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<p>KATHERINE TRUSKY, o/b/o L.D., Plaintiffs, vs. BOARD OF EDUCATION OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET; KAREN A. BINGERT, in her individual capacity and in her official capacity as Principal of Hillsborough High School; PAMELA FIGARD; KATHY REDDAN; TONI MARCHICK; and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals), Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION SOMERSET COUNTY DOCKET NO.: <u>Civil Action</u> COMPLAINT & DEMAND FOR TRIAL BY JURY; FIRST DEMAND FOR PRODUCTION OF DOCUMENTS AND FIRST SET OF INTERROGATORIES DIRECTED TOWARDS ALL DEFENDANTS</p>
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Katherine Trusky, as the parent and natural guardian of her child L.D. ("Plaintiffs"), by way of Complaint against Defendant Board of Education of the Township of Hillsborough, in the

County of Somerset and State of New Jersey (“Defendant HBOE”), Defendant Karen A. Bingert (“Defendant Bingert”), Defendant Pamela Figard (“Defendant Figard”), Defendant Kathy Reddan (“Defendant Reddan”), Defendant Toni Marchick (“Defendant Marchick”), and Defendants John Does 1-5, collectively referred to herein as “Defendants,” alleges as follows:

INTRODUCTION

This case concerns the basic right of a child to enjoy equal access to school programs and activities. Earlier this year, Plaintiff L.D., who has Down Syndrome, made plans to attend the Hillsborough High School Senior Prom. The Prom is a special evening for any high school student, and L.D. was more than excited to create lasting memories with her closest friends, many of whom also had intellectual disabilities. But what was supposed to be an evening they will always cherish, turned into a nightmare that will haunt Plaintiffs for the rest of their lives.

Due to the intentionally discriminatory acts of Defendants, L.D. and her friends were humiliated, singled out, and forced to leave the Senior Prom early while other, “neurotypical,” students were allowed to continue. L.D. and her friends left the Senior Prom in tears and with their memories forever tarnished after being unceremoniously herded out of the ballroom and sent home early by their instructional aides, solely because of their disabilities. Perhaps worse, Hillsborough High School Vice-Principals not only witnessed the travesty and did nothing to stop it, they subsequently instituted a sham investigation into the matter and relied upon blatant (and obvious) lies from Individual Defendants when deciding not to take corrective, disciplinary, or remedial action. In short, there was a complete institutional failure at all levels of the Hillsborough School District to ensure that L.D. and her friends were treated equally.

Fortunately, New Jersey’s Law Against Discrimination (“LAD”) provides redress for students with disabilities who are subjected to such treatment. Plaintiffs bring this lawsuit to

expose Defendants' conduct and to seek redress against Defendants for the blatant discrimination they committed in violation of New Jersey Law.

PARTIES

1. Katherine Trusky ("Ms. Trusky") is an individual who resides at 1312 Allen Road, Somerset, New Jersey 08873.
2. Ms. Trusky is the parent and natural guardian of L.D.
3. L.D. is an individual and was a student at Hillsborough High School in the County of Somerset and the State of New Jersey ("HHS") from September 2015 through June 2019.
4. Defendant HBOE is a body politic of the State of New Jersey which operates and oversees the Hillsborough Township School District in the County of Somerset and the State of New Jersey (the "District") and has its principal office located at 379 South Branch Road, Hillsborough, New Jersey 08844. The District operates HHS.
5. Defendant Bingert is an individual who was employed by the District as Principal of HHS at all relevant times herein.
6. Defendant Figard is an individual who was employed by the District as an instructional aide in the Special Education department at HHS.
7. Defendant Reddan is an individual who was employed by the District as an instructional aide in the Special Education department at HHS.
8. Defendant Marchick is an individual who was employed by the District as an instructional aide in the Special Education department at HHS.
9. 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 anti-discrimination policies of the Defendant HBOE and are currently

unidentified individuals who may have liability for the damages suffered by Plaintiffs under any theory advanced herein. Defendants John Does 1-5, Defendant Bingert, Defendant Figard, Defendant Reddan, and Defendant Marchick will henceforth be referred to as "Individual Defendants."

FACTS COMMON TO ALL CLAIMS

10. L.D. has Down Syndrome.
11. Beginning in the 2015-2016 school year and ending with the 2018-2019 school year, L.D. was a student at HHS.
12. HHS is a school within the District and is under the operation, supervision, and control of Defendant HBOE.
13. HHS has a Special Education Department (the "Department") designed to provide personal, individualized support to students with special needs to help them achieve their full potential.
14. According to the Department's Mission Statement, it is the Department's mission to "direct students to achieve academic skills while at the same time facilitate their social and emotional development, with a goal of becoming lifelong learners."¹
15. Furthermore, the Department's official Philosophy states that, "[o]ur students are educated in a school community where everyone belongs and is accepted. Every attempt is made to educate students with special education needs in the least restrictive (inclusive education) environment."²
16. Pursuant to Department Policy and applicable law, Defendants are required to

¹ Retrieved at https://https.ss9.sharpschool.com/services/special_education/mission_statement_philosophy, November 11, 2019.

² Ibid.

provide education and care to all students within its jurisdiction who are handicapped. That is, no student, solely by reason of his or her handicap, shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity operated by Defendants.

17. Individuals with a disability shall not be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by that entity.

18. Furthermore, New Jersey Law Against Discrimination (the "LAD") provides that, "[a]ll persons shall have the opportunity to obtain . . . all the accommodations, advantages, facilities, and privileges of any place of public accommodation . . . without discrimination because of . . . disability[.]" N.J.S.A. 10:5-4.

19. The LAD definition of "place of public accommodation" includes "any kindergarten, primary and secondary school[.]" N.J.S.A. 10:5-5(l).

20. Defendant HBOE employs several part-time instructional aides who work with the Department to assist special needs students with academic tasks and at HHS social events and extracurricular activities.

21. Defendant HBOE avers that it provides comprehensive training to instructional aides to ensure that they comply with all relevant laws regarding students with disabilities.

22. Defendant HBOE avers that it provides comprehensive training to instructional aides to ensure that they fulfill the Department's goals of facilitating students' emotional and social development, educating students in the least restrictive environment, and building a learning community where every student belongs and is accepted.

23. Defendants Figard, Reddan, and Marchick were employed as instructional aides

in the Department during the 2018-2019 school year.

24. L.D. received services from the Department throughout her entire time as a student at HHS.

25. In particular, Defendants Figard, Reddan, and Marchick regularly assisted L.D. with academic tasks and at HHS social events and extracurricular activities.

26. At all times during their employment with Defendant HBOE, Defendants Figard, Reddan, and Marchick were aware of L.D.'s developmental progress, sense of autonomy, and ability to function independently.

27. On the night of May 17, 2019, HHS held its annual Senior Prom.

28. L.D. purchased tickets to the Senior Prom.

29. The Senior Prom tickets stated that, "All attendees are required to stay until 11:00 p.m."

30. The Senior Prom tickets further stated that, "Limos may arrive no earlier than 11:15 p.m."

31. Furthermore, Katie Chicalace – a social worker at HHS – sent an email to the parents of special needs students explaining that, "The prom ends at 11:30 and limos are permitted to begin arriving at 11:15 pm. for pick up."

32. L.D. made plans to attend the Senior Prom with a group of her best friends at HHS, some of whom had intellectual disabilities and some of whom were neurotypical.

33. Relying on the information printed on the Senior Prom tickets and the email from Ms. Chicalace, Ms. Trusky and the parents of L.D.'s friends arranged for a limousine to drive their children to and from the Senior Prom.

34. Ms. Trusky and L.D. – as well as L.D.'s friends and L.D.'s friends' parents –

believed that L.D. and her friends would remain at the Senior Prom until the expected limousine departure time of 11:15 p.m.

35. Ms. Trusky and L.D. – as well as L.D.’s friends and L.D.’s friends’ parents – further believed that L.D. and her friends would be picked up from the Senior Prom by their limousine at the same time as the rest of the attendees.

36. Defendants Figard, Reddan, and Marchick were assigned to aid and assist L.D. and her friends during the Senior Prom in order to ensure that the students with disabilities enjoyed equal access to the festivities.

37. As part their duties, Defendants Figard, Reddan, and Marchick were assigned to assist L.D. and her friends as they entered and exited the Senior Prom, including making sure L.D. and her friends were dropped off and picked up safely by their limousine.

38. When L.D. and her friends arrived at the Senior Prom, Defendant Figard told their limousine driver that the parents of the students with disabilities wanted them picked up at 10:45 p.m., despite the driver’s protests that he was not supposed to arrive until after 11:15 p.m.

