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<p>MEAGHAN MARTIN,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION SALEM COUNTY</p> <p>DOCKET NO.:</p> <p><u>Civil Action</u></p> <p>COMPLAINT & DEMAND FOR TRIAL BY JURY</p>
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Plaintiff Meaghan Martin (“Plaintiff”) by way of Complaint against Defendant Eric M. Krise Electrical Contractor, LLC (“Defendant Krise Electrical”), Defendant Dru DiSilvestro (“Defendant DiSilvestro”), Defendant Eric M. Krise (“Defendant Krise”), Defendant Wendy Seagraves (“Defendant Seagraves”), and Defendant Jim Parks (“Defendant Parks”) (collectively “Defendants”), alleges as follows:

INTRODUCTION

1. This case concerns the most basic right of a female employee—the right to enjoy a workplace free of sexual harassment. Now, more than ever, women should be empowered and encouraged for bringing valid claims of sexual harassment to light. But when Plaintiff, a wife and

working mother, reported the relentless sexual harassment she was suffering at the hands of her supervisor, Defendants could not have cared less. Despite the seriousness of Defendant DiSilvestro’s conduct—which includes placing the below dildo on Plaintiff’s desk and openly bragging on video that “women should not have the same rights as men do” – Plaintiff was all but ignored and otherwise subjected to retaliation. In fact, the sexual harassment was such a mockery at Defendant Krise Electrical, the company kept a “harassment jar” in the office to keep track of Defendant DiSilvestro’s inappropriate comments within the workplace, only to facetiously fine him \$1.00 per comment at the end of the week. Fortunately, New Jersey provides redress for women subjected to such treatment in the workplace. Plaintiff thus brings this lawsuit.

DILDO PLACED ON PLAINTIFF’S DESK BY DEFENDANT DiSILVESTRO



PARTIES

6. Plaintiff is an individual residing in Monroeville, New Jersey, and at all times relevant hereto was employed by Defendant Krise Electrical as the Residential Manager.

7. Defendant Krise Electric is a New Jersey Limited Liability Company with its principal place of business at 80 Broad Street, Elmer, NJ 08318. At all times relevant hereto, Defendant Krise Electric is an “employer” as defined under the New Jersey Law Against Discrimination *N.J.S.A. 10:5-1 et seq.* (“NJLAD”).

8. Defendant DiSilvestro, at all times relevant hereto, is an individual and Residential Project Manager of Defendant Krise Electrical. This claim is brought against Defendant DiSilvestro in his individual capacity and as an agent of Defendant Krise Electrical. At all times relevant hereto, Defendant DiSilvestro is an “employer” as defined under the NJLAD.

9. Defendant Krise, at all times relevant hereto, is an individual, owner and operator of Defendant Krise Electrical. This claim is brought against Defendant Krise in his individual capacity and as an agent of Defendant Krise Electrical. At all times relevant hereto, Defendant Krise is an “employer” as defined under the NJLAD.

10. Defendant Seagraves, at all times relevant hereto, is an individual and Head of Human Resources of Defendant Krise Electrical. This claim is brought against Defendant Seagraves in her individual capacity and as an agent of Defendant Krise Electrical. At all times relevant hereto, Defendant Seagraves is an “employer” as defined under the NJLAD.

11. Defendant Parks, at all times relevant hereto, is an individual and Operations Manager of Defendant Krise Electrical. This claim is brought against Defendant Parks in his individual capacity and as an agent of Defendant Krise Electrical. At all times relevant hereto, Defendant Parks is an “employer” as defined under the NJLAD.

12. Defendants ABC Corporations 1 through 5 are currently unidentified business entities who have acted in concert with Defendant Krise Electrical, and/or currently unidentified business entities responsible for the creation and/or implementation of harassment or anti-discrimination policies of

Defendant Krise Electrical, and/or currently unidentified business entities who have liability for the damages suffered by Plaintiff under any theory advanced therein.

13. Defendants John Does 1 through 5 are currently unidentified individuals who acted in concert with Defendants and/or currently unidentified individuals responsible for the creation and/or implementation of harassment or anti-discrimination policies of Defendant Krise Electrical and are currently unidentified individuals who may have liability for the damages suffered by Plaintiff under any theory advanced herein.

FACTS COMMON TO ALL CLAIMS

14. Plaintiff repeats each allegation set forth above as if set forth fully herein at length.

15. Defendant Krise Electrical is a family-owned and operated electrical contracting business who serves customers throughout New Jersey, Delaware, and Pennsylvania.

16. Defendant Krise Electrical's website purports that it is a "locally owned and operated company" that offers a "full-service residential, commercial, and industrial" electrical contracting services. Defendant Krise Electrical further states via its website that they "have developed a reputation for being trustworthy, fair, and honest, and for providing quality workmanship on every project no matter how large or small."

