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<p>ANNAMARIE FERRARA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>HEALTHCARE SERVICES GROUP, INC.;              HCSG EAST, LLC; HOWARD LAWTON;              ABC CORPORATIONS 1-5 (fictitious              names describing presently unidentified              business entities); and JOHN DOES 1-5              (fictitious names describing presently              unidentified individuals),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY              LAW DIVISION              MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p><b>COMPLAINT &amp; DEMAND FOR TRIAL              BY JURY; FIRST DEMAND FOR              PRODUCTION OF DOCUMENTS AND              FIRST SET OF INTERROGATORIES              DIRECTED TO ALL DEFENDANTS</b></p>
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Plaintiff AnnaMarie Ferrara (“Plaintiff”), by way of Complaint against Defendant Healthcare Services Group, Inc. (“Defendant HCSG”), Defendant HCSG East, LLC (“Defendant HCSG East”) and Defendants ABC Corporations 1-5 (fictitious names describing presently unidentified business entities) (along with “Defendant HCSG” and “Defendant HCSG East,”

collectively referred to as the “Corporate Defendants”), Defendant Howard Lawton (“Defendant Lawton”), and Defendants John Does 1-5 (fictitious names describing presently unidentified individuals) (along with “Defendant Lawton,” collectively referred to as the “Individual Defendants”) alleges as follows:

### **PRELIMINARY STATEMENT**

Beginning on her very first day of employment, Plaintiff AnnaMarie Ferrara was subject to the most depraved sexual harassment imaginable. The primary source of this hypersexualized and deviant work environment was Plaintiff’s supervisor, Defendant Howard Lawton. Defendant Lawton’s unbridled perversion compelled him to openly fantasize about engaging in a highly graphic torture chamber sadomasochistic sexual relationship with Plaintiff, a fifty-one (51) year old grandmother who only wanted a job. Indeed, on Plaintiff’s first day of employment, Defendant Lawton told Plaintiff that he wanted her to be his “master,” before going on to show Plaintiff the torture devices he wished to purchase and use with Plaintiff. When Plaintiff demurred, Defendant Lawton had the audacity to stalk Plaintiff after work hours while she was spending time with her granddaughter. Despite Plaintiff’s numerous, vigorous, and unambiguous objections to any sexual relationship with Defendant Lawton, he proceeded to text Plaintiff several sexually explicit photos of himself completely unprovoked.

Because Plaintiff refused to participate in Defendant Lawton’s abhorrent and deviant fantasies, he decided to retaliate against Plaintiff, terminating her less than one week after commencing her employment. Fortunately, New Jersey law provides redress to employees subject to such treatment in the workplace. Accordingly, Plaintiff brings this lawsuit under New Jersey’s Law Against Discrimination to assert her right to work in an environment free from sexual harassment and humiliation.

## PARTIES

1. Plaintiff is a female currently residing in Phillipsburg, New Jersey, and at all times relevant hereto was employed as a Chef at Defendant HCSG East's Phillipsburg healthcare facility (hereinafter the "Phillipsburg Facility").

2. Defendant HCSG is a corporation organized and existing under the laws of the State of Pennsylvania with a principal business address located at 3220 Tillman Drive, Suite 300, Bensalem, Pennsylvania 19020. According to its website, "[s]ince 1976, [Defendant HCSG] has delivered exceptional housekeeping/laundry and dining/nutrition services to an ever-changing healthcare industry." At all times relevant hereto, Defendant HCSG is an "employer" as defined under the NJLAD.

3. Defendant HCSG East is a limited liability company organized and existing under the laws of the State of New Jersey with a principal business address located at 850 Bear Tavern Road, Suite 306, Ewing, New Jersey 08628. Defendant HCSG East is a subsidiary of Defendant HCSG, which operates healthcare facilities, including the Phillipsburg Facility, relevant to this matter. At all times relevant hereto, Defendant HCSG East is an "employer" as defined under the NJLAD.

4. At all relevant times, Defendant HCSG and Defendant HCSG East have been single and joint employers of Plaintiff within the meaning of the New Jersey Law Against Discrimination. Upon information and belief, Defendant HCSG and Defendant HCSG East's operations are interrelated and unified, and they share common management, centralized control of labor relations, common ownership, common control, common business purposes, and interrelated business goals. In addition, they jointly determine and manage the pay practices, rates of employee pay and method of payment, maintenance of employee records and personnel policies, practices and decisions with respect to the employees.

5. Defendant Lawton, at all times relevant hereto, was employed by Defendant HCSG East as a Dietary Supervisor and Plaintiff's supervisor at the Phillipsburg Facility. This claim is brought against Defendant Lawton in his individual capacity and as an agent of Defendant HCSG East. At all times relevant hereto, Defendant Lawton is an "employer" as defined under the NJLAD.

6. Defendants ABC Corporations 1-5 are currently unidentified business entities which have acted in concert with Corporate Defendants, and/or currently unidentified business entities responsible for the creation and/or implementation of harassment or anti-discrimination policies of Corporate Defendants, and/or currently unidentified business entities which have liability for the damages suffered by Plaintiff under any theory advanced herein.

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

#### **FACTS COMMON TO ALL CLAIMS**

8. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey specific policies prohibiting sexual harassment and gender-based discrimination.

9. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey a zero-tolerance policy when it comes to sexual harassment and retaliation.

10. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey policies and procedures requiring an

employee who believes he or she was the victim of sexual harassment or gender based discrimination to report the harassment to supervisory and management staff.

11. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey policies and procedures whereby it would engage in a timely and effective investigation of complaints of sexual harassment or gender-based discrimination brought to its attention by employees.

12. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey policies and procedures committing it to engage in a timely and effective investigation of complaints of sexual harassment brought to its attention by employees.

13. Defendant HCSG East claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey policies and procedures committing it to undertake prompt and effective remedial measures to put a stop to any sexual harassment and/or gender discrimination it found to exist.

14. On August 22, 2020, Defendant Lawton hired Plaintiff as a Chef at the Phillipsburg Facility operated by Defendant HCSG East.

15. Immediately upon commencement of her employment, Plaintiff found herself subject to Defendant Lawton's deviant and abhorrent sexual harassment. In fact, when Defendant Lawton offered Plaintiff the position, he specifically told Plaintiff **"I would like to be your slave, and you can be my master."**

16. Later that day, Defendant Lawton sent Plaintiff several sexually harassing text messages making clear Defendant Lawton's desire that Plaintiff be his "master." Put differently, Defendant Lawton made clear that he hired Plaintiff specifically because he desired to enter into

some sort of sado-masochistic sexual relationship with her where Plaintiff would sexually dominate him in some sort of imaginary dungeon.

