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| <p>DANIELLE LONDON,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities), and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p> | <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION— MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;">COMPLAINT & DEMAND FOR TRIAL BY JURY</p> |
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Plaintiff Danielle London (“Plaintiff”), by way of Complaint against the City of Trenton (“Defendant TWU” and/or “Corporate Defendant”), David Smith (“Defendant Smith”), Michael Walker (“Defendant Walker”) and Rafael Valentin (“Defendant Valentin (collectively “Defendants”), alleges as follows:

PARTIES

1. Plaintiff is an African American individual residing in Trenton, New Jersey. At all times relevant hereto, Plaintiff was employed by Defendant TWU.

2. Defendant TWU is an urban water utility service for the City of Trenton, organized and existing under the law of the State of New Jersey with a principal place of business at 319 E. State Street, Trenton New Jersey 08618. At all times relevant hereto, Defendant TWU is an “employer” as defined under the New Jersey Law Against Discrimination, *N.J.S.A. 10:5-1 et seq.* (“NJLAD”) and the Conscientious Employee Protection Act, *N.J.S.A. 34:19-1, et seq.* (“CEPA”). Defendant TWU directly employed Plaintiff, Defendant Smith, Defendant Walker and Defendant Valentin.

3. Defendant Smith is a Caucasian individual and a citizen of New Jersey, and at all times relevant hereto, is an individual employed by Defendant TWU as Chief Engineer. This claim is brought against Defendant Smith in his individual capacity and/or as an agent or servant of Corporate Defendant.

4. Defendant Walker is a citizen of New Jersey, and at all times relevant hereto, is an individual employed by Defendant TWU as a Management Specialist. This claim is brought against Defendant Walker in his individual capacity and/or as an agent or servant of Corporate Defendant.

5. Defendant Valentin is a citizen of New Jersey, and at all times relevant hereto, is an individual employed by Defendant TWU as a Senior Administrative Analyst. This claim is brought against Defendant Valentin in his individual capacity and/or as an agent or servant of Corporate Defendant.

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

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

FACTS COMMON TO ALL CLAIMS

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

9. Defendant TWU (City of Trenton Water Utility) is among the largest publicly owned urban water utilities in the United States. Defendant TWU services approximately 225,000 people in Trenton throughout Hamilton, Ewing, Lawrence and Hopewell Townships.

10. Plaintiff commenced employment with Defendant TWU *twenty-nine years ago*, in July 1991.

11. Plaintiff had a prestigious reputation of being a trusted, loyal employee at Defendant TWU. Plaintiff never received a negative performance evaluation or a single reprimand until she started voicing complaints about Defendant TWU's unlawful business practices and discrimination.

12. Specifically, within the last two years, Plaintiff placed repeated complaints of (i)

racial discrimination; (ii) residency violations; (iii) violations of the New Jersey Purchasing Law and (iii) fraudulent overtime submissions.

13. Plaintiff, a dedicated employee, always strived to do what was right for City of Trenton residents. Unfortunately, by following the law and employer policy, Plaintiff put a target on back that culminated in clear and egregious retaliation.

I. Plaintiff Complains of Defendant Smith's Discriminatory Animus Towards Non-Caucasian Employees And Faces Immediate Retaliation As a Result.

14. Plaintiff played an instrumental role at Defendant TWU. Often times, other supervisors, departments, and employees, looked to Plaintiff for guidance and support as she was one of the most knowledgeable and experienced employees at Defendant TWU.

15. Plaintiff was so crucial that, in June 2019, Plaintiff assisted in the hiring of Defendant Smith as the new Chief Engineer at Defendant TWU.

16. At the time, Plaintiff thought Defendant Smith would be a good fit for Defendant TWU; however, Plaintiff soon realized that he had a practice of routinely treating the Caucasian employees significantly different than non-Caucasian employees.

17. By way of example, Defendant Smith told employees, including Plaintiff, that he ***"trusted"*** the Caucasian employees more than the minority employees, despite the minority employees being more experienced and more qualified.

18. On other occasions, Defendant Smith without question or hesitation, placed Rick Warren ("Mr. Warren"), a Caucasian employee, on highly skilled projects with little to no oversight while downgrading the positions of the other minority employees. This ultimately caused a clear divide in the office between the Caucasian and minority employees.

19. Plaintiff, noticing Defendant Smith's clearly discriminatory animus, questioned Defendant Smith's conduct. Plaintiff asked if he was sure Mr. Warren was the correct person for this job to which he automatically replied "yes," and ended the conversation.

20. This job was a construction job for Cleaning and Cement Mortar Lining of water main pipes in Ewing Township, New Jersey to increase water flow and fire protection.

21. Plaintiff knew Mr. Warren was not qualified for the position – but Defendant Smith was her supervisor, so she abided by his decision.

22. Shortly thereafter, Plaintiff noticed the bid for this project was at an exceedingly high cost. Based on Plaintiff's years of experience, she thought this must have been a mistake and therefore she questioned Defendant Smith.

23. Plaintiff explained to Defendant Smith that, based upon her years of experience, the price was grossly disproportionate to the size of the project. Plaintiff explained there was still to fix the mistake and put the project out for a "re-bid."

24. Less than five minutes later, Defendant Smith stormed Plaintiff's office screaming ***"Danielle, what are you doing?! I am operations you are administration, let me do my job."***

25. Plaintiff and other co-workers who witnessed this outburst were visibly frightened by Defendant Smith's conduct. Defendant Smith was so aggressive, other employees began asking Plaintiff ***"are you okay?" "are you sure you are okay?"***. Defendant Smith did not treat the Caucasian employees in such a manner.

26. Plaintiff immediately complained to Steve Picco ("Mr. Picco"), a City of Trenton Attorney Consultant, about Defendant Smith's outburst. Plaintiff advised him that Defendant Smith was screaming at her and she would not tolerate being spoken to in that manner in the workplace. Plaintiff's complaints went completely unaddressed.

27. It was clear Defendant Smith's outburst was due to Plaintiff questioning his clearly discriminatory preference to select Mr. Warren for the project rather than a more qualified minority employee.

28. Defendant Smith refused to correct his bid and soon after, even the Mayor Reed Gusciora and the Business Administrator, Adam Cruz ("Mr. Cruz"), realized the cost of this project was astronomical and irregular, recommending the project not move forward at all.

29. Specifically, this project was originally unapproved and ended up costing the City over \$100,000.00. Defendant Smith ignored everyone's requests and allowed the project to continue until eventually, the projects were halted because they were unable to continue without receiving payment. Defendant Smith blames Plaintiff for being the reason it did not continue.

II. Plaintiff Blows The Whistle On Defendant TWU Employees Violating The Residency Requirements & Instead Of Investigating Or Remediating Her Complaints, Defendant Smith Retaliates & Directs Employees To Complain About Plaintiff.