17. But Defendant Krise Electrical's workplace does not in any way resemble the professional, family-owned and operated company it attempts to portray. To the contrary, Defendants' workplace is rife with misogyny, sexual harassment, and unlawful behavior.

18. Plaintiff commenced her employment with Defendant Krise Electrical on or about October 3, 2016. Plaintiff was hired as a receptionist and was promoted to Residential Manager in or about January 2018.

19. In her position as Residential Manager, Defendant DiSilvestro serves as Plaintiff's direct supervisor. Plaintiff and Defendant DiSilvestro share office space and work closely with one another on a variety of projects and business matters.

20. During the course of Plaintiff's employment, Defendants subjected Plaintiff to repeated, pervasive, severe, and continuing instances of sexual harassment, discrimination, and retaliation. From the beginning of Plaintiff's employment with Defendant Krise Electrical, she was subjected to egregious and continual sexual harassment by Defendant DiSilvestro.

21. From the start, Defendant DiSilvestro made numerous inappropriate comments regarding Plaintiff's appearance. By way of example, but not limitation, Defendant DiSilvestro made comments such as, "You need to get your nails done," "I don't like the pants you're wearing," "You need to maintain your hair color better," and "Tattoos aren't feminine on women."

22. These comments made Plaintiff extremely uncomfortable, and each time Defendant DiSilvestro made such a comment she would ask him to stop or attempt to ignore him altogether. However, Plaintiff's requests were disregarded entirely and Defendant DiSilvestro began to make such comments on a more frequent basis.

23. By mid-2017, Plaintiff was being subjected to inappropriate, sexually discriminatory comments every single day in the workplace. Indeed, at that time, Plaintiff was promoted to the position of Residential Manager and moved into the same office space as Defendant DiSilvestro. Accordingly, the harassment continued to escalate and grew more sexually explicit in nature.

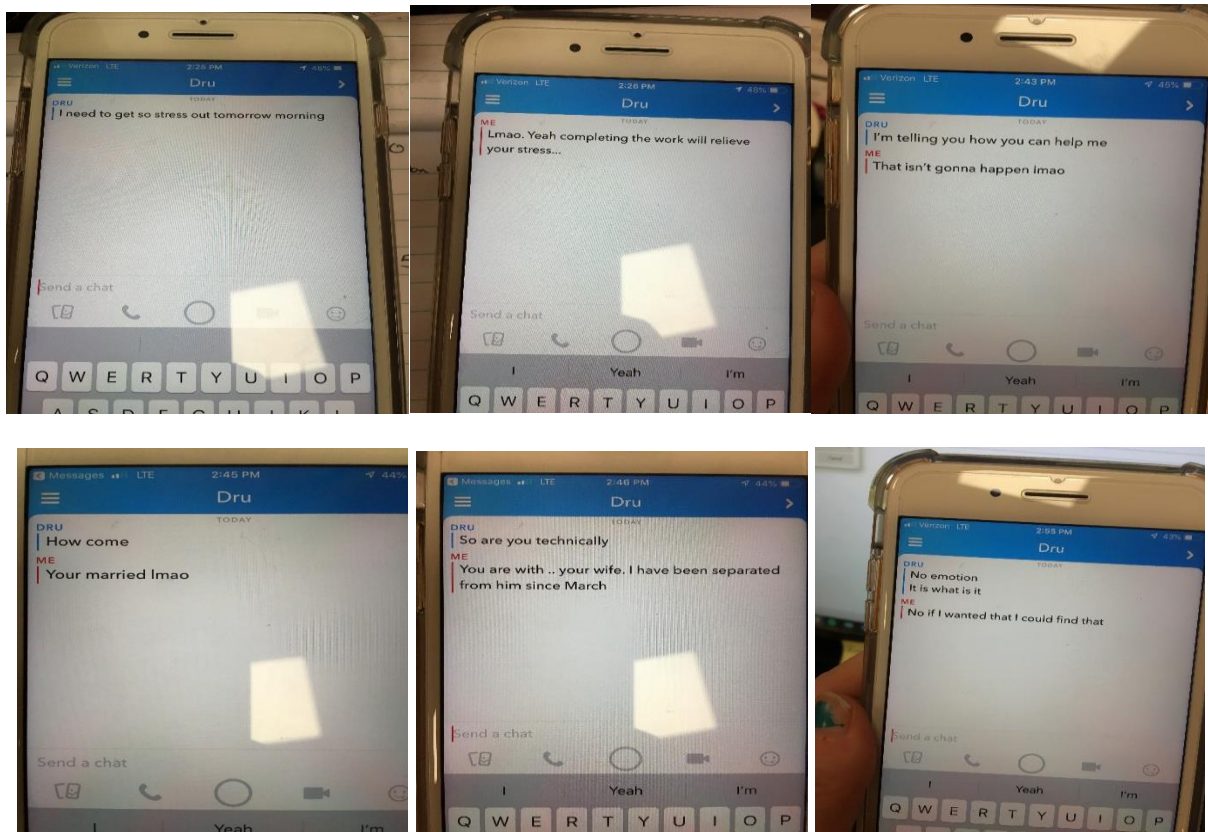
24. The pattern of harassment and discrimination directed towards Plaintiff includes, but is not limited to the following:

