

R. Armen McOmber, Esq. - NJ ID # 018251998
 ram@njlegal.com
 Christian V. McOmber, Esq. - NJ ID # 012292010
 cvm@njlegal.com
 Matthew A. Lubber, Esq. - NJ ID # 017302010
 mal@njlegal.com
 Peter D. Valenzano, Esq. - NJ ID # 037892010
 pdv@njlegal.com
 Austin B. Tobin, Esq. – NJ ID # 002622010
 abt@njlegal.com
 Nicholas R. Carlson, Esq. – NJ ID # 280112019
 nrc@njlegal.com
 McOmber McOmber & Lubber, P.C.
 54 Shrewsbury Avenue
 Red Bank, NJ 07701
 (732) 842-6500 Phone
 (732) 530-8545 Fax
Attorneys for Plaintiffs, Jannelly Peralta and Yusuf Rimawi

<p>JANNELLY PERALTA and YUSUF RIMAWI,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>ROUTE 23 AUTO MALL, LLC, SCOTT BARNA, JASON MC KWEON, SOLOMON FAIZI, 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 PASSAIC COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p>COMPLAINT & DEMAND FOR TRIAL BY JURY; FIRST DEMAND FOR PRODUCTION OF DOCUMENTS AND FIRST SET OF INTERROGATORIES DIRECTED TO ALL DEFENDANTS</p>
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Plaintiffs Jannelly Peralta (“Plaintiff Peralta”) and Yusuf Rimawi (“Plaintiff Rimawi”), by way of Complaint against Route 23 Auto Mall, LLC (“Defendant Route 23 Auto Mall”), Defendant ABC Corporations 1-5 (fictitious names describing presently unknown business entities) (along with “Defendant Route 23 Auto Mall” collectively referred to as the “Corporate

Defendants”), Defendant Scott Barna (“Defendant Barna”), Defendant Jason McKweon (“Defendant McKweon”), Defendant Solomon Faizi (“Defendant Faizi”) and Defendant John Does 1-5 (fictitious names describing presently unidentified individuals) (along with “Defendant Barna,” “Defendant McKweon,” and “Defendant Faizi” collectively referred to as the “Individual Defendants”) alleges as follows:

INTRODUCTION

Defendant Route 23 Auto Mall operates a workplace culture that dehumanizes and objectifies its female employees. To give a sense of the magnitude of the problem, Plaintiff Peralta is a former Sales Representative in the Business Development Center who alleges that she was forced to endure repeated acts of sexual harassment, including but not limited to, repeated unwanted and unsolicited inquiries about sex, her sex life, and her physical appearance. The primary force behind this toxic, hostile, and sexually degrading work environment was the General Manager of Defendant Route 23 Auto Mall, Solomon Faizi. To put a finer point on it, Defendant Route 23 Auto Mall’s workplace sends the disturbing, yet all too common message to its female employees that they are nothing more than submissive and disposable sex toys that serve no purpose once male ownership and management’s compulsive need for sexual gratification has been satisfied.

The management of Defendant Route 23 Auto Mall’s culture of toxic masculinity and hyper-sexualization seemingly had no bounds. Perhaps the most shocking example of managements’ infantile fixation on sex is the fact that Defendant Route 23 Auto Mall superiors, including Solomon Faizi, would routinely taunt, harass and humiliate a mentally disabled young man who frequents the facility, *because he likes cars*. Solomon Faizi, enabled by his canine and sycophantic boys club, spent hours interrogating this innocent young man about how many “loads

he blew” into a “blow up doll,” they casually refer to as his “white bitch.” All the while, Plaintiff Peralta watched, completely mortified.

Of further concern is the company’s willingness to turn a blind eye to the toxic and hostile work environment cultivated and ratified by the Used Car Manager, Defendant Jason McKweon. Plaintiff Rimawi is another former sales person who worked for Defendant Route 23 Auto Mall. Both Plaintiffs Peralta and Rimawi were subject to harassment, discrimination, and retaliation on the basis of their national origin. In addition, and as set forth in more detail below, Plaintiff Rimawi was continually harassed about his Islamic faith by Defendant McKweon. In one case, Plaintiff Rimawi was interrogated and required to “defend terrorism” as if he himself was a terrorist. All of this behavior was cultivated, ratified, and embraced by the President of the company, Scott Barna. Sadly, Route 23 Auto Mall has joined the *rogues gallery* of corporations who arrogantly disregard their obligation to maintain a work environment free from unlawful discrimination.

Fortunately, New Jersey provides redress for victims of such invidious discrimination and harassment. Accordingly, Plaintiffs Peralta and Rimawi bring this lawsuit under the LAD to assert their individual and collective right to work in an environment free from sexual harassment, racial discrimination, religious discrimination, and humiliation.

PARTIES

1. Plaintiff Peralta is an individual residing in Paterson, New Jersey, who was at all times relevant hereto, employed as a Sales Representative in the Business Development Center of Defendant Route 23 Auto Mall located in Butler, New Jersey.

2. Plaintiff Rimawi is an individual residing in Clifton, New Jersey, who was at all times relevant hereto, employed as a Sales Representative at Defendant Route 23 Auto Mall located in Butler, New Jersey.

3. Defendant Route 23 Auto Mall is a corporation organized and existing under the laws of the State of New Jersey with a principal place of business located at 1301 State Route 23, Butler, New Jersey 07405. Defendant Route 23 Auto Mall specializes in the sale of Ford automobiles, and according to its website, “[i]n addition to having all of the latest Ford models and a diverse inventory of used cars in stock, [it] is also home to three different car repair centers: a Ford service center focusing on major repairs, a Quick Lane facility for routine maintenance and a Body Shop.” At all times relevant hereto, Defendant Route 23 Auto Mall is an “employer” as defined under the NJLAD.

4. Defendant Barna, at all times relevant hereto, is the President of Defendant Route 23 Auto Mall. This claim is brought against Defendant Barna in his individual capacity and as an agent of Defendant Route 23 Auto Mall. At all times relevant hereto, Defendant Barna is an “employer” as defined under the NJLAD.

5. Defendant McKweon, at all times relevant hereto, is the Used Car Manager of Defendant Route 23 Auto Mall. This claim is brought against Defendant McKweon in his individual capacity and as an agent of the Defendant Route 23 Auto Mall. At all times relevant hereto, Defendant McKweon is an “employer” as defined under the NJLAD.

6. Defendant Faizi, at all times relevant hereto, is the General Manager of Defendant Route 23 Auto Mall. This claim is brought against Defendant Faizi in his individual capacity as an agent of Defendant Route 23 Auto Mall. At all times relevant hereto, Defendant Faizi is an “employer” as defined under the NJLAD.

7. Defendants ABC Corporations 1-5 are currently unidentified business entities which have acted in concert with Defendant Route 23 Auto Mall, and/or currently unidentified business entities responsible for the creation and/or implementation of harassment or anti-

discrimination policies of Defendant Route 23 Auto Mall, and/or currently unidentified business entities which have liability for the damages suffered by Plaintiffs under any theory advanced therein.

8. 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 Defendant Route 23 Auto Mall and are currently unidentified individuals who may have liability for the damages suffered by Plaintiffs under any theory advanced herein.

FACTS COMMON TO ALL CLAIMS

9. Defendant Route 23 Auto Mall 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, racial discrimination, religious discrimination, and retaliation.

10. Defendant Route 23 Auto Mall 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 prohibiting sexual harassment, racial discrimination, religious discrimination, and retaliation.

11. Defendant Route 23 Auto Mall 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, racial discrimination, religious discrimination, and retaliation.

12. Defendant Route 23 Auto Mall 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, racial discrimination, religious discrimination, or retaliation, to report the harassment to supervisory and management staff of Defendant Route 23 Auto Mall.

13. Defendant Route 23 Auto Mall 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, racial discrimination, religious discrimination, and retaliation brought to its attention by employees of Defendant Route 23 Auto Mall.

14. Defendant Route 23 Auto Mall 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.

15. Defendant Route 23 Auto Mall 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, racial discrimination, religious discrimination, or retaliation that it found to exist at Defendant Route 23 Auto Mall.

16. Defendant Route 23 Auto Mall claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey, policies encouraging employees to disclose to supervisors or managers of the company any conduct engaged in by the company or a co-worker which an employee reasonably believed violated state or federal law.

17. Defendant Route 23 Auto Mall claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey, policies prohibiting retaliation against an employee who discloses to a supervisor or manager any conduct engaged in by the company or a co-worker which the employee reasonably believes is or was a violation of laws, rules or regulations.

18. Defendant Route 23 Auto Mall claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey, policies prohibiting retaliation against an employee who discloses to a supervisor or manager any conduct engaged in by the company or a co-worker which the employee reasonably believes is or was unethical.

