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Attorneys for Defendants Lacey Township and Lacey Township Police Department

YVONNE YAAR-SHARKEY, individually and as
Administratrix Ad Prosequendum and
Administratrix of the Estate of Neil Torian Van
De Putte, Deceased

Plaintiff

v.

ANDREW J. SLOTA, LACEY TOWNSHIP
POLICE DEPARTMENT, LACEY TOWNSHIP
and ABC Corporations (A-Z), JOHN DOE (1-
10)

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, OCEAN COUNTY

DOCKET NO.: OCN-L-2163-16

Civil Action

**ANSWERS OF LACEY TOWNSHIP
POLICE DEPARTMENT AND LACEY
TOWNSHIP TO PLAINTIFF'S
INTERROGATORIES**

1. Veronica Laureigh, business administrator with assistance of counsel.
2. Objection, the request is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, Defendants do not have a "corporate attorney". Township Counsel during the relevant time period is the law firm of Gilmore & Monahan.
3. The Toms River Police Department (TRPD) and Ocean County Prosecutor's Office (OCPO) conducted the crash investigation. Upon information and belief:
 - (a) Maxwell Dolphin and Connie Facciponte. Mr. Dolphin was the decedent's friend and with him at the time of the incident. Ms. Facciponte was driving her motor vehicle near her intersection at the time of the accident.
 - (b) Officer Andrew Slota and Officer George Resetar.
 - (c) Upon information and belief, the TRPD conducted the fatal crash investigation and obtained written and/or audio statements from various witnesses. Plaintiff has a copy of the TRPD Fatal Crash Investigation Report. Upon information and belief the OCPO was also involved in the investigation and obtained statements. Plaintiff has copies of these reports as well.

4. Objection, the question is vague and unclear given that the Lacey Township Police Department (LTPD) has voluminous regulations, policies and procedures which are provided to police officers and which are also readily available to them in the department's computer system. Please clarify the question and an appropriate response will be provided.

5. Objection, the request is vague, overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see LTPD investigation report, "Officer Activity Details", attached hereto as Exhibit A, which lists the officers on duty as well as their job titles.

6. Officer Slota was responding to a disorderly persons call from Oyster Creek Nuclear Generating Station.

7. Objection, the request is vague, overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see Exhibit A, "dispatcher details". See Detail Call for Service Reports attached hereto as Exhibit B.

8. Objection, seeks confidential personnel files. Notwithstanding and without waiving said objection, in general employee personnel files would contain employment application, background checks, medical information, training information and information related to the officer's conduct. A copy of Defendant Slota's employment personnel file will be supplied upon entry of a protective order.

9. Not applicable.

10. Police Officers Copes, Resetar and Slota. See TRPD Fatal Investigation Crash Report in Plaintiff's possession.

11. Headlights, fog lights, running lights, and overhead lights.

12. Per the TRPD Fatal Crash Investigation Report, none.

13. The subject patrol vehicle was equipped with a siren/air horn.

14. Dash-mounted stalker radar unit; police radio in console; console mounted laptop; car radio and siren controls.

15. The described technology is standard for patrol vehicles; there was no unique technology in Officer Slota's patrol vehicle.

16. These Defendants have no "version" of the accident and will rely upon the investigation reports prepared by the TRPD, the OCPO and the Ocean County Sheriff's Department.

17. It should be noted that the LTPD was not involved in the crash investigation and that the TRPD and the OCPO conducted the investigation. Based upon the information available to defendants, they do not disagree with the TRPD report.

18. None.

19. Objection the question seeks confidential personnel information. Notwithstanding and without waiving said objection, Officer Slota was on work-related leave due to injuries sustained in the accident and then returned to work on light duty for a period of time and then returned to full-time duty in the same position and with the same responsibilities.

20. Objection, question seeks confidential personnel information. Notwithstanding and without waiving said objection, there was a disciplinary hearing. Additional information will be provided upon entry of a protective order. Defendants reserve the right to amend this response as discovery progresses.

21. Per the TRPD report, there was extensive damage to the right front headlight assembly; front windshield was shattered; hood and roof of the vehicle were dented; and there was significant damage to the front fender and passenger side door. The vehicle has been totaled by the insurance company.

22. The vehicle was serviced on June 18, 2015 and a new break light bulb was installed. See vehicle repair record attached hereto.

23. Upon information and belief, no.

24. Objection, the request is vague, overly broad, unduly burdensome, unlimited in time and scope and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, field training officers provide initial training on policies, procedures, and regulations. The policies, procedures and regulations are periodically updated and officers sign off on the updates when reviewed.

25. Objection, the request is vague, overly broad, unduly burdensome, unlimited in time and scope and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, supervisors are responsible for monitoring compliance.

26. Objection, the request is vague, overly broad, unduly burdensome, unlimited in time and scope and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see Article XI of the LTPD rules and regulations attached hereto.