- a. Defendant DiSilvestro regularly made sexual advances and sexually charged comments towards Plaintiff, including comments about her physical appearance, hair, clothing, breasts, and buttocks. Specifically, Defendant DiSilvestro regularly made comments such as, "Those jeans make your butt look good." When Plaintiff would bend over to pick things up in her office, Defendant DiSilvestro would say "Mmmm, I would tear that up" (referring to Plaintiff's buttocks) and explained "I bet [your husband] can't fill you up like I could" while referring to his penis.

- b. On one occasion, Defendant Krise considered sending Plaintiff and Defendant DiSilvestro to Texas for a work-related trip. Throughout the planning sessions, Defendant DiSilvestro would encourage Plaintiff to leave her husband, saying that the two “shouldn’t be together.” In addition, Defendant DiSilvestro told Plaintiff, “What happens in Texas stays in Texas.” This comment made Plaintiff feel so uncomfortable that she insisted that Defendant Krise not send her on the trip at all.
- c. In or about February 2018, Plaintiff and her husband, who is also an employee of Defendant Krise Electrical, began to experience marital problems. As a result of these issues, Plaintiff and her husband separated, and her husband began to live in a separate residence. Thereafter, Defendant DiSilvestro’s sexual harassment of Plaintiff escalated drastically because Plaintiff was “not married anymore.” Defendant DiSilvestro began to make sexually explicit comments towards Plaintiff on a more regular basis.
- d. By way of example, but not limitation, Defendant DiSilvestro said:
- i. “Let’s have some afterhours fun.”
 - ii. “You need to dress more feminine.”
 - iii. “I could use some stress relief,” referring to having sex with Plaintiff.
 - iv. “I bet with your small frame you’re tight,” referring to Plaintiff’s vagina.
 - v. “Do you shave down there? Or are you part of the feminist movement and do the bush?” This was again a reference to Plaintiff’s vagina.
 - vi. “You should wear dresses every day to give me inspiration at work.”
 - vii. “Your breasts look nice in that shirt.”
- e. On one occasion, Defendant DiSilvestro called Plaintiff to his desk and *showed her a picture of his penis*, which he claimed to have just taken in the office bathroom. In showing Plaintiff the picture, he stated *“This is what you’re missing out on.”* On another occasion when Plaintiff and Defendant DiSilvestro were forced to work on a Saturday to finish some paper work and were the only two people at the office, Defendant DiSilvestro called out to

Plaintiff who turned to find *Defendant DiSilvestro had unzipped his pants and was holding his penis in his hand*. When Plaintiff instantly complained, Defendant DiSilvestro responded, *“Isn’t it nice and girthy?”* After this incident, Defendant DiSilvestro regularly called Plaintiff’s name to get her to turn around. When she did, Defendant DiSilvestro would grab his penis in a sexually suggestive and aggressive manner.

f. On October 26, 2018, Defendant DiSilvestro had a conversation with Plaintiff via Snapchat, wherein he alluded to wanting to have sex with Plaintiff.¹ Upon information and belief, at the time that Defendant DiSilvestro was sending these sexually charged messages to Plaintiff, he was in a work-related meeting in Defendant Parks’ office.



¹ Snapchat is a multimedia messaging application whose principal feature is that pictures and messages are only available for a short time before they become inaccessible to their recipients. Upon opening a message in Snapchat, a recipient may only view it once before it is erased from the application.

- g. On November 1, 2018, Defendant DiSilvestro *placed a dildo on Plaintiff's desk.*² When Plaintiff immediately complained to him about his entirely inappropriate and shocking behavior, he said *"I bet you could take the whole thing."*



25. Plaintiff complained directly to Defendant DiSilvestro every time a sexually harassing comment was made and ask him to stop; however, Defendant DiSilvestro ignored Plaintiff's requests.

26. When Plaintiff made a comment to Defendant DiSilvestro about how his wife would be disappointed to learn how he was treating Plaintiff, Defendant DiSilvestro immediately retaliated against Plaintiff by threatening her position. Specifically, Defendant DiSilvestro stated, *"Without my job you wouldn't have one."* Plaintiff took this to mean that if Plaintiff ever complained about Defendant DiSilvestro's relentless discriminatory and harassing conduct she would be terminated.

