

DAVIS, SAPERSTEIN & SALOMON P.C.
375 Cedar Lane
Teaneck, NJ 07666-3433
(201) 907-5000
Fax: (201) 692-0444
Attorneys for Plaintiff

SUE ELLEN GIFFORD

Plaintiff(s),

- VS -

MORRISTOWN PARKING AUTHORITY
A/K/A PARKING AUTHORITY OF TOWN
OF MORRISTOWN, MORRISTOWN
TRAIN STATION, NEW JERSEY
TRANSIT, TOWN OF MORRISTOWN,
JOHN DOE (SAID NAME BEING
FICTITIOUS AND
UNKNOWN) AND/OR ABC CORP. (SAID
NAME
BEING FICTITIOUS AND UNKNOWN), ROE
DOE
(SAID NAME BEING FICTITIOUS AND
UNKNOWN)
AND/OR XYZ CORP. (SAID NAME BEING
FICTITIOUS AND UNKNOWN) AND JOHN
ROE
(SAID NAME BEING FICTITIOUS AND
UNKNOWN)
AND/OR DEF CORP. (SAID NAME BEING
FICTITIOUS AND UNKNOWN)

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY

DOCKET NO. MRS-L-2129-08

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

MORRIS COUNTY
SUPERIOR COURT
COURT STREET
MORRISTOWN

NJ 07960

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (973) 656-4103
COURT HOURS

DATE: JULY 22, 2008
RE: GIFFORD V MORRISTOWN PARKING AUTHORITY
DOCKET: HRS L -002129 08

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 DEANNE H. WILSON

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (973) 656-4103.

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: PAUL A. GARFIELD
DAVIS SAPERSTEIN & SALOMON
375 CEDAR LAKE
TEANECKACK NJ 07666-3432

JUHAS



CIVIL CASE INFORMATION STATEMENT (CIS)

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

FOR USE BY CLERK'S OFFICE ONLY

PAYMENT TYPE: CK

CHG/CK NO.

AMOUNT:

OVERPAYMENT:

BATCH NUMBER:

ATTORNEY/PRO SE NAME

PAUL A. GARFIELD, ESQ.

TELEPHONE NUMBER

(201) 907-5000

COUNTY OF VENUE

Morris

FIRM NAME (if applicable)

DAVIS, SAPERSTEIN & SALOMON, PC

DOCKET NUMBER (When available)

C-2129-08

OFFICE ADDRESS

375 Cedar Lane
Teaneck, NJ 07666

DOCUMENT TYPE

COMPLAINT

JURY DEMAND

☒ YES ☐ NO

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

SUE ELLEN GIFFORD, Plaintiff

CAPTION

SUE ELLEN GIFFORD v. Morristown Parking Authority, et al.

CASE TYPE NUMBER
(See reverse side for listing)

605

IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO

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

RELATED CASES PENDING?

☐ YES ☒ NO

IF YES, LIST DOCKET NUMBERS

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

☐ YES ☒ NO

NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN

GOVERNMENTAL RISK MANAGEMENT

☐ NONE
☐ UNKNOWN

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

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

DO PARTIES HAVE A CURRENT,
PAST OR RECURRENT
RELATIONSHIP? ☐ YES ☒ NO

IF YES, IS THAT
RELATIONSHIP

☐ EMPLOYER-EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain)
☐ FAMILIAL ☐ BUSINESS

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

☐ YES ☒ NO

USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED
DISPOSITION:



DO YOU OR YOUR CLIENT NEED ANY
DISABILITY ACCOMMODATIONS?

☐ YES ☒ NO

IF YES, PLEASE IDENTIFY THE
REQUESTED ACCOMMODATION:

WILL AN INTERPRETER BE NEEDED?

☐ YES ☒ NO

IF YES, FOR WHAT LANGUAGE:

ATTORNEY SIGNATURE



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I — 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)
- 999 OTHER (Briefly describe nature of action)

Track II — 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603 AUTO NEGLIGENCE — PERSONAL INJURY
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE — PROPERTY DAMAGE
- 699 TORT — OTHER

Track III — 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV — Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 506 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Mass Tort (Track IV)

- | | |
|---------------------------------------|-----------------------|
| 241 TOBACCO | 275 ORTHO EVRA |
| 248 CIBA GEIGY | 276 DEPO-PROVERA |
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 277 MAHWAH TOXIC DUMP |
| 271 ACCUTANE | 278 ZOMETA/AREXIA |
| 272 BEXTRA/CELEBREX | 601 ASBESTOS |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 619 VIOXX |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category:

☐ Verbal Threshold

☐ Putative Class Action

☐ Title 59

RECEIVED & FILED
SUPERIOR COURT
2008 JUL 20 PM 11:47
CIVIL DIVISION

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375 Cedar Lane
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Attorneys for Plaintiff(s),

SUE ELLEN GIFFORD
Plaintiff(s),

vs.