19. Defendant Route 23 Auto Mall claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey, policies prohibiting an employee from suffering retaliation for disclosing to supervisors or managers of Defendant Route 23 Auto Mall any conduct engaged in by the company or a co-worker which an employee reasonably believes is or was unethical.

20. Defendant Route 23 Auto Mall claims, at all times relevant hereto, that it had in effect at its facilities and locations within the State of New Jersey, policies prohibiting an employee from suffering retaliation for disclosing to supervisors or managers of Defendant Route 23 Auto Mall any conduct engaged in by the company or a co-worker which an employee reasonably believes is or was a violation of Defendant Route 23 Auto Mall's company policies.

FACTS SPECIFIC TO PLAINTIFF PERALTA

21. Plaintiff Peralta is a dark-skinned female whose family immigrated to the United States from the Dominican Republic.

22. On or about June 03, 2018, Plaintiff Peralta began working as a Sales Representative in the Business Development Center at Defendant Route 23 Auto Mall.

23. At all times throughout her employment, Plaintiff Peralta performed her job responsibilities competently and diligently, loyally committed to Defendant Route 23 Auto Mall and the customers which it serves.

24. Despite her demonstrated ability to maintain the very highest level of job performance, Plaintiff Peralta was forced to endure an intolerably hostile work environment, rife with sexual harassment and racial discrimination.

A. Defendant Faizi Sexually Harassed Plaintiff Peralta Throughout the Course of Her Employment With Defendant Route 23 Auto Mall.

25. Shortly after beginning her employment, Plaintiff Peralta found herself working under a perverted and abusive boss, the General Manager of Defendant Route 23 Auto Mall, Defendant Faizi.

26. Defendant Faizi's compulsive and abhorrent behavior seemingly had no bounds, and he viewed the women working within the company as his own personal harem. In Defendant Faizi's narcissistic eyes, all female employees are replaceable and interchangeable, and the company seemingly gave Defendant Faizi *carte blanche* to treat his subordinate female employees in the most deplorable and abusive manner.

27. On a daily basis, Plaintiff Peralta was forced to endure male management's hypersexualized banter about lubrication, blow up dolls, sexual intercourse, and other inappropriate sexual topics.

28. Defendant Faizi seemed to take sadistic pleasure in engaging in bawdy and borderline erotic conversation in the workplace. He would consistently regale Plaintiff Peralta of his sexual exploits, as if he thought he impressed her.

29. Defendant Faizi would routinely ask Plaintiff Peralta inappropriate questions such as what kind of lubricant she uses, how often she has sex, and how many people she has had sex with throughout her life.

30. Defendant Faizi would constantly refer to Plaintiff Peralta's buttocks as "fat" and leer at her in a longing and desperate manner when she walked past him at the Defendant Route 23 Auto Mall facility.

31. Defendant Faizi would humiliate and objectify his own spouse by proudly stating that in order for him to go home and "perform for her, he would have to use erectile dysfunction medication such as Viagra."

32. Defendant Faizi also had a penchant for referring to female subordinate employees and customers as "cunts" and "whores." In one specific instance, Plaintiff Peralta overheard Defendant Faizi angrily tell a customer with whom he had spent a lot of time on the phone with that she "[h]ad done everything to him except jerk him off." Needless to say, Plaintiff Peralta was mortified to hear this.

33. Another example of Defendant Faizi's sexual harassment occurred on or about December 18, 2019. When Plaintiff Peralta was setting up the Christmas tree in the store, there were customers in the waiting room. When Plaintiff Peralta stepped down from the ladder and turned around, all the customers were gone. Defendant Faizi commented to Plaintiff Peralta that all of the customers were staring at her buttocks so hard they had to get up because her "big ass was a distraction."

34. Defendant Faizi went on to complain that because of Plaintiff Peralta's "big ass," the customers were probably walking home instead of buying a car. Needless to say, Plaintiff Peralta was deeply humiliated.

35. Defendant Faizi seemed unable to control himself around Plaintiff Peralta. At the 2019 Christmas party, Plaintiff Peralta was wearing a red dress. Defendant Faizi specifically told Plaintiff Peralta not to wear the dress because her "butt was distracting." On another occasion,

there was a tricycle near the Christmas tree. Completely unsolicited, Defendant Faizi told Plaintiff Peralta not to ride the tricycle because her “big butt will break it.”

36. Another example of Defendant Faizi’s hypersexualized and grossly offensive behavior occurred early in 2019. Plaintiff Peralta recommended her friend, Alain Montez (“Mr. Montez”) for a position with the company. Mr. Montez is openly homosexual. The company hired him. A few days after Mr. Montez began working for the company, Defendant Faizi asked Plaintiff Peralta if he was gay.

37. When Plaintiff Peralta replied that it does not matter [whether Mr. Montez is gay], Defendant Faizi chivalrously assured Plaintiff Peralta that he did not actually care, but that the only other “fag” working at Defendant Route 23 Auto Mall was in reception and that “if anything, he could hook them up.”

38. On another occasion, Defendant Faizi disparagingly referred to Mr. Montez as “Malanis Morissette” an obvious reference to the female singer.

39. Defendant Faizi also ridiculed subordinate employees working beneath him. He would refer to Steven Boxenbaum (“Mr. Boxenbaum”) as a pedophile who likes “little boys.” Defendant Faizi also spread rumors in the workplace that Mr. Boxenbaum wore thong underwear. Needless to say, Defendant Faizi’s compulsive fixation on sex and his penchant for hypersexualizing *everyone and everything*, led Plaintiff Peralta to deeply dread coming to work on a daily basis.

40. The 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.

B. Defendant Faizi Harassed, Humiliated, Tormented and Degraded a Young Mentally Disabled Man Who Repeatedly Visited Defendant Route 23 Auto Mall, Merely for Social Interaction.

41. Perhaps the most deplorable conduct Plaintiff Peralta observed was Defendant Faizi's treatment of Mark [Last Name Unknown] ("Mark LNU"), a mentally disabled young man who routinely visited the Route 23 Auto Mall.

42. Defendant Faizi and Sales Manager, Richard Garcia ("Mr. Garcia"), took sadistic pleasure in teasing Mark LNU by asking him "how many loads did you shoot" into that "white bitch." The term "white bitch" was a reference to a sex doll about which they would repeatedly tease Mark LNU.

43. Defendant Faizi and Mr. Garcia would also childishly ask Mark LNU how many times he orgasmed in any given day and what kind of lubrication he uses. As if he took some sort of sympathy on Mark LNU, Defendant McKweon would often hand Mark LNU some money out of his pocket just to get him to go away.

44. One instance involving Mark LNU and Defendant Faizi truly concerned Plaintiff Peralta. After Plaintiff Peralta got changed in the bathroom to go to a kickboxing class at the end of her shift, Defendant Faizi warned her to be careful around Mark LNU in the parking lot. Defendant Faizi assured Plaintiff Peralta that Mark LNU does not like "black women," but since Plaintiff Peralta was not "that black," Mark LNU might "try something" with her. The inference was that Mark LNU might try to rape Plaintiff Peralta.

45. Ever the consummate gentleman, Defendant Faizi warned Plaintiff Peralta that there is no kickboxing skill in the world that would be able to defeat Mark LNU's "retard strength" should he try to rape her in the parking lot.

46. The 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.

C. Defendant McKweon Subjected Plaintiff Peralta to Discrimination, Harassment, Humiliation, and Racial Discrimination. Defendant McKweon's Repeatedly Offensive Comments Rendered Plaintiff Peralta's Work Environment Hostile.

47. The acts of harassment, discrimination and intolerance were not limited to those set forth above. Defendant McKweon, a proud supporter of President Donald J. Trump, would often sit at his desk complaining on a daily basis about “fucking immigrants” and African Americans, knowing full well that Ms. Peralta is a dark-skinned immigrant to the United States from the Dominican Republic.

48. When Plaintiff Peralta informed Defendant McKweon that she was an immigrant, Defendant McKweon assured her that she was “not one of them.”

49. Defendant McKweon later commented that “the reason why black people get pulled over more than whites is that they don’t know how to follow rules.”

50. In another example of Defendant McKweon’s intolerance, he commented to Plaintiff Peralta that “the reason why [Ms. Peralta] is not married is because she does not listen.”

51. The 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.

D. The Overwhelmingly Hostile, Toxic, and Discriminatory Environment Permeating Defendant Route 23 Auto Mall Was Cultivated, Ratified, and Embraced By Defendant Scott Barna, the President of Defendant Route 23 Auto Mall.

52. The ethos of intolerance, harassment, and discrimination permeating Defendant Route 23 Auto Mall was cultivated, ratified and embraced by the President of the company, Defendant Barna.