² A dildo is a sex toy, often explicitly phallic in appearance, intended for sexual penetration or other sexual activity.

27. Plaintiff also immediately and contemporaneously complained to Defendant Seagraves about this egregious sexually harassing behavior. Defendant Seagraves removed the dildo from Plaintiff's work space and stored it in the attic of the office. Upon information and belief, no disciplinary action was taken against Defendant DiSilvestro for his unlawful behavior.

28. On February 18, 2019, when Plaintiff walked into work in a positive mood, Defendant DiSilvestro asked who Plaintiff had "f*cked" the previous night. When Plaintiff complained and asked Defendant DiSilvestro to stay out of her personal life, he started a rumor that Plaintiff was engaged in a sexual relationship with a co-worker. Thereafter, Defendant DiSilvestro made comments regarding Plaintiff and the co-worker, stating that Plaintiff should know the co-worker's schedule since they "f*ck."

29. The very next day, February 19, 2019, Defendant DiSilvestro went on a tirade about the issue of women's rights. Specifically, Defendant DiSilvestro stated, "***Women should not have the same rights as men do.***" When Plaintiff told Defendant that this was "f*cked up" Defendant DiSilvestro responded, "***[Women] need to be told what to do.***" This conversation is captured on video.

30. Whenever Plaintiff asked Defendant DiSilvestro to stop subjecting her to the aforementioned egregious sexual harassment and discrimination, he would immediately retaliate against her by making the workplace extremely hostile and unbearable.

31. Defendant DiSilvestro's disgusting unlawful and harassing behavior was treated as the "office joke."

32. In fact, upon information and belief, Defendant Seagraves, the sole HR Representative for Defendant Krise Electrical, has an "Inappropriate Comment Jar" on her desk for Defendant DiSilvestro. Each time that Defendant DiSilvestro makes a harassing, discriminatory, or inappropriate comment within the workplace, the employee who hears it writes it down, puts it in the jar, and at the end of the week Defendant DiSilvestro puts \$1.00 in the jar for each comment. This money is used to buy the entire office lunch.

33. Upon information and belief, every single employee of Defendant Krise Electrical, including Defendant Krise, Defendant Parks, and Defendant Seagraves, has personal knowledge of

Defendant DiSilvestro's unlawful conduct, and not a single Defendant attempted to remediate the situation whatsoever.

34. Plaintiff is not the only female employee who was subjected to Defendant DiSilvestro's unwanted and unlawful sexual advances. In or about late 2017, Defendant DiSilvestro was written up for sexually assaulting a female employee of Defendant Krise Electrical by smacking her on the buttocks. Defendant DiSilvestro subjected this employee to retaliation as a result of her complaint, and she was constructively discharged shortly thereafter.

35. Plaintiff regularly made complaints to Defendant Seagraves regarding Defendant DiSilvestro's unlawful and harassing conduct. However, upon information and belief, because Defendant Seagraves is a relative of Defendant Krise, she did not want to stir up potential issues in the workplace and she ignored Plaintiff's complaints.

36. The aforementioned unlawful, harassing and retaliatory conduct caused Plaintiff severe anxiety, which physically manifested itself in the form of panic attacks.

37. On February 20, 2019, after years of a constant onslaught of harassment and discrimination at the hands of Defendant DiSilvestro, Plaintiff finally reached her breaking point. Plaintiff decided to bypass Defendant Seagraves, who had entirely ignored Plaintiff's prior complaints.

38. Plaintiff wished to voice her complaints to Defendant Krise but could not find him in the office. Defendant Parks informed Plaintiff that Defendant Krise would not be in the workplace for the rest of the day.

39. Although Plaintiff was very uncomfortable complaining to Defendant Parks about the constant harassment that she was facing in the workplace, as he is her landlord and she feared retaliation at home, she did so, nonetheless.

40. Specifically, Plaintiff complained to Defendant Parks about Defendant DiSilvestro's sexist and sexually harassing comments, stating that the conduct occurred regularly in the workplace.

41. In response to Plaintiff's complaint, Defendant Parks requested proof of Defendant DiSilvestro's unlawful conduct. Plaintiff immediately provided Defendant Parks with pictures of the aforementioned Snapchat conversation with Defendant DiSilvestro.

42. After complaining to Defendant Parks about Defendant DiSilvestro's egregious and unlawful discrimination, Plaintiff immediately began to feel severe emotional distress and she began to cry in the workplace.

43. Defendant Seagraves noticed Plaintiff's distress and asked her what was wrong. In turn, Plaintiff complained to Defendant Seagraves about Defendant DiSilvestro's unlawful conduct.

44. Upon information and belief, rather than work to remediate Plaintiff's situation, Defendant Seagraves immediately told Defendant DiSilvestro that Plaintiff had placed a complaint.