MORRISTOWN PARKING AUTHORITY :
a/k/a PARKING AUTHORITY OF TOWN :
OF MORRISTOWN, MORRISTOWN :
TRAIN STATION, NEW JERSEY :
TRANSIT, TOWN OF MORRISTOWN, :
JOHN DOE (said name being fictitious and :
unknown) and/or ABC CORP. (said name :
being fictitious and unknown), ROE DOE :
(said name being fictitious and unknown) :
and/or XYZ CORP. (said name being :
fictitious and unknown) and JOHN ROE :
(said name being fictitious and unknown) :
and/or DEF CORP. (said name being :
fictitious and unknown) :
Defendant(s).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY

DOCKET NO.: MRS-L-2129-08

Civil Action

COMPLAINT AND JURY DEMAND

Plaintiff, SUE ELLEN GIFFORD, residing at 2 Mt. Freedom Avenue, in the Township of
Randolph, County of Morris, and State of New Jersey, by way of complaint against the
defendants says:

FIRST COUNT

1. On or about May 31, 2007, Plaintiff, SUE ELLEN GIFFORD, was a pedestrian lawfully traversing a parking lot known as Morristown Station, Lot #4, located on Morris Street, in the Town of Morristown, County of Morris and State of New Jersey, which was owned, operated, leased, supervised, controlled, managed and/or maintained and/or repaired and/or was charged with the duty of care and/or discharged its duty of care by Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP.

2. At the aforesaid time and place, due to the careless, reckless and negligent ownership, operation, lease, supervision, control, management and/or maintenance and/or repair and/or charge of duty of care and/or discharge of duty of care of the parking lot, by the Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP., Plaintiff, SUE ELLEN GIFFORD, was caused to trip and fall in a crack near a storm grate in the parking lot which was in disrepair, thereby causing the plaintiff to sustain severe personal injuries.

3. As a direct and proximate result of the aforesaid carelessness, recklessness and negligence of Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP., Plaintiff, SUE ELLEN GIFFORD was injured in and about her mind and body; was and will in

the future be caused great pain and suffering to her mind and body; was and will in the future be obliged to expend great sums of money for medical aid and attention; and was and will in the future be unable to attend her usual pursuits and occupations and was further damaged.

WHEREFORE, Plaintiff, SUE ELLEN GIFFORD, demands judgment against Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP., for damages together with interest and costs of suit.

SECOND COUNT

1. Plaintiff, SUE ELLEN GIFFORD, repeats each and every allegation of the First Count of the Complaint as if set forth at length herein verbatim.

2. At the aforesaid time and place, due to the careless, reckless and negligent ownership, operation, lease, supervision, control, management and/or maintenance and/or discharge of the duty of care of the parking lot and/or storm grate, by the Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP., Plaintiff, SUE ELLEN GIFFORD, was caused to trip and fall in a crack near a storm grate in the parking lot which was in disrepair, thereby causing the plaintiff to sustain severe personal injuries.

3. As a direct and proximate result of the aforesaid carelessness, recklessness and negligence of Defendants, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION,

NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP.

Plaintiff, SUE ELLEN GIFFORD, suffered severe permanent injuries, permanent loss of bodily function, was required to seek medical attention and has incurred medical treatment expenses in the excess of \$3,600.00, will in the future incur additional medical expenses, suffered great pain and will in the future suffer great pain, was and will in the future be unable to attend her usual pursuits and occupations and was further damaged.

4. The Plaintiff, SUE ELLEN GIFFORD, served a Notice of Claim for her damages in the form prescribed by N.J.S.A. 59:8-4 and signed by Plaintiff, upon the MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP.

5. More than six months have passed since the service of Plaintiff's Notice of Claim and Plaintiff's claim remains unsatisfied.

WHEREFORE, Plaintiff, SUE ELLEN GIFFORD, demands judgment against Defendant, MORRISTOWN PARKING AUTHORITY a/k/a PARKING AUTHORITY OF TOWN OF MORRISTOWN, MORRISTOWN TRAIN STATION, NEW JERSEY TRANSIT, TOWN OF MORRISTOWN, JOHN DOE and/or ABC CORP., for damages together with interest and costs of suit.

THIRD COUNT

1. Plaintiff, SUE ELLEN GIFFORD, repeats each and every allegation of the First and Second Counts of the Complaint as if set forth at length herein verbatim.