53. Late last year, Plaintiff Peralta came to learn that there were vicious rumors being spread in the workplace about a co-worker, Victoria A. (“Ms. A.”). The rumor was that Ms. A. worked in a strip club on her time off.

54. When Ms. A. showed up at the company’s Christmas party, Defendant Barna offered all the salesman five hundred dollars (\$500) if they could get information about where Ms. A. stripped, so that he could go there and watch her “shake that ass.”

55. Another example of Defendant Barna’s embrace of hypersexualized and wholly inappropriate behavior occurred when he asked a customer on the phone “how many dicks do you suck” in front of Plaintiff Peralta who was deeply disturbed by Defendant Barna’s crass and prurient behavior.

E. After Suffering an Intolerably Hostile Work Environment, Plaintiff Peralta Was Terminated From Her Position With Defendant Route 23 Auto Mall.

56. On or about February 10, 2020, Plaintiff Peralta was terminated from her position with the company. Hiding its prevarication behind the dubious pretext that the department was being disbanded does not absolve Defendant Route 23 Auto Mall of its liability under New Jersey’s anti-discrimination laws.

57. So vile is the conduct engaged in by Defendant Route 23 Auto Mall and its responsible owners and management that it undoubtedly rises to the level considered by New

Jersey Court's to be incompatible with Federal and State public policies which seek to provide employees with a safe and harassment free environment to work.

58. Defendant Route 23 Auto Mall served as the antithesis of such a public policy for it provided a workplace with no escape from an incessant barrage of revolting and unsolicited sexual advances, constant yelling, screaming, profanity and hypersexualized banter. It appears the company's goal was to sicken its employees and endanger their health and well-being, and unfortunately in the case of Plaintiff Peralta, it has been successful.

FACTS SPECIFIC TO PLAINTIFF RIMAWI

59. Plaintiff Rimawi is a devout Muslim whose family immigrated to the United States from the State of Palestine.

60. On or about August 06, 2018, Plaintiff Rimawi began working as a Sales Representative at Defendant Route 23 Auto Mall.

61. At all times throughout his employment, Plaintiff Rimawi performed his job responsibilities competently and diligently, loyally committed to Defendant Route 23 Auto Mall and the customers which it serves.

62. Despite his demonstrated ability to maintain the very highest level of job performance, Plaintiff Rimawi was forced to endure an intolerably hostile work environment, rife with religious discrimination.

A. Defendant McKweon Taunted, Harassed, Humiliated, Degraded, and Discriminated Against Plaintiff Rimawi Due to His Islamic Religious Faith.

63. Defendant McKweon, a supporter of President Donald. J. Trump, who proudly wears his "Make America Great Again" hat to work, made it his personal mission to emotionally abuse Plaintiff Rimawi due to his religious faith.

64. Defendant McKweon engaged in the following affirmative acts of harassment and humiliation directed towards Plaintiff Rimawi on account of his religious faith:

- a. Taunting Plaintiff Rimawi by saying “[H]ey Yusuf, my wife made the most delicious pork roast last night mmmmmmmmm! I have two pork sandwiches for lunch today, want one?” (*Defendant McKweon made this comment knowing full well that pork is forbidden in the Islamic Religion*);
- b. Randomly asking Plaintiff Rimawi to defend Islamic terrorism, as if Plaintiff Rimawi is an Islamic terrorist himself;
- c. Asking Plaintiff Rimawi why Muslims are the only people on earth who “commit terrorism”;
- d. Offensively asking Plaintiff Rimawi if he “eats goats”; and
- e. Offensively commenting that Plaintiff Rimawi’s mother knows her place, because she cooks for his father, even though she has a full-time job. This was an obvious repetition of a trope about Islamic women being subservient to men.

65. It seemed as Defendant McKweon viewed Plaintiff Rimawi as a “dancing bear” he could interrogate and ridicule for his own personal amusement.

66. The harassing and degrading conduct was severe or pervasive enough to make a reasonable employee believe that the conditions of employment were altered, and the work environment was hostile.

67. So offensive was Defendant McKweon’s conduct that on October 14, 2018, Plaintiff Rimawi made a formal complaint to Defendant Route 23 Auto Mall’s Human Resources,

documenting much of the above referenced behavior. Annexed as **Exhibit A** to this Complaint and Jury Demand is a true and accurate copy of Plaintiff Rimawi's email to Defendant Route 23 Auto Mall's Human Resources Department.

68. Plaintiff Rimawi was assured that the matter would be taken care of, but Defendant McKweon seemed more emboldened than ever. In the days that followed, Plaintiff Rimawi was "blown out" by Defendant McKweon. In other words, his sales were steered away to other sales people, and as a result, his income dropped dramatically.

B. Plaintiff Rimawi Came to Learn That The Company Was Engaging in Deceptive Sales Practices and Defrauding Customers.

69. Following Plaintiff Rimawi's complaint about Defendant McKweon's unlawful and discriminatory behavior, Plaintiff Rimawi came to learn that the company was deceiving its own customers in violation of the law.

70. Specifically, Plaintiff Rimawi was directed to tell customers that they could pay an extra \$2,500 to get a "certified pre-owned vehicle." The cars that were being sold by the company, however, were already Ford certified pre-owned vehicles. Accordingly, the customers were being coerced into paying an extra \$2,500 for absolutely nothing.

71. Plaintiff Rimawi confronted Defendant McKweon about this scam and informed him that it violated his religious conscience. Defendant McKweon condescendingly responded by stating, "Well, Yusuf, everyone out there is trying to take money out of your pocket. Your job is to take as much money from them as possible."

72. Plaintiff Rimawi was mortified that he had been deceived into ripping off customers in violation of the law and his religious beliefs.

73. It also came to Plaintiff Rimawi's attention that Defendant Faizi was unlawfully withholding the payment of commissions due to Plaintiff Rimawi and other sales people in the company for the sale of new cars.

74. Specifically, Defendant Faizi was withholding payment of commissions to sales people who had sold new cars, unless and until a customer filled out a satisfaction survey.

75. Plaintiff Rimawi complained to Defendant Faizi and other representatives from the company about this unlawful conduct. Nevertheless, the company refused to take any remedial action whatsoever.

76. At his wits end with the harassment, discrimination, and unlawful behavior running rampant in the workplace, Plaintiff Rimawi was left with no alternative but to resign his employment on January 28, 2019.

77. The truth of the matter is that Plaintiff Rimawi was constructively discharged from his employment with the company.

COUNT ONE

NJLAD – DISPARATE TREATMENT, SEXUAL HARASSMENT, HOSTILE WORK ENVIRONMENT DUE TO GENDER/SEX & UNLAWFUL TERMINATION (As to Plaintiff Peralta Only)

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

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

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

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

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

83. As the employer and/or supervisor of Plaintiff Peralta, Defendants are vicariously, strictly, and/or directly liable to Plaintiff Peralta 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 Defendant Faizi and Defendant Barna occurred within the scope of their employment; the creation of the hostile work environment was aided by Defendant Route 23 Auto Mall in delegating power to Defendant Faizi and Defendant Barna to control the day-to-day working environment; and/or Defendant Route 23 Auto Mall were deliberately indifferent, reckless, negligent and/or tacitly approved the discrimination, hostile work environment, and/or retaliation; and/or Defendant Route 23 Auto Mall and Defendants Faizi and Barna 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 Peralta and failing to promptly and effectively act to stop it.

84. Defendant Route 23 Auto Mall aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendants Faizi and Barna to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff Peralta in violation of the supervisory duty to

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

85. Defendants Route 23 Auto Mall and the managers and/or supervisors of Plaintiff Peralta aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendant Route 23 Auto Mall to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts toward Plaintiff Peralta in violation of their supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiff Peralta pursuant to N.J.S.A. 10:5-12(e).

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

WHEREFORE, Plaintiff Peralta demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, and attorneys' fees and costs of suit. More specifically, Plaintiff Peralta 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 LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;
- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

COUNT TWO

NJLAD – HOSTILE WORK ENVIRONMENT AND DISPARATE TREATMENT DUE TO RACE, NATIONAL ORIGIN, AND/OR ETHNICITY

- 87. Plaintiffs repeat each and every allegation set forth above as if set forth fully herein at length.
- 88. Plaintiffs were employed by Corporate Defendant(s) during the period relevant hereto.

89. At all relevant times hereto, Defendants directly controlled or exerted control over Plaintiffs, including but not limited to control over operations, hiring, promotion, demotion, firing and/or evaluation of Corporate Defendant personnel.

90. The pattern and practice of discrimination, harassment, and retaliation directed at Plaintiffs by employees of Corporate Defendant is outlined above.