30. Defendant TWU evaluates the residency of their employees each year. Employees are required to certify that they are indeed City of Trenton residents, which is a requirement for the position.

31. Waiver exceptions exist only for employees who carry a valued license beneficial to Defendant TWU.

32. Plaintiff discovered that Defendant Smith, Ms. Epstein, and Ms. Naomi De la Fuente did not reside within the City of Trenton in violation of this policy.

33. Plaintiff complained reported the violation to Defendant Smith. Rather than address the issue or seek a waiver, Defendant Smith told Plaintiff that bringing this forward, *"threatened his job"*.

34. Shortly thereafter, Ms. Epstein attempted to file a “harassment” complaint against Plaintiff for bringing forward his residency status violation.

35. Upon information and belief, Ms. Epstein was directed to make this complaint to aid and abet Defendant Smith’s harassment/retaliation of Plaintiff, and in attempt to intimidate Plaintiff from pushing any further inquiry into their violations.

36. Plaintiff’s complaints went unaddressed and nothing was ever done in response to Plaintiff’s complaints of the residency violations. All employees, including Defendant Smith remained employed without issue.

III. Plaintiff Reports That Defendant Smith Is Violating The New Jersey Purchasing Act.

37. Despite Plaintiff knowing that Defendant Smith would retaliate against for reporting violations of law, Plaintiff continued to blow the whistle and question Defendant Smith’s conduct whenever she knew it was illegal.

38. By way of example, in June 2020, Plaintiff informed Defendant Smith that an invoice of \$30,000.00 for a contract and resolution needed to be paid. A resolution is an official document that is required to be placed before the City Council when a contract is entered into and approved by both the City Council and the Mayor.

39. Defendant Smith told Plaintiff that he could not go before City Council with the resolution because he would be *“slaughtered.”*

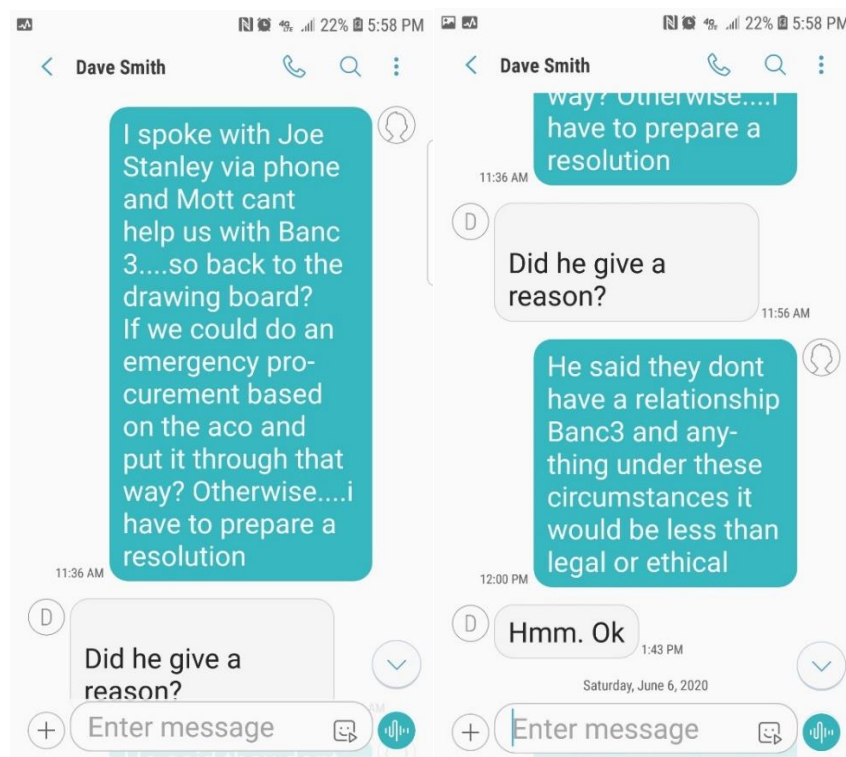
40. Defendant Smith, wanting to hide the non-payment, ordered Plaintiff to call the president of Mott MacDonald (“Mott”) to ask if he would front approximately \$35,000.00 to pay an invoice, *that was not his*, and Defendant TWU would pay the remaining balance with the understanding Defendant TWU would eventually reimburse him the money.

41. Meaning, Defendant Smith illegally using Mott's funds to pay an invoice to deceive the City Council and the Mayor.

42. Plaintiff knew this was not common practice, that it was deceptive/illegal, and told Defendant Smith *"that doesn't sound right"* – Defendant Smith ordered Plaintiff to do it anyway.

43. Plaintiff, worried she was now being included in illegal activity, contacted two experienced individuals in the industry and asked if this was normal practice. In response, they told her *"it would be unethical, if not illegal."*

44. Plaintiff then immediately advised Defendant Smith via text message that what he was purporting to do was illegal.



IV. Plaintiff Reports Fraudulent Overtime Violations, Defendant TWU Fails To Investigate Or Remediate Her Complaints.

45. In addition to the aforementioned illegal business practices, Defendant TWU employees were allowing an employee to steal from the State (and de-fraud taxpayers) by approving knowingly inflated overtime hours.

46. On countless occasions, Plaintiff noticed that Defendant TWU Management Specialist, who was in charge of Public Relations, Michael Walker (“Mr. Walker”), was submitting an astronomical amount of overtime hours nearly *every pay period*.

47. Mr. Walker’s requested overtime ranged from **40 hours** to **71 hours** per pay period.

48. Plaintiff knew it was impossible for an employee to be working this much overtime. Plaintiff reported the fraud to Defendant Smith, Dr. Hsueh, Ms. Epstein—all employees who approve the overtime submissions each week.

49. All of Plaintiff’s complaints were swept under the rug and ultimately ignored. Plaintiff remained undeterred.

50. By way of example, on one occasion, Plaintiff explicitly told Defendant Smith and Mr. Cruz, “...*How many overtime hours does Michael Walker work a week? Does the BA know about that? I have been working for this city since 1991. It has to count for something.*”

51. Defendant Smith refused to answer Plaintiff’s email and insisted they speak in person, stating, “*We can’t communicate like this – I will call you this evening.*”

52. It was clear Defendant Smith did not want to respond to Plaintiff’s email in writing because he did not want their conversation to be documented, shedding light on his knowledge that he was indeed committing and/or abetting fraudulent activity.

53. Plaintiff persisted and again complained in June 2020, stressing the seriousness of Defendant Walkers fraudulent overtime submissions, explaining “*This overtime is a OPRA*

nightmare.” Plaintiff even warned Defendant Smith and Defendant Valentin that she was subpoenaed to court for this before:

From: Danielle London
Sent: Thursday, June 4, 2020 11:24 AM
To: David Smith; Rafael Valentin
Subject: Michael Walker
Attachments: SKM_80820060411240.pdf

Gentlemen:

This overtime is a OPRA nightmare.....Is this ok with all? If so, I just have to document for the record. You guys know I subpoenaed to court for something like this before.