39. Defendant Figard’s statement to the limousine driver was entirely false.

40. Neither L.D. and her friends, nor any of their parents, knew that Defendant Figard planned to remove the students with disabilities from the Senior Prom at 10:45 p.m. or that Defendant Figard gave the limousine driver fraudulent instructions on behalf of the parents.

41. At or around 10:05 p.m., two of L.D.’s friends overheard Defendant Figard call their limousine driver and tell him he “better be at the prom at 10:35 to pick up students.”

42. The two aforementioned students asked Defendant Figard why they had to leave so early but were ignored.

43. Furthermore, at or around 10:05 p.m., Defendant Figard told another of L.D.’s

friends to be ready “in half an hour.”

44. The aforementioned student then went back to dancing, believing that Defendant Figard had made a mistake with regard to the correct time.

45. Defendants Figard, Reddan, and Marchick began to gather L.D. and her friends to leave the Senior Prom at roughly 10:35 p.m.

46. At the time Defendants Figard, Reddan, and Marchick began to gather L.D. and her friends to leave the Senior Prom, many students – including a number of L.D.’s friends – were still dancing.

47. Defendants Figard, Reddan, and Marchick forced several students with disabilities to leave the dance floor in the middle of a song while the rest of the students continued dancing.

48. Defendants Figard Reddan, and Marchick also forced L.D. and several other friends to get up from their table and walk to the exit in front of their classmates who were still enjoying the Senior Prom.

49. L.D. and her friends were humiliated as a result of being singled out as part of a group of students with disabilities and forced to leave the Senior Prom while other, neurotypical, students were allowed to continue.

50. Several students protested against the actions by Defendants Figard, Reddan, and Marchick.

51. One of L.D.’s friends told Defendant Figard, “I just want to be normal,” as Defendant Figard forced her to leave her table.

52. When another of L.D.’s friends complained to Defendant Figard about being forced to leave the Senior Prom early, Defendant Figard responded, “I’m the adult here.”

53. Defendant Figard told another of L.D.’s friends who refused to leave her seat at

the group's table, "if you don't get up right now, I will call over the Vice-Principal."

54. As Defendants Figard, Reddan, and Marchick gathered L.D. and her friends to leave the Senior Prom, the Prom DJ announced that the crowning of Prom King and Queen would soon commence.

55. Two of L.D.'s friends begged Defendant Figard to stay, explaining that they wanted to see who would be crowned Prom King and Queen.

56. When another of L.D.'s friends refused to leave the table and tried to call the limousine driver to confirm the correct pick-up time for the students, Defendant Figard told him to give her his phone and threatened to call security if he did not obey her instructions.

57. Ms. Trusky and several other parents had given this student the limousine driver's telephone number and told him that he was "in charge" of communicating with the driver in case of any problems. The student informed Defendant Figard of this but was ignored.

58. Several of L.D.'s friends were openly weeping as Defendants Figard, Reddan, and Marchick led them out of the ballroom.

59. At least two HHS Vice-Principals were in attendance at the Senior Prom and observed the actions taken by Defendants Figard, Reddan, and Marchick to remove L.D. and her friends.

60. The Vice-Principals in attendance were aware of the official end time of 11:30 p.m. and District policy that students were not to be picked up by limousines any earlier than 11:15 p.m.

61. The Vice-Principals in attendance were aware of District, HHS, and Department policy regarding equal access to and equal participation in school events by special needs students.

62. The Vice-Principals in attendance were aware of the anti-discrimination and equal

access provisions of the LAD.

63. The Vice-Principals in attendance were aware that the District and HHS were subject to the aforementioned laws and policies.

64. Neither Vice-Principal made any effort to stop Defendants Figard, Reddan, and Marchick or to allow L.D. and her friends to stay until the end of the Senior Prom.

65. Despite L.D.'s and her friends' protests that they were supposed to stay until the end of the Senior Prom, neither Vice-Principal and none of Defendants Figard, Reddan, and Marchick ever called any parents to confirm the correct departure time.

66. Defendant Figard later justified her actions by explaining that she wanted to give L.D. and her friends plenty of time to walk safely to their limousine through empty hallways before prom ended and the rest of the attendees exited the ballroom.

67. Defendant Figard said her decision was motivated by a concern that the students' disabilities would make it difficult for them to safely navigate crowded hallways.

68. In particular, Defendant Figard noted that one of L.D.'s friends was visually impaired.

69. Notably, however, when L.D. and her friends – including the visually-impaired student – walked the short distance from the ballroom to their limousine, they were unaccompanied by Defendants Figard, Reddan, or Marchick.

70. Defendant Figard never consulted with any parents to determine whether special safety measures were required to help L.D. and her friends leave the Senior Prom safely.

71. Defendants Figard, Reddan, and Marchick offered no assistance or comfort to L.D. or her friends as they exited the Senior Prom, despite the fact that a number of them were openly weeping and emotionally distraught.

72. When L.D. and her friends' limousine driver arrived to pick them up at 10:45 p.m., he was initially turned away by a parking attendant because limousines were not supposed to arrive until 11:15 p.m.

73. The parking lot attendant allowed the driver to enter the lot to pick up L.D. and her friends after the driver explained that he was picking up the students early at the behest of Defendant Figard.

74. After L.D. and her friends were picked up by their limousine, Defendants Figard, Reddan, and Marchick went home for the night.

75. Defendant Figard's unilateral decision to force L.D. and her friends to exit the Senior Prom was motivated by her desire to finish her night of work and go home early rather than by any effort to give L.D. and her friends the best and safest possible Prom experience.

76. As a result of Defendant Figard's decision, L.D. and her friends did not enjoy equal access to the Senior Prom as experienced by their typically developing classmates.

77. After being informed that the L.D. and her friends were already on their way back from the Senior Prom before 11:00 p.m., Ms. Trusky and the parents of L.D.'s friends were forced to alter their plans for the evening in order to rush to the drop-off location to meet the limousine and pick up their children on time.

78. On the way back to their home, L.D. told Ms. Trusky that she and her friends had been "infantilized" by Defendants Figard, Reddan, and Marchick.

79. Following the incident at the Senior Prom, Ms. Trusky formally complained to Defendant HBOE and the District about the discrimination, differential treatment, and humiliation her daughter had suffered.

80. Defendant HBO and the District launched a Harassment, Intimidation, and

Bullying (“HIB”) investigation in the incident.

81. As part of the HIB investigation, Defendant Bingert directly interviewed several of the students affected by the incident without informing their parents or referring the students to HHS’s Anti-Bullying Specialist.

82. Defendant Bingert scheduled a one-on-one interview with L.D. to discuss the incident at the Senior Prom.

83. L.D. told Ms. Trusky about the scheduled interview with Defendant Bingert.

84. Ms. Trusky showed up to meet with Defendant Bingert in L.D.’s place and gave Defendant Bingert permission to talk to L.D. by telephone with Ms. Trusky listening.

85. During her telephone interview with L.D., Defendant Bingert asked leading questions in an attempt to get L.D. to admit that leaving the Senior Prom early had been a reasonable decision.

86. Ms. Trusky objected to Defendant Bingert’s efforts to get L.D. to give answers helpful to Defendant HBOE and the District and ended the telephone interview early.

87. On June 17, 2019, the District issued a general letter finding that “it is not reasonable to perceive the alleged act or acts were motivated by the students’ disabilities.”

88. The District’s June 17 letter acknowledged that L.D. and her friends should not have left the Senior Prom as early as they did but stated that, “the investigation did not reveal that it was done intentionally or with any malice.”

89. However, in conjunction with the HIB investigation, a District official claimed that one of L.D.’s friends had asked to leave the Senior Prom early.

90. The District official further explained that this student’s request to leave early caused Defendant Figard to make the “mistake” of forcing the entire group to leave early.

91. Upon information and belief, the explanation given by the District official was untruthful, as neither L.D. nor any of her friends ever heard any student ask to leave the Senior Prom early.

92. Furthermore, at no time on the night of the Senior Prom did any of the Individual Defendants in this matter ever mention that any student had asked to leave early.

93. Following the District's issuance of the June 17 letter, Ms. Trusky – along with several of L.D.'s friends' parents – submitted letters to Defendant HBOE and the District demanding that Defendant Figard be terminated from employment with the District and that Defendants Reddan and Marchick be suspended without pay and given comprehensive anti-discrimination training.

94. Defendant HBOE and the District have not taken any disciplinary action against Defendants Figard, Reddan, or Marchick. All three remain employed by the District as instructional aides.

95. As a result of Defendant HBOE's and the District's failure to respond to Ms. Trusky's complaints or to remedy the issues complained of, Ms. Trusky and her husband have moved to a new school district so that L.D. will not have to face discrimination on account of her disability.