27. See answer to number 26 above. See also Article XII of the LTPD rules and regulations attached hereto.

28. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see relevant portions of Article VI of the LTPD rules and regulations attached hereto.

29. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see LTPD emergency vehicle response procedures attached hereto.

30. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see Article IV of the LTPD rules and regulations attached hereto.

31. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see LTPD emergency vehicle response procedures attached.

32. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see Section VII of the LTPD rules and regulations/policies and procedures "communications" section attached hereto.

33. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see LTPD emergency vehicle response procedures and communications policies attached hereto.

34. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see LTPD emergency vehicle response procedures attached hereto.

35. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, see answer to number 24 above.

36. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, there is a wide variety of training topics please identify specific training information requested.

37. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, the chief of police is ultimately responsible for management of the training programs.

38. Not applicable.

39. See answer to number 36 above.

40. Objection, this request is vague, overly broad, unduly burdensome, unlimited in time and scope, and not reasonably calculated to lead to the discovery of admissible evidence. Notwithstanding and without waiving said objection, officer Slota's training records will be provided upon entry of a protective order.

41. Yes, the chief instituted an internal affairs investigation which is confidential; relevant documents will be provided upon entry of a protective order.

42. The OCPO took over responsibility for the investigation and was assisted by the TRPD and the Ocean County Sheriff's Office (OCSO). Each of those agencies prepared reports which are in Plaintiff's possession.

43. Yes, photographs of the scene were taken on July 5, 2015. See copies attached hereto.

44. Upon information and belief, the TRPD Safety Traffic Unit conducted a fatal crash investigation; the OCPO conducted an investigation; the OCSO also conducted an investigation of the subject accident. Additionally, Defendants' insurance carrier conducted an investigation into the subject claim.

45. No.

46. Objection, the request is vague, overly broad, unduly burdensome, unlimited in time and scope. Notwithstanding and without waiving said objection, see answer to number 44 above. Defendants reserve the right to amend this answer as discovery progresses.

47. Upon information and belief, Sgt. Eugene Bachonski prepared the TRPD Safety Traffic Unit Fatal Crash Investigation Report with attachments, consisting of approximately 20 pages. Plaintiff has a copy of this report. LTPD's insurance company retained the services of a private investigator in anticipation of litigation who took statements from various persons and obtained documents from the OCPO and OCSO. Upon advice of counsel, the report is not subject to discovery pursuant to R.4:10-2.

Various members of the OCPO Fatal Motor Vehicle Accident Unit prepared reports which are in Plaintiff's possession.

The OCSO Criminal Investigation Unit also prepared reports which are in Plaintiff's possession.

48. No determination has yet been made with regard to the retention of expert witnesses. In the event experts are retained, this information will be provided.

49. See answer to number 48 above.

50. Objection, seeks trial strategy. Notwithstanding and without waiving said objection, unknown at this time. Defendants reserve the right to amend this response as discovery progresses.

51. Objection, seeks trial strategy. Notwithstanding and without waiving said objection, unknown at this time. Defendants reserve the right to amend this response as discovery progresses.

52. To the best of defendants' knowledge, no.

53. INSURANCE POLICY INFORMATION FROM L. SABLE.

54. Veronica Laureigh, business administrator; Cpt. Ganley and Lt. Kenny, 808 W. Lacey Road, Forked River, NJ

CERTIFICATION

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

I hereby certify that the copies of the reports annexed hereto provided by either treating physicians or proposed expert witnesses are exact copies of the entire report or reports provided by them; that the existence of other reports of said doctors or experts, either written or oral, are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

VERONICA LAUREIGH

DATED: _____

CERTIFICATION

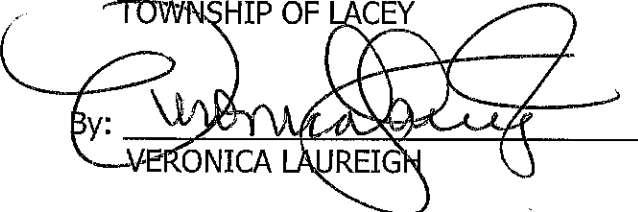
I certify that I, Veronica Laureigh, am employed by the Township of Lacey as Business Administrator and as such I am authorized for the purposes of answering the interrogatories served upon the attorneys for the Township of Lacey in this action. I am authorized to sign this certification.

I hereby certify that the copies of any reports annexed hereto are exact copies of the entire report(s); that the existence of other reports of experts, either written or oral, are unknown to me, and if such become later available or known, I shall serve them promptly on the propounding party.

I have read the foregoing answers to interrogatories and the certification as to reports. I certify that the answers to interrogatories and statements made on behalf of the County of Ocean are true to the best of my knowledge. I am aware that if any of the foregoing statements made are willfully false, I am subject to punishment.

These answers were prepared with the assistance of counsel and are based upon the information contained within files maintained by the Township of Lacey.

TOWNSHIP OF LACEY

By: 

VERONICA LAUREIGH

Dated: 1/31/2017