45. Immediately thereafter Defendant DiSilvestro entered his and Plaintiff's shared office space and asked Plaintiff "what [her] problem is now." Shortly thereafter, Defendant Parks pulled Defendant DiSilvestro into a meeting where, upon information and belief, the two Defendants discussed Plaintiff's complaint in detail. Upon returning to their shared office space after hearing about Plaintiff's complaint, Defendant DiSilvestro immediately began to retaliate against Plaintiff as a result of the same. Namely, Defendant DiSilvestro was openly hostile and began to outright ignore Plaintiff when she asked him work-related questions.

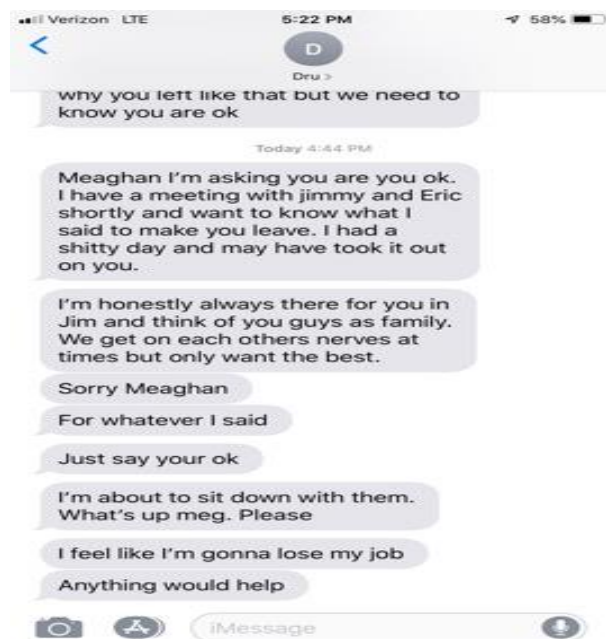
46. By way of example, but not limitation, when Plaintiff explained an issue that she was having with a customer, Defendant DiSilvestro did not acknowledge that Plaintiff was speaking whatsoever. In fact, it was only after another employee asked Defendant DiSilvestro if he had been listening that he responded, "I'll fucking call the customer." As a result of Defendant DiSilvestro's retaliatory actions, Plaintiff was, once again, overcome with emotional distress and she began to cry in the workplace.

47. Plaintiff approached Defendant Parks and requested that she be permitted to leave work for the day because she could not deal with Defendant DiSilvestro's retaliation any longer. Defendant Parks allowed Plaintiff to leave the workplace at approximately 2:30p.m. Although Defendant Parks granted

Plaintiff's request to leave the workplace early, almost immediately after she left, she began to receive numerous harassing telephone calls from both Defendant DiSilvestro and Defendant Parks.

48. Plaintiff answered one such call from Defendant Parks, where she informed Defendant Parks that she was having anxiety attacks and difficulty breathing as a result of Defendant DiSilvestro's unlawful conduct and that she did not feel that she could return to the workplace. Defendant Parks told Plaintiff that she could remain at home for the remainder of the day and that he and Defendant Krise had scheduled a meeting with Defendant DiSilvestro for that afternoon.

49. Soon thereafter, Defendant DiSilvestro began to harass Plaintiff via text message. In these messages, Defendant DiSilvestro apologized to Plaintiff in an attempt to mitigate the situation and have Plaintiff drop her complaints regarding his unlawful conduct.



50. After the meeting between Defendants Krise, Parks and DiSilvestro, Defendant Krise contacted Plaintiff via telephone. During this conversation, Plaintiff outlined, in detail, the sexual harassment and retaliation she had been suffering at the hands of Defendant DiSilvestro. Plaintiff told Defendant Krise that Defendant DiSilvestro had made inappropriate sexual comments in the workplace, requested that Plaintiff perform sexual acts for him, exposed himself to Plaintiff in the workplace, and told Plaintiff that if she ever complained about his unlawful conduct that she would lose her job.

51. Rather than take Plaintiff's complaints of sexual harassment seriously, Defendant Krise proceeded to gaslight Plaintiff.³ Specifically, Defendant Krise told Plaintiff that *the Snap Chat conversation that she'd produced to Defendant Parks was "open ended," and he felt that it was "[Defendant DiSilvestro's] word versus [Plaintiff's]."*

52. Defendant Krise further proceeded to retaliate against Plaintiff by threatening legal action against her. Specifically, Defendant Krise stated that he was in a "tough spot," because if he terminated Defendant DiSilvestro's employment *then Defendant DiSilvestro and his wife could "sue [Plaintiff]."*

53. Defendant Krise further implored Plaintiff to not share any details regarding the incident with her husband *in an attempt to isolate Plaintiff* and pressure her to drop her complaint against Defendant DiSilvestro.