COUNT ONE
NJLAD: DISCRIMINATION DUE TO DISABILITY

96. Plaintiffs repeat each and every allegation set forth above as if set forth fully herein at length.

97. L.D. was subjected to pervasive, severe, and continuing instances of discrimination due to her disability.

98. The above-described conduct would not have occurred but for L.D.'s disability.

99. As a result of the above-described discriminatory conduct, Plaintiffs experience ongoing emotional distress and significant economic damages.

100. As the employer of Individual Defendants, Defendant HBOE is vicariously, strictly, and/or directly liable to Plaintiffs pursuant to the New Jersey Law Against Discrimination (“LAD”), N.J.S.A. 10:5-1, et seq., in that the affirmative acts of harassment and discrimination committed by Individual Defendants occurred within the scope of their employment; the creation of the discriminatory environment was aided by Defendant HBOE in delegating power to Individual Defendants to control the day-to-day educational environment for students at Hillsborough public schools; and/or Defendants were deliberately indifferent, reckless, negligent and/or tacitly approved the discriminatory conduct; and/or Defendant HBOE failed to create and/or have in place well-publicized and enforced anti-discrimination policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same despite the foreseeability of harassment and discrimination in Hillsborough public schools; and/or by having actual knowledge of the discrimination against L.D. and failing to promptly and effectively act to stop it.

101. Individual Defendants aided, abetted, incited, compelled, and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendant HBOE to commit acts and omissions that were in violation of the LAD by committing affirmatively harassing acts towards L.D. in violation of their supervisory duty to halt or prevent discrimination, rendering Individual Defendants individually and collectively liable to Plaintiffs pursuant to N.J.S.A. 10:5-12(e).

102. Individual Defendants aided, abetted, incited compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendant HBOE to commit acts and omissions that were in violation of the LAD by committing affirmatively discriminatory acts

toward L.D. in violation of their supervisory duty to halt or prevent discrimination, rendering Individual Defendants individually and collectively liable to Plaintiffs pursuant to N.J.S.A. 10:5-12(e).

WHEREFORE, Plaintiffs demand judgment in their favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the LAD, punitive damages, pre-and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

DEMAND FOR TRIAL BY JURY

Plaintiffs demand a trial by jury on all issues.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiffs

By: /s/ R. Armen McOmber
R. Armen McOmber, Esq.

Dated: December 9, 2019

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, R. ARMEN McOMBER, ESQUIRE is hereby designated as trial counsel for Plaintiffs.

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 Plaintiffs

By: /s/ R. Armen McOmber
R. Armen McOmber, Esq.

Dated: December 9, 2019

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<p>KATHERINE TRUSKY, o/b/o L.D., Plaintiffs, vs. BOARD OF EDUCATION OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET; KAREN A. BINGERT, in her individual capacity and in her official capacity as Principal of Hillsborough High School; PAMELA FIGARD; KATHY REDDAN; TONI MARCHICK; and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals), Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION SOMERSET COUNTY DOCKET NO.: <u>Civil Action</u> PLAINTIFF'S FIRST SET OF INTERROGATORIES, FIRST DEPOSITION NOTICES, AND FIRST NOTICE TO PRODUCE</p>
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TO: Board of Education, Hillsborough Township School District
 379 South Branch Road
 Hillsborough, NJ 08844

FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, PUNITIVE DAMAGES, AND DEPOSITION NOTICES TO DEFENDANT(S)

PLEASE TAKE NOTICE that, McOmber & McOmber, P.C., attorneys for Plaintiffs, Katherine Trusky o/b/o L.D. (“Plaintiffs”), demand that Defendants Board of Education of the Township of Hillsborough, in the County of Somerset, Karen A. Bingert, Pamela Figard, Kathy Reddan, and Toni Marchick (collectively “Defendants”) produce true and complete copies of the following Document Requests and answer under oath the following Interrogatories pursuant to the Rules of Court. Interrogatories answers shall be typed beneath the questions and the original shall be returned in accordance with Rule 4:17-4(c) and, if at any time prior to trial, you obtain information which renders any answer you provide incomplete or inaccurate, amended answers shall be served pursuant to Rule 4:17-7. Both the Document Requests and Interrogatories shall be continuing so as to require supplemental responses and/or answers if Defendant(s) obtain(s) further documents or information between the time the response is served and the time of trial/hearing.

DEFINITIONS

1. “Plaintiffs” shall mean, individually and collectively, each Plaintiff identified in the above-captioned action. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendants must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.

2. “Defendant HBOE” shall mean the Board of Education of the Township of Hillsborough, in the County of Somerset and any of its officers, directors, employees, agents, representatives, successors, predecessors, assigns, divisions, affiliates, subsidiaries, and all persons acting or purporting to act on its behalf.

3. “Defendant Bingert” shall mean Karen A. Bingert, Defendant in the above-captioned action.

4. "Defendant Figard" shall mean Pamela Figard, Defendant in the above-captioned action.

5. "Defendant Reddan" shall mean Kathy Reddan, Defendant in the above-captioned action.

6. "Defendant Marchick" shall mean Toni Marchick, Defendant in the above-captioned action.

7. "Defendant(s)" shall individually and collectively mean all Defendants in the above-captioned action.

8. The term "Corporate Defendant(s)" shall individually and collectively mean any Defendant company, corporation, partnership, union, joint venture, sole proprietorship, association, government agency, or organization, or any other similar type of group through which business is conducted, or any director, officer, employee, or agent thereof.

9. The term "Individual Defendant(s)" shall mean any defendant in this matter sued in his/her individual capacity or as an agent/servant of any Corporate Defendant.

10. The terms "you," "your," or "yours" shall mean the party answering these interrogatory questions.

11. "Entity" shall mean any company, corporation, partnership, union, joint venture, sole proprietorship, association, government agency, or organization, or any other similar type of group through which business is conducted, or any director, officer, employee, or agent thereof.

12. "Person" shall mean any natural Person, partnership, corporation, or other business entity and all present and former officers, directors, agents, employees, attorneys and others acting or purporting to act on behalf of such natural Person, partnership, corporation or other business entity.

13. The term "Action" shall mean the civil action captioned above.

14. The "Complaint" shall mean the Complaint filed by Plaintiffs in this Action.

15. The term "Answer" shall mean any Answer to the Complaint filed by any party in this Action, which specifically includes all Affirmative Defenses, Denials, and Counterclaims, and was filed with the Court in the above-captioned Action.

16. The term "Investigation" shall mean any investigation, inquiry, analysis, review, examination, research, study, interview, interrogation, and/or collection of evidence, statements (oral or written), and documents.

17. The term "Grievance" shall mean any complaint, grievance, accusation, allegation, protest, and/or objection (formal or otherwise) by Plaintiffs or any Person concerning any of the Defendant(s) and Plaintiffs.

18. "Document" or "documents" is defined in accordance with New Jersey Court Rule 4:18-1 and includes the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced, or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including, but not limited to, memoranda, notes, minutes, records photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statements, charts, studies, reports, graphs, statements, notebooks, handwritten notes, application, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations or voicemails, emails, inter-office or intra-office communications, handwritten or other notices, diaries, invoices, purchase orders, bills of lading, work papers, and also including, but not limited to, originals and all copies which are different

from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, representatives, employees, or attorneys of Defendant(s), or all persons acting on Defendant(s)' behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant(s) to exist. Include any catalog, brochure, or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant(s) have or have had access.

19. The term "communication" means any conversation, correspondence, discussion, meeting, message, record of phone calls, or other occurrence in which data, conclusions, information, opinions, or thoughts are exchanged between two or more persons, whether it be written, oral, or electronically transmitted.

20. The terms "all" and "any" shall both be construed as "any and all."

21. The terms "and," "or," and "and/or" shall be construed in both the disjunctive and conjunctive to permit the broadest possible reading of the request so as to bring within the scope of the request documents and other material that might otherwise be construed to be outside the request.

22. The term "concerning" means concerning, comprising, constituting, containing, commenting on, dealing with, describing, discussing, embodying, evidencing, illustrating, pertaining to, referring to, reflecting, regarding, relating to, responding to, stating, or supporting in any way, either directly or indirectly.

23. The phrases "relating to" or "relate to" or "relates to" or "refer to" or "refers to" or "referred" or "relating to" and/or "regarding" shall be construed in the broadest possible sense to

mean, *inter alia*, concerning, referring to, embodying, constituting, describing, connected with, commenting on, responding to, evidencing, identifying, supporting, contradicting, rebutting, pertaining to, and/or relating in any way.

24. The term “including” or “include” shall mean “including without limitation.”
25. Masculine forms of any noun or pronoun shall embrace and be read to include the feminine or neuter, as the context may make appropriate.

