

**BENJAMIN M. DEL VENTO**  
A PROFESSIONAL ASSOCIATION  
70 South Orange Avenue, Suite 150  
Livingston, New Jersey 07039  
(973) 758-1801  
Attorneys for Plaintiffs

**RECEIVED**  
10-28-19

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|----------------------------------------|---|------------------------------|
| <b>PLAINTIFF(S)</b>                    | : | SUPERIOR COURT OF NEW JERSEY |
| RODNEY KNIGHTON and SHIRLEY            | : | LAW DIVISION MORRIS COUNTY   |
| KNIGHTON                               | : |                              |
|                                        | : | DOCKET NO: MRS-L-2257-19     |
| VS.                                    | : |                              |
|                                        | : | <i>Civil Action</i>          |
| <b>DEFENDANT(S)</b>                    | : |                              |
| 10 NORTH PARK, LLC, TOWN OF            | : |                              |
| MORRISTOWN, COUNTY OF MORRIS,          | : |                              |
| PENOBSCOT MANAGEMENT LLC,              | : |                              |
| FLEISCHMAN and JOHN DOE, A to Z,       | : |                              |
| individually, jointly and/or severally | : |                              |

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**SUMMONS**

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

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) A \$175.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

**DATED: 10/24/19**

/s/ MICHELLE M. SMITH  
**MICHELLE M. SMITH**  
Clerk of the Superior Court

Name of Defendant to be Served:  
Address of the Defendant to be Served:

CLERK, TOWN OF MORRISTOWN  
200 South Street  
Morristown, NJ 07963

Filing Attorney's Name: Benjamin M. Del Vento, Jr.

ID. No.: 034281994

**BENJAMIN M. DEL VENTO**

A PROFESSIONAL ASSOCIATION

70 South Orange Avenue, Suite 150

Livingston, N.J. 07039

(973) 758-1801

Attorneys for Plaintiffs: RODNEY KNIGHTON and SHIRLEY KNIGHTON

**PLAINTIFFS**

RODNEY KNIGHTON and SHIRLEY  
KNIGHTON

vs.

: SUPERIOR COURT OF NEW JERSEY

: LAW DIVISION - MORRIS COUNTY

:

: DOCKET NO.: *M25-L-2257-19*

:

**DEFENDANTS**

10 NORTH PARK, LLC, TOWN OF  
MORRISTOWN, COUNTY OF  
MORRIS, PENOBST MANAGEMENT  
LLC, FLEISCHMAN and JOHN DOE A  
to Z, individually, jointly and/or severally

*Civil Action*

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**COMPLAINT AND JURY DEMAND**

RODNEY KNIGHTON and SHIRLEY KNIGHTON, both residing at 325 Ronald Avenue, Borough of Glasboro, County of Gloucester and State of New Jersey complaining of the defendants herein say:

**FIRST COUNT**

1. On or about November 3, 2017, the plaintiff, RODNEY KNIGHTON, was lawfully on premises known by and as 14 North Park Place, Town of Morristown, County of Morris and State of New Jersey.

2. On or about November 3, 2017, the defendants, 10 NORTH PARK, LLC, TOWN OF MORRISTOWN, COUNTY OF MORRIS, PENOBSOT MANAGEMENT LLC, FLEISCHMAN and JOHN DOE, A to Z were the owners, occupiers and/or were responsible for premises known by and as 14 North Park Place, Town of Morristown, County of Morris and State of New Jersey.

3. Defendants, JOHN DOE, A to Z, represents any owner, occupier, possessor, maintainer, or maintenance company which may at the time of the accident been the owner, occupier, or otherwise maintained the aforementioned premises.

4. At the aforementioned time, defendants, 10 NORTH PARK, LLC, TOWN OF MORRISTOWN, COUNTY OF MORRIS, PENOBSOT MANAGEMENT LLC, FLEISCHMAN and JOHN DOE, A to Z, owned, operated, possessed and/or maintained such property so as to create and/or permit to persist a dangerous and hazardous condition thereon and further failed to take action to ameliorate, repair or correct such condition; acted in a palpable unreasonable manner or failed to act in a palpably reasonable manner so as to protect persons from against such dangerous and hazardous condition so that plaintiff, RODNEY KNIGHTON, who was lawfully on such property was proximately caused to fall and sustained an injury which was a reasonably foreseeable risk thereof.