54. Defendants Parks, Krise, and Seagraves never conducted a proper investigation into Defendant DiSilvestro's harassing conduct. Rather, once Plaintiff complained about, they immediately began to engage in a concerted campaign to cover up Defendant DiSilvestro's sexual harassment.

55. Further, upon information and belief, Defendants Parks, Krise, and Seagraves feared liability themselves, as they had personal knowledge of Defendant DiSilvestro's ongoing sexual harassment and had done absolutely nothing to stop it, so they conspired to sway Plaintiff to drop her complaint by means of coercion and retaliation.

56. Plaintiff returned to work the very next day, February 21, 2019; however, as a result of her anxiety she scheduled a doctor's appointment for that same day.

57. Before Plaintiff left, Defendant Krise met with Plaintiff and told her that he had asked Defendant DiSilvestro to not speak to her in a discriminatory manner. Defendant Krise offered to move Plaintiff to the receptionist's desk, however, the computer at this desk did not have any of the files that Plaintiff required to complete her work, so this was an empty offer. Accordingly, Plaintiff declined.

³ Gaslighting is a form of psychological manipulation that seeks to sow seeds of doubt in a targeted individual, making them question their own memory, perception, and sanity.

58. Defendant Krise told Plaintiff that he wanted to meet later that day so that, upon information and belief, she could sign some paperwork regarding the incident. Plaintiff accepted the meeting request.

59. However, when Plaintiff went to her doctor's office and explained what had happened as well as the symptoms she was experiencing, they immediately placed her on medical leave. In turn, Plaintiff returned to the workplace, provided her letter from her doctor excusing her from work, filed a written complaint with Defendant Seagraves and requested that the meeting be postponed until Plaintiff returned to work.

60. In addition to the above harassment, discrimination, and retaliation, Defendants did not conduct an adequate investigation and failed to take proper remedial action to protect Plaintiff from discriminatory behavior and retaliation.

61. Defendants did not have an effective anti-harassment policy in place, Defendants have not maintained an anti-harassment policy that is current and effective, and Defendants' anti-harassment policy existed in name only.

62. Defendants did not maintain useful formal and informal complaint structures for victims of discrimination, harassment, and retaliation.

63. Defendants did not properly train its supervisors and/or employees on the subject of discrimination, harassment, and retaliation.

64. Defendants failed to institute appropriate monitoring mechanisms to check the effectiveness of the policies and complaint structures.

65. Defendants did not have a commitment from the highest levels of management that harassment will not be tolerated; in fact, the highest levels of management deliberately and actively retaliated against those who complained about such conduct.

66. Defendants failed to conduct prompt and thorough investigations of employee complaints of harassment or provide a remedial plan reasonably calculated to stop any harassment that is found.

67. In addition, Plaintiff is paid substantially less than the Company's male Residential Managers. Upon information and belief, the male Residential Managers earn nearly double the hourly rate of Plaintiff, and they also receive additional fringe benefits and higher bonuses.

68. Defendants discriminated against Plaintiff by paying her less than his similarly situated male coworkers for performing the same and/or substantially similar work.

69. By doing so, Defendant engaged in discriminatory pay practices based on the Plaintiff's gender or sex. Plaintiff's gender and sex were a motivating factor in the Defendants' decision to pay her less than similarly situated peers for the same and/or substantially similar work.

COUNT ONE

NJLAD – DISPARATE TREATMENT, SEXUAL HARASSMENT, & HOSTILE WORK ENVIRONMENT DISCRIMINATION DUE TO GENDER/SEX

70. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

71. The pattern and practice of discrimination, harassment, and retaliation directed at Plaintiff is outlined above.

72. Plaintiff was subjected to repeated, pervasive, severe, and continuing instances of disparate treatment and harassment based on gender/sex.

73. The above-described conduct would not have occurred but for Plaintiff's gender/sex.

74. The harassing and discriminatory conduct was severe or pervasive enough to make a reasonable person and employee believe that the conditions of employment were altered and the working environment was hostile and discriminatory.

75. As the employer and/or supervisor of Plaintiff, Defendants are vicariously, strictly, and/or directly liable to Plaintiff pursuant to the New Jersey Law Against Discrimination, *N.J.S.A. 10:5-1, et seq.*, in that the affirmative acts of harassment, discrimination, and retaliation committed by Individual Defendants occurred within the scope of their employment; the creation of the hostile work environment was aided by Corporate Defendants in delegating power to Individual Defendants to control the day-to-day

working environment; and/or Corporate Defendants were deliberately indifferent, reckless, negligent and/or tacitly approved the discrimination, hostile work environment, and/or retaliation; and/or Corporate Defendants and Individual Defendants failed to create and/or have in place well-publicized and enforced anti-harassment policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same despite the foreseeability of harassment, discrimination, and retaliation in the workplace; and/or by having actual knowledge of the harassment, discrimination, and retaliation of Plaintiff and failing to promptly and effectively act to stop it.

