

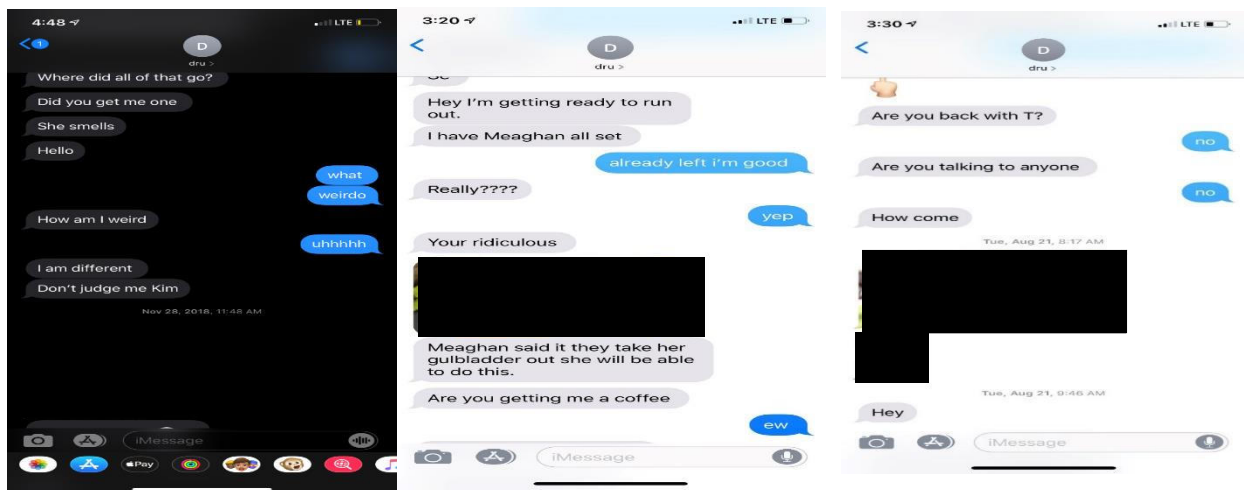
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<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN 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, Kimberly North (“Plaintiff”), by way of Complaint against Defendant Eric M. Krise Electrical Contractor, LLC (“Defendant Krise Electrical”), Defendant Dru DiSilvestro (“Defendant DiSilvestro”), Defendant Eric M. Krise (“Defendant E. Krise”), Defendant Stephanie Krise (“Defendant S. Krise”), Defendant Wendy Seagraves (“Defendant Seagraves”), and Defendant Jim Parks (“Defendant Parks”) (“Individual Defendants”) (collectively “Defendants”), alleges as follows:

INTRODUCTION

When it comes to sexual harassers, Defendant DiSilvestro is in a class of his own. Despite being sued earlier this year for egregious sexual harassment by at least three different female employees (“Martin Litigation”), one would presume that Defendant DiSilvestro would have learned his lesson. One would also presume that Defendants would have taken significant steps to protect female employees and to ensure the sexual harassment came to a grinding halt. You would be wrong. Knowing full-well Defendant DiSilvestro posed a threat to every female customer and employee of Defendant Krise Electrical, the company failed to institute any corrective plan, let alone one designed to stop a predator in his tracks. Just like the three women in the Martin Litigation, Defendant DiSilvestro sexually harassed Plaintiff on a daily basis for years. Even worse, he continued to sexually harass her in the middle of the Martin Litigation, while the company conducted an internal investigation into his behavior, and even after the Martin Litigation resolved. Defendant DiSilvestro came to work, as if nothing occurred, continuing to subject Plaintiff to sexually charged conduct, even sending her pornographic images and videos:¹



Defendant DiSilvestro is the very cancer the New Jersey Law Against Discrimination (“NJLAD”) was designed to eradicate. Plaintiff brings this lawsuit to put an end to the madness at Defendant Krise Electrical, once and for all.

¹ Due to the graphic and sexual nature of the text messages, same have been redacted.