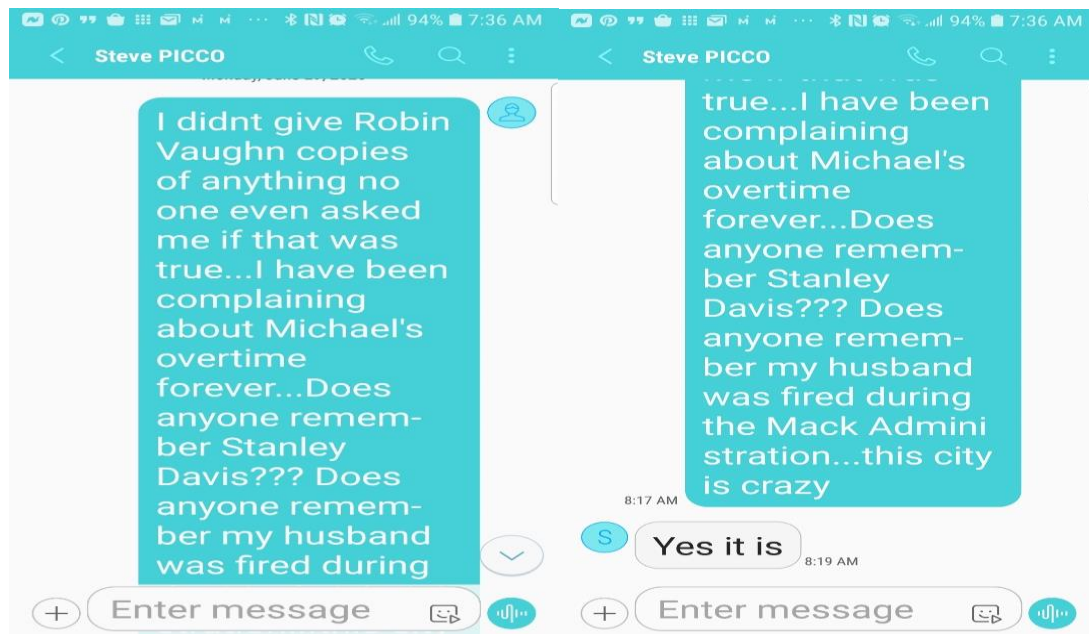
Danielle

Danielle Y. London
Sr. Administrative Analyst
Director's Office
Department of Water & Sewer
Water Utility
p/609-989-3208
f/609-989-3943
dlondon@trentonnj.org

"When you undervalue what you do, the world will undervalue who you are"
-Oprah Winfrey

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54. On other occasion, Plaintiff contacted Mr. Picco regarding Mr. Walkers violations:



55. Although Defendants continued to assure Plaintiff that Defendant Walker's overtime fraud would be addressed, Mr. Walker continued to submit and receive payment for this fraudulent overtime without any repercussion.

V. Once Defendant Walker, Defendant Valentin and Defendant Smith Realized Plaintiff Would Not Allow Their Unlawful Business Practices to Go Unnoticed, Defendants Launched A Retaliatory Campaign Against Her, With the Goal to Force Her Out of Employment Altogether.

56. In or around May 2020, Defendant Smith advised Plaintiff that he would be implementing a new security task force, with Ms. De la Puente taking lead instead of Plaintiff, who had been responsible for security for years.

57. Plaintiff questioned the retaliatory decision. Defendant Smith claimed he was taking this initiative because employees stealing checks from Defendant TWU.

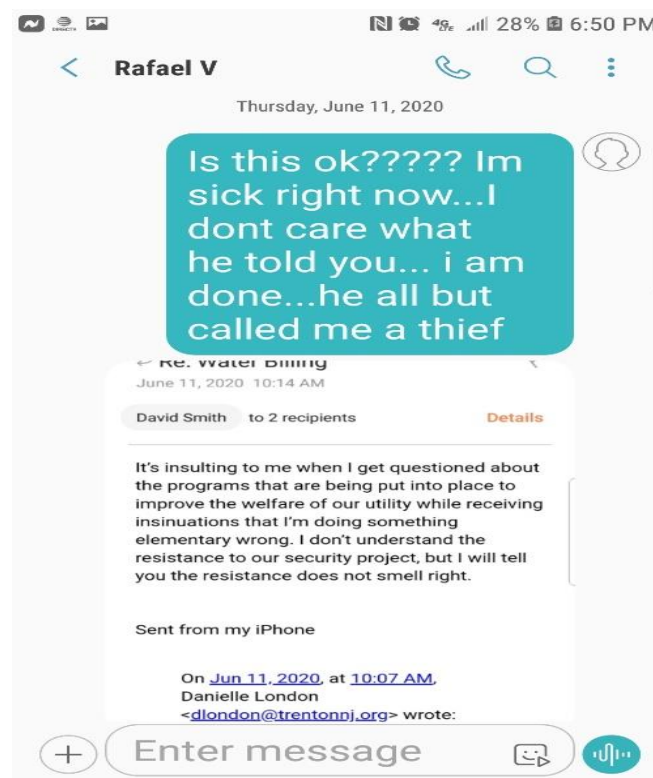
58. In reality, Defendant Smith initiated the task force in an effort to falsely accuse Plaintiff of violations, namely, theft.

59. In June 2020, Defendant Smith directed security team to scour through Plaintiff's office while Plaintiff was away on vacation.

60. After Plaintiff was informed of these new measures – which were designed to intimidate Plaintiff as retaliation for her complaints – Plaintiff questioned Defendant Smith’s motivations.

61. In response, Defendant Smith stated: “It’s insulting to me when I get questioned about the programs that are being put into place to improve the welfare of our utility while receiving insinuations that I’m doing something elementary wrong. I don’t understand the resistance to our security project, but I will tell you the resistance does not *smell right*.”

62. Following Defendant Smith’s accusatory behavior, Plaintiff complained to Mr. Valentin about the retaliation:



63. Similar to Plaintiff’s prior complaints, Plaintiff was ignored and was left feeling betrayed that Defendant Smith was now accusing her of criminal activity when it was clear he was the one retaliating and attempting to setting her up.

VI. After Receiving No Help From Defendant TWU, Plaintiff Complained To Councilwomen Vaughn And Her Union Representative, Resulting In An Immediate Retaliatory Demotion.