76. Defendants aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Individual Defendants to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff in violation of the supervisory duty to halt or prevent harassment, retaliation, and discrimination, rendering all Defendants individually and collectively liable to Plaintiff pursuant to *N.J.S.A. 10:5-12(e)*.

77. Individual Defendants and the managers and/or supervisors of Plaintiff aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendants to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff in violation of their supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiff pursuant to *N.J.S.A. 10:5-12(e)*.

78. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, and attorney's fees and costs of suit. More specifically, Plaintiff demand judgment against Defendants for harm suffered in violation of the NJLAD as follows:

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;

- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;
- G. Punitive damages;
- H. Prejudgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;
- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

COUNT TWO

NJLAD – RETALIATION/IMPROPER REPRISAL

79. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

80. Plaintiff complained and/or protested against the continuing course of harassing, discriminatory, and retaliatory conduct set forth at length above. Defendants had knowledge about those complaints and/or protests.

81. As a direct result, Defendants took retaliatory action against Plaintiff, which is outlined above.

82. Defendants are vicariously, strictly and/or directly liable to Plaintiff for unlawful retaliatory conduct in violation of the NJLAD pursuant to *N.J.S.A. 10:5-12(d)*.

83. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained emotional and pecuniary damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, and attorney's fees and costs of suit. More specifically, Plaintiff demand judgment against Defendants for harm suffered in violation of the NJLAD as follows:

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;
- G. Punitive damages;
- H. Prejudgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;
- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;

- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

COUNT THREE

NEW JERSEY EQUAL PAY ACT (“EQUAL PAY ACT”) – WAGE DISCRIMINATION

84. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

85. Defendants are an “employer” within the meaning of the Equal Pay Act.

86. Plaintiff is an “employee” within the meaning of the Equal Pay Act.

87. Plaintiff is a member of a protected class within the meaning of the Equal Pay Act based upon her gender.

88. The NJLAD prohibits discrimination in employment and pay disparity based on an employee’s inclusion in a protected class.

89. Specifically, N.J.S.A. 10:5-12(t) states, in pertinent part:

It shall be an unlawful employment practice, or, as the case may be, an unlawful discrimination:

For an employer to pay any of its employees who is a member of a protected class at a rate of compensation, including benefits, which is less than the rate paid by the employer to employees who are not members of the protected class for substantially similar work, when viewed as a composite of skill, effort and responsibility.

90. Plaintiff was paid substantially less than the Company’s male Residential Managers.

91. Defendants discriminated against Plaintiff by paying her less than his similarly situated male coworkers for performing the same and/or substantially similar work.

92. By doing so, Defendant engaged in discriminatory pay practices based on Plaintiff’s gender or sex.

93. Plaintiff's gender and sex were a motivating factor in the Defendants' decision to pay her less than similarly situated peers for the same and/or substantially similar work.

94. As a direct and proximate result of Defendants' violation of the NJLAD, Plaintiff has suffered emotional distress, economic loss, and other compensatory damages.

WHEREFORE, cause having been shown, Plaintiff demands judgment against Defendants and seeks the following relief:

- A. Treble damages;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Punitive damages;
- G. Pre-judgment interest and enhancements to off-set negative tax consequences;
- H. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- I. Ordering Defendants report all data concerning compensation and hours worked by their employees in the form by pay bands established by regulation promulgated by the commissioner and to provide a report for each established standard presumption for the number of hours worked by a fulltime employee or by a part-time employee for whom Defendants do not track actual hours worked.
- J. All Equitable Relief available under the LAD/Equal Pay Act;
- K. Such other relief as may be available and which the Court deems just and equitable.

COUNT FOUR

EQUAL PAY ACT – RETALIATION N.J.S.A. 10:5-12 et seq.

95. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

96. The Equal Pay Act further prohibits an employer from taking reprisals against an employee for discussing with or disclosing information regarding the job title, occupational category and rate of compensation, including benefits, of the employee or any other employee.

97. Plaintiff discussed and disclosed information regarding the job title, occupational category and rate of compensation, including benefits, to Defendants, which constitutes protected activity under the New Jersey Equal Pay Act.

98. Plaintiff specifically complained to Defendants concerning her compensation and their failure to pay her in the same amount that they paid other employees for the same and/or similar work.

99. Defendants took adverse employment actions against Plaintiff in retaliation for Plaintiff engaging in the aforementioned protected activity.

100. Defendants' conduct and/or treatment of Plaintiff was in retaliation for disclosures she made respecting Defendants' practices or acts forbidden under the Equal Pay Act and/or Plaintiff's exercise, attempted exercise and/or enjoyment of rights provided to her under the Equal Pay Act.