PARTIES

1. Plaintiff is an individual residing in Franklin, New Jersey, and at all times relevant hereto was employed by Defendant Krise Electrical as an Accounts Receivable/Office Coordinator.

2. Defendant Krise Electric is a New Jersey Limited Liability Company with its principal place of business at 80 Broad Street, Elmer, New Jersey 08318. At all times relevant hereto, Defendant Krise Electric is an “employer” as defined under the NJLAD.

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

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

5. Defendant S. Krise, at all times relevant hereto, is an individual, owner, operator, and office manager of Defendant S. Krise Electrical, and is the lawfully wedded spouse of Defendant E. Krise. This claim is brought against Defendant S. Krise in his individual capacity and as an agent of Defendant S. Krise Electrical. At all times relevant hereto, Defendant S. Krise is an “employer” as defined under the NJLAD.

6. Defendant Seagraves, at all times relevant hereto, is an individual and Head of Human Resources of Defendant Krise Electrical. This claim is brought against Defendant

Seagraves in her individual capacity and as an agent of Defendant Krise Electrical. At all times relevant hereto, Defendant Seagraves is an “employer” as defined under the NJLAD.

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

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

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

FACTS COMMON TO ALL CLAIMS

I. PLAINTIFF’S EMPLOYMENT WITH DEFENDANT KRISE ELECTRICAL IS MIERD BY CONSTANT, OPEN, OBVIOUS, SEVERE, AND UNCHECKED SEXUAL HARASSMENT AND UNWANTED SEXUAL ADVANCES BY HER SUPERIOR, DEFENDANT DISILVESTRO.

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

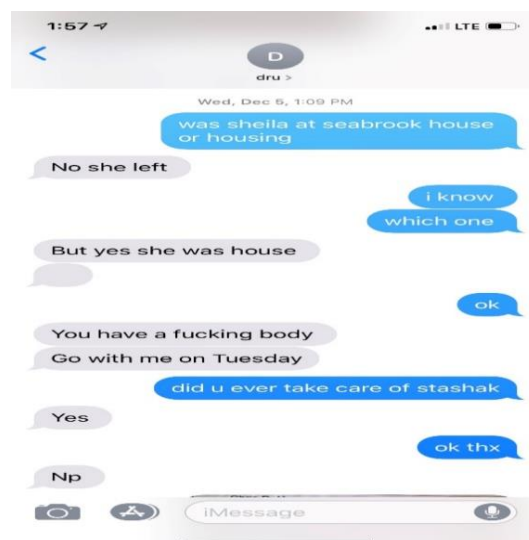
11. Plaintiff is 23 years old. She commenced her employment with Defendant Krise Electrical in or about February 2015 as a receptionist and was then promoted to Accounts Receivable/Office Coordinator in or about December of 2016.

12. In her position as Accounts Receivable/Office Coordinator, Defendant DiSilvestro and Defendant S. Krise served as Plaintiff's direct supervisors. Plaintiff and Defendant DiSilvestro interacted regularly in order for Plaintiff to complete her day-to-day job duties and responsibilities pertaining to residential projects and work closely with one another on a variety of business matters.

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

14. From the start, Defendant DiSilvestro leered and winked at Plaintiff in an obvious fashion to let her know he was sexually aroused by her physique, and made countless inappropriate comments regarding Plaintiff's appearance and body, including but not limited to the following:

- a. "I love when you wear your hair like that" and "Your hair is looking fresh."
- b. "Your butt looks good in those pants," and "I like your jeans. What size are you?"
- c. As evidenced by the below text message, "You have an amazing body," "You have a hot body," and "You have a f*cking body."



- d. “You look nice” and “You look hot” when Plaintiff wore make-up.
- e. “You have nice lips.”
- f. “Your boobs got nice and big since you had a baby.”
- g. “Everyone says you’re hot, not just me.”