INSTRUCTIONS

1. In addition to the specific instructions enumerated below, the following Document Requests and Interrogatories shall be subject to the New Jersey Rules of Court.
2. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendants must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.
3. When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and last known place of employment.
4. These Document Requests and Interrogatories shall be deemed continuing in nature so as to require prompt supplementation if, as, and when obtain additional information.
5. If anyone identified in response to any of the Document Requests and/or Interrogatories was formerly, but is no longer, employed by you, please so state in the answer and provide the former employee’s current address and telephone number (business or home), if known. If the current address and telephone number are not known, then please provide the former employee’s last known address and telephone number.
6. You shall be under a continuing obligation to supplement answers to the Document Requests and Interrogatories.

7. If you cannot respond to any of the following Document Requests and/or Interrogatories in full after exercising due diligence to secure the information to do so, then respond to the extent possible and explain your inability to provide a complete answer. State whatever information or knowledge you have about the unanswered portion of any Document Request and/or Interrogatories.

8. Whenever a Document Request and Interrogatories asks for a date, state the exact day, month and year, if ascertainable or, if not, the best approximation thereof.

9. Documents shall be produced in their original state (i.e., in their original file folders in the exact order as found) without removal or rearrangement of anything contained therein.

10. Each document request that seeks information relating in any way to communications to, from, or within a business or entity is hereby designated to mean, and should be construed to include, all communications by and between that business and/or entity's present or former representatives, employees, agents, and servants of the business and/or entity.

11. All documents shall be organized and labeled to correspond with the numbered paragraphs of these document requests. If there are no documents responsive to a particular document request, Defendant(s) shall so state in writing.

12. All electronically stored information shall be produced in a reasonably usable form, and it shall not be converted from the form in which it is ordinarily maintained to a different form that would make it more difficult or burdensome for Plaintiffs to use such information.

13. In the event that any document or portion thereof is withheld on the basis of any privilege or otherwise claimed to be protected against production, such document shall be identified by stating: (a) the nature of the privilege or reason for withholding which Defendant(s) contend applied; (b) the factual basis for Defendant(s)' assertion of privilege or the reason for

withholding; (c) the type of document (e.g., letter, memorandum, etc.); (d) all authors and addressees; (e) all indicated and blind copies; (f) all persons to whom the document was distributed, shown, or explained; (g) the document's date; (h) a summary description of the document's subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

14. Whenever a claim of privilege concerns any oral communication or statement, identify the participants to the communication and the person giving and receiving the statement, and set forth the date and place of the communication or statement and state the general subject matter thereof and state the basis for the claim of privilege.

15. If any document was, but is no longer, in Defendant(s)' possession, or subject to Defendant(s)' control, or in existence, state whether it: (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others; or (d) has been otherwise disposed of. In each instance, explain the circumstances surrounding any such disposition, including the authorization of the disposition, the date of destruction or discard, the manner of destruction or discard and reason for destruction or discard, the persons who authored and carried out such destruction or discard, whether any copies of the document presently exist, and, if so, the name of the custodian of each copy.

16. An objection or claim of privilege directed to part of a request does not constitute an excuse for failure to respond to the parts of the Document Request and/or Interrogatories for which no objection to claim of privilege is made.

17. If a refusal to answer a Document Request and/or Interrogatories is based on the grounds that the request is overly burdensome, identify the number and nature of documents needed to be searched.

18. Punitive Requests relate to Corporate Defendant(s)' financial condition for purposes of punitive damages. "Case law recognizes the defendant's financial condition as a relevant factor in all punitive-damage awards." Herman v. Sunshine Chemical Specialties, Inc., 133 N.J. 329, 339, (1993). In order to properly determine the appropriate punitive damage award amount, the trier of fact "must consider evidence of the Defendant's financial condition." Id. at 342. "The degree of punishment resulting from a judgment must be, to some extent, in proportion to the means of the guilty person. Restatement (Second) of Torts 908 comment d (1977)." McDonough v. Jorda, 214 N.J. Super. 338, 349 (1986), certif. denied, 110 N.J. 302 (1988) cert. denied, 489 U.S. 1065 (1989).

DOCUMENT REQUESTS TO DEFENDANT(S)

1. All statements, documents, or communications concerning or made by Plaintiffs that relate to this Action.
2. All statements, documents, or communications concerning or made by Defendant(s) that relate to this Action.
3. All statements, documents, or communications concerning or made by Plaintiffs that relate to the allegations asserted in the Complaint.
4. All statements, documents, or communications concerning or made by Defendant(s) that relate to the allegations asserted in the Complaint.
5. All statements, documents, or communications relating to statements of witnesses provided to Defendant(s) that relate to this Action.
6. All statements, documents, or communications concerning or made by Plaintiffs that relate to the defenses, affirmative defenses, and/or denials asserted in the Answer.
7. All statements, documents, or communications concerning or made by

Defendant(s) that relate to the defenses, affirmative defenses, and/or denials asserted in the Answer.

8. All statements, documents, or communications concerning or made by any Person that relate to the allegations asserted in the Complaint.

9. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2015 in which an allegation was made and/or a lawsuit filed alleging that Defendants engaged in discrimination or harassment in violation of New Jersey's Law Against Discrimination. For each and every such instance, identify the person(s) who made the allegation, the person(s) against whom the allegation was made, the date of the behavior complained of, the date the complaint was made, the nature of the behavior complained of, and how, if any way, you investigated, handled, processed, and/or ultimately disposed of each and every such matter.

10. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2015 in which an allegation was made and/or a lawsuit filed alleging that Defendants engaged in discrimination or harassment in violation of the Americans with Disabilities Act of 1990. For each and every such instance, identify the person(s) who made the allegation, the person(s) against whom the allegation was made, the date of the behavior complained of, the date the complaint was made, the nature of the behavior complained of, and how, if any way, you investigated, handled, processed, and/or ultimately disposed of each and every such matter.

11. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2015 in which an allegation was made and/or a lawsuit filed alleging that Defendants engaged in discrimination or harassment in violation of Section 504 of the Rehabilitation Act of 1973. For each and every such instance, identify the person(s) who made

the allegation, the person(s) against whom the allegation was made, the date of the behavior complained of, the date the complaint was made, the nature of the behavior complained of, and how, if any way, you investigated, handled, processed, and/or ultimately disposed of each and every such matter.

12. All statements, documents, or communications concerning or made by any Person (including any of Defendant(s)' employees or coworkers) that relate to the defenses, affirmative defenses, and/or denials asserted in the Answer.

13. All statements, documents, or communications that support any defense or factual allegation asserted by Defendant(s) this Action.

14. All statements, documents, or communications concerning any agreement or contract between Plaintiffs and Defendant(s).

15. All statements, documents, or communications relating to any Person contacted in connection with this Action.

16. All statements, documents, or communications relating to any Person interviewed in connection with this Action.

17. All statements, documents, or communications concerning any Person who has knowledge and/or information relating to this Action.

18. All statements, documents, or communications between Plaintiffs and Defendant(s) that relate to this Action.

19. All statements, documents, or communications concerning any admissions by or of Defendant(s) that relate to this Action.

20. All statements, documents, or communications concerning any admissions of Plaintiffs that Defendant(s) contends support his/her defenses in this Action.

21. All statements, documents, or communications concerning any admissions of Plaintiffs that Defendant(s) contend support the defenses in this Action.

22. All statements, documents, or communications concerning each of Defendant(s) Affirmative Defense(s) set forth in the Answer filed on behalf of Defendant(s).

23. All statements, documents, or communications concerning any of Defendant(s) denials of allegations set forth in the Complaint.

24. All statements, documents, or communications relating to anti-harassment or anti-discrimination training or education completed by Defendant(s).

25. All statements, documents, or communications concerning any employee anti-harassment or anti-discrimination training or education completed by Defendant(s).

26. All documents any expert who may testify on Defendant(s) behalf and which Defendant(s) intend to use or may rely upon at trial.

27. Copies of all books, documents, drawings, plans, photographs or other tangible things upon which Defendant(s) will rely in support of its defenses.

28. All statements, documents, or communications relating to any incident reports by Plaintiffs.

29. All statements, documents, or communications relating to any Grievance made by Plaintiffs concerning Defendant(s).

30. All statements, documents, or communications relating to any Grievance made by Defendant(s)' employees concerning Defendant(s).

31. All statements, documents, or communications relating to any Grievance made by Defendant(s)' clients, students, or students' parents concerning Defendant(s).

32. All statements, documents, or communications relating to any Investigation

concerning Defendant(s).

33. All documents Defendant(s) intend to use for any purpose in this litigation, including but not limited to the data it intends to use in depositions or at trial.