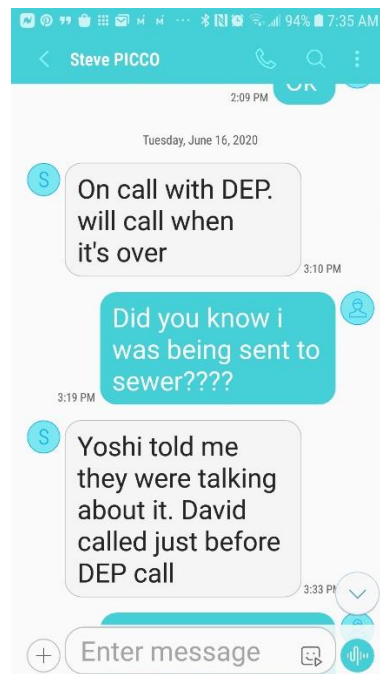
64. On June 11, 2020 Plaintiff, feeling like she had no other option, submitted a complaint to the West Ward council person, Robin Vaughn (“Ms. Vaughn”).

65. When Defendant Smith learned of Plaintiff’s complaint to Ms. Vaughn, he demoted Plaintiff, re-assigning her to Sewer Utility—a completely different department.

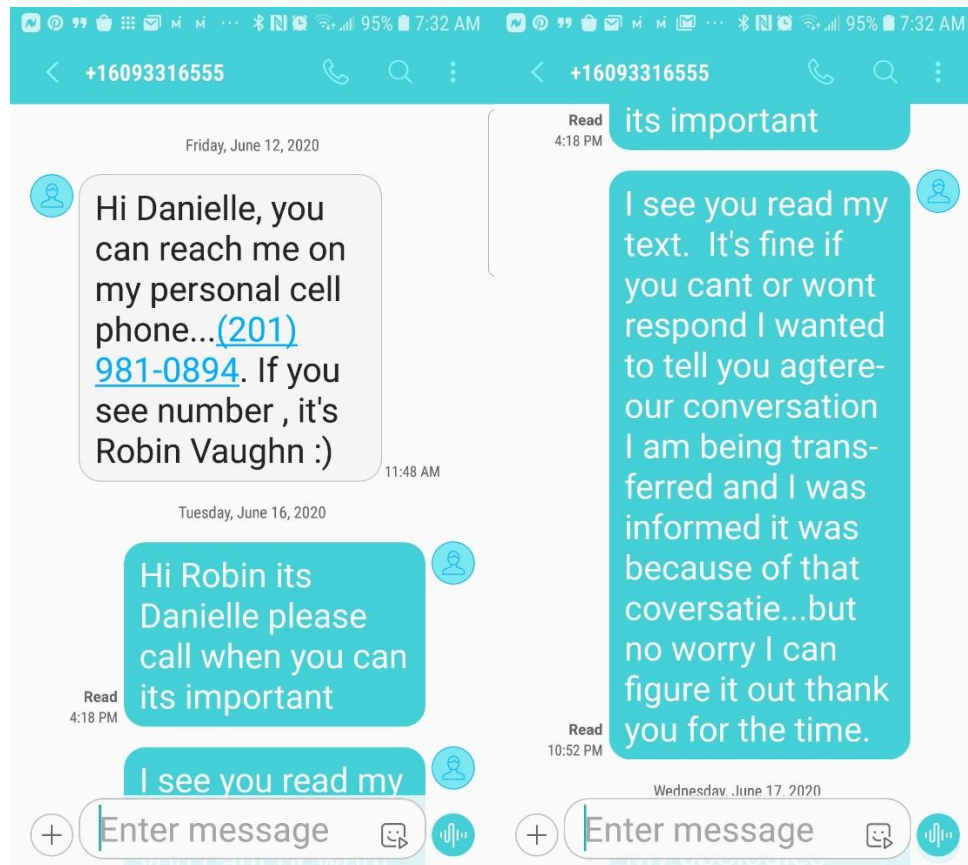
66. Plaintiff would no longer manage the administrative office of the utility sector, which includes accounts payable, payroll and general administration departments.

67. Plaintiff told Defendant Smith about the retaliation. Defendant Smith facetiously stated “*it has been decided*” and it would be a better “*fit*” for her.

68. Plaintiff contacted Mr. Picco, asking if he was aware of this demotion. Mr. Picco advised Plaintiff that the City of Trenton’s Chief of Staff indeed spoke to Defendant Smith about the matter:



69. It was clear Ms. Vaughn and Defendant Smith spoke about Plaintiff's continued complaints and in clear retaliation, Defendant Smith demoted Plaintiff in efforts to minimize her exposure to Defendant TWU business.



70. In addition, Plaintiff immediately advised her union of the retaliatory demotion to which her suspicions were affirmed. Ms. Ramona Thomas, the Union President –informed Plaintiff *she was being transferred because she complained to Ms. Vaughn about Defendant Smith's retaliation.*

71. As a result, Plaintiff, who had decades of experience, was stripped of her supervisory position, and all of her duties drastically changed. Moreover, Defendants replaced Plaintiff with another individual who is Caucasian and, upon information and belief, is

compensated nearly by an amount nearly double Plaintiffs' salary (despite significantly less experience).

72. Therefore, on July 17, 2020 Plaintiff submitted another complaint detailing the unlawful conduct she has seen occur at Corporate Defendant. Specifically:

July 17, 2020

To whom it may concern –

Please consider this yet another follow-up complaint to the unlawful acts I've witnessed and retaliatory actions that I've suffered. On numerous occasions I have made complaints to my superiors regarding the fraudulent over time/theft, improper bidding and illegal hiring of nonresident employees. Since my complaints nothing has been done to address my concerns and even worse I was retaliated against an egregious fashion (immediately). There was a time when former Mayor Tony Mack's brother Stanley Davis was arrested for time/theft while working at the Water Utility and I was called to the stand to testify. I was the payroll supervisor at that time also. As you know, I also refused to participate in the scheme the violate the New Jersey purchasing law. What is occurred in the workplace recently is simply outrageous and unacceptable. I will not tolerate it. I've been here since 1991 and I've been a diligent/hard-working employee. The way I'm being treated now is a targeted campaign to destroy my career. I've been relegated/reassigned to the sewer utility department. I have no supervisory responsibility in my duties have changed drastically, all because I tried to do the right thing.

Danielle London

73. In response, Defendant TWU's legal counsel requested an opportunity to interview Plaintiff.

From: Jacqueline Abdur-Razzaq <jabdur-razzaq@trentonnj.org>
Sent: Monday, July 20, 2020 10:08 AM
To: Danielle London <dlondon@trentonnj.org>
Subject: Investigation

Good morning Ms. London. My name is Jacqueline Abdur-Razzaq and I am an attorney with the City of Trenton Law Department. I would like the opportunity to interview you. Please give me a call at 989-3043. Thank you for your assistance. I look forward to speaking with you.

Best,

JAR,ESQ

74. Plaintiff was hopeful that someone was indeed going to listen to her complaints and take the proper procedures to investigate and remediate same. Therefore, the next day on July 22, 2020 Plaintiff had a call with Ms. Abdur-Razzaq.