5. As a result of the negligence of the defendants, 10 NORTH PARK, LLC, TOWN OF MORRISTOWN, COUNTY OF MORRIS, PENOBSOT MANAGEMENT LLC, FLEISCHMAN and JOHN DOE, A to Z, the plaintiff, RODNEY KNIGHTON,

sustained a serious and permanent injury which was a reasonably foreseeable risk of the dangerous condition and suffered and in the future will be caused to suffer great pain, and anguish, did and in the future will be required to expend diverse sums of money for treatment and cure and did and will in the future be prevented from attending to the plaintiff's needs.

6. Plaintiff has duly and timely filed a Notice of Claim as required pursuant to N.J.S.A. 59:8-1 et seq.

7. Plaintiff has sustained a permanent loss of a bodily function and her medical treatment expenses are in excess of those required pursuant to N.J.S.A. 59:9-2.

WHEREFORE, the plaintiff, RODNEY KNIGHTON demands judgment against the defendants, 10 NORTH PARK, LLC, TOWN OF MORRISTOWN, COUNTY OF MORRIS, PENOBST MANAGEMENT LLC, FLEISCHMAN and JOHN DOE, A to Z, individually, jointly and/or severally, besides legal interest and costs of suit.

### **SECOND COUNT**

1. The plaintiffs repeat and reallege each and every allegation contained in the First Count of plaintiffs' Complaint and incorporate same herein by reference as if set forth at length.

2. Plaintiff, SHIRLEY KNIGHTON, is the spouse of the plaintiff, RODNEY KNIGHTON.

3. As a result of the negligence of the defendants, the plaintiff, SHIRLEY

KNIGHTON, was and in the future will be required to spend diverse sums of money for the treatment and cure of such spouse, and did and in the future will lose the society, services and consortium thereof.

WHEREFORE, the plaintiff, SHIRLEY KNIGHTON, demands judgment against the defendants, 10 NORTH PARK, LLC, TOWN OF MORRISTOWN, PENOBSCOT MANAGEMENT LLC, FLEISCHMAN, COUNTY OF MORRIS and JOHN DOE, A to Z, individually, jointly and/or severally, together with legal interest and costs of suit.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demand a trial by a jury of six (6) persons as to all issues so triable.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, BENJAMIN M. DEL VENTO, JR. , is designated trial attorney in this matter.

**CERTIFICATION PURSUANT TO R. 4:5-1**

The undersigned certifies that the within matter in controversy is not the subject of any other action pending in any court nor of a pending arbitration proceeding. It is further certified that no arbitration proceeding is contemplated at this time.

LAW OFFICES OF  
BENJAMIN M. DEL VENTO, P.A.

BY:   
BENJAMIN M. DEL VENTO, JR.

DATED: 10.19.2019

## Civil Case Information Statement

**Case Details: MORRIS | Civil Part Docket# L-002257-19**

**Case Caption:** KNIGHTON RODNEY VS 10 NORTH PARK, LLC

**Case Initiation Date:** 10/18/2019

**Attorney Name:** BENJAMIN M DEL VENTO

**Firm Name:** BENJAMIN M. DEL VENTO, PA

**Address:** 70 SOUTH ORANGE AVENUE SUITE 150  
LIVINGSTON NJ 07039

**Phone:** 9737581801

**Name of Party:** PLAINTIFF : KNIGHTON, RODNEY

**Name of Defendant's Primary Insurance Company**  
(if known): CINCINNATI INSURANCE COMPANY

**Case Type:** PERSONAL INJURY

**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

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**  
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

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

**If yes, is that relationship:**

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

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

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO

**Title 59?** YES

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)*

10/18/2019  
Dated

/s/ BENJAMIN M DEL VENTO  
Signed

MORRIS COUNTY  
SUPERIOR COURT  
COURT STREET  
MORRISTOWN NJ 07960

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (862) 397-5700  
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 18, 2019  
RE: KNIGHTON RODNEY VS 10 NORTH PARK, LLC  
DOCKET: MRS L -002257 19

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

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

THE PRETRIAL JUDGE ASSIGNED IS: HON WILLIAM J. MCGOVERN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001  
AT: (862) 397-5700 EXT 5351.

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: BENJAMIN M. DEL VENTO  
BENJAMIN M. DEL VENTO, PA  
70 SOUTH ORANGE AVENUE  
SUITE 150  
LIVINGSTON NJ 07039

ECOURTS