34. All documents relating to any insurance policy or reinsurance policy that may be used to pay all or part of any judgment entered against Defendant(s) in this Action.

35. All statements, documents, or communications concerning any Investigation that relates to the claims and defenses asserted in this Action.

36. All statements, documents, or communications concerning any Investigation that relates to Defendant(s).

37. All statements, documents, or communications concerning any Investigation that relates to Plaintiffs.

38. All reports (including drafts) relating to any Investigation concerning Defendant(s) and/or Plaintiffs.

39. All statements, documents, or communications between Defendant(s) and any Person relating to any Investigation of Defendant(s).

40. Any written statements made by any parties to this lawsuit, including agents, representatives, employees of Defendant(s).

41. Any reports relevant to this matter written by an expert utilized by Defendant(s).

42. Copies of any and all books, treatises, pamphlets or other printed material upon which Defendant(s) or any experts retained by Defendant(s) will rely, including using as an exhibit at trial.

43. All statements of witnesses taken by Defendant(s), including Defendant(s)' agents or representatives.

44. All documents or written statements rendered by any persons contacted or interviewed in connection with this matter at Defendant(s) direction.

45. All documents relating to and/or containing any admissions Defendant(s) intend to use at trial.

46. All documents concerning any employee Grievances against Defendant(s) for the past ten (10) years.

47. All documents concerning any client, student, or parent Grievances against Defendant(s) for the past ten (10) years.

48. All documents and electronic data that relate to, refer to, discuss or memorialize Plaintiffs' participation in or with the Special Education Department of Hillsborough High School.

49. All documents and electronic data that relate to, refer to, or discuss policies, rules, guidelines and/or procedures of the Special Education Department of Hillsborough High School.

50. All documents and electronic data that relate to, refer to, or discuss the hiring and employment of Individual Defendant(s) by Corporate Defendant(s).

51. All documents and electronic data that relate to, refer to, or discuss any disciplinary actions taken against Individual Defendant(s) by Corporate Defendant(s).

52. All documents and electronic data that relate to, refer to, or discuss any performance reviews and/or any other reports or communications related to the job performance of Individual Defendant(s) created or issued during Individual Defendant(s)' employment with Corporate Defendant(s), including but not limited to employee evaluations.

53. Copies of any photographs, video, text messages, iMessages, emails or other medium with regard to any communications between Defendant(s) and Plaintiffs.

54. Copies of any photographs, video, text messages, iMessages, emails or other

medium with regard to any communications between Defendant(s) and Defendant(s)' agents, servants or representatives.

55. Produce a copy of Defendant(s)' personnel file(s).

56. All statements, documents, or communications concerning any communication between Defendant(s) and Defendant(s)' Human Resources department.

57. All documents identified or referenced in Defendant(s)' Answers to Plaintiffs' First Set of Interrogatories to Defendant(s).

58. Produce copies of any records or files related to Plaintiffs' daughter's enrollment at any school operated by the Hillsborough Township School District in the County of Somerset and the State of New Jersey (the "District") and/or participation in and with the Hillsborough High School Special Education Department.

59. Produce copies of any and all of Defendant(s)' employee handbook(s) in force and effect at any time during the last ten (10) years.

60. Produce a copy of Defendant(s)' written policy concerning discrimination.

61. Produce a copy of Defendant(s)' written policy concerning bullying.

62. Produce a copy of Defendant(s)' written policy concerning harassment.

63. Produce a copy of Defendant(s)' written policy concerning equal rights and equal access to services.

64. All documents relating to Corporate Defendant(s)' policy or policies concerning electronic data retention and preservation.

65. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning employees' use of laptops and management, preservation and/or deletion of data on such laptops.

66. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning employees' use of desktop computers from home or remote locations, and the management, preservation and/or deletion of data created or transmitted to or from such computers.

67. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning employees' use of email, including but not limited to the management, preservation and/or deletion of email.

68. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning the management, preservation and/or deletion of data related to Plaintiffs' enrollment in District schools and/or participation in and with the Hillsborough High School Special Education Department.

69. All documents or electronic data relating, reflecting or referring to the management, preservation and/or deletion of electronic media that may contain information or data relevant to issues in this litigation, including but not limited to the "routine" destruction of replaced computer memories, hard drives, computers, computer systems, laptops, etc.

70. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning electronic data retention and preservation.

71. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning Defendant(s) employees' use of its computers, computer system(s) and/or networks.

72. All documents or electronic data relating, reflecting or referring to Defendant(s) ability to restore archived electronic data relating to Plaintiffs' enrollment in District schools and/or participation in and with the Hillsborough High School Special Education Department

contained on electronic media such that upon restoration it may be accessed, viewed, exported or printed.

73. All statements, documents, or communications concerning Defendant(s) receiving any sensitivity training, any anti-discrimination training, or any training regarding appropriate workplace language and conduct, including but not limited to appropriate language and conduct while working with special needs students.

INTERROGATORIES TO DEFENDANT(S)

1. Identify each Person answering these Interrogatories by stating his or her:
 - a. full name;
 - b. address,
 - c. title and relationship to the party upon whom these Interrogatories were served;
 - d. his/her duties and responsibilities with the party upon whom these Interrogatories were served;
 - e. the date when the employment of the person answering these Interrogatories commenced;
 - f. the date upon which these Interrogatories were answered;
 - g. whether you read and complied with the general instructions and definitions set forth in these Interrogatories (If not, explain in detail exactly how you failed to comply with these directions.); and
 - h. any custodians of records with relevant knowledge of documents produced in this matter.
2. State if information set forth in the answers to these Interrogatories is based on personal knowledge. If not based on personal knowledge, set forth with specificity the sources of information and belief.
3. Identify each person, not a party to the action, who assisted or participated in preparing and/or supplying any of the information given in answer to or relied in answering these Interrogatories.
4. Indicate whether the individual or individuals certifying these Interrogatory answers had the opportunity to review the typed responses.

5. Identify all documents used in responding to these Interrogatories. State whether the facts set forth in the answers are based on personal knowledge.

6. State the name, last known address, and last known telephone number of all persons who have knowledge of facts relating in any way to this matter and specify the subject matter of each such person's knowledge.

7. State the name, last known address, and last known telephone number of each person whom Defendant(s) may expect to call as a witness at trial and indicate those facts to which each such witness is expected to testify.

8. State the names and business addresses of any and all proposed expert witnesses whom Defendant(s) have retained for this matter.

9. With respect to each proposed expert witness referred to in the preceding Interrogatory, provide the following:

- a. field of expertise;
- b. educational background;
- c. the names of any and all books, periodicals, or other writings that he or she has written or to which he or she has contributed;
- d. the date, time, and place at which any oral opinion was rendered, specifying to whom that opinion was rendered and describing the content of that opinion;
- e. true and accurate copies of any and all written reports or opinions, including drafts;
- f. the name, last known address, last known telephone number, job title, and current employer of each person with whom the expert has met in connection with formulating his or her opinion or preparing his or her report(s);
- g. true and accurate copies of any and all documents that the expert created, obtained, or reviewed in connection with the formulation of his or her opinion or the preparation of his or her report(s);
- h. all tangible things upon which your expert(s) may rely as an exhibit at trial and identify the name and address of the person in whose custody the above identified tangible things are at the present time and;
- i. if any such reports, either written or oral, subsequently become known to you or become available, submit copies thereof to supplemental answers to these Interrogatories.

10. With respect to each proposed expert witness referred to in the preceding Interrogatory, set forth in summary form the substance of the opinion to which each is expected to testify, including a summary of grounds for each opinion.

11. Identify the names and addresses of any persons other than those named in the preceding three Interrogatories, who have been retained, specifically employed, or consulted by Defendant(s) in anticipation of litigation or preparation for trial and who may not be called as witnesses at trial and as to each:

- a. state the subject matter on which he/she was consulted;
- b. state his/her field of expertise;
- c. set forth the full and detailed qualifications, training, professional and practical experience, education and degree obtained by such person. (As to each item listed in the answer to this Interrogatory, set forth the dates and/or years of same, as well as the names and addresses of each institution attended; furthermore, set forth the nature of each place at which experience or training was received);
- d. attach to the answers to these Interrogatories copies of all written reports submitted to you (or detailed resume if report was oral) of each such expert;
- e. state whether or not there are any other reports in existence from the particular experts named, either written or oral (if any such reports, either written or oral, subsequently become known to you, or become available, submit copies thereof of supplemental answers to these Interrogatories);
- f. set forth completely all expert opinions rendered by the named expert(s) which are not in writing;
- g. identify each document that has been relied upon by each expert witness in the formulation of his or her opinion; and
- h. state a summary of the grounds for each opinion.