15. These comments made Plaintiff extremely uncomfortable, and each time Defendant DiSilvestro made such comments she either asked him to stop or attempted to ignore him altogether. Unfortunately, Plaintiff’s pleas to Defendant DiSilvestro were disregarded entirely, and he continued to make such comments on a frequent basis.

16. In fact, Defendant DiSilvestro’s comments escalated into a pattern of outright sexual advances, assault, and battery.

17. For example, but without limitation, while touching and smelling Plaintiff’s hair, Defendant DiSilvestro commented: “I love when you wear your hair like this,” and “What kind of shampoo do you use?” He attempted to ensure that no other employees or witnesses were present when making these comments and touching Plaintiff.

18. Notably, however, other employees and managers did in fact observed such shameful conduct, including but not limited to Defendant E. Krise or Defendant S. Krise. They disregarded Plaintiff’s obvious uncomfortableness and merely laughed as if nothing inappropriate had transpired.

19. Defendant DiSilvestro constantly told Plaintiff (or made innuendos clearly implying) that he wanted to become romantically/sexually involved with her. These unwanted advances and innuendos include, but are not limited to, the following:

- a. ***“I’ll pop Kim’s kernels,”*** while making popcorn in the office. This was said to Plaintiff in front of Defendant S. Krise, who merely said, “You can’t say stuff

like that.” Upon information and belief, however, no disciplinary action was taken as a result;

- b. When having a conversation with Plaintiff about Defendant DiSilvestro’s aspirations to become an electrical schoolteacher, Defendant DiSilvestro said, ***“I can teach you something”*** – an obvious innuendo suggesting that he and Plaintiff engage in sexual conduct;
- c. When Plaintiff notified DiSilvestro that she was running late one day and worried about another employee, Wendy, being upset by this, Defendant DiSilvestro stated to Plaintiff ***“I’ll handle you after I handle Wendy”*** – again another obvious innuendo implying he and Plaintiff become sexually involved;
- d. During a conversation with Plaintiff, Defendant DiSilvestro asked her if she wanted to meet him for lunch, Plaintiff replied, “No, but please bring me a piece of pizza when you get back.” Defendant DiSilvestro insisted that Plaintiff meet him for lunch. When Plaintiff again refused, he replied, ***“Cum with me”*** – another clear and inappropriate sexual innuendo;
- e. Whenever Plaintiff successfully or correctly completed a task or assignment at work, Defendant DiSilvestro called her a ***“good girl”*** in a sexual tone of voice. Plaintiff objected and voiced her disgust by these comments, replying, “eww,” each time, and immediately walking away from him; and
- f. Defendant DiSilvestro repeatedly asked Plaintiff out on dates, to go out for drinks, to take her to lunch, to take her out on romantic dinners, and for Plaintiff to come over to his home to ***“hang out and have some fun”*** – yet another

obvious indication that he wanted to become involved in a sexual relationship with Plaintiff.

20. Despite the fact that Defendant DiSilvestro alleges he is “married [to] his loving wife and best friend,” on Defendant Krise Electric’s website,¹ he repeatedly told Plaintiff, *“We have a connection,” “I just wish things were different,” “I love you,” “I’ll leave everything for you,” “You are my life,” “I miss you,” “I need you,” “You’re one of my favorite people,” “I’m jealous of whoever gets to be with you,” and “How can I make you happy?”* – all of which unequivocally and unambiguously demonstrates Defendant DiSilvestro was willing to jeopardize his marriage so he could be sexually and romantically involved with Plaintiff, his subordinate

