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to Admin
10/23/17

NUSBAUM, STEIN, GOLDSTEIN,
BRONSTEIN & KRON, P.A.
66 Sunset Strip, Suite 205
Succasunna, New Jersey 07876
(973) 584-1400
Attorneys for Plaintiff

PAULA AST and DAVID AST, her spouse,

Plaintiffs,

vs.

GPT MORRISTOWN OFFICE OWNER, LLC;
d/b/a GRAMERCY PROPERTY TRUST and/or
PRISM PROPERTY SERVICES, LLC; PRISM
CAPITAL PARTNERS, LLC; PRISM
CONSTRUCTION MANAGEMENT LLC;
TOWNSHIP OF MORRISTOWN; WELLS
FARGO BANK; ABC CORP. 1-5; and JOHN
DOES 1-5,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MORRIS COUNTY

Docket No. MRS-L-2267-17

Civil Action

SUMMONS

The State of New Jersey, to the Above Named Defendant: **TOWNSHIP OF MORRISTOWN**

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. 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. The phone numbers for the county in which this action is pending are: Legal Services Office (973) 285-6911, and Lawyer Referral Services Office (973) 267-5882.

DATED: October 20, 2017

/s/ Michelle M. Smith
MICHELLE M. SMITH, Clerk

Name and Address of Defendant:

Township of Morristown
ATTN: Kevin D. Harris, Clerk
200 South Street
Morristown, NJ 07963

MORRIS COUNTY
SUPERIOR COURT
COURT STREET
MORRISTOWN NJ 07960

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (973) 656-4100
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 19, 2017
RE: AST PAULA VS GPT MORRISTOWN OFFICE OWNER LLC
DOCKET: MRS L -002267 17

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 MARYANN L. NERGAARD

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (973) 656-4106.

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: ROBERT D. KOBIN
NUSBAUM STEIN GOLDSTEIN ET AL
66 SUNSET STRIP SUITE 205
SUCCASUNNA NJ 07876

ECOURTS

Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-002267-17

Case Caption: AST PAULA VS GPT
MORRISTOWNOFFICE OWNERLLC

Case Initiation Date: 10/19/2017

Attorney Name: ROBERT DOUGLAS KOBIN

Firm Name: NUSBAUM STEIN GOLDSTEIN ET AL

Address: TOWN CENTRE BUILDING 66 SUNSET STRIP -
SUITE 205

SUCCASUNNA NJ 07876

Phone:

Name of Party: PLAINTIFF : Ast, Paula

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

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Hurricane Sandy related? NO

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:

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)*

10/19/2017
Dated

/s/ ROBERT DOUGLAS KOBIN
Signed

NUSBAUM, STEIN, GOLDSTEIN,
BRONSTEIN & KRON, P.A.
66 Sunset Strip, Suite 205
Succasunna, New Jersey 07876
(973) 584-1400; Fax (973) 584-8747
Attorneys for Plaintiff
Robert D. Kobin 015881986

PAULA AST and DAVID AST,
her spouse,

Plaintiffs,

vs.

GPT MORRISTOWN OFFICE OWNER,
LLC; d/b/a GRAMERCY PROPERTY
TRUST and/or PRISM PROPERTY
SERVICES, LLC; PRISM CAPITAL
PARTNERS, LLC; PRISM
CONSTRUCTION MANAGEMENT LLC;
TOWNSHIP OF MORRISTOWN;
WELLS FARGO BANK; ABC CORP.1-5;
and, JOHN DOES 1-5,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY

DOCKET NUMBER: MRS-L-
CIVIL ACTION

COMPLAINT AND JURY DEMAND

Plaintiffs Paula Ast and David Ast, her spouse, residing at 3 Andrews Road,
Randolph, Morris County, New Jersey by way of Complaint against the Defendants say:

DEFENDANTS

1. Based upon investigation conducted to date and at all times relevant
hereto, Defendant GPT Morristown Office Owner, LLC, d/b/a Gramercy Property Trust
and/or Prism Property Services, LLC is a foreign limited liability company of the State of
Delaware conducting business in the State of New Jersey. Defendant GPT Morristown

Office Owner, LLC has an agent for service, The Corporation Trust Company located at 820 Bear Tavern Road, West Trenton, New Jersey 08628.

2. Defendant Prism Property Services, LLC is a foreign corporation of the State of Delaware with an agent for service, Eugene R. Diaz, located at 200 Broadacres Drive, Suite 180, Bloomfield, NJ 07003.

3. At all times relevant hereto, Defendants GPT Morristown Office Owner, LLC, d/b/a Gramercy Property Trust and/or Prism Property Services, LLC shall collectively be referred to as "Defendant GPT"),

4. At all times relevant hereto, Defendant GPT owned, operated, managed, and/or maintained the property located at 12 Dehart Street, Morristown, Morris County, New Jersey. As such, Defendant GPT was under a duty to keep and maintain the premises and its abutting sidewalk in a reasonably safe condition.

5. Based upon further investigation conducted to date and at all times relevant hereto, Defendant Prism Capital Partners, LLC, is a New Jersey limited liability company with a main business address of 200 Broadacres Drive, Suite 180, Bloomfield, New Jersey 07003, and an agent for service of process, The Corporation Trust Company, located at 820 Bear Tavern Road, West Trenton, New Jersey. Defendants Prism Property Services, LLC, and Prism Construction Management, LLC, are foreign limited liability companies of the State of Delaware, both with a service of process address of 200 Broadacres Drive, Suite 180, Bloomfield, New Jersey 07003. Defendant Prism Capital Partners, LLC, and/or Prism Property Services, LLC, and/or Prism Construction Management, LLC (hereinafter referred to collectively as "Defendant Prism"), owned, operated, managed, and/or maintained the property located at 12

Dehart Street, Morristown, Morris County, New Jersey. As such, Defendant Prism was under a duty to keep and maintain the premises and its abutting sidewalk in a reasonably safe condition.