17. On Plaintiff's first day of work, Defendant Lawton immediately began his campaign of harassment and humiliation when, in full view of Plaintiff, he searched for several S&M<sup>1</sup> sex aids on his computer. Defendant Lawton proceeded to show Plaintiff the items he was searching for and openly expressed his desire to order those objects for Plaintiff and Defendant Lawton to use together.

18. More specifically, Defendant Lawton showed Plaintiff a collar and bracelet with letters spelling out M-A-S-T-E-R and told Plaintiff, **"I really want to order these. I will give you the key, and then you will really be my master."**

19. Upon hearing Defendant Lawton's perverse intentions, Plaintiff recoiled in horror, telling Defendant Lawton that, "[he is] out of [his] mind."

20. Defendant Lawton proceeded to hand Plaintiff her work shirt, telling Plaintiff, **"you can put that on in here, anytime you would like to change in here, I would love to see that."**

21. Plaintiff immediately felt the need to escape and rushed out the door of Defendant Lawton's office saying, "ok, we need to go now."

22. Later that day, Defendant Lawton followed Plaintiff outside as Plaintiff took a pre-approved smoke break. Defendant Lawton then asked Plaintiff, **"so what are you going to do to me, do you have any ideas of what you would like to do to me?"** Plaintiff ignored Defendant Lawton and returned to work.

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<sup>1</sup> S&M stands for "Sadomasochism" which is defined as "interaction, especially sexual activity, in which one person enjoys inflicting physical or mental suffering on another person, who derives pleasure from experiencing pain." See <https://www.dictionary.com/browse/sadomasochism>.

23. Defendant Lawton then called Plaintiff into his office to fingerprint her. While taking Plaintiff's fingerprints, Defendant Lawton said, **“there are no cameras in here, you can order me to do whatever you like.”**

24. At her wits end—on just her first day of work—Plaintiff said to Defendant Lawton, **“Howard, can you please just focus on your work and show me the goddamned machine?”** Put differently, Plaintiff made it clear that she had no interest in reciprocating Defendant Lawton's deviant and perverse sexual fantasies.

25. Despite Plaintiff's strenuous objection to same, Defendant Lawton continued sexually harassing and stalking Plaintiff over the next several days.

26. At the end of Plaintiff's first day, when she was leaving her shift, Defendant Lawton asked Plaintiff, **“what are you doing after work, if there is a Walmart around, we can go shopping for a collar.”**

27. Plaintiff ignored Defendant Lawton and went home; however, Defendant Lawton's efforts to pursue his sexual fantasies with Plaintiff did not end. That evening, Defendant Lawton sent Plaintiff sexually harassing text messages, emphasizing his fantasy of her as a sexual dominatrix. Defendant Lawton continued sending these perverted text messages to Plaintiff throughout the week.

28. On Plaintiff's second day of work, she arrived at work to find Defendant Lawton waiting outside the Phillipsburg Facility. As Plaintiff approached, Defendant Lawton said, **“I could hardly sleep last night waiting to see you again”** and told Plaintiff that he ordered the M-A-S-T-E-R collar for Plaintiff the previous night.

29. Throughout the day, Defendant Lawton continued following Plaintiff around the office, openly expressing his belief that Plaintiff was Defendant Lawton's “master,” and that he was Plaintiff's sex slave.

30. Before leaving work that day, Defendant Lawton asked Plaintiff what she was doing after work. Plaintiff responded that she was going to the Delaware River with her granddaughter.

31. The next morning, August 26, 2020, when Plaintiff arrived for work, Defendant Lawton told Plaintiff that the previous evening, he sat at Larry Holmes Park on the Delaware River, **“waiting for someone for an hour and a half, but she never showed up.”**

32. In other words, Defendant Lawton **stalked Plaintiff and her granddaughter** for an hour and a half.

33. Shocked by Defendant Lawton’s threatening behavior, and now fearing for her own safety and the safety of her family, Plaintiff said, “[Defendant Lawton] you really have to stop this, it is really disturbing!”

34. Clearly delusional and with complete indifference for Plaintiff’s own personal space, autonomy, and wishes, Defendant Lawton smirked and gleefully stated **“oh yeah, you like it, you love it.”** Plaintiff emphatically responded, **“no I don’t!”** and walked away.

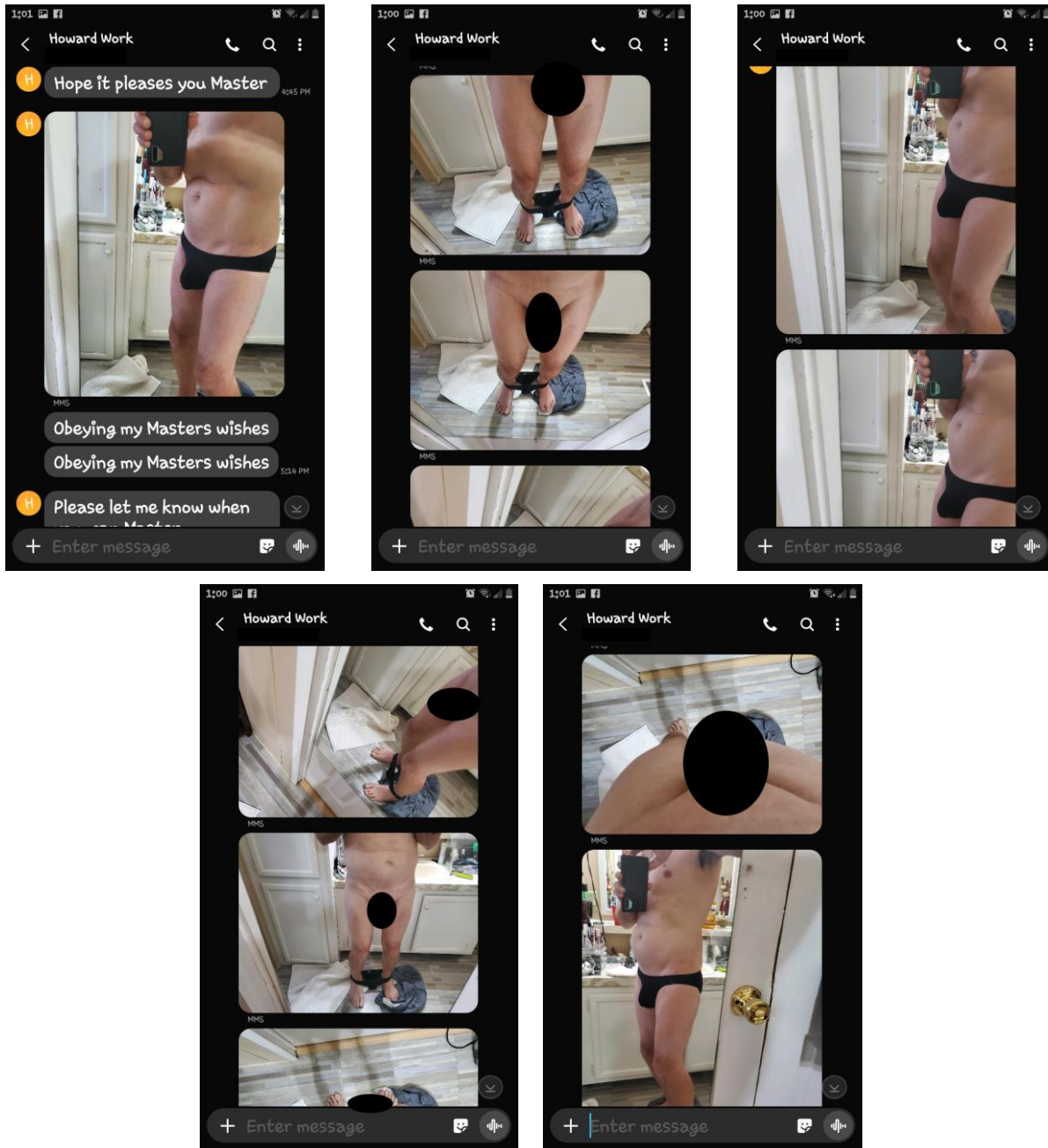
35. For the remainder of the day, Plaintiff was deeply disturbed and frightened by Defendant Lawton’s single-minded obsession with her. Plaintiff made purposeful efforts to avoid Defendant Lawton, including staying in the kitchen during her lunch break, because Defendant Lawton stalked Plaintiff’s usual lunch break locations.