75. On this call, Plaintiff expressed that she has made countless complaints of unlawful business practices, retaliation, and harassment occurring at Defendant TWU. Plaintiff further explained that her prior complaints were swept under the rug.

76. Ms. Abdur-Razzaq explained to Plaintiff that the allegations she is making are very serious and requested that Plaintiff put her complaints in writing.

77. Ms. Abdur-Razzaq assured Plaintiff that she would send her a follow-up email memorializing the conversation to protect Plaintiff—however, she never did.

78. The conversation ended with Ms. Abdur-Razzaq advising Plaintiff that Defendant TWU will investigate her complaints.

V. Plaintiff Began Seeking Treatment To Cope With The Severe Anxiety Of Falling Victim To Defendants Discrimination And Retaliation.

79. On August 3, 2020 Plaintiff sought medical attention due to the immense stress and anxiety caused by Defendants.

80. Plaintiff lives in constant fear of losing her career, which she has worked tirelessly for over the past *twenty-nine years*.

81. Plaintiff's doctor recommended she remain out of work for two weeks with a return to work date of August 18, 2020 due to her condition.

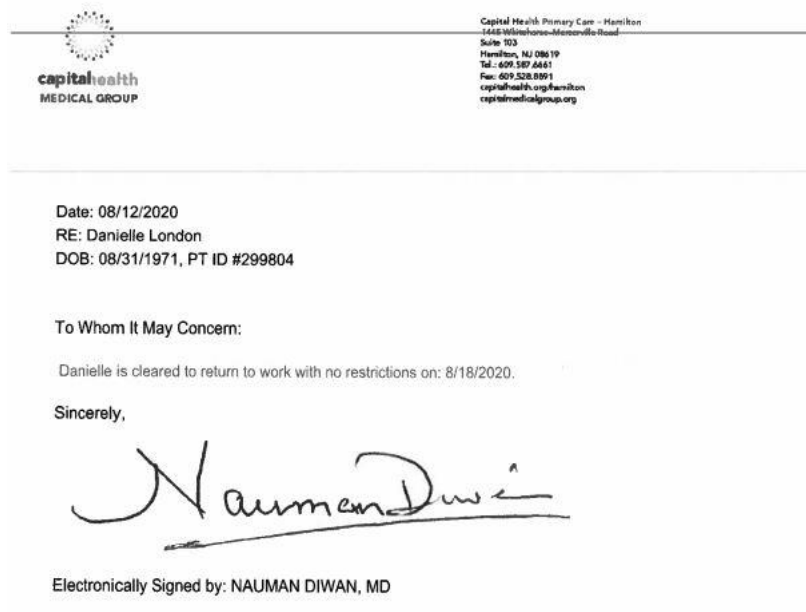
82. On August 13, 2020 Plaintiff's doctor released her to return to work with no restrictions.

From: Danielle London <dlondon@trentonnj.org>
Sent: Thursday, August 13, 2020 3:08 PM
To: Justine Santora <jsantora@trentonnj.org>
Cc: Joseph McIntyre <jmcintyre@trentonnj.org>; Mark Lavenberg <mlavenberg@trentonnj.org>
Subject: FW: Scanned from a Xerox Multifunction Printer

Justine:

I have attached my authorization to return to work. My doctor was reluctant to provide a diagnosis code on this because of HIPPA laws. If the City requires it please let them know I will bring it to the appointment with me or supply it directly to the health center. I can do early morning that would be best. I would make this appointment myself....but you know what we deal with the rules change often..😬..let me know if you have any questions. Thanks😊

Sent via the Samsung Galaxy S7 edge, an AT&T 4G LTE smartphone



83. In response, Defendant TWU retaliated by making it difficult for Plaintiff to return, requiring a diagnosis code despite Plaintiff's doctors note clearly stating she was medically cleared to return to work.

From: Justine Santora <jsantora@trentonnj.org>
 Date: 8/13/20 3:12 PM (GMT-05:00)
 To: Danielle London <dlondon@trentonnj.org>

Cc: Joseph McIntyre <jmcintyre@trentonnj.org>, Mark Lavenberg
<mlavenberg@trentonnj.org>
Subject: RE: Scanned from a Xerox Multifunction Printer

Danielle,

Ronette will not be able to make the appointment without a diagnosis code. The DR. note will need to be revised.

84. Plaintiff offered to send her doctors note to the City Doctor for validation, but Defendants would not allow her to until she provided a diagnosis code.

85. Meanwhile, Defendant TWU Personnel Officer, Steve Ponella, suggested that Plaintiff was “*not actually ill*” and was merely faking it.

86. Soon thereafter on or about August 20, 2020 Plaintiff was advised by Mr. Ponella and Ms. Abdur-Razzaq that Plaintiff’s complaints were unsubstantiated.

IV. Plaintiff Returned To Work But Was Faced With Non-Stop Retaliation and Hostility As A Result of Her Complaints.

87. Ever since Plaintiff returned she has faced nothing but continuous hostility and retaliation. By way of example but not limitation:

- Plaintiff is being accused of “*doing nothing*” for the past twenty-nine years at Defendant TWU;
- Plaintiff is being critiqued and constantly proctored at a level no other employee is;
- Plaintiff is being summoned to return electronic devices to Corporate Defendant that she was never in possession of;
- Plaintiff is being asked to return an electronic device that she is required to use to complete her job responsibilities;
- Defendant Walker has threatened Plaintiff with filing a “comprehensive complaint” against her and accusing her of intimidating and bullying others;
- Plaintiff is being ignored, singled out and boxed out of decision making it entirely impossible for her to do her job;
- Defendant Walker is continuously spreading lies and rumors about Plaintiff’s work ethic to other Corporate Defendant employees; and
- Defendant Walker and Mr. Ponella, inquiring about Plaintiff’s timesheets to see if she is still employed and working.

88. To make matters worse, Plaintiff's new position (file clerk) is essentially, to sit at her desk and do minimal, if any, assignments.

89. Since Plaintiff's demotion, other Defendant TWU employees have told Plaintiff they are afraid to even speak to her because they are fearful of being demoted.

90. Upon information and belief, Defendants do not assign Plaintiff work because they do not want her having knowledge of Defendant TWU business and instead are trying to silence her while awaiting her inevitable termination.

91. By way of example, most recently, on September 12, 2020, Defendant TWU sent Plaintiff documents reflecting a promotion—yet Plaintiff has previously applied and been denied this promotion for years.

92. Upon information and belief, Defendant Smith allowed for this promotion as a tactic to quiet Plaintiff and her complaints until her inevitable termination.

93. The following day, on or about September 13, 2020, Plaintiff's doctor put her on medication for her immense anxiety and insomnia as a result of Defendants continuing harassment.

