights agency, commission, board, or department – has been filed/charged/sought against Defendant(s) alleging harassment, discrimination, and/or retaliation in the past ten (10) years. If so, provide the following for each such Action:

Interrogatories

- a) the name, last known address, last known telephone number, and job title of the complainant(s);
- b) the title of the Action;
- c) the name and address of the court where the Action was filed;
- d) the docket number of the Action;
- e) the date on which the Action was filed;
- f) the nature and substance of the Action;
- g) the disposition or present status of the Action;
- h) whether the case was tried and, if so, the verdict;
- i) the amount of punitive damages, if any;
- j) the amount of compensatory damages, if any; and
- k) identify all Documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

40. Set forth in detail, to Your knowledge, any and all notices and warnings received by the Defendant(s) over the past five (5) years from any State and/or Federal and/or Local regulatory authorities who oversee, license, regulate, or discipline Your operations, and/or Your employees.

41. Describe, in detail, any and all complaints to, Investigations by, and/or inquiries by the New Jersey Department of Labor with regard to any employment matter concerning Defendant(s) for the past five (5) years. Identify any and all Documents that in any way touch upon, discuss, or pertain to any of the matters referred to in this Interrogatory.

Statement & Admissions

42. Set forth whether Defendant(s) have obtained a statement from any Person not a party to this Action. If Your answer is in the affirmative, state:

- a) Name and address of the Person who gave the statement, and date statement obtained;
- b) if written, whether signed by the Person;
- c) if oral, name and address of the Person who obtained the statement, and if recorded, the nature and present custody of recording;
- d) attach a copy of all said written statements; and
- e) if oral, set forth completely the substance of said statements.

Communication

43. State whether Defendant(s)' agents communicated with any Persons or Entities that

Interrogatories

are not parties to this litigation in connection with the subject matter of this lawsuit. For any and all such Communications that were oral, specify the nature and substance of the Communication, the date on which it occurred, the place at which it occurred, and the names, last known addresses, and last known telephone numbers of all Persons present. For any and all such Communications that were written, provide true and accurate copies of each such Communication.

44. State whether at any time, Defendant(s) ever taped and/or digitally recorded any Communication with the Plaintiff, whether face-to-face or telephonic. If so, describe in detail, including, but not limited to:

- a) the identity of each Defendant(s) recorded;
 - b) the date, time, place, and manner in which You recorded the Communications;
 - c) the substance of the recorded Communications;
 - d) the device used for making such recordings; and
 - e) whether You obtained consent to tape or record such Communications.
- Provide any such recordings.

Trial & Experts

45. State the name, last known address, and last known telephone number of each and every Person whom Defendant(s) may expect to call as a witness at trial and indicate those facts to which each and every such witness is expected to testify.

46. State the names and business addresses of any and all proposed expert witnesses whom Defendant(s) have retained for this matter.

47. With respect to each and every proposed expert witness referred to in the preceding Interrogatory, provide the following:

- a) field of expertise;
- b) educational background;
- c) the names of any and all books, periodicals, or other writings that he or she has written or to which he or she has contributed;
- d) the date, time, and place at which any oral opinion was rendered, specifying to whom that opinion was rendered and describing the content of that opinion;
- e) true and accurate copies of any and all written reports or opinions, including drafts;

Interrogatories

- f) the name, last known address, last known telephone number, job title, and current employer of each Person with whom the expert has met in connection with formulating his or her opinion or preparing his or her report(s);
- g) true and accurate copies of any and all Documents that the expert created, obtained, or reviewed in connection with the formulation of his or her opinion or the preparation of his or her report(s);
- h) all tangible things upon which Your expert(s) may rely as an exhibit at trial and identify the name and address of the Person in whose custody the above identified tangible things are at the present time and;
- i) if any such reports, either written or oral, subsequently become known to You or become available, submit copies thereof to supplemental answers to these Interrogatories.

48. With respect to each and every proposed expert witness referred to in the preceding Interrogatory, set forth in summary form the substance of the opinion to which each is expected to testify, including a summary of grounds for each opinion.