36. At the end of the day, yet again, Defendant Lawton asked Plaintiff if he could see her that night. Just as she had on the previous days, Plaintiff responded “no,” and quickly escaped the Phillipsburg Facility to her car.

37. Later that day, Defendant Lawton proceeded to text Plaintiff several sexually explicit photographs of himself displaying his genitalia. Defendant Lawton added his sinister



commentary, **“Hope it pleases you Master.”** The pictures Defendant Lawton sent to Plaintiff are provided below:



38. Plaintiff was furious about Defendant Lawton’s unprovoked and unwanted sexual harassment. In an effort to make her feelings clear, Plaintiff texted back, **“I can’t believe you**

**would send photos like this, I told you to stop all this, my granddaughter could have picked up my phone and seen them.”**

39. Defendant Lawton’s harassing and degrading conduct was severe or pervasive enough to make a reasonable woman and employee believe that the conditions of employment were altered, and the work environment was hostile.

40. The next morning, Plaintiff felt she had no other choice to keep herself and her family safe. Accordingly, Plaintiff told Defendant Lawton that she did not feel safe working with him and could not come in for work that day. Rather than cease his deplorable behavior, on August 28, 2020 – just one day later – Defendant Lawson texted Plaintiff informing her that she was being terminated because she was convicted of a felony in 2005.

41. Defendant Lawton’s purported explanation for Plaintiff’s termination is nothing more than pretext for his retaliatory motive, as Plaintiff disclosed her felony conviction when she applied for the position. The truth of the matter is that Defendant Lawton decided to terminate Plaintiff in retaliation for Plaintiff’s refusal to indulge Defendant Lawton’s deviant and perverse sexual fantasies.

42. In one final act of retaliation, Defendant Lawton and the Corporate Defendants refused to pay Plaintiff her earned wages for the time she was employed. To date, Plaintiff has not received any financial compensation for the four days she worked for Defendant HCSG East.

43. On top of the blatant sexual harassment and retaliation at the hands of Defendant Lawton, Plaintiff was further harmed by Defendant ECSG East’s maintenance and ratification of a hostile work environment through its utter failure to prevent sexual harassment openly taking place at the Phillipsburg Facility.

44. Indeed, much of Defendant Lawton's sexual harassment of Plaintiff was done out in the open, where Plaintiff's co-workers and supervisors could easily observe it.

45. Specifically, a Defendant HCSG East Supervisor (name unknown) was sitting in her office which was right next to Defendant Lawton's office and heard his sexual harassment of Plaintiff happening inside Defendant Lawton's office.

46. Further, numerous other Defendant HCSG employees and supervisors watched Defendant Lawton stalking Plaintiff around the office after Plaintiff asked Defendant Lawton to leave her alone.

47. Despite having knowledge of the sexual harassment Plaintiff suffered, Defendant HCSG East's management took no action to protect Plaintiff or prevent Defendant Lawton from harassing Plaintiff further.

48. On September 01, 2020, Plaintiff sent an email to the Human Resources Department describing Defendant Lawton's unlawful conduct, the emotional trauma she suffered as a result of same, and Defendant HCSG East's utter failure to prevent sexual harassment at the Phillipsburg Facility. Plaintiff additionally requested that Defendant HCSG East take action against Defendant Lawton and to remedy the intolerably hostile work environment Plaintiff endured.

49. Plaintiff's September 01, 2020 email is as follows:

To the HR Department,

I am writing this letter because I am devastated and beyond angry at being fired by my sexual predator of a supervisor after only a week of working for the company. In my short there, I suffered from nearly constant sexual harassment from my Dietary Supervisor Howard, including him sending me nude photos of his genitals on my phone where my granddaughter could easily see them. This is harassing to me and possibly corrupting a minor as well. My working environment was completely hostile and unsafe for me as a woman and I felt preyed upon to the extent that I was unable to

bring myself to come to work the last day before I was terminated. I just couldn't continue to work under those circumstances, where I just knew he was going to keep coming after me and sexually harassing and stalking me. I liked my job a lot but it is dealing with Howard was more than any reasonable woman could be expected to handle. Everyone knew about what was happening and that he was stalking and sexually harassing me...they could all see him following me around and me trying to run away and telling him to stop. Even a supervisor overheard him sexually harassing me but did NOTHING. I felt totally alone and like I was being thrown to the wolves at my job and now I don't have anything!

