

LAW OFFICES OF
GINA MENDOLA LONGARZO, LLC
*ADMITTED NJ & NY BARS

August 12, 2022

Via Hand Delivered

Township of North Bergen
c/o Business Administrator Janet Castro
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

Jennifer Jimenez
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

Nancy Guevara
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

Julio Marengo
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

✓ John and Jane Does 1-10
(Unknown Township of North Bergen Employees, Officials & Agents)
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

Re: Natalia Quintero v. Township of North Bergen, et al.
Our File No.: 30.04.1270

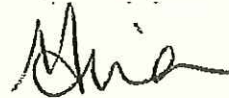
Dear Sir/Madam:

Enclosed herein please find a Notice of Tort Claim containing allegations against you by Natalia Quintero. Please be guided accordingly and forward this on

to your legal counsel. If any party is interested in trying to resolve this matter pre-litigation, kindly contact my office as soon as is conveniently possible.

Thank you for your courtesy and attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gina", with a stylized flourish extending to the right.

GINA MENDOLA LONGARZO

GML/bs

enc.

LAW OFFICES OF
GINA MENDOLA LONGARZO, LLC

560 MAIN STREET, SECOND FLOOR
CHATHAM NEW JERSEY 07928
973.635.2901



NOTICE OF CLAIM FOR DAMAGES

TO:

1. Township of North Bergen
c/o Business Administrator Janet Castro
4233 Kennedy Boulevard
North Bergen, New Jersey 07047
2. Jennifer Jimenez
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047
3. Nancy Guevara
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047
4. Julio Marengo
Township of North Bergen
4233 Kennedy Boulevard
North Bergen, New Jersey 07047
5. John and Jane Does 1-10
(Unknown Township of North Bergen Employees, Officials & Agents)
4233 Kennedy Boulevard
North Bergen, New Jersey 07047

I. Name and post office address of claimant(s):

Natalia Quintero
8200 Boulevard East, Apt. 11B
North Bergen, New Jersey 07047

II. Post office address to which the person presenting claim desires notice to be sent:

Gina Mendola Longarzo, Esq.
Law Offices of Gina Mendola Longarzo, LLC
560 Main Street
Chatham, New Jersey 07928

III. Date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted:

Background Facts

Claimant, Natalia Quintero, has been an excellent employee of the Township of North Bergen (the "Township") since her hiring in June 2017. However, she has been subjected to a hostile work environment by her supervisor, Nancy Guevara, and Guevara's subordinate, Jennifer Jimenez, who conspired with Guevara to harm the Claimant. All of her complaints to the Township and Commissioner Julio Marengo have fallen on deaf ears, and Marengo actually discouraged her from seeking protection from the Township and belittled her when she sought his assistance requiring her to take the instant action.

Claimant was hired full time in 2017 to work for the Tax Collector's Office. Guevara was her supervisor. Claimant was offered the additional job of processing tort claims in February 2018. She was doing an exemplary job and was then promoted to the full time position of Payroll Clerk in the Finance Department on February 13, 2020, and Guevara remained as her direct supervisor along with Commissioner Marengo.

However, all of her excellent work was ignored and her professional advancement was stymied once Guevara learned in the Summer of 2021 that the Claimant began dating one of her previous romantic partners. Guevara had a relationship with this individual from November 2020 through February 2021. The Claimant began dating Guevara's ex-paramour in June 2021, and Guevara learned about their relationship shortly thereafter. A campaign of harassment and hostility then ensued against the Claimant by Guevara with the assistance of Jimenez and Marengo.

Indeed, during the Summer of 2021, Claimant noticed a distinct, negative change in Guevara's demeanor towards her. Claimant was falsely faulted for imagined errors and was spoken to abruptly and callously. Her every action was scrutinized and criticized and her very presence seemed to trigger Guevara's animosity. Claimant finally asked Guevara about the reason for the hostility in September 2021. In response, Guevara just advised her that some of her payroll duties would be taken from her and that the additional job of processing tort claims was also being taken from her along with the extra compensation she would have obtained. Claimant has never been paid for taking on the extra payroll duties to date despite promises of same, and Guevara spitefully failed to fill out the proper paperwork that would have documented Claimant's payroll duties and entitlement to additional compensation. No explanation was provided for the stripping of these payroll duties from Claimant. Claimant's payroll duties were then transferred to an intern. After Claimant returned from a vacation in October 2021 with Guevara's ex-paramour, she was advised by Guevara that she was being relegated to answering telephone calls in the Tax Collector's Office.

Thereafter, in November 2021, Guevara telephoned Claimant's boyfriend, questioned him deeply about his relationship with Claimant and told him not to call the Claimant during work hours. Approximately one week later, Guevara blamed Claimant for a payroll issue with ADP that was clearly not caused by Claimant's errors. Marengo then unfairly chastised Claimant on this issue and other payroll errors through December 2021 that were clearly not her fault due to Guevara's false blaming of Claimant.