COUNT ONE

RETALIATION IN VIOLATION OF NEW JERSEY CONSCIENTIOUS EMPLOYEE PROTECTION ACT ("CEPA")

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

95. CEPA's purpose, as pronounced by the New Jersey Supreme Court, "is to protect and encourage employees to report illegal or unethical workplace activities and to discourage ... employers from engaging in such conduct."

96. CEPA specifically provides that:

An employer shall not take any retaliatory action against an employee because the employee does any of the following:

- a. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer, or another employer, with whom there is a business relationship, that the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care; or
 - (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;
- b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into the quality of patient care; or
- c. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes:

- (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
- (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity; or
- (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

N.J.S.A. 34:19-3.

97. CEPA goal to “prevent retaliation against those employees who object to employer conduct which they reasonably believe to be unlawful.”

98. As set forth above, Plaintiff reported, protested and/or complained of Defendants’ unlawful behavior.

99. Defendants had knowledge of Plaintiff’s complaints and/or protests.

100. As a direct result of Plaintiff raising complaints and/or reporting her belief that Defendants were engaging in unlawful conduct, Defendants took retaliatory action against Plaintiff by demoting her.

101. Defendants are vicariously, strictly, and/or directly liable to Plaintiff for an unlawful retaliatory discharge in violation of CEPA, pursuant to N.J.S.A. 34:19-1, et seq.

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

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this

Count, together with compensatory and equitable relief, all remedies available under CEPA, punitive damages, pre-and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

NJLAD: DISCRIMINATION DUE TO DISABILITY

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

104. Plaintiff was subjected to pervasive, severe, and continuing instances of discrimination due to Plaintiff's disability.

105. Defendants often mocked Plaintiff's disability and accused her of faking her disability.

106. The above-described conduct would not have occurred but for Plaintiff's disability.

107. As a result of the above-described discriminatory conduct, Plaintiff experiences ongoing emotional distress and significant economic damages.

108. As the employers and/or supervisors of Plaintiff, Defendants are vicariously, strictly, and/or directly liable to the Plaintiff pursuant to the New Jersey Law Against Discrimination ("LAD"), N.J.S.A. 10:5-1, et seq., in that the affirmative acts of harassment and discrimination committed by Defendant Smith, Defendant Walker and Defendant Valentin, occurred within the scope of their employment; the creation of the discriminatory environment was aided by Defendant TWU in delegating power to Defendants to control the day-to-day working environment; and/or Defendant TWU were deliberately indifferent, reckless, negligent and/or tacitly approved the discriminatory conduct; and/or Defendant TWU failed to create and/or have in place well-publicized and enforced anti-discrimination policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same despite the

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

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

110. Defendant Smith, Defendant Walker and Defendant Valentin, and the managers and/or supervisors of Plaintiff aided, abetted, incited compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendant TWU to commit acts and omissions that were in violation of the LAD by committing affirmatively discriminatory acts toward Plaintiff in violation of their supervisory duty to halt or prevent discrimination, rendering Defendant TWU, Defendant Smith, Defendant Walker and Defendant Valentin individually and collectively liable to the Plaintiff pursuant to N.J.S.A. 10:5-12(e).

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

DEMAND FOR TRIAL BY JURY

Plaintiff demands a trial by jury on all issues.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

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

Dated: October 8, 2020

DESIGNATION OF TRIAL COUNSEL

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

CERTIFICATION

Pursuant to *Rule* 4:5-1, it is hereby certified that, to the best of my knowledge, there are no other civil actions or arbitration proceedings involving this matter with respect to this matter and no other parties need to be joined at this time. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

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

Dated: October 8, 2020

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| <p>DANIELLE LONDON,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities), and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p> | <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION— MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>CIVIL ACTION</u></p> |
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**FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, PUNITIVE
DAMAGES, AND DEPOSITION NOTICES TO DEFENDANT(S)**

PLEASE TAKE NOTICE that, McOmber McOmber & Lubber, P.C., attorneys for Plaintiff Danielle London (“Plaintiff”) demand that Defendants City of Trenton (“Defendant TWU” and/or “Corporate Defendant”), David Smith (“Defendant Smith”), Michael Walker (“Defendant Walker”) and Rafael Valentin (“Defendant Valentin) (collectively “Defendants”)

produce true and complete copies of the following Document Requests and answer under oath the following Interrogatories pursuant to the Rules of Court. Interrogatories answers shall be typed beneath the questions and the original shall be returned in accordance with *Rule* 4:17-4(c) and, if at any time prior to trial, you obtain information which renders any answer you provide incomplete or inaccurate, amended answers shall be served pursuant to *Rule* 4:17-7. Both the Document Request and Interrogatories shall be continuing so as to require supplemental responses and/or answers if Defendant(s) obtain(s) further documents or information between the time the response is served and the time of trial/hearing.

DEFINITIONS

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

2. “Defendant TWU” shall mean City of Trenton Water Utility 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 Smith” shall mean David Smith, Defendant in the above captioned action.

4. “Defendant Walker” shall mean Michael Walker, Defendant in the above captioned action.

5. “Defendant Valentin” shall mean Rafael Valentin, 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 documents and electronic data that relate to, refer to, discuss or memorialize the termination, demotion, suspension, separation, and/or resignation of Plaintiff.

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

4. 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; pay and benefits provided to Plaintiff; 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.

5. A complete copy of the personnel file Defendant(s) maintained pertaining to any Defendant, including but not limited to copies of documents (written or electronic) relating to the following: Copies of the following from the personnel file of any Individual Defendants: (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.

6. A copy of any and all written complaints and/or verbal complaints reduced to writing made about any Defendants(s)' personal conduct (other than related to his/her job

performance) during his/her tenure of employment with employer Defendant, if any.

7. A written job description for each position that Plaintiff held during his/her employment with employer Defendant.

8. A written job description for each position each Individual Defendant held during his/her tenure of employment with employer Defendant.

9. A copy of any and all documents (written or electronic) authored by any Defendant (or agent of employer Defendant) pertain to the decision to terminate Plaintiff's employment, if applicable.

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

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

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

13. All documents and electronic data that relate to, refer to, discuss or memorialize the termination, demotion, suspension, separation, and/or resignation of Plaintiff.

14. Produce a copy of the employee handbook in force and effect at the time of the Plaintiff's employment with Defendant(s).

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

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

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

18. All statements, documents, or communications concerning any incident reports taken concerning discrimination, harassment, hostile work environment and unfair favoritism

complaints by employees and/or clients of Defendant(s) that relates to Defendant(s).

19. A copy of all documents (written or electronic) relating to each and every instance since January 01, 2014 in which an allegation was made and/or a lawsuit filed alleging that Defendants engaged in whistleblower retaliation in violation of New Jersey's Conscientious Employee Protection Act. 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.