I was hired on Saturday August 22nd and began working the following Monday and during this time Howard, who was my direct supervisor, was inappropriate and sexually menacing from the time that I began speaking with him to begin my employment process. I received countless phone calls and text messages (many outside work hours and starting even before I was officially hired) suggesting deviant sexual behavior on his part and wanting me to participate with him. He kept telling me he wanted me to be his master and he wanted to be my slave and do whatever sexual acts I want him to. He even showed me dog collars and necklaces that spell out "master" on his work computer and told me he is ordering them for me and they would arrive soon. This started and went on nonstop from when I began my employment on Monday training in the kitchen.

It immediately became a hostile work environment even after many fruitless attempts to ask him to please stop and eventually yelling at him to stick to work and leave me alone. He never listened to my rejections of his sick perverted advances on me and kept preying on me nonstop. I hoped that he would respect my wishes and I could continue working there because every other aspect of the job was inviting to me and I believed I would enjoy working for this company. I feel helpless because I had just started and nobody did anything to stop the harassment even though it was happening openly.

When Howard sexually harassed me in his office and talked to me about sex toys he wanted to buy for me on his computer, there was a supervisor/management woman in the office right next to Howard's and she could hear everything he said. I was hoping she would help me and do something to stop Howard but she never said anything to me and nothing was done to discipline Howard. I feel like I didn't have the power or authority to make him stop myself and I am upset that other higher level managers didn't use their

power to protect me and make sure the office isn't rife with sexual harassment and perversions against me and other women.

Also, Howard was always stalking and pursuing me through the office constantly in full view of other employees and the front desk workers, who all see me trying to escape from him and telling him to stop. I can't believe a nursing home environment is a place where a sex predator could just keep harassing me out in the open like this without anyone doing anything. I felt like I was in a bad movie or like I was in Harvey Weinstein's office or somewhere where sex predators are expected.

Everything only escalated each day and each day when I left the kitchen area, I was constantly followed and harassed by Howard. He also followed me to the outdoor area and to my car on each and every lunch break and smoke break and my work environment became volatile and hostile in only a day or two. He also asked me what I was doing after work every day and told me he wanted me to go with him to buy a dog collar so we could play master and slave sex games. One day I mentioned I was going to a park near the Delaware River with my granddaughter after work but I felt uncomfortable with him asking for that information so I didn't go. The next morning, Howard told me he went to the park and waited in his car for an hour and a half but "she didn't show up" meaning me. If I went, he could have preyed on both me and my granddaughter. I didn't feel safe for myself or my family either after that.

This behavior and situation has depleted all the progress I made, as I am in therapy for abuse I suffered as a child and also domestic violence years ago. Psychologically and mentally he has stolen my confidence and eagerness to perform my job as expected and left me with anxiety and dread of walking into my workspace. No person should feel this way especially when starting a new job. Even worse, when he terminated me he said it was because I had a felony on my record from years ago in 2005. I was honest at my interview and admitted to the felony and the company had no problem with it until I started rejecting Howard's perverted harassment and telling him to stop. Now all of a sudden it is worth firing me over. I believe I was fired simply because I stood up for myself and my legal rights against the sexual harassment I suffered and Howard didn't like that and decided to retaliate against me. And the worst thing is, the company let him. Nobody did anything to stop me from being sexually harassed every single hour I worked for the company and nobody did anything to save my job and keep me from being retaliated against just for saying no to unwanted and disgusting sex by my supervisor.

I have contacted my therapist and counselor from my women's group and have confided the situation, but no conversation or therapy can resolve my fears that are rising in my because of what happened. I am so upset and so angry.

I am hopeful that action will be taken accordingly to deal with Howard and to make it up to me. I don't know how this company can tolerate what has gone on. Please let me know what you intend to do. I have attached the disgusting photos Howard sent me and which, again, were almost viewed by my underage granddaughter on my cell phone. This is what you are dealing with...a sexual monster.

Thank you.

AnnaMarie Ferrara

50. Plaintiff continues to suffer severe emotional trauma and financial loss as she attempts to rebuild her life and her career.

### **COUNT ONE**

#### **NJLAD – SEXUAL HARASSMENT AND HOSTILE WORK ENVIRONMENT**

1. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.
2. The pattern and practice of discrimination, harassment, and retaliation directed at Plaintiff is outlined above.
3. Plaintiff was subjected to repeated, pervasive, severe, and continuing instances of disparate treatment and harassment based on gender/sex.
4. The above-described conduct would not have occurred but for Plaintiff's gender/sex.
5. The harassing and discriminatory conduct was severe or pervasive enough to make a reasonable woman and employee believe that the conditions of employment were altered, and the working environment was hostile and discriminatory.

6. As the employer and/or supervisor of Plaintiff, Defendants are vicariously, strictly, and/or directly liable to Plaintiff pursuant to the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1, et seq., in that the affirmative acts of harassment, discrimination, and retaliation committed by Individual Defendants occurred within the scope of their employment; the creation of the hostile work environment was aided by Defendant HCSG East in delegating power to Individual Defendants to control the day-to-day working environment; and/or Defendant HCSG East was deliberately indifferent, reckless, negligent and/or tacitly approved the discrimination, hostile work environment, and/or retaliation; and/or Defendants HCSG East and Lawton failed to create and/or have in place well-publicized and enforced anti-harassment policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same, despite the foreseeability of harassment, discrimination, and retaliation in the workplace; and/or by having actual knowledge of the harassment, discrimination, and retaliation of Plaintiff and failing to promptly and effectively act to stop it.

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

8. Defendant Lawton and the managers and/or supervisors of Plaintiff aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel, and/or coerce Defendants to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff in violation of their

supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiff pursuant to N.J.S.A. 10:5-12(e).

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

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

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



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

## **COUNT TWO**

### **NJLAD – RETALIATION/IMPROPER REPRISAL**

1. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.
2. Plaintiff complained and/or protested against the continuing course of harassing, discriminatory, and retaliatory conduct set forth at length above. Defendants had knowledge about those complaints and/or protests.
3. As a direct result, Defendants took retaliatory action against Plaintiff, which is outlined above.
4. Defendants are vicariously, strictly, and/or directly liable to Plaintiff for the unlawful retaliatory conduct in violation of the NJLAD pursuant to N.J.S.A. 10:5-12(d).
5. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained emotional and pecuniary damages.

**WHEREFORE**, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law,

punitive damages, emotional distress damages, pre- and post-judgment interest, and attorneys' fees and costs of suit. More specifically, Plaintiff demands judgment against Defendants for harm suffered in violation of the NJLAD as follows:

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

- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation;
- Z. Such other relief as may be available and which the Court deems just and equitable.

**DEMAND FOR DISCOVERY OF INSURANCE COVERAGE**

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

**DEMAND FOR TRIAL BY JURY**

Plaintiff demands a trial by jury on all issues.