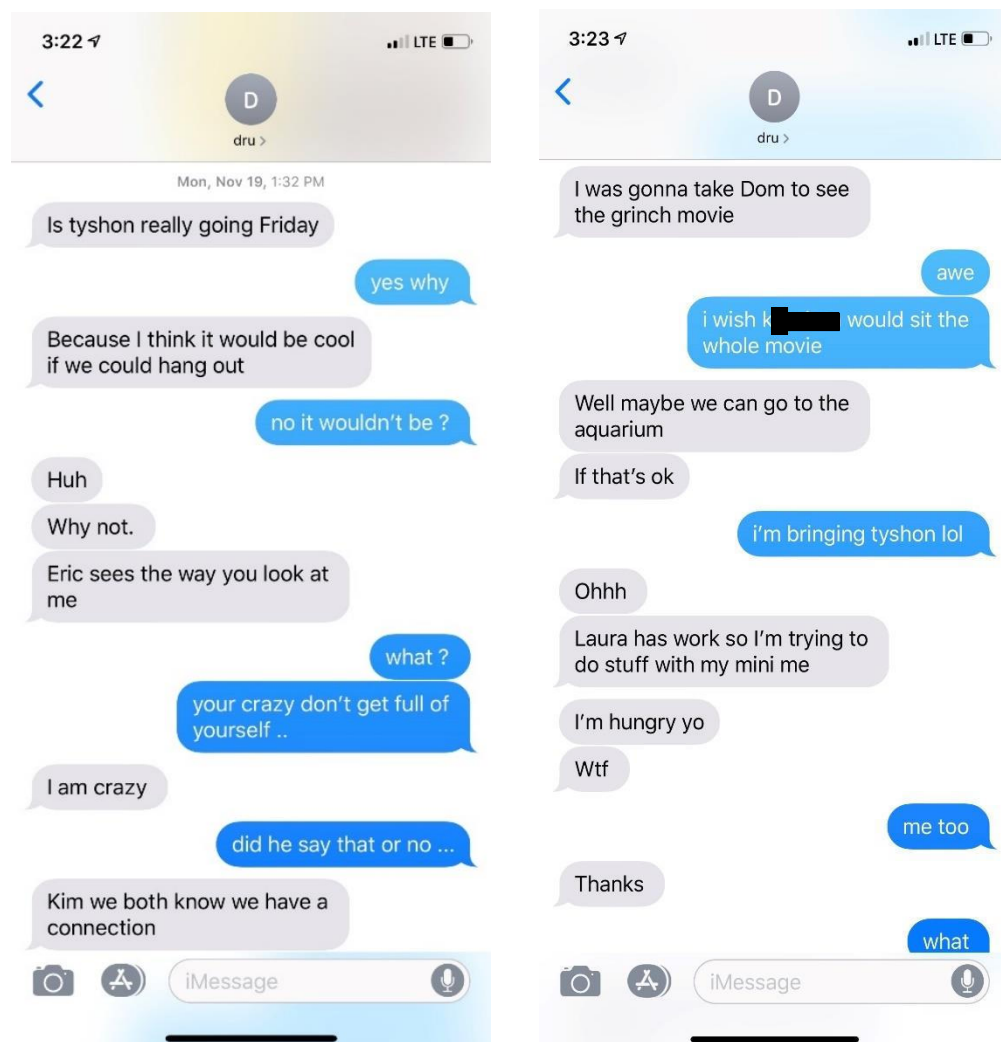


¹ <http://www.erickriseelectric.com/our-team/>

employee. The below screenshots confirm just some of his attempts to “woo” Plaintiff, which she rejected and ignored.

21. Knowing that Plaintiff was a mother, and having children of his own, Defendant DiSilvestro made relentless attempts to take Plaintiff out on dates under the guise that their respective children could play together. Plaintiff rejected these ideas fearing that Defendant DiSilvestro would try to force himself upon her.

22. Indeed, as just one example shown in the below text messages, Defendant DiSilvestro attempted to see Plaintiff outside of work by claiming they could take their respective children to a movie together. Plaintiff, however, immediately rejected the notion. Thereafter,



Defendant DiSilvestro tried to schedule a date for them at the aquarium, which Plaintiff also clearly rejected when she advised she intended to bring her boyfriend, Tyshon, with her.