12. List chronologically each job title held by Defendant(s) while employed by any Defendant(s), indicating the time period during which each position was held.

13. For any position held by Defendant(s) while employed by any Defendant(s) which there is no job description, describe with specificity the job functions of each such position to the best of Defendant(s)' knowledge.

14. State the required qualifications and skills for each and every job title that

Defendant(s) held while employed by any Defendant(s).

15. State whether Defendant(s) was/were ever promoted while employed by any Defendant(s). For each promotion, state the following:

- a. from what position or job title the promotion was from and to what position or job title the promotion was to;
- b. the date of the promotion;
- c. the reason(s) for the promotion;
- d. the names, last known addresses, last known telephone numbers, and job titles, of all persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- e. the criteria used in making the decision; and
- f. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

16. State whether Defendant(s) were ever demoted while employed by any Defendant(s). For each demotion, state the following:

- a. from what position or job title the demotion was from and to what position or job title the demotion was to;
- b. the date of the demotion;
- c. the reason(s) for the demotion;
- d. the names, last known addresses, last known telephone numbers, and job titles, of all persons involved in the decision-making process and the nature and extent of their involvement in the decision;
- e. the criteria used in making the decision; and
- f. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

17. State the full name of each and every Person who worked with, supervised, or assisted Plaintiffs in District schools.

18. Identify and provide full details concerning any Investigation relating to the allegations and claims in the Complaint, including but not limited to who was questioned or interviewed, what was discovered, and what corrective action was taken. Identify those who Defendant(s) contacted or assigned to conduct each specific investigation or inquiry, who was questioned, what was discovered, and what corrective action was taken to the best of Defendant(s)' knowledge. Provide copies of any examinations, audits, findings, reports, or notices in Individual

Defendant(s)' possession.

19. Identify and provide full details concerning any Investigation relating to any denials or defenses asserted in the Answer, including but not limited to who was questioned or interviewed, what was discovered, and what corrective action was taken.

20. Identify all persons employed by Defendant(s) who are responsible for Human Resources, personnel matter, training, orientation, and personnel monitoring for the previous ten (10) years to the best of Defendant(s)' knowledge.

21. Identify and annex hereto any performance evaluations or review of Defendant(s) conducted by Defendant(s) from their respective dates of employment to the present.

22. State whether any Defendant(s) received or went through an orientation program when he/she was hired to work at Defendant(s) and describe said program. If so:

- a. provide a description of the system(s) or procedure(s) used for orientation for the past ten (10) years; and
- b. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

23. State whether Defendant(s) maintain a system or procedure for recording, investigating, and/or resolving employee, student, or parent complaints or grievances of discrimination, bullying, and/or harassment. If so:

- a. provide a description of the system(s) or procedure(s) used for the past ten (10) years to present; and
- b. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

24. Identify and provide full details concerning all harassment, bullying, and discrimination prevention training conducted by Defendant(s) in the past ten (10) years.

25. In connection with Defendant(s)' response to the preceding Interrogatory, provide full details of such training including the dates, and provide any written materials used in such training. If the training was provided by a third party, please forward the third party's name,

business address, and last known phone number, together with the third party's qualifications to perform such training.

26. State whether any civil or criminal actions have ever been filed charging Defendant(s) with harassment, bullying, and/or discrimination in the past ten (10) years. This includes, but is not limited to all judicial, administration, and/or arbitration hearings. If so, provide the following for each such action:

- a. the name, last known address, last known telephone number, and job title of the complainant(s);
- b. the title of the action;
- c. the name and address of the court where the action was filed;
- d. the docket number of the action;
- e. the date on which the action was filed;
- f. the nature and substance of the action;
- g. the disposition or present status of the action;
- h. whether the case was tried and, if so, the verdict;
- i. the amount of punitive damages, if any;
- j. the amount of compensatory damages, if any; and
- k. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

27. Please describe in detail complaints or Grievances (formal or otherwise) made by Plaintiffs with regard to discrimination, bullying, and/or harassment regarding any Defendant(s).

28. Describe, in detail, all complaints or Grievances (formal or otherwise) by any employees of Defendant(s) relating to discrimination, bullying and/or harassment by Defendant(s) in the past ten (10) years.

29. Describe, in detail, the investigation, determination, and/or disciplinary actions taken by Defendant(s) relating to all complaints or Grievances of discrimination, bullying, and/or harassment by Defendant(s) in the past ten (10) years.

30. Identify each and every document relating to any and all complaints or Grievances made by Defendant(s)' employees relating to Defendant(s) in the past ten (10) years. Annex hereto a copy of each said document.

31. Describe, in detail, all complaints or Grievances (formal or otherwise) by any of Defendant(s)' clients, students, or students' parents relating to Defendant(s).

32. Describe, in detail, the investigation, determination and/or disciplinary actions taken by Defendant(s) relating to complaints or Grievances by any clients, students, or students' parents relating to Defendant(s).

33. Identify each and every document relating to any and all complaints or Grievances (formal or otherwise) made by Defendant(s)' clients, students, or students' parents relating to Defendant(s). Annex hereto a copy of each said document.

34. Describe, in detail, the facts and circumstances relating to the method and process by which complaints or Grievances are handled and resolved with the Human Resources Departments (or similar departments) at Defendant(s).

35. Please describe, in detail, the method by which an employee transfer (such as a transfer to another department or location) is conducted by Defendant(s).

36. Please describe, in detail, if there are any limitations on employee transfers (such as a transfer to another department or location) at Defendant(s).

37. Identify every paper, writing, memorandum or document of every kind and description of which Defendant(s) have knowledge which is, in any way, intended to support any claim, defense, affirmative defense, or factual allegation, or to be used by Defendant(s) in any manner, including but not limited to, during the examination of any witness; describe the document as to content and other characteristics, and state the present location of such documents, or in lieu thereof, attach true copies to Defendant(s)' answers to these Interrogatories. Annex hereto a copy of each said document. For each such document or tangible thing upon which Defendant(s) will rely in support of Defendant(s)' claims/defenses/affirmative defenses state:

- a. its description;
- b. its nature;
- c. the name and address of person who has custody;
- d. its location; and
- e. its condition.

38. Describe in detail the factual basis for each of Defendant(s) denials of the allegations of the Complaint.

39. Identify each document in Defendant(s)' possession or control, in addition to the documents referred to in other answers to these Interrogatories, which is in any way related to the subject matter of this litigation. Annex hereto a copy of each said document.

40. Are there any documents that Defendant(s) know or believe to be in existence, although not in Defendant(s)' possession or control, that in any way relate to the subject matter of this litigation? If so, identify each such document, set forth the source of Defendant(s)' information or belief regarding the existence of such document, and identify the person or entity in whose possession or control such document is known or believed to be.

41. Identify each and every document, which supports, tends to support or is claimed by Defendant(s) to support any of Defendant(s)' answers to these Interrogatories. As to each such document, identify those facts to which each document refers or relates. Annex hereto a copy of each said document.

42. Have any admissions been made by party or parties propounding these Interrogatories, or any of his/her/its/their agents, servants or representatives concerning the subject matter of this litigation? If the answer to this Interrogatory is in the affirmative, set forth in detail the following:

- a. the time, date and place of each admission;
- b. the content and substance of each admission;
- c. the name and address of each person making an admission;
- d. if the admission was an oral communication, the names and addresses of all persons present when the admission was made;

- e. if the admission was made in a document, attach a copy thereof to Defendant(s)' answers to these Interrogatories; and
- f. if the admission was made in an oral communication, describe verbatim, to the extent possible, what was said by each party to such oral communication.

43. Set forth whether Defendant(s) have obtained a statement from the party or parties propounding these Interrogatories. If the affirmative, state:

- a. if written, attach a true copy of the statement;
- b. if oral, set forth a verbatim recitation of the statement and advise whether the statement was recorded, the manner of recording and the person who has custody of the statement; and
- c. the date the statement was obtained.

44. Set forth whether Defendant(s) have obtained a statement from any person not a party to this action. If your answer is in the affirmative, state:

- a. Name and address of the person who gave the statement, and date statement obtained;
- b. if written, whether signed by the person;
- c. if oral, name and address of the person who obtained the statement, and if recorded, the nature and present custody of recording;
- d. attach a copy of all said written statements; and
- e. if oral, set forth completely the substance of said statements.

45. Attach to your answers to these Interrogatories any correspondence between or among the parties to this action, or their agents, servants or employees, upon which Defendant(s) may rely at the time of trial to establish any of your claims or defenses/affirmative defenses.

46. Attach to your answers to these Interrogatories any correspondence between or among the parties to this action, or their agents, servants or employees.

47. Please set forth the existence and contents of any insurance agreement pertaining to the issues in the case, insuring the party or parties answering this Interrogatory. This request is made pursuant to Rule 4:10-2(b).