91. Plaintiffs were subjected to repeated, pervasive, sever, and continuing instances of disparate treatment and harassment by Defendants due to their race, ethnicity, and/or national origin, as set forth above.

92. Defendants regularly targeted, discriminated and retaliated against Plaintiffs based on their race, ethnicity, and/or national origin, as set forth herein.

93. The above-described conduct would not have occurred but for Plaintiffs' race, ethnicity, and/or national origin.

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

95. Defendants did not conduct an adequate investigation and failed to take proper remedial action to protect Plaintiffs from discriminatory behavior and retaliation.

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

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

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

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

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

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

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

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

104. Individual Defendants and the managers and/or supervisors of Plaintiffs 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 Plaintiffs in violation of their supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiffs pursuant to N.J.S.A. 10:5-12(e).

105. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiffs have sustained damages.

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

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;

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

COUNT THREE

NJLAD – DISPARATE TREATMENT AND HOSTILE WORK ENVIRONMENT DUE TO RELIGION

(As to Plaintiff Rimawi Only)

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

107. Plaintiff Rimawi was employed by Corporate Defendant(s) during the period relevant hereto.

108. At all relevant times hereto, Defendants directly controlled or exerted control over Plaintiff Rimawi, including but not limited to control over operations, hiring, promotion, demotion, firing and/or evaluation of Corporate Defendant personnel.

109. The pattern and practice of discrimination, harassment, and retaliation directed at Plaintiff Rimawi by employees of Corporate Defendant is outlined above.

110. Plaintiff Rimawi was subjected to repeated, pervasive, severe, and continuing instances of disparate treatment and harassment by Defendants due to his Islamic religious faith, as set forth above.

111. Defendants regularly targeted, discriminated and retaliated against Plaintiff Rimawi based on his religious beliefs, as set forth herein.

112. The above-described conduct would not have occurred but for Plaintiff Rimawi's religion, Islam.

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

114. Defendants did not conduct an adequate investigation and failed to take proper remedial action to protect Plaintiff Rimawi from discriminatory behavior and retaliation.

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

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

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

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

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

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

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

retaliation in the workplace; and/or by having actual knowledge of the harassment, discrimination, and retaliation of Plaintiff Rimawi and failing to promptly and effectively act to stop it.

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

123. Individual Defendants and the managers and/or supervisors of Plaintiff Rimawi 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 Rimawi in violation of their supervisory duty to halt or prevent harassment, retaliation, and discrimination rendering Defendants individually and collectively liable to Plaintiff Rimawi pursuant to N.J.S.A. 10:5-12(e).

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

WHEREFORE, Plaintiff Rimawi demands judgment in his favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, and attorneys' fees and costs of suit. More specifically, Plaintiff Rimawi 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 LAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- M. Ordering Defendants to undergo anti-discrimination training;
- N. Ordering Defendants to undergo anti-retaliation training;
- O. Ordering Defendants to undergo anti-harassment training;
- P. Ordering Defendants to undergo workplace civility training;
- Q. Ordering Defendants to undergo bystander intervention training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;
- S. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- T. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- U. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- V. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- W. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- X. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- Y. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- Z. Such other relief as may be available and which the Court deems just and equitable.

COUNT FOUR

NJLAD – RETALIATION/IMPROPER REPRISAL

125. Plaintiffs repeats each and every allegation set forth above as if set forth fully herein at length.

126. Plaintiffs 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.

127. As a direct result, Defendants took retaliatory action against Plaintiffs, which are outlined above.

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

129. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiffs have sustained emotional and pecuniary damages.

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

- A. Reinstatement of employment and all benefits;
- B. Back pay and benefits;
- C. Front pay and benefits;
- D. Compensatory damages;
- E. Consequential damages;
- F. Reinstatement;
- G. Punitive damages;
- H. Prejudgment interest and enhancements to off-set negative tax consequences;

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

COUNT FIVE

RETALIATION IN VIOLATION OF PUBLIC POLICY **(As to Plaintiff Rimawi Only)**

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

131. As set forth herein, Plaintiff Rimawi reported and complained about Defendants' unlawful behavior. Corporate Defendants had knowledge of Plaintiff Rimawi's protests and terminated him as a result thereof.

132. As a result of Plaintiff Rimawi's reports and complaints about the unlawful activities of the Corporate Defendants, Plaintiff Rimawi was subjected to a hostile work environment in violation of law and public policy.

WHEREFORE, Plaintiff Rimawi demands judgment in his favor and against Corporate Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, attorneys' fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT SIX

CONSTRUCTIVE TERMINATION **(As to Plaintiff Rimawi Only)**

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

134. Defendants' actions created a work environment so intolerable that a reasonable person would rather resign than be forced to endure it.

135. Following Defendant McKweon's repeated harassment and the company's perfunctory investigation of same, Plaintiff Rimawi reasonably felt Defendant Route 23 Auto Mall was no longer a safe environment for him and that he could no longer endure working for Corporate Defendants.

136. Plaintiff Rimawi was constructively terminated by Corporate Defendants when the company failed to adequately and appropriately investigate and/or put in place appropriate

remedial measures following Plaintiff Rimawi's allegation of religious and national origin discrimination against Defendant McKweon.

137. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff Rimawi has sustained damages and will continue to suffer damages in the future.

WHEREFORE, Plaintiff Rimawi demands judgment in his favor and against Defendants on this Count, together with compensatory and equitable relief, punitive damages, pre-and post-judgment interest, attorneys' fees and costs of suit, and for such other relief that the Court deems equitable and just.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to *Rule 4:10-2(b)*, demand is made that Defendants disclose to Plaintiffs' 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 Plaintiffs' 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

Plaintiffs demand a trial by jury on all issues.

McOMBER McOMBER & LUBER, P.C.
*Attorneys for Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

DESIGNATION OF TRIAL COUNSEL

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

CERTIFICATION

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

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

McOMBER McOMBER & LUBER, P.C.
*Attorneys for Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

By: /s/ Peter D. Valenzano

PETER D. VALENZANO, ESQ.

Dated: April 01, 2020

R. Armen McOmber, Esq. - NJ ID # 018251998
 ram@njlegal.com
 Christian V. McOmber, Esq. - NJ ID # 012292010
 cvm@njlegal.com
 Matthew A. Lubber, Esq. - NJ ID # 017302010
 mal@njlegal.com
 Peter D. Valenzano, Esq. - NJ ID # 037892010
 pdv@njlegal.com
 Austin B. Tobin, Esq. – NJ ID # 002622010
 abt@njlegal.com
 Nicholas R. Carlson, Esq. – NJ ID # 280112019
 nrc@njlegal.com
 McOmber McOmber & Lubber, P.C.
 54 Shrewsbury Avenue
 Red Bank, NJ 07701
 (732) 842-6500 Phone
 (732) 530-8545 Fax
Attorneys for Plaintiffs, Jannelly Peralta and Yusuf Rimawi

JANNELLY PERALTA and
 YUSUF RIMAWI,

Plaintiffs,

vs.

ROUTE 23 AUTO MALL, LLC,
 SCOTT BARNA, JASON MC KWEON,
 SOLOMON FAIZI, ABC CORPORATIONS
 1-5 (fictitious names describing presently
 unidentified business entities); and JOHN
 DOES 1-5 (fictitious names describing
 presently unidentified individuals),

Defendants.

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION
 PASSAIC COUNTY

DOCKET NO.:

Civil Action

**PLAINTIFF’S FIRST SET OF
 INTERROGATORIES AS TO PLAINTIFF
 JANNELLY PERALTA, FIRST
 DEPOSITION NOTICES, AND FIRST
 NOTICE TO PRODUCE TO DEFENDANTS**

**FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, AND DISCOVERY
 DEMANDS RELATING TO PUNITIVE DAMAGES**

PLEASE TAKE NOTICE that, McOmber McOmber & Lubber, P.C., attorneys for Plaintiff Jannelly Peralta (“Plaintiff”) demand that Defendants Route 23 Auto Mall, LLC, Scott Barna, Jason McKweon, and Solomon Faizi (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 Jannelly Peralta, Plaintiff in the above-captioned action.
2. “Defendant Route 23 Auto Mall” shall mean Route 23 Auto Mall, 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.
3. “Defendant Barna” shall mean Scott Barna, Defendant in the above-captioned action.
4. “Defendant McKweon” shall mean Jason McKweon, Defendant in the above-captioned action.
5. “Defendant Faizi” shall mean Solomon Faizi, Defendant in the above-captioned action.
6. “Defendant(s)” shall individually and collectively mean all Defendants in the above-captioned action.
7. The term “Corporate Defendant(s)” shall 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.

8. 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.

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

10. “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.

11. “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.