6. At all times relevant hereto Defendant Township of Morristown, is a public entity within the meaning of N.J.S.A. 59:1-3, with Municipal Offices located at, 200 South Street, Morristown, Morris County, New Jersey 07963. At all times relevant hereto the Township of Morristown owned, controlled, maintained, constructed, and/or designed the sidewalk and/or was responsible for warning of any dangerous conditions on the sidewalk on which the Plaintiff Paula A. Ast was caused to fall.

7. At all times relevant hereto, Defendants ABC Corp. 1-5 and John Does 1-5 are fictitious names for entities and/or individuals whose identities are not known to date that owned, managed, and/or maintained the property located at 12 Dehart Street, Morristown, Morris County, New Jersey. As such, Defendants ABC Corp. 1-5 and John Does 1-5 were under a duty to keep and maintain the property and its abutting sidewalk in a reasonably safe condition. At such time as those entities become known, this Complaint will be amended accordingly.

8. At all times relevant hereto, Defendant Wells Fargo Bank (hereinafter "Defendant Wells Fargo") is a banking institution doing business in the State of New Jersey located at 21 South Street, Morris County, Morristown, New Jersey 07960 and corporate headquarters located at 420 Montgomery Street, San Francisco, California, 94104. The property located at 12 Dehart Street, Morristown, New Jersey is designated as Defendant Wells Fargo's parking lot. As such, Defendant Wells Fargo was under a

duty to keep and maintain the property and its abutting sidewalk in a reasonably safe condition.

9. Hereinafter Defendants GPT, Prism, Township of Morristown, Wells Fargo, ABC Corp. 1-5, and John Does 1-5 shall be referred to collectively as "Defendants" unless otherwise specifically stated.

FIRST COUNT

1. Plaintiff Paula Ast repeats and reiterates the aforementioned allegations as though set-forth verbatim herein.

2. On or about November 17, 2015, Plaintiff Paula Ast was walking in a northeasterly direction on the sidewalk on Dehart Street in Morristown, New Jersey, on her way to meet her daughter at the optician's office.

3. At the same time and place, while walking on the sidewalk in front of the property located at 12 Dehart Street, Morristown, New Jersey, an opening between the sidewalk bricks and the uneven nature of the bricks caught the toe/sole of her shoe causing her to fall and seriously injure her right wrist.

4. The opening in the sidewalk bricks and the uneven nature of the bricks was a dangerous and defective condition that existed because Defendants failed to properly maintain or construct the area. If proper maintenance or construction was not possible, Defendants were under a duty to warn of the dangerous and defective condition. Defendants breached this duty.

5. The sidewalk that caused Plaintiff's fall is in an area with frequent pedestrian foot traffic for which it was reasonably foreseeable that failing to maintain the area in a safe condition would result in precisely the type of injury that occurred.

6. Defendants either knew or should have known of the dangerous and defective condition and failed to take reasonable steps to remedy it.

7. Defendants' failure to properly maintain, construct, or warn of the dangerous and defective condition directly caused Plaintiff Paula Ast to fall and sustain serious bodily injury.

WHEREFORE, Plaintiff Paula Ast demands judgment against Defendants GPT, Prism, Township of Morristown, Wells Fargo, ABC Corp. 1-5, and John Does 1-5, jointly and severally or in the alternative, for compensatory damages, interest, attorneys fees, medical expenses, costs of suit, and other such relief as the Court deems reasonable and just.

SECOND COUNT

1. Plaintiff David Ast repeats and reiterates the aforementioned allegations as though set-forth verbatim herein.

2. Plaintiff David Ast is the spouse of Plaintiff Paula Ast.

3. As a further result of the Defendants' negligence, Plaintiff David Ast has suffered and shall continue to suffer the loss of companionship, consortium, and services of Plaintiff Paula Ast during the period of her disability.

WHEREFORE, Plaintiff David Ast demands judgment against Defendants GPT, Prism, Township of Morristown, Wells Fargo, ABC Corp. 1-5, and John Does 1-5, jointly and severally or in the alternative, for damages, interest, and costs of suit.

JURY DEMAND

Plaintiffs hereby request trial by jury.

DEMAND FOR ANSWERS TO INTERROGATORIES

Plaintiff demands Defendants answer Uniform Interrogatories Form C and C(2) within the time frame prescribed by the Rules of Court.

DEMAND FOR DOCUMENTS

Plaintiff demands that Defendants provide Plaintiff with a true and accurate copy of each Defendant's Insurance Agreement including Excess Coverage Policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment that may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment, within the time frame prescribed by the Rules of Court.

CERTIFICATION

1. The within matter in controversy is not the subject of any other action pending in any court or any pending arbitration proceeding.
2. No other action or arbitration proceeding is contemplated by Plaintiff herein.
3. No other party should presently be joined in this action.

NUSBAUM, STEIN, GOLDSTEIN
BRONSTEIN & KRON, P.A.

Dated: October 19, 2017

By



Robert D. Kobin