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, AnnaMarie Ferrara*

By: /s/ Peter D. Valenzano  
PETER D. VALENZANO, ESQ.

Dated: February 23, 2021

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, PETER D. VALENZANO, ESQUIRE, is hereby designated as trial counsel for Plaintiff.

**CERTIFICATION**

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

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

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, AnnaMarie Ferrara*

By: /s/ Peter D. Valenzano  
PETER D. VALENZANO, ESQ.

Dated: February 23, 2021

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<p>ANNAMARIE FERRARA,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>HEALTHCARE SERVICES GROUP, INC.;              HCSG EAST, LLC; HOWARD LAWTON;              ABC CORPORATIONS 1-5 (fictitious names              describing presently unidentified business              entities); and JOHN DOES 1-5 (fictitious              names describing presently unidentified              individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY              LAW DIVISION              MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><b>PLAINTIFF’S FIRST SET OF              INTERROGATORIES, FIRST              DEPOSITION NOTICES, AND FIRST              NOTICE TO PRODUCE TO DEFENDANTS</b></p>
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**PLAINTIFF’S FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, AND  
 DISCOVERY DEMANDS RELATING TO PUNITIVE DAMAGES**

**PLEASE TAKE NOTICE** that, McOmbler McOmbler & Luber, P.C., attorneys for Plaintiff AnnaMarie Ferrara, demand that Defendants Healthcare Services Group, Inc., HCSG

East, LLC, and Howard Lawton (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 Request 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. “Plaintiff” 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 HCSG” shall mean Healthcare Services Group, Inc., 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 HCSG East” shall mean HCSG East, LLC, 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.

4. “Defendant Lawton” shall mean Howard Lawton, Defendant in the above-captioned action.

5. “Defendant(s)” shall individually and collectively mean all Defendants in the above-captioned action.

6. The term “Corporate Defendant(s)” shall mean individually and collectively 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.

7. 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.

8. The terms “you,” “your,” or “yours” shall mean the party answering these interrogatory questions.

9. “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.

10. “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.

11. The term “Action” shall mean the civil action captioned above.

12. The “Complaint” shall mean the Complaint filed by Plaintiff(s) in this Action.

13. 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.

14. 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.

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

16. “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.



17. 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.

18. The terms “all” and “any” shall both be construed as “any and all.”

19. 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.

20. 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.

21. 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.

22. The term “including” or “include” shall mean “including without limitation.”

23. 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, Defendant(s) 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 Plaintiff 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 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.

2. All statements, documents, or communications concerning Plaintiff's termination and/or the end of Plaintiff's employment with Corporate Defendant(s).

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

4. All statements, documents, or communications concerning Plaintiff's work performance.

5. All statements, documents, or communications concerning Plaintiff's work experience.

6. A complete copy of the personnel file Defendant(s) maintained pertaining to Plaintiff, including but not limited to copies of documents (written or electronic) relating to the following: (a) medical records and reports; (b) pay and benefits provided to Plaintiff; (c) attendance, sick time, disability time, personal time and/or vacation time; (d) commendations and/or performance reviews regarding Plaintiff; (e) job title or job status changes; (f) documents relating to any leave of absence; and (g) employer policy information provided to Plaintiff, if any.

7. A complete copy of the personnel file(s) Defendant(s) maintained pertaining to any Individual Defendant, including but not limited to copies of documents (written or electronic) relating to the following: (a) disciplinary action (i.e., oral reprimand, written reprimand, suspension, demotion, loss of pay, termination) being taken against any Individual Defendant;

(b) performance evaluations that were conducted for any Individual Defendant; and (c) job title or job status changes for any Individual Defendant.

8. A copy of any and all written complaints and/or verbal complaints reduced to writing made about any Individual Defendant or any employee or agent of Defendant(s)' personal conduct (other than related to his/her job performance) during his/her tenure of employment with Corporate Defendant(s), if any.

9. A written job description for each position that Plaintiff held during Plaintiff's employment with Corporate Defendant(s).

10. A copy of all work schedules and/or documents showing hours worked by Plaintiff during the tenure of her employment with Corporate Defendant(s).

11. A written job description for each position held by any Individual Defendant, or any employee or agent of Defendant(s), during his/her tenure of employment with Corporate Defendant(s).

12. A copy of any and all policies and/or procedures maintained and used by Defendant(s) establishing and/or describing official protocols for employees to report discrimination, sexual harassment, disparate treatment, and/or retaliation.

13. A copy of any and all policies and/or procedures maintained and used by Defendant(s) establishing and/or describing official protocols for investigating and responding to reports of discrimination, sexual harassment, disparate treatment, and/or retaliation made by employees, customers, clients, and/or any other Person.

14. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss allegations of discrimination, sexual harassment, disparate treatment, and/or retaliation by any Individual Defendant, or any agent or employee of any Defendant.

15. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Defendant(s)' response to any allegations of discrimination, sexual harassment, disparate treatment or retaliation by any Individual Defendant, or agent or employee of any Defendant, including, but not limited to, deliberations by Defendant(s) as to whether and/or how to respond to such allegations.

16. A copy of any and all statements or communications (written or electronic) transmitted between Plaintiff and any Individual Defendant or any agent or employee of Defendant(s) at any time during Plaintiff's employment.

17. A copy of any video footage and/or photographs in Defendant(s)' possession which document or relate to any of the facts or allegations contained in Plaintiffs' Complaint.

18. All records relating to any Individual Defendant's use of any computer and/or smart phone, including records related to any internet searches, online purchases, and/or documents or files created, downloaded, or saved on any such computer and/or smart phone.

19. A copy of Defendant(s)' policies regarding employee breaks, including approved areas and times for breaks.

20. All text messages and/or emails sent by any Individual Defendant to Plaintiff.

21. All text messages and/or emails sent by or to any Individual Defendant which reference or mention Plaintiff.

22. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's decision not to come to work on August 27, 2020, because she did not feel safe around Defendant Lawton.

23. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's felony conviction from 2005.

24. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's earned wages or compensation during her employment with Corporate Defendant(s).

25. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Defendant(s)' decision not to pay Plaintiff her earned wages or compensation for the time she was employed by Corporate Defendant(s).

26. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss any interactions between Plaintiff and any Individual Defendant.

27. Any documents or records showing the layout of the Phillipsburg Facility and/or Corporate Defendant(s)' offices, including the employees assigned to work in each office or area of the Phillipsburg Facility.

28. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's September 01, 2020 email to Defendant(s)' HR Department, including Defendant(s)' response.

29. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2011, in which an allegation was made and/or a lawsuit filed alleging that Defendant(s) engaged in discrimination, harassment, differential treatment, or the maintenance of a hostile work environment 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.



30. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2011, in which an allegation was made and/or a lawsuit filed alleging that Defendant(s) engaged in improper retaliation and/or reprisal 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.

31. A copy of any and all employee handbooks in force and effect at any time during the period of Plaintiff's employment.

32. A copy of any and all official policies, disciplinary forms, personnel records, or any other Human Resources materials used by Defendant(s) at any time in the last five (5) years.

33. A copy of any and all documents which pertain to any investigation conducted by Defendant(s) into the allegations made by Plaintiff or which is referenced in Plaintiff's Complaint.

34. All statements, documents, or communications concerning or made by Plaintiff that relate to this Action and/or the allegations asserted in the Complaint.

35. All statements, documents, or communications concerning or made by Defendant(s) that relate to this Action and/or the allegations asserted in the Complaint.

36. All statements, documents, or communications relating to statements of witnesses provided to Defendant(s) that relate to this Action and/or the allegations asserted in the Complaint.

37. All statements, documents, or communications concerning or made by Plaintiff that relate to the defenses, affirmative defenses, and/or denials asserted in the Answer.

38. 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.

39. All statements, documents, or communications concerning or made by any Person (including any employees or coworkers) that relate to this Action and/or the allegations asserted in the Complaint.

40. 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.

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

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

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

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

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

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

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

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

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

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

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

52. All statements, documents, or communications concerning any employee anti-retaliation training completed by Defendant(s).

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

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

55. All statements, documents, or communications concerning any training regarding appropriate workplace conduct and/or appropriate interpersonal conduct completed by Defendant(s).

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

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

58. All statements, documents, or communications relating to any incident reports by Plaintiff.

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

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

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

62. All statements, documents, or communications concerning a Grievance relating to Defendant(s).

63. All statements, documents, or communications relating to any Investigation concerning Defendant(s).

64. 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.

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

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

67. All statements, documents, or communications concerning any Investigation that relates to Plaintiff.

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

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

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

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

72. 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.

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

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

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

76. All documents relating to any incident reports or Grievances taken concerning Plaintiff.

77. All documents and electronic data that relate to, refer to, discuss or memorialize Plaintiff's hiring.

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

79. 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.

80. All documents and electronic data that relate to, refer to, discuss or memorialize the job performance of the individual or individuals who assumed Plaintiff's job duties after her employment.

81. All statements, documents, or communications concerning the job performance of any Individual Defendant or any agent or employee of Defendant(s) during the tenure of his/her employment.

82. All statements, documents, or communications concerning any communication between Defendant(s) and Defendant(s)' Human Resources Department, or between Defendant(s) and any Person, company, or entity providing Human Resources services to Defendant(s), regarding Plaintiff.

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

84. Produce a copy of Defendant(s)' written policy concerning retaliation.

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

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

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

88. All documents relating to Plaintiff's compensation during her employment with Defendant(s).

89. All documents relating to any employee benefits or benefit plan in which Plaintiff has been eligible to participate during her employment with Defendant(s).

90. All statements, documents, or communications concerning or referring to any occasion in which Defendant(s) reprimanded or disciplined Plaintiff.

**INTERROGATORIES TO DEFENDANT(S)**

1. State the reasons why Plaintiff was terminated and/or why Plaintiff's employment with Corporate Defendant(s) ended.

2. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made sexually harassing comments directed to any employee, customer, or vendor of Defendant(s). For any such comments, please state the following:

- a. date of the comment;
- b. full name, address, and title of the person to whom the comment was made;
- c. full name, address, and title of the person who made the comment;
- d. a verbatim reproduction of the comment or, if not possible, the material substance of the comment;
- e. the reaction to the comment by the person to whom it was made; and
- f. describe any complaints or objections made by any person regarding the comment and the response to any such complaints by Defendant(s).

3. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any demeaning or degrading comments directed towards any employee, customer, or vendor of Defendant(s). For any such comments, please state the following:

- a. date of the comment;
- b. full name, address, and title of the person to whom the comment was made;
- c. full name, address, and title of the person who made the comment;
- d. a verbatim reproduction of the comment or, if not possible, the material substance of the comment;
- e. the reaction to the comment by the person to whom it was made; and
- f. describe any complaints or objections made by any person regarding the comment and the response to any such complaints by Defendant(s).

4. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever taken any retaliatory action towards Plaintiff or towards any other Person. For any such actions, please state the following:

- a. date of the action;
- b. full name, address, and title of the person against whom the action was taken;
- c. full name, address, and title of the person who took the action;
- d. a summary of the material substance of the action;

- e. the reaction to the action by the person against whom it was made; and
- f. describe any complaints or objections made by any person regarding the action and the response to any such complaints by Defendant(s).

5. Identify by full name, job title, last known address, phone number and tenure of employment, all Persons Defendant(s) contends comprises its Litigation Control Group in this action and for each such identified person, the reasons for their inclusion in this group.

6. State whether Plaintiff has received any negative performance evaluations, whether verbal or in writing and set forth the date(s) and substance of any such evaluations.

7. Identify by full name, job title, last known address and phone number each person who had knowledge that Plaintiff had been discriminated against, sexually harassed, subjected to disparate treatment, and/or retaliated against during Plaintiff's employment with Defendant(s).

8. State whether Plaintiff was a good employee and, if so, set forth in detail the reasons why Plaintiff was a good employee.

9. State whether Plaintiff was a bad employee and, if so, set forth in detail the reasons why Plaintiff was a bad employee.

10. Describe in detail Defendant(s)' response to Plaintiff's complaints about discrimination, sexual harassment, and/or retaliation.

11. State the reasons why Defendant Lawton hired Plaintiff.

12. Describe in detail Defendant Lawton's supervisory authority over Plaintiff and other employees in his employment with Corporate Defendant(s).

13. State the reasons why Defendant Lawton told Plaintiff, "I would like to be your servant, and you can be my master" when he offered Plaintiff a position with Corporate Defendant(s).



14. State the reasons why Defendant Lawton searched for several S&M (sodomasochism) aides on his computer and showed them to Plaintiff on Plaintiff's first day of work.

15. State the reasons why Defendant Lawton expressed his desire to order S&M sex aides for Plaintiff and Defendant Lawton to use together.

16. State the reasons why Defendant Lawton showed Plaintiff a collar and bracelet with letters spelling out M-A-S-T-E-R and told Plaintiff, "I really want to order these. I will give you the key, and then you will really be my master."