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

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

14. 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.

15. 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.

16. 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.

17. “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.

18. 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.

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

20. 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.

21. 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.

22. 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.

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

24. Masculine forms of any noun or pronoun shall embrace and be read to include the feminine or neuter, as the context may make appropriate.

INSTRUCTIONS

1. In addition to the specific instructions enumerated below, the following Document Requests and Interrogatories shall be subject to the New Jersey Rules of Court.
2. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendants must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.
3. When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and last known place of employment.
4. These Document Requests and Interrogatories shall be deemed continuing in nature so as to require prompt supplementation if, as, and when obtain additional information.
5. If anyone identified in response to any of the Document Requests and/or Interrogatories was formerly, but is no longer, employed by you, please so state in the answer and provide the former employee’s current address and telephone number (business or home), if known. If the current address and telephone number are not known, then please provide the former employee’s last known address and telephone number.
6. You shall be under a continuing obligation to supplement answers to the Document Requests and Interrogatories.
7. If you cannot respond to any of the following Document Requests and/or Interrogatories in full after exercising due diligence to secure the information to do so, then respond to the extent possible and explain your inability to provide a complete answer. State whatever information or knowledge you have about the unanswered portion of any Document Request and/or Interrogatories.
8. Whenever a Document Request and Interrogatories asks for a date, state the exact day, month and year, if ascertainable or, if not, the best approximation thereof.

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

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

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

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

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 complete copy of the personnel file Defendant(s) maintained pertaining to Alain Montez (“Mr. Montez”), 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 Mr. Montez; (b) performance evaluations that were conducted for Mr. Montez; and (c) job title or job status changes for Mr. Montez.

9. A complete copy of the personnel file Defendant(s) maintained pertaining to Steven Boxenbaum (“Mr. Boxenbaum”), 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 Mr. Boxenbaum; (b) performance evaluations that were conducted for Mr. Boxenbaum; and (c) job title or job status changes for Mr. Boxenbaum.

10. A complete copy of the personnel file Defendant(s) maintained pertaining to Richard Garcia (“Mr. Garcia”), 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 Mr. Garcia; (b) performance evaluations that were conducted for Mr. Garcia; and (c) job title or job status changes for Mr. Garcia.

11. A complete copy of the personnel file Defendant(s) maintained pertaining to Victoria A. (“Ms. A.”), 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 Ms. A.; (b) performance evaluations that were conducted for Ms. A.; and (c) job title or job status changes for Ms. A.

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

13. A written job description for each position that Plaintiff held during Plaintiff's employment with Corporate Defendants.

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

15. 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, harassment, disparate treatment, and/or retaliation at any time during Plaintiff's employment.

16. 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, harassment, disparate treatment, and/or retaliation made by employees, customers, clients, and/or any other Person at any time during Plaintiff's employment.

17. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss discrimination, harassment, disparate treatment, and/or retaliation by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

18. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss communications or statements of a sexual nature by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

19. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss derogatory language directed to any employees or customers by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment, including, but not limited to, use of the words "cunt(s)," "pedophile(s)," and "whore(s)."

20. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss comments or statements regarding the bodies or body parts of any employees or customer made by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

21. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss homophobic statements made by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

22. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Defendants' response to any allegations of discrimination, verbal harassment, disparate treatment, retaliation, sexual comments, derogatory comments, comments regarding the bodies or body parts of employees or customers, or homophobic comments by any Individual Defendant, or agent or employee of any Defendant, at any time during Plaintiff's employment, including, but not limited to, deliberations by Defendant(s) as to whether and/or how to respond to such allegations.

23. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's department being disbanded.

24. 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 Defendants at any time during Plaintiff's employment.

25. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2018, 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.

26. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2018, 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.

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

28. 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.

29. 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.

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

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

32. 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.

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

34. 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.

35. 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.

36. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

60. 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.

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

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

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

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

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

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

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

68. 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.

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

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

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

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

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

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

75. 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.

76. 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.

77. All statements, documents, or communications concerning the job performance of any Individual Defendant or any agent or employee of Defendants during the tenure of his/her employment.

78. 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.

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

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

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

82. Produce a copy of Defendant(s)' written policy concerning harassment.
83. All documents relating to Defendant(s)' policy or policies concerning electronic data retention and preservation.
84. All documents relating to Plaintiff's compensation during her employment with Defendant(s).
85. All documents relating to any employee benefits or benefit plan in which Plaintiff has been eligible to participate during her employment with Defendant(s).
86. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning employees' use of laptops and management, preservation and/or deletion of data on such laptops.
87. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning employees' use of desktop computers from home or remote locations, and the management, preservation and/or deletion of data created or transmitted to or from such computers.
88. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning employees' use of email, including but not limited to the management, preservation and/or deletion of email.
89. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning the management, preservation and/or deletion of data related to Plaintiff's employment.
90. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning the management, preservation, and/or deletion of data related to any tangible employment action taken against Plaintiff.

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

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

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

94. All documents or electronic data relating, reflecting or referring to Defendant(s)’ ability to restore archived electronic data relating to Plaintiff’s employment contained on electronic media such that upon restoration it may be accessed, viewed, exported or printed.

95. 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.

2. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made racist or racially discriminatory comments while at work and/or while on Defendant(s)’ property and/or directed to any employee, client, or vendor of Defendant(s) at any time during Plaintiff’s employment. 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 discriminatory comment at any time during Plaintiff's employment. 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 made any sexually harassing or otherwise inappropriate sexual comment at any time during Plaintiff's employment. 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).

5. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any homophobic comment at any time during Plaintiff's employment. 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).

6. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any demeaning or degrading comment towards any employee or customer at any time during Plaintiff's employment. 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).

7. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any comment about the body or any body part of any employee or customer at any time during Plaintiff's employment. 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).

8. 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 at any time during Plaintiff's employment. 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).

9. 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.

10. 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.

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

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

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

14. State whether Defendants knew that Plaintiff's family immigrated to the United States from the Dominican Republic and, if so, identify each Person who had such knowledge.

15. State the reasons why Defendant Faizi made comments about Plaintiff's buttocks and describe, in detail, any such comments made by Defendant Faizi during Plaintiff's employment.

16. State the reasons why Defendant Faizi called employees and customers "cunts" and "whores."

17. State the reasons why Defendant Faizi told Plaintiff that he needed to use erectile disfunction medication such as Viagra to "perform" for his spouse.

18. State the reasons why Defendant Faizi asked Plaintiff personal questions about her sexual habits.

19. State the reasons why Defendant Faizi asked Plaintiff if Mr. Montez was gay.
20. State whether Defendant Faizi ever used the word “fag” and, if so, identify each instance in which Defendant Faizi used that word and describe the circumstances of each use.
21. State whether Defendant Faizi ever discussed or attempted to encourage a sexual or romantic relationship between Mr. Montez and any other employee and, if so, describe in detail any such discussions or attempts.
22. State the reasons why Defendant Faizi referred to Mr. Montez as “Malanis Morissette.”
23. State the reasons why Defendant Faizi referred to Mr. Boxenbaum as a pedophile who likes little boys.
24. State the reasons why Defendant Faizi stated that Mr. Boxenbaum wore thong underwear.
25. State the meaning of the term “white bitch” as used by Defendant Faizi and Mr. Garcia.
26. State the reasons why Defendant Faizi asked Mark LNU, a mentally disabled young man, personal questions about Mark LNU’s sexual habits.
27. State whether Defendant McKweon ever gave money to Mark LNU and, if so, state the reasons why.
28. State the reasons why Defendant Faizi warned Plaintiff to be careful around Mark LNU.
29. State the reasons why Defendant Faizi told Plaintiff that Plaintiff was not “that black.”
30. State the meaning of the term “retard strength” as used by Defendant Faizi.

31. Identify and describe in detail all statements made by Defendant McKweon regarding immigrants, African Americans, and/or President Donald Trump.

32. State the reasons why Defendant McKweon told Plaintiff she was “not one of them” in response to Plaintiff informing Defendant McKweon that she was an immigrant.

33. State the reasons why Defendant McKweon stated that “the reason why black people get pulled over more than whites is that they don’t know how to follow rules.”

34. State the reasons why Defendant McKweon stated that “the reason why [Ms. Peralta] is not married is because she does not listen.”

35. State whether Defendant Barna ever offered money to employees in exchange for information regarding whether and/or where Ms. A. worked at a strip club and, if so, identify in details the circumstances surrounding any such offer(s).

36. State whether Defendant Barna ever asked a customer on the phone “how many dicks do you suck?” and, if so, state the reasons why.

37. Identify each Person who participated in the decision to terminate Plaintiff.

38. State whether Plaintiff’s department was disbanded and, if so, describe the circumstances of the disbanding, including, but not limited to, the date the department was disbanded.