49. Identify the names and addresses of any and all Persons other than those named in the preceding three Interrogatories, who have been retained, specifically employed, or consulted by Defendant(s) in anticipation of litigation or preparation for trial and who may not be called as witnesses at trial, and as to each:

- a) state the subject matter on which he/she was consulted;
- b) state his/her field of expertise;
- c) set forth the full and detailed qualifications, training, professional and practical experience, education and degree obtained by such Person. (As to each item listed in the answer to this Interrogatory, set forth the dates and/or years of same, as well as the names and addresses of each institution attended; furthermore, set forth the nature of each place at which experience or training was received);
- d) attach to the answers to these Interrogatories copies of all written reports submitted to You (or detailed resume if report was oral) of each such expert;
- e) state whether or not there are any other reports in existence from the particular experts named, either written or oral (if any such reports, either written or oral, subsequently become known to You, or become available, submit copies thereof of supplemental answers to these Interrogatories);
- f) set forth completely all expert opinions rendered by the named expert(s) which are not in writing;
- g) identify each Document that has been relied upon by each expert witness in the formulation of his or her opinion; and
- h) state a summary of the grounds for each opinion.

Interrogatories

Data Retention

50. Describe in detail Defendant(s)' ability to restore archived Electronic Data relating to the Plaintiff in this matter's employment contained on electronic media such that upon restoration it may be accessed, viewed, exported, or printed.

51. Describe, in detail, Defendant(s)' ability to restore archived Electronic Data relating to the employment of Defendant(s) contained on electronic media such that upon restoration it may be accessed, viewed, exported, or printed.

52. Identify each and every Individual with knowledge of:

- a) The type and location of all hardware used as terminals for email, including servers, Personal computers, laptops, PDAs, etc. at Corporate Defendant(s) within the past 10 years, up to and including the present;
- b) Computer software operating systems and end user-applications servicing Corporate Defendant(s) within the past 10 years, up to and including the present;
- c) All email software and versions which have been used on hardware servicing Corporate Defendant(s) within the past 10 years, up to and including the present;
- d) The email file naming conventions and standards;
- e) The back-up and rotation schedules for all email generated or received by Corporate Defendant(s)' employees within the past 10 years, up to and including the present;
- f) Electronic Data retention, preservation and destruction policies;
- g) Diskette, CD, DVD and other removable media labeling standards;
- h) Structure and organization of all information and technology departments and/or information technology support vendors involved with the computer systems at Corporate Defendant(s);
- i) The location of the email produced in response to the Plaintiff in this matter's First Request for Production;
- j) The method of search for the Documents and Electronic Data requested in the Plaintiff in this matter's First Request for Production; and
- k) The date and time of destruction of any Electronic Data requested in the Plaintiff in this matter's First Request for Production.

Individual Defendant

53. Identify the last known address, email address, and telephone number for each and every Individual Defendant.

Interrogatories

54. Identify each and every email account each Individual Defendant(s) utilized as an employee of Defendant(s) during the Relevant Time Period.

Damages

55. If the party or parties answering these Interrogatories believes that some Person, not a party to this Action, is in some way responsible for the injuries and/or damages alleged, please set forth the name and address of such Person, and the acts or omissions and address of such Person, the acts or omissions of said Person which caused the injury or damage, and the facts which support the belief.

Legal & Other

56. State the name, last known address, and last known telephone number of any and all Persons who have knowledge of facts relating in any way to this matter and specify the subject matter of each and every such Person's knowledge.

57. Indicate whether the individual or individuals certifying these Interrogatory answers had the opportunity to review the typed responses.

58. If the Person certifying the answers to these Interrogatories did not answer each and every question, then identify each and every Person supplying information used to answer the above Interrogatories and set forth the numbers of the Interrogatories as to which each and every such Person supplied information.

59. Describe, in detail, the factual basis for each and every Affirmative Defense set forth in the Answer.

60. Describe in detail the factual basis for each and every of Defendant(s)' denials of the allegations of the Complaint.

61. Are there any Documents that Defendant(s) know or believe to be in existence,

Interrogatories

although not in Defendant(s)' possession, custody, or control, that in any way relate to the subject matter of this litigation? If so, identify each and every such Document, set forth the source of Defendant(s)' information or belief regarding the existence of such Document, and identify the Person or Entity in whose possession, custody, or control such Document is known or believed to be.

Jurisdictional

62. Identify each and every State in which Corporate Defendant(s) is incorporated and state the date of each incorporation.

63. Identify each and every State in which Corporate Defendant(s) conducts business operations and state the proportion of the Corporate Defendant(s) total business which is done within each State.