48. State the policy limits of any insurance policies naming Defendant(s) as an insured which cover the claims in this litigation, along with the name of the insurance carrier and policy

number, the amount of any applicable deductible, and if the claim is being defended under a Reservation of Rights Agreement or letter, attach a copy of said Reservation of Rights Agreement or letter.

49. If the party or parties answering these Interrogatories believes that some person, not a party to this action, is in some way responsible for the injuries and/or damages alleged, please set forth the name and address of such person, and the acts or omissions and address of such person, the acts or omissions of said person which caused the injury or damage and the facts which support the belief.

50. If the person certifying the answers to these Interrogatories did not answer each and every question, then identify each person supplying information used to answer the above Interrogatories and set forth the numbers of the Interrogatories as to which each such person supplied information.

51. Will the proofs to be presented by Defendant(s) contain allegations that an adverse party, including the party or parties propounding these Interrogatories, violated or failed to comply with any law, statute, ordinance, resolution, regulation or written standard of conduct in connection with the subject matter of this litigation?

52. If the answer to the preceding Interrogatory in the affirmative, identify the law or statute, ordinance, resolution, regulation or written standard of conduct which was allegedly violated and describe, in detail, the nature of such violation(s).

53. Enumerate specifically all of the things that you contend the party serving these Interrogatories did which should not have been done.

54. Enumerate specifically all of the things that you content the party serving these Interrogatories did not do which should have been done.

55. State whether Defendant(s)' agents communicated with any persons or entities that are not parties to this litigation in connection with the subject matter of this lawsuit. For all such communications that were oral, specify the nature and substance of the communication, the date on which it occurred, the place at which it occurred, and the names, last known addresses, and last known telephone numbers of all persons present. For all such communications that were written, provide true and accurate copies of each such communication.

56. Set forth whether Defendant(s) and/or any of Defendant(s) agents or representatives and/or Defendant(s)' other employees either destroyed or disposed of any documents that in any way touch upon, discuss or pertain to any matters relating to this suit. If "yes,"

- a. identify each document;
- b. state when it was destroyed or disposed of; and
- c. identify the person who authorized or ordered the destruction.

57. Identify and provide herewith a copy of all instant messages, voicemails, and emails between or among Defendant(s) and/or agents, representatives, employees, clients, students, or students' parents, including Plaintiffs, and Defendant(s), for the past ten (10) years.

58. State whether at any time, Defendant(s) ever taped and/or digitally recorded any communication with Plaintiffs, whether face-to-face or telephonic. If so, describe in detail, including but not limited to:

- a. the identity of each Defendant(s) recorded;
 - b. the date, time, place, and manner in which you recorded the communications;
 - c. the substance of the recorded communications;
 - d. the device used for making such recordings; and
 - e. whether you obtained consent to tape or record such communications.
- Provide any such recordings.

59. Set forth in detail, to your knowledge, all notices and warnings received by the Defendant(s) over the past ten (10) years from any State and/or Federal and/or Local regulatory authorities who oversee, license, regulate, or discipline your operations, and/or your employees.

60. Describe, in detail, any complaints to, investigations by, and/or inquiries by any State and/or Federal and/or Local regulatory authority with regard to any matter concerning Defendant(s) for the past ten (10) years. Identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

61. Set forth Defendant(s)' policy or policies concerning employees' use of laptops, personal or provided by Defendant(s), from home or remote locations, and the management, preservation and/or deletion of data on such laptops.

62. Set forth Defendant(s)' policy or policies concerning employees' use of desktop computers (personal or provided by Corporate Defendant(s)) from home or remote locations, and the management, preservation and/or deletion of data created or transmitted to or from such computers.

63. Set forth Defendant(s)' policy or policies concerning employees' use of email, including but not limited to the management, preservation and/or deletion of email.

64. Set forth Defendant(s)' policy or policies concerning the management, preservation, and/or deletion of electronic media that may contain information or data relevant to issues in this litigation, including but not limited to the "routine" destruction of replaced computer memories, hard drives, computers, computer systems, laptops, etc.

65. Set forth Defendant(s)' policy or policies concerning electronic data retention and preservation.

66. Set forth Defendant(s)' policy or policies concerning Defendant(s)' employees' use of Defendant(s)' computers, computer system(s) and/or networks.

67. Describe in detail Defendant(s)' ability to restore archived electronic data relating to Plaintiffs in this matter's employment contained on electronic media such that upon restoration

it may be accessed, viewed, exported or printed.

68. Describe in detail Defendant(s)' ability to restore archived electronic data relating to the employment of Defendant(s) contained on electronic media such that upon restoration it may be accessed, viewed, exported or printed.

69. Identify each Individual with knowledge of:

- a. The type and location of all hardware used as terminals for email, including servers, personal computers, laptops, PDAs, etc. at Corporate Defendant(s) between January 1, 2009 and the present;
- b. Computer software operating systems and end user-applications servicing Corporate Defendant(s) between January 1, 2009 and the present;
- c. All email software and versions which have been used on hardware servicing Corporate Defendant(s) between January 1, 2009 and the present;
- d. The email file naming conventions and standards;
- e. The back-up and rotation schedules for all email generated or received by Corporate Defendant(s)' employees between January 1, 2009 and the present;
- f. Electronic data retention, preservation and destruction policies;
- g. Diskette, CD, DVD and other removable media labeling standards;
- h. Structure and organization of all information and technology departments and/or information technology support vendors involved with the computer systems at Corporate Defendant(s);
- i. The location of the email(s) produced in response to the Plaintiffs in this matter's First Request for Production;
- j. The method of search for the documents and electronic data requested by the Plaintiffs in this matter's First Request for Production; and
- k. The date and time of destruction of any electronic data requested in the Plaintiffs in this matter's First Request for Production.

70. Identify each email account each Defendant(s) utilized as an employee of Defendant(s) in the last five (5) years.

71. Identify and describe in full detail Defendant(s)' policy relating to an employee's complaint of discrimination, bullying, or harassment.

72. Identify and describe in full detail Defendant(s)' policy relating to a client's, student's, or parent's complaint of discrimination, bullying, or harassment.

73. Identify and describe in full detail the facts and circumstances surrounding the

Plaintiffs' complaint of discrimination, bullying, and/or harassment by any of the Defendant(s).

74. Identify and describe in full detail all communications between Defendant(s) concerning Plaintiffs.

75. Identify and describe in full detail all communications between any of the Defendant(s) and any of Defendant(s)'s employee(s), agent(s) and/or representative(s) concerning Plaintiffs.

76. Describe, in full detail, the facts and circumstances that relate to any statements concerning Defendant(s) continuous and pervasive harassment, discrimination, and/or bullying of Plaintiffs.

77. Describe, in full detail, the facts and circumstances that relate to any statements concerning Plaintiffs' protected class, as identified in the Complaint.

78. Identify and describe any incident reports taken concerning discrimination, harassment, or bullying complaints by Defendant(s)' employees and/or clients, students, or students' parents involving Defendant(s).

79. Identify and describe the subject matter of any communications concerning or between any of the Defendant(s) relating to the subject matter of this litigation.

80. Describe, in detail, any investigation, determination, and/or disciplinary actions taken by Defendant(s) relating to any of the Defendant(s) in the past ten (10) years.

81. Describe, in detail, the investigation, determination and/or disciplinary actions taken by Defendant(s) relating to Plaintiffs in the past ten (10) years.

82. Identify and describe the facts and details relating to Individual Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace language and conduct, including but not limited to appropriate language and conduct while working with special

needs students.

83. Identify and describe the facts and details of each instance concerning any of the Defendant(s) or Defendant(s)' employees receiving any sensitivity training or any training regarding appropriate workplace language and conduct, including but not limited to appropriate language and conduct while working with special needs students.

84. Identify and describe the facts and details relating to each instance in which any of the Defendant(s) reprimanded or disciplined Plaintiffs in District schools.

85. Identify and describe the facts and details relating to each instance in which any of the Defendant(s) were reprimanded or disciplined.

86. Identify and describe in detail any complaint procedure and/or policy for parents of District students to formally submit complaints to Defendant(s).

87. Identify and describe in detail Defendant(s)' procedure and/or policy for responding to complaints of discrimination, harassment and/or bullying.

88. Identify and describe in detail Defendant(s)' procedure and/or policy for reprimanding, suspending, and terminating employees.

89. Describe, in detail, the factual basis for each Affirmative Defense set forth in the Answer.

90. Describe, in full detail, the facts and circumstances relating to any change in Defendant(s) position and/or job responsibilities.