101. The retaliatory actions taken by Defendants against Plaintiff are in violation of the Equal Pay Act.

102. Defendants engaged in, participated in, condoned, ratified, perpetuated, conspired, incited, coerced, induced, and/or aided and/or abetted the Equal Pay Act violations.

103. Defendants' acts or omissions were the cause of Plaintiff's harm and Defendants acts or omissions were actuated by actual malice or accompanied by a wanton and willful disregard of person who foreseeably might be harmed by those acts or omissions.

104. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered emotional distress, compensatory and other damages.

WHEREFORE, Plaintiff demands judgment against Defendants for harm suffered due to the aforesaid violation of the Equal Pay Act as follows:

- A. Treble damages;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Punitive damages;
- G. Pre-judgment interest and enhancements to off-set negative tax consequences;
- H. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- I. Ordering Defendants report all data concerning compensation and hours worked by their employees in the form by pay bands established by regulation promulgated by the commissioner and to provide a report for each established standard presumption for the

- number of hours worked by a fulltime employee or by a part-time employee for whom Defendants do not track actual hours worked.
- J. All Equitable Relief available under the LAD/Equal Pay Act;
 - K. Such other relief as may be available and which the Court deems just and equitable.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to *Rule* 4:10-2(b), demand is made that Defendants disclose to Plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of the judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide Plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary insurance coverage, but also any excess, catastrophe, and umbrella policies.

DEMAND FOR TRIAL BY JURY

Plaintiff demand a trial by jury on all issues.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff Meaghan Martin

By: */s/ Matthew A. Luber*
Matthew A. Luber, Esq.

Dated: March 14, 2019

DESIGNATION OF TRIAL COUNSEL

Pursuant to *Rule* 4:25-4, MATTHEW A. LUBER, ESQUIRE is hereby designated as trial counsel for Plaintiff.

CERTIFICATION

Pursuant to *Rule 4:5-1*, it is hereby certified that, to the best of my knowledge, there are no other civil actions or arbitration proceedings involving this matter with respect to this matter and no other parties need to be joined at this time.

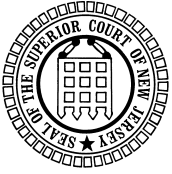

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff Meaghan Martin

By: /s/ Matthew A. Luber
Matthew A. Luber, Esq.

Dated: March 14, 2019

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
	Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	
			CHG/CK NO.	
			AMOUNT:	
			OVERPAYMENT:	
		BATCH NUMBER:		
ATTORNEY / PRO SE NAME		TELEPHONE NUMBER	COUNTY OF VENUE	
FIRM NAME (if applicable)		DOCKET NUMBER (when available)		
OFFICE ADDRESS		DOCUMENT TYPE		
		JURY DEMAND <input type="checkbox"/> Yes <input type="checkbox"/> No		
NAME OF PARTY (e.g., John Doe, Plaintiff)		CAPTION		
CASE TYPE NUMBER (See reverse side for listing)	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE <i>N.J.S.A. 2A:53 A -27</i> AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> Yes <input type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input type="checkbox"/> 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 <i>Rule 1:38-7(b)</i>.				
ATTORNEY SIGNATURE: MATTHEW A. LUBER, Esq. 3/15/19				

Side 2



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 (coverage issues only)
- 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
- 603N AUTO NEGLIGENCE – PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE – PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE – PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 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
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--------------------------------------------|-----------------------------------------------------------|
| 271 ACCUTANE/ISOTRETINOIN | 292 PELVIC MESH/BARD |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 282 FOSAMAX | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR |
| 287 YAZ/YASMIN/OCELLA | 300 TALC-BASED BODY POWDERS |
| 289 REGLAN | 601 ASBESTOS |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 623 PROPECIA |
| 291 PELVIC MESH/GYNECARE | |

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 Putative Class Action Title 59

Civil Case Information Statement

Case Details: SALEM | Civil Part Docket# L-000050-19

Case Caption: MARTIN MEAGHAN VS ERIC M. KRISE
ELECTRICAL CONT

Case Initiation Date: 03/15/2019

Attorney Name: MATTHEW ALLEN LUBER

Firm Name: MC OMBER & MC OMBER, PC

Address: 54 SHREWSBURY AVENUE

RED BANK NJ 07701

Phone:

Name of Party: PLAINTIFF : MARTIN, MEAGHAN

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: LAW AGAINST DISCRIMINATION (LAD) CASES

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? YES

If yes, is that relationship: Employer/Employee

Does the statute governing this case provide for payment of fees by the losing party? YES

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)*

03/15/2019

Dated

/s/ MATTHEW ALLEN LUBER

Signed