64. Identify each and every facility maintained by Corporate Defendant(s) in the State of New Jersey and state with reference to each:

- a) the name of the facility;
- b) the address of the facility;
- c) the date the facility opened for operation;
- d) the nature of the work performed at the facility;
- e) the name and title of the officer in charge of each facility; and
- f) the name and title of the individual in charge of employee Relations at each facility.

65. Is there an organization chart for the Defendant(s), and, if so state the name and address of the custodian of the chart.

Interrogatories to Individual Defendants

INTERROGATORIES TO INDIVIDUAL DEFENDANT(S)

(Directed to Individual Defendants)

1. Identify each and every Document of every kind and description of which Individual Defendant(s) has knowledge which is, in any way, intended to support any claim, defense, affirmative defense, or factual allegation, or to be used by Individual Defendant(s) in any manner in this matter, including, but not limited to, during the examination of any witness; describe the Document as to content and other characteristics, and state the present location of such Documents, or in lieu thereof, attach true copies to Individual Defendant(s)'s answers to these Interrogatories. For each and every such Document or tangible thing upon which Individual Defendant(s) will rely in support of Individual Defendant(s)'s claims/defenses/affirmative defenses, state:

- a) its description;
- b) its nature;
- c) the name and address of Person who has custody;
- d) its location; and
- e) its condition.

2. Identify any and all email addresses You have used during the past five (5) years.

3. Identify any and all cell phone numbers You have used during the past five years as and identify the carrier and current location of each and every cell phone. For any cell phone that is no longer in Your possession, identify the name and address of the Person's whose possession, custody, or control they are in.

4. Have You ever been convicted of a criminal offense? If so, for each and every conviction, identify and set forth in detail:

- a) the particular offense(s) or crime(s) of which You have been convicted;
- b) the date of each such conviction;
- c) the courts in which You were convicted;
- d) the facts surrounding and underlying each such conviction; and
- e) the punishment or sentence received.

Interrogatories to Individual Defendants

5. State whether You are a supervisor. If so, (1) state all of Your supervisory responsibilities; (2) identify which department and which employees You supervise in any capacity; (3) identify employees who You directly supervise; and (4) state whether You supervised Plaintiff and in what capacity.

Punitive Damages Document Requests

PUNITIVE DAMAGES DOCUMENT REQUESTS

(Directed to Corporate Defendants)

1. Any and all financial statements prepared for the prior 10 years, up to and including the present, setting forth income, expenses, assets, liabilities, and profits of the Corporate Defendant(s).
2. Any and all tax returns filed by the Corporate Defendant(s) for each of the last ten (10) tax years.
3. Any and all Documents evidencing assets of the Corporate Defendant(s).
4. Any and all Documents evidencing the Corporate Defendant(s)' interest in any real estate.
5. Any and all Documents evidencing the financial obligations of the Corporate Defendant(s).
6. Any and all Documents evidencing any judgment against the Corporate Defendant(s) during the past ten (10) years and the amount of such judgment(s).
7. Any and all Documents evidencing bank accounts held by the Corporate Defendant(s) during the past ten (10) years, the location of those accounts, account numbers, and balances of those accounts.
8. Any and all Documents evidencing or setting forth accounts receivable and/or obligations owed by others to the Corporate Defendant(s) during the past ten (10) years.
9. Any and all Documents evidencing payments made by the Corporate Defendant(s) to creditors during the past ten (10) years.
10. Any and all corporate books or any other written memorandum setting forth income received by the Corporate Defendant(s) during the past ten (10) years.

Punitive Damages Document Requests

11. Any and all inventories taken by the Corporate Defendant(s) of its property at any time during the past ten (10) years.

Punitive Damages Interrogatories

INTERROGATORIES RELATED TO PUNITIVE DAMAGES

(Directed to Corporate Defendants)