39. 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.

40. 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.

41. 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.

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

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

44. 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.

45. 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.

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

47. 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.

48. 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.

49. 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.

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

51. 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.

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

53. 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.

54. 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.

55. 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.

56. 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.

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

58. 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.

59. 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.

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

61. For any position held by Amaris Olson 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.

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

63. State whether Amaris Olson 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.

64. State whether Amaris Olson 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.

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

66. For any position held by Jeremy Ryan 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.

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

68. State whether Jeremy Ryan 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.

69. State whether Jeremy Ryan 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.

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

71. 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.

72. 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.

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

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

79. 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.

80. 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.

81. 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).

82. 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.

83. 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.

84. 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.

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

86. 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).

87. 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).

88. 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.

89. 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).

90. 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.

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

92. 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.

93. 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.

94. 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.

95. 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.

96. 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.

97. 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.

98. 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.

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

100. 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).

101. 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.

102. 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.

103. 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.

104. 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?

105. 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).

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

107. 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.

108. 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.

109. 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.

110. 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.

111. Set forth in detail all notices and warnings Defendant 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.

112. 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.

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

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

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

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

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

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

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

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

121. Identify each Individual with knowledge of:

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

- i. The location of the email produced in response to the Plaintiff in this matter's First Request for Production;
- j. The method of search for the documents and electronic data requested in the Plaintiff in this matter's First Request for Production; and
- k. The date and time of destruction of any electronic data requested in the Plaintiff in this matter's First Request for Production.

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

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

124. 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).

125. Identify and describe in full detail all communications between Defendants concerning Plaintiff.

126. Identify and describe the subject matter of any communications concerning or between any of the Defendants relating to the subject matter of this litigation.

127. 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.

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

129. 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).

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

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

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

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

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

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

136. 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.

137. 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.

138. 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.

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

140. State whether any civil or criminal actions have ever been filed charging Defendant(s), with discrimination in the past five (5) 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.

141. 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.

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

143. 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).

144. 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.

145. 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.

146. 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.

147. 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.

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

149. 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)'s answers to these Interrogatories. Annex hereto a copy of each said document. For each such document or tangible thing upon which Individual Defendant(s) will rely in support of Individual Defendant(s)'s claims/defenses/affirmative defenses state:

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

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

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

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

- a. the particular offense(s) or crime(s) of which Individual Defendant(s) has been convicted;
- b. the date of each such conviction;

- c. the courts in which Individual Defendant(s) was convicted;
- d. the facts surrounding and underlying each such conviction; and
- e. the punishment or sentence received.

DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES

1. All financial statements prepared for the years 2010 through 2020 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 2010 through 2020, 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 2010 through 2020, 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 2010 through 2020, 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 2010 through 2020, 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;
 - 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;
 - 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 Defendants' employer;
- 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;
- 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;
- 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.);
- 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;
- e. Docket number.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiffs, Jannelly Peralta
and Yusuf Rimawi

By: /s/ Peter D. Valenzano

PETER D. VALENZANO, ESQ.

Dated: April 01, 2020

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: _____, 2020

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: _____, 2020

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 Jannelly Peralta, through her undersigned counsel, will take the deposition upon oral examination of Defendant Barna **commencing on July 08, 2020, 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 Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

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 Jannelly Peralta, through her undersigned counsel, will take the deposition upon oral examination of Defendant McKweon **commencing on July 10, 2020, 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 Plaintiffs, Jannelly Peralta
 and Yusuf Rimawi*

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

Dated: April 01, 2020

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 Jannelly Peralta, through her undersigned counsel, will take the deposition upon oral examination of Defendant Faizi **commencing on July 13, 2020, 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 Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

R. Armen McOmber, Esq. - NJ ID # 018251998
 ram@njlegal.com
 Christian V. McOmber, Esq. - NJ ID # 012292010
 cvm@njlegal.com
 Matthew A. Lubber, Esq. - NJ ID # 017302010
 mal@njlegal.com
 Peter D. Valenzano, Esq. - NJ ID # 037892010
 pdv@njlegal.com
 Austin B. Tobin, Esq. – NJ ID # 002622010
 abt@njlegal.com
 Nicholas R. Carlson, Esq. – NJ ID # 280112019
 nrc@njlegal.com
 McOmber McOmber & Lubber, P.C.
 54 Shrewsbury Avenue
 Red Bank, NJ 07701
 (732) 842-6500 Phone
 (732) 530-8545 Fax
Attorneys for Plaintiffs, Jannelly Peralta and Yusuf Rimawi

JANNELLY PERALTA and
 YUSUF RIMAWI,

Plaintiffs,

vs.

ROUTE 23 AUTO MALL, LLC,
 SCOTT BARNA, JASON MC KWEON,
 SOLOMON FAIZI, ABC CORPORATIONS
 1-5 (fictitious names describing presently
 unidentified business entities); and JOHN
 DOES 1-5 (fictitious names describing
 presently unidentified individuals),

Defendants.

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION
 PASSAIC COUNTY

DOCKET NO.:

Civil Action

**PLAINTIFF'S FIRST SET OF
 INTERROGATORIES AS TO PLAINTIFF
 YUSUF RIMAWI, FIRST DEPOSITION
 NOTICES, AND FIRST NOTICE TO
 PRODUCE TO DEFENDANTS**

**FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, AND DISCOVERY
 DEMANDS RELATING TO PUNITIVE DAMAGES**

PLEASE TAKE NOTICE that, McOmber McOmber & Lubber, P.C., attorneys for Plaintiff Yusuf Rimawi ("Plaintiff") demand that Defendants Route 23 Auto Mall, LLC, Scott Barna, Jason McKweon, and Solomon Faizi (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 Yusuf Rimawi, Plaintiff in the above-captioned action.
2. “Defendant Route 23 Auto Mall” shall mean Route 23 Auto Mall, 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.
3. “Defendant Barna” shall mean Scott Barna, Defendant in the above-captioned action.
4. “Defendant McKweon” shall mean Jason McKweon, Defendant in the above-captioned action.
5. “Defendant Faizi” shall mean Solomon Faizi, Defendant in the above-captioned action.
6. “Defendant(s)” shall individually and collectively mean all Defendants in the above-captioned action.
7. The term “Corporate Defendant(s)” shall 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.

8. 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.

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

10. “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.

11. “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.

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

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

14. 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.

15. 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.

16. 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.

17. “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.

18. 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.

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

20. 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.

21. 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.

22. 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.

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

24. Masculine forms of any noun or pronoun shall embrace and be read to include the feminine or neuter, as the context may make appropriate.

INSTRUCTIONS

1. In addition to the specific instructions enumerated below, the following Document Requests and Interrogatories shall be subject to the New Jersey Rules of Court.

2. If more than one Plaintiff is identified in the caption as a party to this lawsuit, Defendants must respond to each request with specific responses applicable to each Plaintiff in this lawsuit.

3. When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and last known place of employment.

4. These Document Requests and Interrogatories shall be deemed continuing in nature so as to require prompt supplementation if, as, and when obtain additional information.

5. If anyone identified in response to any of the Document Requests and/or Interrogatories was formerly, but is no longer, employed by you, please so state in the answer and provide the former employee’s current address and telephone number (business or home), if known. If the current address and telephone number are not known, then please provide the former employee’s last known address and telephone number.

6. You shall be under a continuing obligation to supplement answers to the Document Requests and Interrogatories.

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

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

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

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

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

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

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 Defendants, or any employee or agent of Defendants', personal conduct (other than related to his/her job performance) during his/her tenure of employment with Corporate Defendants, if any.

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

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

11. 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, harassment, disparate treatment, and/or retaliation at any time during Plaintiff's employment.

12. 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, harassment, disparate treatment, and/or retaliation made by employees, customers, clients, and/or any other Person at any time during Plaintiff's employment.

13. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss discrimination, harassment, disparate treatment, and/or retaliation by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

14. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss communications or statements regarding Plaintiff's religious faith made by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

15. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss derogatory language directed to Plaintiff by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

16. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss comments or statements regarding the body or body parts of Plaintiff made by any Individual Defendant, or any agent or employee of any Defendant, at any time during Plaintiff's employment.

17. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Defendants' response to any allegations of discrimination, verbal harassment, disparate treatment, retaliation, comments regarding Plaintiff's religious faith, derogatory comments, or comments regarding the body or body parts of Plaintiff by any Individual Defendant, or agent or employee of any Defendant, at any time during Plaintiff's employment, including, but not limited to, deliberations by Defendant(s) as to whether and/or how to respond to such allegations.

18. 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 Defendants at any time during Plaintiff's employment.

19. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss the assignment or distribution of sales leads to Plaintiff or to any other employee of Corporate Defendants at any time during Plaintiff's employment.

20. A copy of Defendants' policy regarding the assignment or distribution of sales leads to employees.

21. A copy of Defendants' policy regarding charges for "certified pre-owned vehicles."

22. A copy of Defendants' records reflecting "certified pre-owned vehicles" purchased by customers, and the amounts paid by such customers, during Plaintiff's employment with Corporate Defendants.

23. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's complaints regarding Defendants' charging customers for "certified pre-owned vehicles," including, but not limited to, Defendants' response to any such complaints.

24. A copy of Defendants' policy regarding the payment of commissions to sales people.

25. A copy of Defendants' policy regarding customer satisfaction surveys.

26. A copy of any and all statements, documents, or communications that pertain to, refer to, or discuss Plaintiff's complaints regarding Defendants' withholding commissions from sales people unless and until a customer filled out a satisfaction survey, including, but not limited to, Defendants' response to any such complaints.

27. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2018, 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.

28. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2018 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.

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

30. 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.

31. 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.

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

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

34. 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.

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

36. 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.

37. 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.

38. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

62. 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.

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

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

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

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

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

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

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

70. 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.

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

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

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

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

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

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

77. 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.

78. 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.

79. All statements, documents, or communications concerning the job performance of any Individual Defendant or any agent or employee of Defendants during the tenure of his/her employment.

80. 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.

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

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

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

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

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

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

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

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

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

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

91. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning the management, preservation and/or deletion of data related to Plaintiff's employment.

92. All documents or electronic data relating, reflecting or referring to Defendant(s)' policy or policies concerning the management, preservation, and/or deletion of data related to any tangible employment action taken against Plaintiff.

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

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

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

96. All documents or electronic data relating, reflecting or referring to Defendant(s)' ability to restore archived electronic data relating to Plaintiff's employment contained on electronic media such that upon restoration it may be accessed, viewed, exported or printed.

97. 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's employment with Corporate Defendants ended.

2. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made racist or racially discriminatory comments while at work and/or while on Defendant(s)' property and/or directed to any employee, client, or vendor of Defendant(s) at any time during Plaintiff's employment. 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 discriminatory comment at any time during Plaintiff's employment. 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 made any comment regarding Plaintiff's religious faith at any time during Plaintiff's employment. 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).

5. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any demeaning or degrading comment towards any employee or customer at any time during Plaintiff's employment. 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).

6. State whether any Individual Defendant or any employee or agent of Defendant(s) has ever made any comment about the body or any body part of any employee or customer at any time during Plaintiff's employment. 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).

7. 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 at any time during Plaintiff's employment. 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).

8. 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.

9. 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.

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

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

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

13. State whether Defendants knew that Plaintiff was a devout Muslim and, if so, identify each Person with this knowledge.

14. State whether Defendants knew that Plaintiff's family immigrated to the United States from the State of Palestine and, if so, identify each Person with this knowledge.

15. State the reasons why Defendant McKweon told Plaintiff, "Yusuf, my wife made the most delicious pork roast last night mmmmmmmmm! I have two pork sandwiches for lunch today, want one?"

16. State the reasons why Defendant McKweon asked Plaintiff to defend Islamic terrorism.

17. State whether Defendants believed Plaintiff was a terrorist or was involved in any way with terrorists or terrorism.

18. State whether Defendant McKweon ever stated that Muslims are the only people on Earth who commit terrorism.

19. State the reasons why Defendant McKweon asked Plaintiff if Plaintiff eats goats.

20. State the reasons why Defendant McKweon stated that Plaintiff's mother knows her place because she cooks for Plaintiff's father even though she has a full-time job.

21. Describe in detail Defendants' response to Plaintiff's written complaint of October 14, 2018.

22. State the meaning of the term "blown out" as used by Defendants.

23. State the reasons why Defendant McKweon assigned and/or directed sales leads away from Plaintiff following Plaintiff's written complaint of October 14, 2018.

24. State the reasons why Defendants directed sales persons to tell customers they could pay an extra \$2,500 to get a "certified pre-owned vehicle."

25. State whether vehicles sold by Defendants were already “certified pre-owned” by Ford before customers paid the \$2,500 extra fee.

26. State the reasons why Defendants forced Plaintiff to continue to offer customer “certified pre-owned vehicles” for an extra \$2,500 fee after Plaintiff told Defendants he believed this practice was unlawful, unethical, and that it violated his religious conscience.

27. State the reasons why Defendant McKweon told Plaintiff “well, Yusuf, everyone out there is trying to take money out of your pocket. Your job is to take as much money from them as possible.”

28. Describe in detail Defendants’ response to Plaintiff’s complaints regarding Defendants’ policy of offering “certified pre-owned vehicles” for an extra \$2,500 fee.

29. State the reasons why Defendants withheld the payment of commissions to Plaintiff and other sales persons unless and until a customer filled out a satisfaction survey.

30. State whether Defendants’ policy of withholding payment of commissions unless and until a customer filled out a satisfaction survey was mandated by the Ford Motor Company and, if not, explain in detail how this policy was implemented and who was responsible for implementation.

31. Describe in detail Defendants’ response to Plaintiff’s complaints regarding Defendants’ policy of withholding payment of commissions unless and until a customer filled out a satisfaction survey.

32. 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.

33. 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.

34. 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.

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

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

37. 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.

38. 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.

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

40. 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.

41. 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.

42. 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.

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

44. 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.

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

46. 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.

47. 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.

48. 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.

49. 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.

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

51. 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.

52. 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.

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

54. For any position held by Amaris Olson 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.

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

56. State whether Amaris Olson 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.

57. State whether Amaris Olson 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.

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

59. For any position held by Jeremy Ryan 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.

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

61. State whether Jeremy Ryan 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.

62. State whether Jeremy Ryan 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.

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

64. 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.

65. 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.

66. 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.

67. 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.

68. 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.

69. 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.

70. 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.

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

72. 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.

73. 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.

74. 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).

75. 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.

76. 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.

77. 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

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

79. 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).

80. 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).

81. 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.

82. 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).

83. 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.

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

85. 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.

86. 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.

87. 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.

88. 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.

89. 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.

90. 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.

91. 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.

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

93. 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).

94. 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.

95. 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.

96. 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.

97. 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?

98. 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).

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

100. 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.

101. 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.

102. 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.

103. 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.

104. 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.

105. 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.

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

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

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

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

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

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

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

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

114. Identify each Individual with knowledge of:

- a. The type and location of all hardware used as terminals for email, including servers, personal computers, laptops, PDAs, etc. at Corporate Defendant(s) between January 1, 2009 and the present;
- b. Computer software operating systems and end user-applications servicing Corporate Defendant(s) between January 1, 2009 and the present;
- c. All email software and versions which have been used on hardware servicing Corporate Defendant(s) between January 1, 2009 and the present;
- d. The email file naming conventions and standards;
- e. The back-up and rotation schedules for all email generated or received by Corporate Defendant(s)' employees between January 1, 2009 and the present;
- f. Electronic data retention, preservation and destruction policies;

- g. Diskette, CD, DVD and other removable media labeling standards;
- h. Structure and organization of all information and technology departments and/or information technology support vendors involved with the computer systems at Corporate Defendant(s);
- i. The location of the email produced in response to the Plaintiff in this matter's First Request for Production;
- j. The method of search for the documents and electronic data requested in the Plaintiff in this matter's First Request for Production; and
- k. The date and time of destruction of any electronic data requested in the Plaintiff in this matter's First Request for Production.

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

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

117. 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).

118. Identify and describe in full detail all communications between Defendants concerning Plaintiff.

119. Identify and describe the subject matter of any communications concerning or between any of the Defendants relating to the subject matter of this litigation.

120. 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.

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

122. 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).

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

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

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

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

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

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

129. 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.

130. 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.

131. 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.

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

133. State whether any civil or criminal actions have ever been filed charging Defendant(s), with discrimination in the past five (5) 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.

134. 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.

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

136. 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).

137. 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.

138. 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.

139. 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.

140. 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.

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

142. 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)'s answers to these Interrogatories. Annex hereto a copy of each said document. For each such document or tangible thing upon which Individual Defendant(s) will rely in support of Individual Defendant(s)'s claims/defenses/affirmative defenses state:

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

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

3. Identify all cell phone numbers used by Defendant(s) for the past five (5) years as well as carrier and current location of each cell phone. For any such cell phones that are no longer

in Individual Defendant(s)' possession, please identify the name and address of the person's whose possession they are in.