20. A copy of Defendant(s) written policy concerning reporting legal, fraud, deception, safety, health, policy, or regulatory violations or incidents.

21. All statements, documents, or communications that relate to federal or state inspection and/or investigation of Defendant(s) in the last five (5) years.

22. All statements, documents, or communications that relate to reporting misconduct, safety or health violations or incidents, and/or unlawful conduct to any regulatory or governmental authority.

23. All statements, documents, or communications that relate to all notices, violations, and/or warnings received by Defendant(s) over the past ten (10) years from any State and/or Federal and/or Local regulatory authorities who oversee, license, regulate, or discipline Defendant(s) operations, and/or Defendant(s)' employees.

24. All statements, documents, or communications that relate to all laws, regulations, policies, or guidelines Defendant(s) follows or is required to follow in connection with its business.

25. 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 the complaint.

26. All statements, documents, or communications concerning or made by the Plaintiff that relate to this Action.

27. All statements, documents, or communications concerning or made by Defendant(s) that relate to this Action.

28. All statements, documents, or communications concerning or made by the Plaintiff that relate to the allegations asserted in the Complaint.

29. All statements, documents, or communications concerning or made by Defendant(s) that relate to the allegations asserted in the Complaint.

30. All statements, documents, or communications relating to statements of witnesses provided to Defendant(s) that relate to this Action.

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

32. 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.

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

34. 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.

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

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

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

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

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

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

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

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

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

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

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

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

47. All documents any expert who may testify on Defendant(s) behalf and which

Defendant(s) intend to use or may rely upon at trial.

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

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

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

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

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

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

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

55. 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.

56. 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.

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

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

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

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

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

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

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

64. 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.

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

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

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

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

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

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

medium with regard to any communications between Defendant(s) and Plaintiff.

71. 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.

72. All documents relating to this Plaintiff performance of his/her job duties.

73. All statements, documents, or communications concerning Plaintiff's performance of his/her job duties for the past ten (10) years, including but not limited to employee evaluations.

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

75. All statements, documents, or communications concerning Defendant(s)' performance of his/her job duties for the past ten (10) years, including but not limited to employee evaluations.

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

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

78. Produce a copy of the employee handbook in force and effect at the time of the Plaintiff's employment with Defendant(s).

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

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

81. All documents relating to the Plaintiff's hiring by Defendant(s).

82. All documents relating to the Plaintiff's compensation during his/her employment with Defendant(s).

83. All documents relating to any employee benefits or benefit plan in which the Plaintiff was/were eligible to participate during his/her employment with Defendant(s).

84. 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.

85. 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.

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

87. 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 the Plaintiff's employment.

88. 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.

89. 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.

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

91. 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.

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

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

94. All statements, documents, or communications concerning Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace language and conduct.

INTERROGATORIES TO DEFENDANT(S)

1. 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.

2. State the reasons why Plaintiff's position of employment was terminated or otherwise subjected to adverse employment action.

3. Identify by full name, job title, last known address and phone number the person or persons who made the decision to terminate Plaintiff's position of employment or otherwise subjected to adverse employment action.

4. Identify by full name, job title, last known address and phone number each person who provided information to Defendant(s) that was relied upon on deciding to terminate Plaintiff's

employment. For each such person, identify in detail the information provided, to whom it was provided and when it was provided.

5. What facts are information did Defendants provide that was relied upon in deciding to terminate Plaintiff's employment otherwise subjected to adverse employment action.

6. 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.

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

8. 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.

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

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

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

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

13. 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).

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

15. Identify and describe in full detail the facts and circumstances surrounding the Plaintiff in the matter's complaint of discrimination and/or retaliation to any of the Defendant(s).

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

17. Describe, in full detail, the facts and circumstances that relate to any statements

concerning Plaintiff's protected class, as identified in the Complaint.

18. Identify and describe any incident reports taken concerning discrimination, harassment, hostile work environment and unfair favoritism complaints by Defendant(s) employees and/or customers involving Defendant(s).

19. Identify and describe the facts and details relating to Individual Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace language and conduct.

20. Identify and describe the facts and details of each instance concerning any of the Defendant(s) receiving any sensitivity training or any training regarding appropriate workplace language and conduct.

21. Identify and describe in detail Defendant(s)' discrimination procedure and/or policy.

22. Identify by full name, job title, last known address and phone number each person who provided information to Defendant that was relied upon in deciding to terminate Plaintiff's employment otherwise subjected to adverse employment action.

23. 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.

24. 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.);
- h. any custodians of records with relevant knowledge of documents produced in this matter.

25. 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.

26. 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.

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

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

29. 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.

30. 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.

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

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

- l. field of expertise;
- m. educational background;
- n. 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;
- o. 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;
- p. true and accurate copies of any and all written reports or opinions, including drafts;
- q. 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);
- r. 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);
- s. 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;
- t. 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.

33. 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.

34. 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.

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

36. For any position held by the 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.

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

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

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

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

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

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

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

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

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

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

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

- a. from what position or job title the demotion was from and to what position or job title the demotion was to;
- b. the date of the demotion;

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

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

46. 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.

47. 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.

48. 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.

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

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

51. Identify and annex hereto any performance evaluations or review of Defendant(s)

conducted by Defendant(s) from their respective dates of employment to the present.

52. 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.

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

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

54. State whether Defendant(s) maintain a system or procedure for recording, investigating, and/or resolving employee complaints or grievances of 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.

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

56. 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.

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

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

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

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

61. 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

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

63. 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).

64. 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.

65. 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).

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

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

68. 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.

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

70. 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.

71. 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.

72. 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.

73. 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;
- 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.

74. 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.

75. 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.

76. 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.

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

78. 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).

79. 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.

80. 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.

81. 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.

82. 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?

83. 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).

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

85. 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.

86. 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.

87. 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.

88. 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; and
- e. whether you obtained consent to tape or record such communications.
Provide any such recordings.

89. 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.

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

91. 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 five (5) years. Identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

92. 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.

93. 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.

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

95. 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.

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

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

98. 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.

99. 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.

100. 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.

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

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

103. Identify and describe in full detail the facts and circumstances surrounding the Plaintiff in the matter's complaint of discrimination and/or retaliation to any of the Defendant(s).

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

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

106. Describe, in detail, the investigation, determination and/or disciplinary actions

taken by Defendant(s) relating to any of the Defendant(s) in the past ten (10) years.

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

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

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

110. 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).

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

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

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

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

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

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

117. 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).

118. Identify any and all laws, regulations, policies, or guidelines Defendant(s)' employees follow or are required to follow concerning reporting misconduct and/or unlawful conduct to any regulatory or governmental authority.

119. Identify and describe any and all laws, regulations, policies, or guidelines Defendant(s)' employees follow or are required to follow concerning licensing in connection with Defendant(s)' businesses.