23. As if Defendant DiSilvestro's unwelcomes advances and innuendos were not enough, Plaintiff was also routinely assaulted and battered by Defendant DiSilvestro, including but not limited to the following:

- a. Groping Plaintiff's buttock after ensuring no other employees or supervisors were present in the office;
- b. Making sexual faces at Plaintiff while grabbing his genitalia and staring and leering at her throughout the course of the day and any time Plaintiff went to his office to ask work-related questions;
- c. Standing in Plaintiff's personal space while grabbing his genitalia and asking if Plaintiff "likes what she sees;"
- d. Sitting near Plaintiff, spreading his legs to show Plaintiff that he was grabbing his genitalia while leering at her, and asking if she "likes what she sees;" and
- e. Locking himself in the bathroom with Plaintiff and looking her up and down for an uncomfortably long period of time before finally acquiescing to her pleas for him to leave her alone.

24. In addition, Defendant DiSilvestro took every opportunity possible to discuss and question Plaintiff about her sexual preferences including but not limited to:

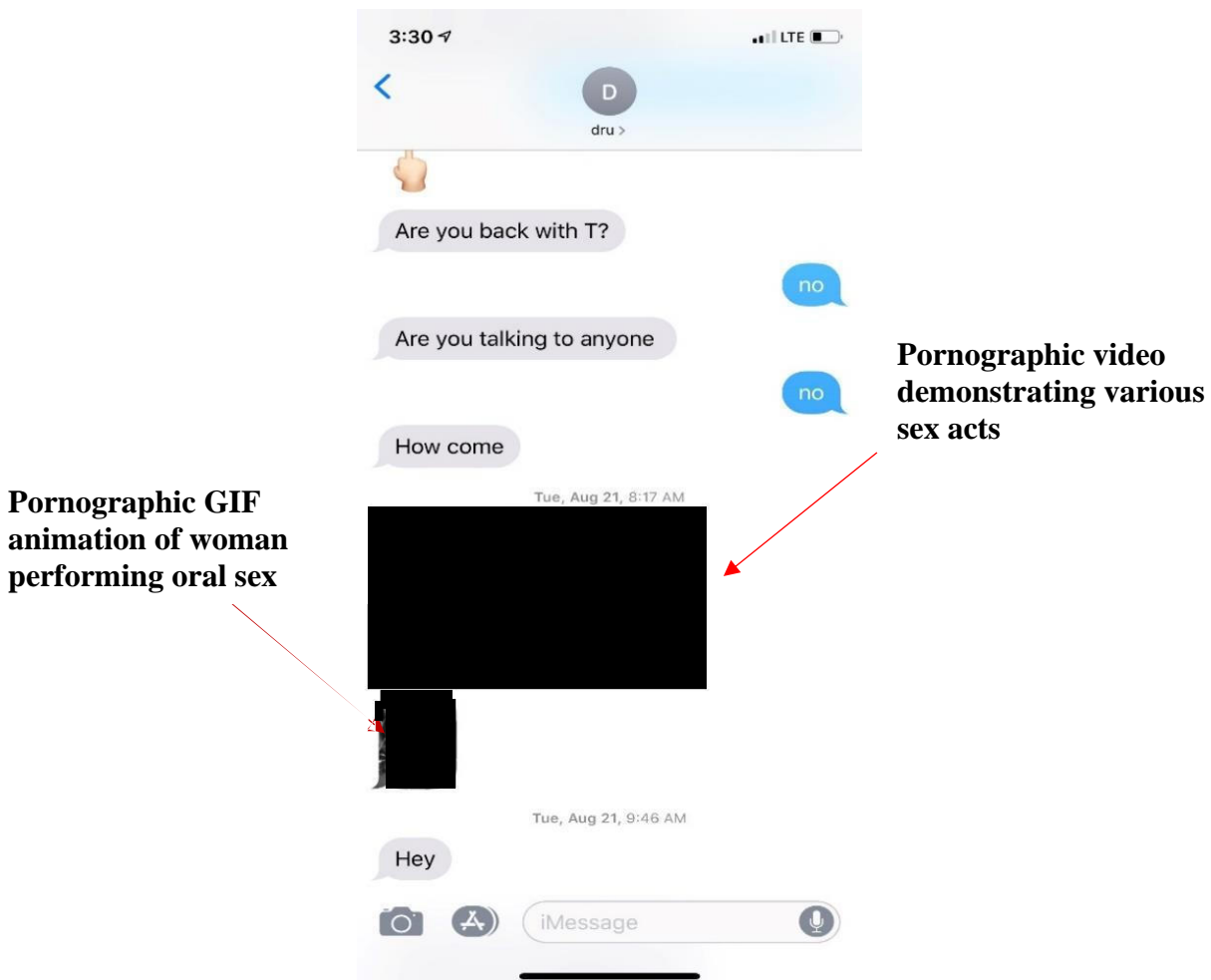
- a. *"Do you swallow?"*
- b. *"Do you like oral?"*
- c. *"Do you like sex?"*
- d. *"What's your favorite position?"*