17. State the reasons why Defendant Lawton told Plaintiff, "you can put that on in here, anytime you would like to change in here, I would love to see that" after giving Plaintiff her work shirt.

18. State the reasons why Defendant Lawton followed Plaintiff outside on Plaintiff's smoke break and told Plaintiff, "so what are you going to do to me, do you have any ideas of what you would like to do to me?"

19. State the reasons why Defendant Lawton told Plaintiff, "there are no cameras in here, you can order me to do whatever you like" when he brought Plaintiff into his office to fingerprint her.

20. State the reasons why Defendant Lawton continued to harass Plaintiff after Plaintiff told him she objected to his harassment.

21. State the reasons why Defendant Lawton asked Plaintiff, "what are you doing after work, if there is a Walmart around, we can go shopping for a collar" at the end of Plaintiff's first day of work.

22. State the reasons why Defendant Lawton sent Plaintiff sexually harassing text messages, emphasizing his fantasy of her as a sexual dominatrix.

23. State the reasons why Defendant Lawton was waiting for Plaintiff outside the Phillipsburg Facility on the morning of Plaintiff's second day of work.

24. State the reasons why Defendant Lawton told Plaintiff, "I could hardly sleep last night waiting to see you again."

25. State the reasons why Defendant Lawton ordered a "M-A-S-T-E-R" collar for Plaintiff.

26. State the reasons why Defendant Lawton asked Plaintiff what she was doing after work at the end of Plaintiff's second day of work.

27. State the reasons why on August 26, 2020, Defendant Lawton told Plaintiff that the previous evening, he sat at Larry Holmes Park on the Delaware River, "waiting for someone for an hour and a half, but she never showed up."

28. State the reasons why Defendant Lawton told Plaintiff, "oh yeah, you like it, you love it" after Plaintiff told him he had to stop harassing and stalking her and that his conduct was "disturbing."

29. State the reasons why Defendant Lawton asked Plaintiff if he could see her on the evening of August 26, 2020.

30. State the reasons why Defendant Lawton texted Plaintiff several sexually explicit photographs of himself displaying his genitalia along with the comment, "Hope it pleases you Master."

31. Describe in detail Defendant(s)' response to Plaintiff telling Defendant Lawton she did not feel safe working with him and could not come in to work on August 27, 2020.

32. Describe in detail the circumstances by which Defendant(s) became aware of Plaintiff's 2005 felony conviction, including, but not limited, the date on which Defendant(s) became aware.

33. Describe in detail Defendant(s)' response to learning of Plaintiff's 2005 felony conviction.

34. State the reasons why Plaintiff has not received any pay or compensation for the time she was employed with Corporate Defendant(s).

35. Identify any and all employees who are assigned or who use office space next to Defendant Lawton's office.

36. Identify any and all employees who heard or observed Defendant Lawton verbally harassing, sexually harassing, or following Plaintiff around the Phillipsburg Facility.

37. Describe in detail Defendant(s)' response to Plaintiff's September 01, 2020 email complaining about and objecting to sexual harassment, retaliation, and termination.

38. 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; and
- 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.

39. 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.

40. 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.

41. Indicate whether the individual or individuals certifying these Interrogatory answers had the opportunity to review the typed responses.

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

43. 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.

44. 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.

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

46. 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.

47. 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.

48. 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.

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

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

51. State the required qualifications and skills for each and every job title that Plaintiff held while employed by any Defendant(s).

52. State whether Plaintiff was ever promoted while employed by any Defendant(s).

For each promotion, state the following:

- a. what position or job title the promotion was from and 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.

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

- a. what position or job title the demotion was from and 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.

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

55. For any position held by each Individual Defendant 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.

56. State the required qualifications and skills for each and every job title that each Individual Defendant held while employed by any Defendant(s).

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

- a. what position or job title the promotion was from and 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.

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

- a. what position or job title the demotion was from and 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.

59. State the full name of each manager that worked with or oversaw Plaintiff.

60. 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.

61. 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.

62. Identify all persons employed by Defendant(s) who are responsible for Human Resources, personnel matters, training, orientation, and personnel monitoring for the previous five (5) years to the best of Defendant(s)' knowledge.

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

64. Identify and annex hereto any performance evaluations or review of the Plaintiff conducted by Defendant(s) from the Plaintiff's date of employment to the present.

65. State whether any Individual Defendant 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 five (5) 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.



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

- a. provide a description of the system(s) or procedure(s) used for the past five (5) 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.

67. Identify and provide full details concerning all discrimination, harassment, and retaliation prevention training conducted by Defendant(s) in the past five (5) years.

68. 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.

69. State whether any civil or criminal actions have ever been filed charging Defendant(s) with discrimination, harassment, and/or retaliation 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.

70. Please describe in detail complaints or Grievances (formal or otherwise) made by the Plaintiff with regard to discrimination, harassment, retaliation, and/or hostile workplace environment regarding fellow employees and/or Defendant(s).

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

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

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

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

75. Describe, in full detail, any facts and circumstances surrounding any occasion when clients or customers of Defendant(s) reported a Grievance (formal or otherwise) regarding any Defendant(s).

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

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

78. 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).

79. 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.

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

81. 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.

82. 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.

83. 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.

84. 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.

85. 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.

86. 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.

87. 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.

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

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

90. 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.

91. 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.

92. 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.

93. 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?

94. 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).

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

96. 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.

97. 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.

98. Identify and provide herewith a copy of all instant messages, voicemails, and emails between or among Defendant(s) and/or agents, representatives, and employees including the Plaintiff and Defendant(s), for the past five (5) years.

99. State whether at any time, Defendant(s) ever taped and/or digitally recorded any communication with the Plaintiff, 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;
- e. whether you obtained consent to tape or record such communications; and
- f. provide any such recordings.

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

101. Describe, in detail, any complaints to, investigations by, and/or inquiries by the New Jersey Department of Labor with regard to any employment 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.

102. Identify each email account each Individual Defendant utilized as an employee of Defendant(s) in the last three years.

103. Identify and describe in full detail Defendant(s)' policy relating to an employee's complaint of discrimination, harassment, hostile work environment, and/or retaliation.

104. Identify and describe in full detail the facts and circumstances surrounding Plaintiff's complaints of discrimination, harassment, and/or retaliation to any of the Defendant(s).

105. Identify and describe in full detail all communications between Defendant(s) concerning Plaintiff.

106. 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.

107. 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.

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

109. Identify and describe the facts and details relating to each instance in which any of the Defendant(s) reprimanded or disciplined Plaintiff while employed at Defendant(s).