120. Identify and describe any and all laws, regulations, policies, or guidelines Defendant(s) follows or is required to follow concerning insurance in connection with its business.

121. Identify and provide full details concerning any New Jersey Department of Labor, Federal Bureau of Investigation, Attorneys' General Office, U.S. Attorney's Office Investigation, or any other regulatory body or law enforcement agency, of Defendant(s) in the last five (5) years.

122. Identify and provide full details concerning any state or federal Investigation of Defendant(s) in the last five (5) years.

123. Identify and provide full details concerning all regulatory compliance trainings conducted by Defendant(s) in the past five (5) years.

124. 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.

125. Identify and describe, in detail, instances when Plaintiff reported, complained, and/or stated a Grievance (formal or otherwise) to any Defendant(s), including Defendant(s)'

agents.

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

127. Identify and describe, in detail, instances when Plaintiff reported, complained, and/or stated a Grievance (formal or otherwise) to any Defendant(s), including Defendant(s)' agents, regarding reporting misconduct and/or unlawful conduct in connection with Defendant(s)' business.

128. Identify and describe each state inspection and/or investigation of Defendant(s) in the last five (5) years.

129. Identify and describe each federal inspection and/or investigation of Defendant(s) in the last five (5) years.

130. Identify and describe when and how Defendant(s) were notified of each state and/or federal inspection and/or investigation of Defendant(s) in the last five (5) years.

131. Describe, in full detail, the circumstances surrounding the termination of Plaintiff's employment.

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

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

134. Identify and describe Defendant(s)' policy regarding incidents of unlawful conduct.

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

136. Identify all regulatory authorities that oversee Defendant(s).

137. Identify all state authorities that oversee Defendant(s).

138. State whether any civil or criminal actions have ever been filed charging Defendant(s), with unlawful conduct 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.

139. 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.

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

141. Identify and describe in full detail the facts and circumstances surrounding the Plaintiff in the matter's complaint of retaliation to any of the Defendant(s) in this matter.

142. Please describe in detail complaints or Grievances (formal or otherwise) made by Plaintiff regarding fellow employees and Defendant(s).

143. 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.

144. 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.

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

146. 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 Defendant(s)' employee. Annex hereto a copy of each said document.

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

148. 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

Department (or 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.

5. State whether Individual Defendant(s) were Plaintiff's supervisors.

DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES

1. All financial statements prepared for the years 2008 through 2019 up to and including the present, setting forth income, expenses, assets, liabilities, and profits of the Corporate Defendant(s).

2. All tax returns filed by the Corporate Defendant(s) for the years 2009 through 2019, up to and including the present.

3. All documents evidencing assets of the Corporate Defendant(s)

4. All documents evidencing the Corporate Defendant(s)' interest in any real estate.

5. All documents evidencing the financial obligations of the Corporate Defendant(s) and all payments on those obligations.

6. All documents evidencing judgments against the Corporate Defendant(s) and the amount of those judgments for the years 2009 through 2019, up to and including the present.

7. All documents evidencing bank accounts held by the Corporate Defendant(s), the location of those accounts, account numbers, and balances of those accounts.

8. All documents evidencing or setting forth accounts receivable and/or obligation owed by others to the Corporate Defendant(s) for the years 2009 through 2019, up to and including the present.

9. All documents evidencing payments made by the Corporate Defendant(s) to creditors.

10. All corporate books or any other written memorandum setting forth income received by the Corporate Defendant(s).

11. All copies of inventories taken by the Corporate Defendant(s) of its property at any time during the years 2009 through 2019, up to and including the present.

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):

- m. Name and address;
- n. State of incorporation;
- o. The state in which doing business;
- p. Address of each business office;
- q. e. The name and address of each current officer or director;
- r. 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 Plaintiff, Danielle London

Dated: October 8, 2020

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

CERTIFICATION

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

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

Dated: _____, 20____

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: _____, 20__

By: _____

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|---|--|
| <p>DANIELLE LONDON,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities), and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p> | <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION— MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>CIVIL ACTION</u></p> |
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NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)

PLEASE TAKE NOTICE that pursuant to *Rule* 4:14-2(c) of the New Jersey Rules of Court, Plaintiff Danielle London through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Corporate Defendants(s) **starting on February 9, 2021 at 10:00a.m.** at the law offices of McOmber McOmber & Luber, P.C., 39 E. Main Street, Marlton, NJ 08053. Corporate Defendant(s) is required to designate and produce for deposition a person or persons to testify on its behalf.

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

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

Dated: October 8, 2020

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

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|---|--|
| <p>DANIELLE LONDON,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities), and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p> | <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION— MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>CIVIL ACTION</u></p> |
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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 through her undersigned counsel, will take the deposition upon oral examination of **David Smith starting on February 11, 2021 at 10:00a.m.** at the law offices of McOmber McOmber & Luber, P.C., 39 E. Main Street, Marlton, NJ 08053.

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

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

Dated: October 8, 2020

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

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|---|--|
| <p>DANIELLE LONDON,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities), and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p> | <p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION— MERCER COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>CIVIL ACTION</u></p> |
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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 through her undersigned counsel, will take the deposition upon oral examination of **Michael Walker starting on February 11, 2021 at 10:00a.m.** at the law offices of McOmber McOmber & Luber, P.C., 39 E. Main Street, Marlton, NJ 08053.

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

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

Dated: October 8, 2020

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

| | |
|---|--|
| DANIELLE LONDON, Plaintiff, vs. CITY OF TRENTON, DAVID SMITH, MICHAEL WALKER, RAFAEL VALENTIN 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— MERCER COUNTY DOCKET NO.: <u>CIVIL ACTION</u> |
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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 through her undersigned counsel, will take the deposition upon oral examination of **Rafael Valentin starting on February 11, 2021 at 10:00a.m.** at the law offices of McOmber McOmber & Luber, P.C., 39 E. Main Street, Marlton, NJ 08053.

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

McOMBER McOMBER & LUBER, P.C.
Attorneys for Plaintiff, Danielle London

Dated: October 8, 2020

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

Civil Case Information Statement

Case Details: MERCER | Civil Part Docket# L-001788-20

Case Caption: LONDON DANIELLE VS CITY OF TRENTON

Case Initiation Date: 10/08/2020

Attorney Name: MATTHEW ALLEN LUBER

Firm Name: MCOMBER MCOMBER & LUBER, PC

Address: 54 SHREWSBURY AVE

RED BANK NJ 07701

Phone: 7328426500

Name of Party: PLAINTIFF : LONDON, DANIELLE

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: LAW AGAINST DISCRIMINATION (LAD) CASES

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: DANIELLE LONDON? 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)*

10/08/2020

Dated

/s/ MATTHEW ALLEN LUBER

Signed