In January 2022, Guevara hired her personal friend, Jimenez, as an intern. When Claimant again tried to approach Guevara about her mistreatment in January 2022, Guevara had Jimenez attend the meeting, and Claimant felt outnumbered and dismissed. None of Claimant's concerns were addressed. And the unfair punishment of Claimant continued solely due to a non-work related issue of who she was dating. At one point, Guevara explicitly told Claimant that everyone knew she was now dating her ex-paramour in front of Jimenez. Moreover, after this meeting, Jimenez began closely watching and documenting all of Claimant's actions and movements.

In February 2022, Claimant wished to attend a finance class at Rutgers University. The Township had always supported other employees who wished to

attend trainings and classes that could improve their work product and paid for same. However, Guevara denied Claimant this opportunity and told her the class was full. Claimant later learned that Guevara had approved and signed up Jimenez and another employee for another, similar class due to the other class being full but neglected to register Claimant for this other class. Guevara informed Marengo about this issue and untruly relayed that it was somehow Claimant's fault she was not registered. On the same day, Marengo emailed Claimant over this "episode" (based on how Guevara characterized it to him) involving her wanting to take a class and blamed it on a "lack of preparation" on her behalf which was absolutely untrue. Needless to say, Claimant was wrongfully denied this opportunity by Guevara, and Marengo then improperly faulted Claimant and thereby supported and condoned Guevara's harassment of Claimant.

A few weeks later in February 2022, Claimant was told by Guevara that she was being entirely stripped of all payroll duties and being placed solely in the Tax Collector's Office. When Claimant asked for a reason for this action, Guevara refused to respond other than telling her to discuss it with Marengo.

Entirely distraught over the hostility and unfair treatment by Guevara and Marengo, Claimant then filed a complaint with Human Resources, on February 15, 2022, regarding all of the abuse being heaped on her by both of them. In her Employee Complaint Form, Claimant explained that she was being retaliated against because she was dating her supervisor's ex-paramour. She explained how she was demoted, harassed, micromanaged and being afforded no opportunity for advancement. After she filed her complaint, numerous Township employees knew about and were discussing it causing her great tension and nervousness. Marengo even made a comment to Claimant's father evidencing that he felt it was a bad idea for Claimant to have filed same. Out of fear of further retaliation and after learning of Marengo's opinion on her complaint, she withdrew it a week later. The Township still took no remedial action and was duty-bound to do so upon learning of the hostile work environment created by a supervisor for one of its employees regardless of whether the complaint was withdrawn.

In mid-March 2022, Claimant learned that Guevara was being promoted and that recently-hired Jimenez would now be her supervisor. Approximately one hour later, an IT employee of the Township discovered that a tape recording device had been placed under Claimant's desk. The discovery that Claimant was being-tape

recorded occurred within one month of Claimant filing her hostile work environment complaint against Guevara and Marengo. This crime was reported to the North Bergen Police Department. On April 8, 2022, Jimenez was arrested by the Hudson County Prosecutor's Office for placing this device under Claimant's desk but incredibly was never suspended by the Township. Marengo even stated that Claimant should have just handed the recording device back to Jimenez and not reported it to the police. Guevara and Jimenez continued to be protected by Marengo at Claimant's expense. Marengo even took Jimenez' side and began spreading a false rumor that Claimant was probably bothering Jimenez and Guevara to try and justify the illegal tape-recording. As was readily apparent, Marengo, Guevara and Jimenez formed a clear alliance against Claimant who was subjected to torment by these three supervisors. The harassment of Claimant was thus allowed to continue even after such extreme misconduct was discovered.

On April 25, Marengo held a meeting for all the employees of the Tax Collector's Office and solely excluded Claimant. Another employee approached Marengo and asked him to speak with Claimant who was visibly upset over the slight. He met with Claimant but was very short with her. When Claimant asked him why he allowed Guevara to demote her and mistreat her, he stated that he was unconcerned with her "personal problems" and called her "petty." When asked, Marengo could offer no examples of poor performance or mistakes committed by Claimant that would justify her lessened duties. During this conversation, Marengo actually interrupted Claimant while she was outlining the harassment and adverse employment consequences she had suffered, poked her in the forehead and stated to her, "Will you shut the f-ck up?" Claimant felt anxious, distraught and frustrated during that meeting and left feeling utterly demeaned by Marengo.

Claimant had gone to Marengo numerous times before this April 25, 2022 meeting to voice verbal complaints about her mistreatment by Guevara and also went to him after filing her harassment complaint. However, Marengo refused to assist her on each occasion and was always very dismissive and hostile to her. After this April 25, 2022 meeting when he assaulted Claimant and used profanity with her, Claimant fully realized Marengo would never help her and would instead always side with and support Guevara and Jimenez in persecuting her.

On May 5, 2022, a family friend of the Claimant and longtime Township employee relayed her dire situation to Mayor Nicholas Sacco. On the following day,

Marenco offered Claimant a transfer to the Municipal Court. Desperate to be free from the harassment of Marenco, Guevara and Jimenez, Claimant agreed to the transfer. However, shortly after transferring on May 16, 2022, she was advised she could not work on any court matters involving her boyfriend (who is a police officer for the Township) or her father (who is an Inspector for the Township) due to conflicts of interest. This greatly limits her ability to gain experience and her opportunity for promotion and advancement in her current position. Claimant also has since learned that working in the Municipal Court is considered "punishment" duty as relayed to her by numerous Township employees.