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

111. Identify and describe in detail Defendant(s)' employee complaint procedure and/or policy.

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

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

114. Describe, in full detail, the facts and circumstances relating to any change in Plaintiff's position and/or job responsibilities.

115. Describe, in full detail, the facts and circumstances relating to any change in any Individual Defendant's position and/or job responsibilities.

116. Identify and describe, in detail, instances when Plaintiff reported, complained, and/or stated a Grievance (formal or otherwise) to any Defendant(s), Defendant(s)' superior, or Defendant(s)' agent(s) regarding matters contained in the Complaint.



117. Identify and describe in detail each communication by or between any employee(s) of Defendant(s), regarding the matters contained in the Complaint. Annex hereto any documents relevant to this request.

118. Identify and describe in detail each communication by or between any employee(s) of Defendant(s), regarding Plaintiff. Annex hereto any documents relevant to this request.

119. Identify and describe Defendant(s)' policy regarding reporting incidents related to the subject matter of this litigation.

120. State whether any civil or criminal actions have ever been filed charging Defendant(s), with discrimination or harassment 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.

121. State whether any civil or criminal actions have ever been filed charging Defendant(s) with retaliation 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.

122. State whether any civil or criminal actions have ever been filed charging Defendant(s) with fraud 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.

123. Identify and describe in full detail Defendant(s)' policy relating to an employee's complaint of retaliation.

124. Identify and describe in full detail the facts and circumstances surrounding complaints or Grievances (formal or otherwise) made by Plaintiff regarding fellow employees and/or Defendant(s).

125. Describe, in detail, all complaints or Grievances (formal or otherwise) by any employees of Defendant(s) relating to Plaintiff and/or Defendant(s) in the past five (5) years.

126. Describe, in detail, the investigation, determination and/or disciplinary actions taken by Defendant(s) relating to all complaints or Grievances concerning Defendant(s) in the past five (5) years.

127. Identify each and every document relating to any and all complaints or Grievances made by any employee of Defendant(s) relating to Defendant(s) and/or any employee of Defendant(s) in the past five (5) years. Annex hereto a copy of each said document.

128. Identify each and every document relating to any and all complaints or Grievances (formal or otherwise) made by any Person in connection with Defendant(s) and/or any employee of Defendant(s). Annex hereto a copy of each said document.

129. State whether there is a Human Resources Department, or a similar department, at Defendant(s).

130. 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 you 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 your 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.

**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)' 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)' 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 persons 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)' 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.

**DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES**

1. All financial statements prepared for the years 2011 through 2021 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 2011 through 2021, 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 2011 through 2021, 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 2011 through 2021, 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 2011 through 2021, up to and including the present.

**INTERROGATORIES RELATED TO PUNITIVE DAMAGES FOR DEFENDANT(S)**

1. If the Defendant(s) is a corporation, set forth as to each:
  - a. the full name of the corporation;
  - b. date of incorporation;
  - c. state of incorporation;
  - d. all States in which the Defendant(s) conducts its business;
  - e. all States in which the Defendants has registered to do business;
  - f. the full and correct names and residential address of all stockholders for the last two (2) years;
  - g. the number of shares issued to each of the said stockholders and directors of the corporation during the past two (2) years to include specific dates during which said individuals served as directors;
  - h. number of shares issued to each of said stockholders;
  - i. the full and correct names and addresses of all officers of the corporation during the past two (2) years to include the specific dates during which said individuals served as officers;
  - j. all trade or fictitious names under which the corporation has conducted its business in the past two (2) years;
  - k. the complete street address of all locations where the Defendant(s) has conducted its business in the past two (2) years and include the specific dates during which it was at each location; and
  - l. the name and address of the person who has custody of this corporation's books and records.
  
2. Is a majority interest in the corporate stock of the Defendant(s) owned by any individual, corporation or holding company?
  
3. If your answer to the preceding interrogatory is in the affirmative, please state for the individual, corporation or holding company with a majority interest in the Defendant(s):
  - a. name and address;
  - b. state of incorporation;
  - c. the state in which doing business;
  - d. address of each business office;
  - e. the name and address of each current officer or director; and
  - f. the nature of the business in which engaged.

4. 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 Defendant(s)' employer; and
  - e. the number of individuals presently employed at the facility.
5. Set forth in detail the name, address, and telephone number of all businesses in which the principals of the Defendant(s) now has an interest and set forth the nature of the interest.
6. 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.
7. Specifically state the present location of all books and records of the Defendant(s), including checkbooks.
8. 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).
9. 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.
10. Does the Defendant(s) own any real estate?
11. 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.

12. 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.

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

14. 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.

15. 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 & LUBER, P.C.  
*Attorneys for Plaintiff, AnnaMarie Ferrara*

By: /s/ Peter D. Valenzano  
PETER D. VALENZANO, ESQ.

Dated: February 23, 2021



**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: \_\_\_\_\_, 2021

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: \_\_\_\_\_, 2021

By: \_\_\_\_\_

**NOTICE OF R. 4:14-2 AND R. 4:14-9 VIDEO DEPOSITION**

**PLEASE TAKE NOTICE** that pursuant to the New Jersey Rules of Court, Plaintiff AnnaMarie Ferrara, through her undersigned counsel, will take the deposition upon oral examination of Defendant Lawton **commencing on June 02, 2021, at 10:00 AM**, at the law offices of McOmber, McOmber & Luber, 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 & LUBER, P.C.  
*Attorneys for Plaintiff, AnnaMarie Ferrara*

By: /s/ Peter D. Valenzano  
PETER D. VALENZANO, ESQ.

Dated: February 23, 2021

# Civil Case Information Statement

**Case Details: MERCER | Civil Part Docket# L-000396-21**

**Case Caption:** FERRARA ANNAMARIE VS HEALTHCARE SERVICES GROUP,

**Case Initiation Date:** 02/23/2021

**Attorney Name:** PETER DOUGLAS VALENZANO

**Firm Name:** MCOMBER MCOMBER & LUBER, PC

**Address:** 54 SHREWSBURY AVE

RED BANK NJ 07701

**Phone:** 7328426500

**Name of Party:** PLAINTIFF : Ferrara, AnnaMarie

**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

**Are sexual abuse claims alleged by: AnnaMarie Ferrara?** NO

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

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

**Do parties have a current, past, or recurrent relationship?** YES

**If yes, is that relationship:** Employer/Employee

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

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** 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)*

02/23/2021

Dated

/s/ PETER DOUGLAS VALENZANO

Signed