1. For each and every Corporate Defendant, set forth:
 - a) The full name of the Corporate Defendant;
 - b) The date of formation;
 - c) The state of formation;
 - d) All states in which the Corporate Defendant conducts its business;
 - e) All states in which the Corporate Defendants has registered to do business; and
 - f) The full name and residential address of any Person who has been a shareholder, member, or partner of Corporate Defendant during any part of the last two years.
2. For each and every Person identified in response to subsection (f) above, state the Person's ownership interest in Corporate Defendant:
 - a) The full name and residential address of any Person who has served as a director of Corporate Defendant during any part of the last two years, along with the specific period during which such Person served as director;
 - b) The full name and addresses of all any Person who served as an officer of the corporation during any part of the past two years, along with the title and specific period during which such Person served as an officer;
 - c) All trade or fictitious names under which Corporate Defendant has conducted business during any part of the past two years;
 - d) The complete street address of all locations where Corporate Defendant has conducted its business during any part of the past two years, along with the specific period during which it conducted such business at each location; and
 - e) The full name and address of the Person who has custody of this corporation's books and records.
3. Is a majority of the ownership interest in Corporate Defendant held by any single individual or Entity? If so, state for the individual or Entity:
 - a) The full name and address;
 - b) The state of formation, if applicable;
 - c) The state(s) in which such individual or Entity does business;
 - d) The address of each business office;
 - e) The name and address of each current officer or director; and
 - f) The nature of the business in which such individual or Entity is engaged.
4. For all real property owned by Corporate Defendant(s), state:
 - a) The physical address (the "Location");

Punitive Damages Interrogatories

- b) The nature of the business conducted at the Location;
- c) The dates during which Corporate Defendant has owned the Location; and
- d) The number of individuals presently employed at the Location.

5. State the name, address, and telephone number of each and every Entity in which any individual identified in response to Interrogatory related to Punitive Damage No. 1(f) now has an interest and set forth the nature of such interest.

6. For each and every bank account of Corporate Defendant, list the name of the bank, the bank's address, the account number, and the name in which the account is held.

7. State the present location of any and all books and records of Corporate Defendant(s), including financial records.

8. State the name and address of each and every Person/Entity who/that prepares, maintains, and/or controls the business records and checkbooks of Corporate Defendant.

9. List each and every physical asset of Corporate Defendant. For each and every physical asset identified, state the location of the physical asset and, if such asset is subject to a lien, state the amount of the lien and the name and address of the lienholder.

10. Does the Defendant(s) own any real estate?

11. If the answer for the preceding interrogatory is in the affirmative, please state for each and every property:

- a) Name(s) in which property is owned;
- b) Address of property;
- c) Date property was purchased;
- d) Purchase price;
- e) Name and address of mortgage holder, if any;
- f) Balance due on mortgage, if any;
- g) The names and addresses of all tenants and monthly rentals paid by each tenant.

12. List any and all vehicles, equipment, and/or motor vehicles, owned by the Defendant(s) and state the following for each vehicle:

Punitive Damages Interrogatories

- a) Make, model, and year;
- b) License plate number;
- c) Vehicle identification number;
- d) If there is a lien on the vehicle, the name and address of the lienholder and the amount due on the lien.

13. List any and all accounts receivable due to the Defendant(s), stating the name, address, and amount due on each receivable.

14. For any transfer of business assets that has occurred within six months from the date of these Interrogatories, specifically identify:

- a) The nature of the asset;
- b) The date of the transfer;
- c) Name and address of the Person or Entity to whom the asset was transferred; The consideration paid for the asset and the form in which it was paid, e.g., check, cash; and
- d) Explain in detail what happened to the consideration paid for the asset.

15. Set forth any and all judgments that have been entered against the Defendant(s) and include the following for each:

- a) Creditor's name;
- b) Creditor's attorney;
- c) Amount due;
- d) Name of Court; and
- e) Docket number.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

CERTIFICATION

I hereby certify (or aver) that I have reviewed the document production request and that I have made or caused to be made a good faith search for documents responsive to the request. I further certify (or aver) that as of this date, to the best of my knowledge and information, the production is complete and accurate based on () my personal knowledge and/or () information provided by others. I acknowledge my continuing obligation to make a good faith effort to identify additional documents that are responsive to the request and to promptly serve a supplemental written response and production of such documents, as appropriate, as I become aware of them. The following is a list of the identity and source of knowledge of those who provided information to me:

- 1.
- 2.
- 3.
- 4.
- 5.