Guevara started the campaign of harassment and disparate treatment after learning that Claimant was dating her ex-paramour. Claimant was discriminated against due to her gender and personal dating relationship status. Jimenez came to Guevara's aid and illegally spied on Claimant to assist Guevara in her efforts to harm Claimant. Marenco also supported Guevara and took no action as Claimant and Guevara's supervisor to remediate the hostile work environment. Instead, Marenco also abused and mistreated Claimant, seemed annoyed at her complaints and began joining in the harassment to punish her for voicing complaints and to retaliate against her. He also allowed Claimant to be demoted and stripped of job duties and promotional opportunities and thus supported the harassment. After complaining about all the misconduct, Claimant was then subjected to further retaliation and placed in a dead end, stagnant, "punishment" position with no room for advancement or growth.

All of the above animosity and misconduct directed at the Claimant in being subjected to a discriminatory, retaliatory and hostile work environment has caused her great stress, leading to both physical and emotional harm.

IV. General Description of the injury, damage or loss incurred so far as it may be known at the time of presentation of this claim:

The course of conduct of the Township and all the individuals named herein violates its own written policies, the federal and state constitutions and state statutes and the common tort law and has caused Claimant to suffer damages. Furthermore, the aforesaid unlawful conduct has resulted in intentional retaliation and harassment; breach of contract and quasi-contract; gross negligence; grossly negligent supervision; statutory violations; conspiracy; intentional interference with contractual/economic advantage; fraud; defamation; intentional infliction of emotional distress; any

common law claim(s) for wrongful employment action; malicious prosecution; violation of public policy; breach of an express or implied contract; breach of an implied covenant of good faith and fair dealing; conversion; promissory estoppel; unjust enrichment; invasion of privacy, quantum meruit; account stated; equitable estoppel; misrepresentation; detrimental reliance; civil rights violations; severe emotional upset; loss of reputation; loss of income; federal and state constitutional rights violations; violations of the New Jersey Conscientious Employee Protection Act; violations of the New Jersey Civil Rights Act; violations of the New Jersey Law Against Discrimination; violations of the New Jersey Family Leave Act, the New Jersey Wage and Hour Law, N.J.S.A. 34:11-56a, et seq., the New Jersey Wage Payment Law, N.J.S.A. 34:11-4.1, et seq. and the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1, et seq.; violations of New Jersey's Open Public Records Act, N.J.S.A. 47:1A-1, et seq.; violations of Title VII of the Civil Rights Act of 1964, and 1991, as amended, 42 U.S.C. § 2000e, et seq. and laws amended thereby; the Civil Rights Act of 1966, 42 U.S.C. § 1981, et seq.; the Civil Rights Statutes contained in 42 U.S.C. §§ 1983, 1985, and 1986 and any related laws; 42 U.S.C. § 12101, et seq.; the National Labor Relations Act, 29 U.S.C. § 151, et seq.; the Age Discrimination in Employment Act, the Rehabilitation Act, the Employee Retirement Income Security Act, the Consolidated Omnibus Budget Reconciliation Act, and/or state law equivalent, the Uniformed Services Employment and Reemployment Rights Act of 1994, the Sarbanes-Oxley Act of 2002; the Federal Family and Medical Leave Act, 29 U.S.C. § 2601, et seq.; the Employee Retirement Income Security Act, 29 U.S.C. § 1001, et seq.; the Rehabilitation Act of 1973, 29 U.S.C. § 791, et seq.; the Occupational Safety and Health Act, 29 U.S.C. § 651, et seq.; the Fair Labor Standards Act, 29 U.S.C. § 201, et seq.; the Equal Pay Act, 29 U.S.C. § 206(d); the False Claims Act, 31 U.S.C. § 3729, et seq.; and any other federal, state or local equal employment opportunity or other laws, statutes, regulations or ordinances.

V. The name or names of other public entity, employee, or employees causing the injury, damage or loss, if known:

1. State of New Jersey, Dept. of Labor
John Fitch Plaza
P.O. Box 110
Trenton, NJ 08625
2. State of New Jersey, Dept. of Labor
Division of Wage & Hour Compliance
1 John Fitch Plaza, 3rd Floor
Trenton, NJ 08611

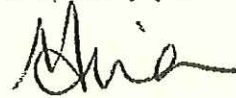
VI. The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of the computation of the amount claimed:

The amount claimed is \$1,000,000.00 dollars. However, the extent of the injuries is ongoing and will continue to be revealed and ascertained through continuing discovery. Upon the completion of discovery, a proper presentation of the claim can be further ascertained.

If there are any supplemental forms to answer, please provide a copy of said forms to my office immediately.

LAW OFFICES OF GINA MENDOLA
LONGARZO, LLC

By:



GINA MENDOLA LONGARZO, ESQ.
Attorneys for Claimant
Natalia Quintero

Dated: August 12, 2022