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

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

DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES

1. All financial statements prepared for the years 2010 through 2020 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 2010 through 2020, 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 2010 through 2020, 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 2010 through 2020, 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 2010 through 2020, 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;
 - 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;
- 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 Defendants' employer;
- 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;
 - 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;
 - 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.);
 - 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;
- e. Docket number.

McOMBER McOMBER & LUBER, P.C.
*Attorneys for Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

By: /s/ Peter D. Valenzano

PETER D. VALENZANO, ESQ.

Dated: April 01, 2020

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: _____, 2020

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: _____, 2020

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 Yusuf Rimawi, through his undersigned counsel, will take the deposition upon oral examination of Defendant Barna **commencing on July 08, 2020, 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 Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

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 Yusuf Rimawi, through his undersigned counsel, will take the deposition upon oral examination of Defendant McKweon **commencing on July 10, 2020, 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 Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

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 Yusuf Rimawi, through his undersigned counsel, will take the deposition upon oral examination of Defendant Faizi **commencing on July 13, 2020, 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 Plaintiffs, Jannelly Peralta
and Yusuf Rimawi*

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

Dated: April 01, 2020

EXHIBIT A

From: **Yusuf Rimawi** <yusuf23ford@gmail.com>

Date: Sun, Oct 14, 2018, 11:07 PM

Subject: Official Complaint

To: <alallave@23automall.com>

Amaris,

I'd like to start this off by saying that I absolutely love working here. I want to build a future for myself and work as hard as possible to become a manager. Richie and Solomon have been excellent mentors and managers, and Scott has been the best coach, however I have been running into a problem after problem with Jason McKeown since I began working on 8/4/18.

I understand that the new guy gets hazed for the first few days. I knew that coming in so I did not take Jason's comments seriously in the beginning. On Tuesday 8/7/18, Jason began his onslaught of harassment about my body, athleticism, hobbies, and eventually my culture and religion.

Body and Athleticism:

While I have not mentioned this to anyone here, I was a very overweight child and lost 140 pounds when I was in high school. I trained martial arts, got into power lifting, various strength sports, and eventually triathlon. Two years ago I was T-boned by a distracted driver and was severely injured. I lost my job, my health, and nearly my life. I gained a ton of weight, and lost all of my fitness. I cannot begin to describe the trials and tribulations I had to overcome to be where I am today.

That being said on 8/7/18 Jason and I were talking in the show room and I mentioned how my running shoes are designed a specific way when he cut me off and yelled out "Running shoes?! You don't run, look at you!" To which I replied, "Actually I was training for an Ironman triathlon before a car accident two years ago and I just got back into training." To which he responded (very loudly and in the showroom), "Triathlon?! HAAAAAAAAAAAAHAHA! I'm sorry for laughing Yusuf but you can understand why, I mean *points at my mid-section* you're not exactly in shape. You're never doing an Ironman." Three days into my new job I began to think I had made a mistake by accepting to work here.

Hobbies (Invasion of Privacy):

Overcoming my physical injuries and mental setbacks from the car accident required day-to-day work. One of the ways I retrained my mind and body was through my hobbies of woodworking, laser cutting, and 3-D printing.

Two months after having surgery on my left shoulder (1.5 years after the car accident) I was healthy enough to move my arm and start woodworking again. As you can imagine I was in a really bad place mentally, so I decided to work on a project to help me get out of my funk. I built a 24 in by 16 in by 12 in wooden crate out of reclaimed wood as I was "reclaiming" my health. I stored all my triathlon gear in it and kept the box in the trunk of my car. Jason, for whatever reason, looks into my car a lot and asks me about stuff I have inside. He saw the crate (I have a c-max so there is a window for the trunk) and asked what it was all about. He made it a point to mention it in front of the other managers in an effort to humiliate me. I began to tell him the story behind the crate but he kept cutting me off to make fun of

the craftsmanship. He continued to look into my car during his smoke breaks and mock me and my crate to the point where I had to take my own belongings out of my car so he would stop harassing me. Very annoying, creepy, and unprofessional of him.

The mocking and jabbing ultimately made it's way to the most unnecessary, weird, targeted comment he has made so far. On 9/27/18 I came in at 9 am, on my day off, to deliver a car and eventually stayed until around 7 because we were short staffed and had some customers. I was EXHAUSTED by days end. I went up to the front desk to ask Solomon for the OK to leave. On my way out Jason asked me to come over to his desk.

Jason: Yusuf I've been meaning to ask you, what's that long orange bar you have in your car?

Me: Oh it's called a band bell, I use it for-

Jason cuts me off

Jason: No what I mean to say is you have all this workout equipment and you talk about working out, but when are you going to start working out?

Me:

Jason: Because you've been here for a few weeks and *points at my midsection* I don't see your belly getting smaller HAHAAHAHAHAHAHAHA!

I was tired, shocked, super annoyed, and really wanted to leave and prepare for my 12 hour shift the next day. I don't expect a pat on the back for doing extra work, but I sure as hell don't expect to harassed and humiliated like that.

Culture and Religion:

I'd like to explain a bit about myself before getting into this. I am a Palestinian-American Muslim. My mother grew up as a refugee in Jordan and my father grew up under occupation in Palestine. The reasons they had very tough lives were simply because they are Palestinian and Muslim. They came to this country to escape hardship, persecution, and build a better life for themselves and their children.

I was 11 years old when 9/11 happened. I was in Islamic school at the time and we had to shut down for an entire week because we were receiving death threats. That's when I discovered hatred, bigotry, and ignorance. My teenage years were not any better as we invaded Afghanistan and Iraq. News programs were very negative towards Islam, lots of movies started coming out with Muslim "terrorists" as the bad guys and TV shows began to depict Muslims as sexually repressed idiots. It wasn't fun.

Now I'm not a prude. I expect the occasional off color joke here and there, that's life and you got to roll with it. But two instances really got to me with Jason.

9/28/18

This is the morning after Jason made those comments about my weight in the showroom when I came in on my day off.

The next day I was at the key machine getting ready for an appointment when Jason walks by and says:

"Hey Yusuf my wife made the most delicious pork roast last night mmmmmhmmm! I have two pork sandwiches for lunch today, want one? Hahahaha"

Me: No. (Eating pork is forbidden in Islam and Jason knows this)

Jason: C'mon why not? It's good!

Me: You know why.

Jason: C'mon just try it! It's good!

Me: ...no.

Jason: Hahahahahahaha! *walks away*

10/11/18

Again, in on my day off to make things convenient for a customer. Sold him a car then stuck around since we are understaffed. I was sitting at the sales desk when Jason randomly asks me:

"Yusuf, I've been meaning to ask you a question. I'd like your scientific opinion about something. How does someone take Islam and become a radical Islamic terrorist?"

Now I spent a good chunk of my youth educating people about the misconceptions of Islam and Muslims in an effort to combat all the hate and ignorance I experienced growing up. To me, this question wasn't super weird, but odd that it came out of nowhere, at work, and from a manager no less.

I replied with a very serious answer about kids who are born and raised in war torn countries then he cut me off:

"No, no forget that. I mean what does a radical terrorist do to the Quran to make them radical?"

I try to explain how it's not that simple when he cuts me off again and says

"No. Put yourself in the shoes of a radical Muslim terrorist. Ok? Now justify it."

Hold up.

I was still trying to have a meaningful conversation but was confused, angry, and uncomfortable. Why would he ask me such a rude question out of nowhere, then proceed to cut me off when I was giving a sincere answer? Why does he think I can think like a terrorist? Does he think that Muslims are terrorists that are just repressing this massive urge to kill innocent people and spread fear? Why am I having this conversation at work? Is me being Muslim the reason behind Jason's constant harassment?

My answer was essentially that ignorant people take verses of the Quran out of context and these ignorant people teach even more ignorant people, now we have a cycle of ignorance. His follow up question was

"Then why are Muslims the only ones who commit terrorism?"

I couldn't believe what he just said. I tried to correct his logic. During my answer he got called to help with a sale and just walked away. He never cared. He did not want to learn. He was just messing with me again.

I was angry. I went to sleep angry. I am angry while typing out this email. I want this to stop. I have been actively avoiding used car sales for the sole purpose of not having to deal with Jason. I don't know what to do at this point so that's why I am reaching out to you.

Thank you,

Your friendly neighborhood auto professional,



Yusuf Rimawi

Cell: 301-379-8037

Office: 973-431-6166

Website: 23ford.com

Email: yusuf23ford@gmail.com

Civil Case Information Statement

Case Details: PASSAIC | Civil Part Docket# L-001070-20

Case Caption: PERALTA JANNELLY VS ROUTE 23 AUTO MALL, LLC

Case Initiation Date: 04/01/2020

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 : Peralta, Jannelly

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? 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)*

04/01/2020

Dated

/s/ PETER DOUGLAS VALENZANO

Signed