Dated: _____

By: _____

CERTIFICATION

I certify that the foregoing answers to the Interrogatories made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: _____

By: _____

R. Armen McOmber, Esq. – NJ ID # 018251998
ram@njlegal.com
Austin B. Tobin, Esq. – NJ ID # 002622010
abt@njlegal.com
Christian J. Fechter, Esq. – NJ ID # 386732021
cjf@njlegal.com
McOMBER McOMBER & LUBER, P.C.
54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT TOWNSHIP OF TOMS
RIVER PURSUANT TO R. 4:14-2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant Toms River commencing on Monday, June 2, 2025, at 10:00 AM, at the law offices of McOmber McOmber & Luber, P.C. Corporate Defendant(s) is required to designate and produce for deposition a person or persons to testify on its behalf.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

R. Armen McOmber, Esq. – NJ ID # 018251998
ram@njlegal.com
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54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT TOMS RIVER POLICE
FOUNDATION PURSUANT TO R. 4:14-
2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant Toms River Foundation **commencing on Tuesday, June 3, 2025, at 10:00 AM**, at the law offices of McOmber McOmber & Luber, P.C. Corporate Defendant(s) is required to designate and produce for deposition a person or persons to testify on its behalf.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

R. Armen McOmber, Esq. – NJ ID # 018251998
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54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT MATTHEW BRODERICK
PURSUANT TO R. 4:14-2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant Broderick commencing on **Wednesday, June 4, 2025, at 10:00 AM**, at the law offices of McOmber McOmber & Luber, P.C

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

R. Armen McOmber, Esq. – NJ ID # 018251998
ram@njlegal.com
Austin B. Tobin, Esq. – NJ ID # 002622010
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Christian J. Fechter, Esq. – NJ ID # 386732021
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McOMBER McOMBER & LUBER, P.C.
54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT SHAUN O'KEEFE
PURSUANT TO R. 4:14-2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant O'Keefe commencing on **Thursday, June 5, 2025, at 10:00 AM**, at the law offices of McOmber McOmber & Luber, P.C

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

R. Armen McOmber, Esq. – NJ ID # 018251998
ram@njlegal.com
Austin B. Tobin, Esq. – NJ ID # 002622010
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Christian J. Fechter, Esq. – NJ ID # 386732021
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54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT PATRICK DELLANE
PURSUANT TO R. 4:14-2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant Dellane **commencing on Friday, June 6, 2025, at 10:00 AM**, at the law offices of McOmber McOmber & Luber, P.C

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

R. Armen McOmber, Esq. – NJ ID # 018251998
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Christian J. Fechter, Esq. – NJ ID # 386732021
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54 Shrewsbury Avenue
Red Bank, New Jersey 07701
(732) 842-6500 Phone
Attorneys for Plaintiff, Rebecca Sayegh

REBECCA SAYEGH,

Plaintiff,

vs.

TOWNSHIP OF TOMS RIVER; TOMS
RIVER POLICE FOUNDATION; MATTHEW
BRODERICK; SHAUN O'KEEFE; PATRICK
DELLANE; MITCHELL A. LITTLE; ABC
CORPORATIONS 1-5 (fictitious names
describing presently unidentified business
entities); and JOHN DOES 1-5 (fictitious names
describing presently unidentified individuals);

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.:

Civil Action

**DEPOSITION NOTICE DIRECTED TO
DEFENDANT MITCHELL A. LITTLE
PURSUANT TO R. 4:14-2(c)**

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to Rule 4:14-2(c) of the New Jersey Rules of Court, Plaintiff, Rebecca Sayegh ("Plaintiff"), through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Defendant Little commencing on Monday, June 9, 2025, at 10:00 AM, at the law offices of McOmber McOmber & Luber, P.C

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Rebecca Sayegh

By: /s/ Austin B. Tobin

AUSTIN B. TOBIN, ESQ.

Dated: October 30, 2024

Civil Case Information Statement

Case Details: OCEAN | Civil Part Docket# L-002837-24

Case Caption: SAYEGH REBECCA VS TOWNSHIP OF
TOMS RIV ER

Case Initiation Date: 10/30/2024

Attorney Name: AUSTIN B TOBIN

Firm Name: MCOMBER MCOMBER & LUBER, PC

Address: 54 SHREWSBURY AVE

RED BANK NJ 07701

Phone: 7328426500

Name of Party: PLAINTIFF : Sayegh, Rebecca

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: LAW AGAINST DISCRIMINATION (LAD) CASES

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: Rebecca Sayegh? 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? YES

If yes, is that relationship: Employer/Employee

Does the statute governing this case provide for payment of fees by the losing party? YES

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? NO 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)*

10/30/2024
Dated

/s/ AUSTIN B TOBIN
Signed