2. At the aforesaid time and place, Defendant, ROE DOE and/or XYZ CORP., was an independent contractor responsible for the upkeep and maintenance and/or repair of the aforementioned parking lot and/or storm grate.

3. As a direct and proximate result of the careless, reckless and negligent upkeep and maintenance and/or repair of the parking lot and/or storm grate by Defendant, ROE DOE and/or XYZ CORP., Plaintiff, SUE ELLEN GIFFORD, was caused to trip and fall in a crack near a storm grate in the parking lot which was in disrepair, thereby causing the plaintiff to sustain severe personal injuries.

4. As a direct and proximate result of the aforesaid carelessness, recklessness and negligence of Defendant, ROE DOE and/or XYZ CORP., Plaintiff, SUE ELLEN GIFFORD, was injured in and about her mind and body; was and will in the future be caused great pain and suffering to her mind and body; was and will in the future be obliged to expend great sums of money for medical aid and attention; and was and will in the future be unable to attend her usual pursuits and occupations and was further damaged.

WHEREFORE, Plaintiff, SUE ELLEN GIFFORD, demands judgment against Defendant, ROE DOE and/or XYZ CORP., for damages together with interest and costs of suit.

FOURTH COUNT

1. Plaintiff, SUE ELLEN GIFFORD, repeats each and every allegation of the First through Third Counts of the Complaint as if set forth at length herein verbatim.

2. At the aforesaid time and place, Defendant, JOHN ROE, was an unknown person or persons whose actions caused and/or contributed, directly or indirectly, to the accident herein and the injuries and damages suffered by Plaintiff, SUE ELLEN GIFFORD.

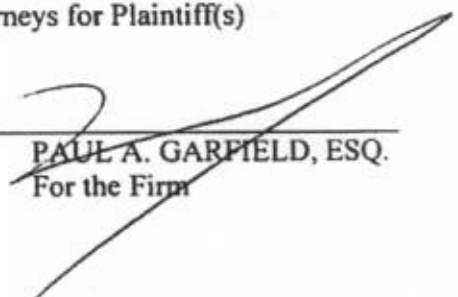
3. At the aforesaid time and place, Defendant, DEF CORP an unknown business, corporation and/or entity, whose agents, servant and/or employee's actions caused and/or contributed, directly or indirectly, to the accident herein and the injuries and damages suffered Plaintiff, SUE ELLEN GIFFORD.

4. As a direct and proximate result of the aforesaid carelessness, recklessness and negligence of Defendant, JOHN ROE and/or DEF CORP., Plaintiff, SUE ELLEN GIFFORD, was injured in and about her mind and body; was and will in the future be caused great pain and suffering to her mind and body; was and will in the future be obliged to expend great sums of money for medical aid and attention; and was and will in the future be unable to attend to her usual pursuits and occupations and was further damaged.

WHEREFORE, Plaintiff, SUE ELLEN GIFFORD, demands judgment against Defendant, JOHN ROE and/or DEF CORP., for damages together with interest and costs of suit.

DAVIS, SAPERSTEIN & SALOMON, P.C.
Attorneys for Plaintiff(s)

Dated: July 17, 2008

BY: 
PAUL A. GARFIELD, ESQ.
For the Firm

JURY DEMAND

Plaintiffs demand a trial by jury on all issues raised in the various Counts of the Complaint.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Paul A. Garfield, Esq. as trial counsel in this matter.

DAVIS, SAPERSTEIN & SALOMON, P.C.
Attorneys for Plaintiff(s)

Dated: July 17, 2008

BY: 
PAUL A. GARFIELD, ESQ.
For the Firm

DEMAND FOR ANSWERS TO INTERROGATORIES

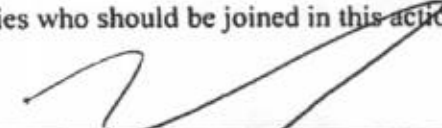
Pursuant to Rule 4:17-1(b)(1), et seq., Plaintiff hereby demands that Defendants answer Form "C" Uniform Set of Interrogatories of Appendix II and supplemental Form "C1", within the time prescribed by the Rules of Court.

Plaintiff reserves the right to propound additional supplemental Interrogatories pursuant to the Rules of Court.

CERTIFICATION

I certify, pursuant to R.4:5-1, that to the best of my knowledge, information and belief at this time, the matter in controversy is not the subject matter of any other action pending in any other court, nor of any pending arbitration proceeding; that no other action or arbitration is contemplated; and that there are no other parties who should be joined in this action.

Dated: July 17, 2008

BY: 
PAUL A. GARFIELD, ESQ.
For the Firm