INTERROGATORIES TO INDIVIDUAL DEFENDANT(S) ONLY

1. Identify every paper, writing, memorandum or document of every kind and description of which Individual Defendant(s) has knowledge which is, in any way, intended to support any claim, defense, affirmative defense, or factual allegation, or to be used by Individual

Defendant(s) in any manner in this matter, including but not limited to, during the examination of any witness; describe the document as to content and other characteristics, and state the present location of such documents, or in lieu thereof, attach true copies to Individual Defendant(s)'s answers to these Interrogatories. Annex hereto a copy of each said document. For each such document or tangible thing upon which Individual Defendant(s) will rely in support of Individual Defendant(s)'s claims/defenses/affirmative defenses state:

- a. its description;
- b. its nature;
- c. the name and address of person who has custody;
- d. its location; and
- e. its condition.

2. Identify all email addresses used by Individual Defendant(s) the past five (5) years to send and receive emails, and identify the internet service provider affiliated with those email addresses.

3. Identify all cell phone numbers used by Defendant(s) for the past five (5) years as well as carrier and current location of each cell phone. For any such cell phones that are no longer in Individual Defendant(s)' possession, please identify the name and address of the person's whose possession they are in.

4. Has Individual Defendant(s) ever been convicted of a criminal offense? If so, for each of Individual Defendant(s)'s convictions, identify and set forth in detail:

- a. the particular offense(s) or crime(s) of which Individual Defendant(s) has been convicted;
- b. the date of each such conviction;
- c. the courts in which Individual Defendant(s) was convicted;
- d. the facts surrounding and underlying each such conviction; and
- e. the punishment or sentence received.

5. State whether Individual Defendant(s) ever worked with, supervised, or assisted Plaintiffs in District schools.

DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES

1. All financial statements prepared for the years 2008 through 2019 up to and including the present, setting forth income, expenses, assets, liabilities, and profits of the Corporate Defendant(s).
2. All tax returns filed by the Corporate Defendant(s) for the years 2009 through 2019, up to and including the present.
3. All documents evidencing assets of the Corporate Defendant(s)
4. All documents evidencing the Corporate Defendant(s)' interest in any real estate.
5. All documents evidencing the financial obligations of the Corporate Defendant(s) and all payments on those obligations.
6. All documents evidencing judgments against the Corporate Defendant(s) and the amount of those judgments for the years 2009 through 2019, up to and including the present.
7. All documents evidencing bank accounts held by the Corporate Defendant(s), the location of those accounts, account numbers, and balances of those accounts.
8. All documents evidencing or setting forth accounts receivable and/or obligation owed by others to the Corporate Defendant(s) for the years 2009 through 2019, up to and including the present.
9. All documents evidencing payments made by the Corporate Defendant(s) to creditors.
10. All corporate books or any other written memorandum setting forth income received by the Corporate Defendant(s).
11. All copies of inventories taken by the Corporate Defendant(s) of its property at any time during the years 2009 through 2019, up to and including the present.

12. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all documents which identify each of the Defendants current accountants and bookkeepers by individual name, business name, and business address.

13. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all documents which identify all banking institutions (whether domestic, national or foreign) where each of the Defendant(s)' maintain monetary, currency, financial, investment, credit and/or debit accounts in or with.

14. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all documents which identify all other financial institutions (whether domestic, national or foreign) where each of the Defendant(s) maintain monetary, currency, financial, investment, credit and/or debit accounts.

15. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all documents which identify all other investment institutions (whether domestic, national or foreign) where each of the defendants maintain monetary, currency, financial, investment, credit and/or debit accounts.

16. For each of the named Defendant(s) in this action, produce true and accurate copies of their federal income tax returns with all attendant schedules for the tax years 2012 through 2016.

17. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all financial statements pertaining to their total assets for the past five (5) years.

18. For each of the named Defendant(s) in this action, produce true and accurate copies of any and all other documents related to their gross income and liabilities for the past five (5) years.

19. For each of the named Defendants in this action, produce true and accurate copies of any and all other documents which demonstrate their financial condition.

20. For each of the named Defendants in this action, produce true and accurate copies of any and all Deeds for any and all real property(ies) owned by each either in whole or in part.

INTERROGATORIES RELATED TO PUNITIVE DAMAGES FOR DEFENDANT(S)

1. For each facility owned or maintained by the Defendant(s), please state:

- a. The business address;
- b. The names and addresses of all current officers of the facility;
- c. The nature of the business conducted at the facility;
- d. The dates during which the facility has been owned or maintained by the Defendants' employer; and
- e. The number of individuals presently employed at the facility.

2. Set forth in detail the name, address, and telephone number of all businesses in which the principals of the Defendant(s) now have an interest and set forth the nature of the interest.

3. For all bank accounts of the Defendant(s), list the name of the bank, the bank's address, the account number, and the name in which the account is held.

4. Specifically state the present location of all books and records of the Defendant(s), including checkbooks.

5. State the name and address of the persons or entities that prepare, maintain, and/or control the business records and checkbooks of the Defendant(s).

6. List all the physical assets of the Defendant(s) and their location. If any asset is subject to a lien, then state the name and address of the lienholder and the amount due.

7. State Defendant(s) gross income, operating budget, and liabilities for each of the past five (5) years.

8. Does the Defendant(s) own any real estate?

9. If the answer for the preceding interrogatory is in the affirmative, please state for each property:

- a. Name(s) in which property is owned;
- b. Address of property;
- c. Date property was purchased;
- d. Purchase price;
- e. Name and address of mortgage holder, if any;
- f. Balance due on mortgage, if any; and
- g. The names and addresses of all tenants and monthly rentals paid by each tenant.

10. List all motor vehicles owned by the Defendant(s) and state the following for each vehicle:

- a. Make, model, and year;
- b. License plate number;
- c. Vehicle identification number; and
- d. If there is a lien on the vehicle, the name and address of the lienholder and the amount due on the lien.

11. List all accounts receivable due to the Defendant(s), stating the name, address, and amount due on each receivable.

12. For any transfer of business assets that has occurred within six months from the date of these Interrogatories, specifically identify:

- a. The nature of the asset;
- b. The date of the transfer;
- c. Name and address of the person or entity to whom the asset was transferred; The consideration paid for the asset and the form in which it was paid (check, cash, etc.); and
- d. Explain in detail what happened to the consideration paid for the asset.

13. Set forth all judgments that have been entered against the Defendant(s) and include the following for each:

- a. Creditor's name;
- b. Creditor's attorney;
- c. Amount due;
- d. Name of Court; and

e. Docket number.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiffs

Dated: December 9, 2019

By: /s/ R. Armen McOmber, Esq.

CERTIFICATION

I hereby certify that I have reviewed the document production request and that I have made or caused to be made a good faith search for documents responsive to the request. I further certify that as of this date, to the best of my knowledge and information, the production is complete and accurate based on () my personal knowledge and/or () information provided by others. I acknowledge my continuing obligation to make a good faith effort to identify additional documents that are responsive to the request and to promptly serve a supplemental written response and production of such documents, as appropriate, as I become aware of them. The following is a list of the identity and source of knowledge of those who provided information to me:

- 1.
- 2.
- 3.
- 4.
- 5.

Dated: _____, 2019

By:_____

CERTIFICATION

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

I certify that the foregoing answers to the Interrogatories 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.

Dated: _____, 2019

By:_____

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION

PLEASE TAKE NOTICE that pursuant to the New Jersey Rules of Court, Plaintiffs, Katherine Trusky o/b/o L.D., through their undersigned counsel, will take the deposition upon oral examination of Defendant Figard **commencing on March 11, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff

Dated: December 9, 2019

By: /s/ R. Armen McOmber, Esq.

NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION

PLEASE TAKE NOTICE that pursuant to the New Jersey Rules of Court, Plaintiffs, Katherine Trusky o/b/o L.D., through their undersigned counsel, will take the deposition upon oral examination of Defendant Bingert **commencing on March 13, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff

Dated: December 9, 2019

By: /s/ R. Armen McOmber, Esq.

Civil Case Information Statement

Case Details: SOMERSET | Civil Part Docket# L-001646-19

Case Caption: TRUSKY KATHERINE VS BOARD OF EDUCATION O F THE

Case Initiation Date: 12/09/2019

Attorney Name: RICHARD ARMEN MC OMBER

Firm Name: MC OMBER & MC OMBER, PC

Address: 54 SHREWSBURY AVENUE

RED BANK NJ 07701

Phone: 7328426500

Name of Party: PLAINTIFF : TRUSKY, KATHERINE

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

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: Other(explain) L.D. was a student

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:

Please check off each applicable category: Putative Class Action? NO Title 59? NO

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)

12/09/2019
Dated

/s/ RICHARD ARMEN MC OMBER
Signed