- e. *“Do you like your hair pulled?”*
- f. *“When was the last time you ‘got some’”* and *“How was it?”*
- g. *“What color/type of underwear are you wearing?”*

25. Moreover, whenever Defendant DiSilvestro perceived Plaintiff as frustrated or disappointed at work, he inquired about how Plaintiff was feeling, and then immediately related her emotional state to her sex life, asking: *“It’s been a while for you?”*

26. Defendant Silvestro also frequently sent text messages to Plaintiff asking about the status of her sexual/romantic relationship, and whether she was dating other people.

27. As evidenced below, on or about August 21, 2018, when Defendant DiSilvestro learned that Plaintiff and her boyfriend were no longer together and that Plaintiff was not dating

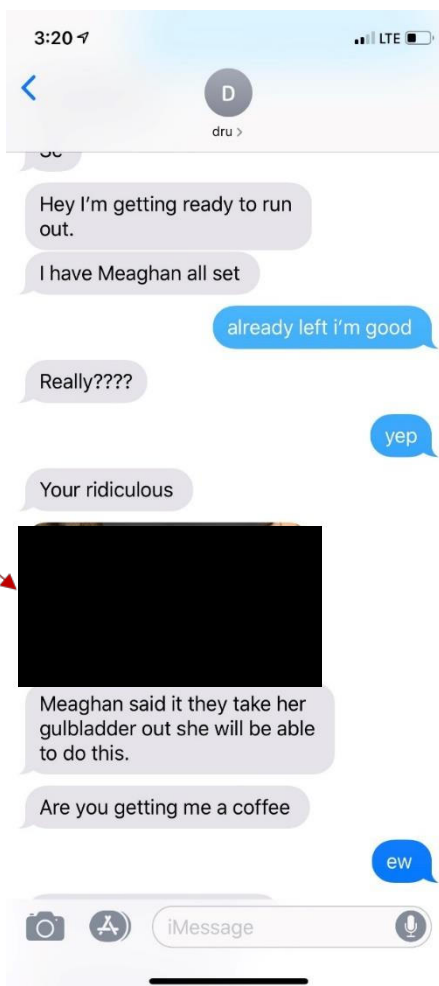


anyone else, *he sent her both a pornographic video demonstrating sexual acts and a pornographic GIF animation² of a woman performing oral sex upon a man* – unquestionably requesting that Plaintiff perform oral sex upon him.

28. Defendant DiSilvestro even went so far as to not only sexually harass Plaintiff, but also admit to her that he was also sexually harassing another female co-worker, Meaghan Martin.

29. Indeed, on or about November 28, 2018, Defendant DiSilvestro sent the below text messages to Plaintiff, which contained not only a *pornographic video of a woman masturbating, but also the following comment referencing the sexual acts portrayed in the video: “Meaghan said it [sic] they take her gulbladder [sic] she will be able to do this.”*

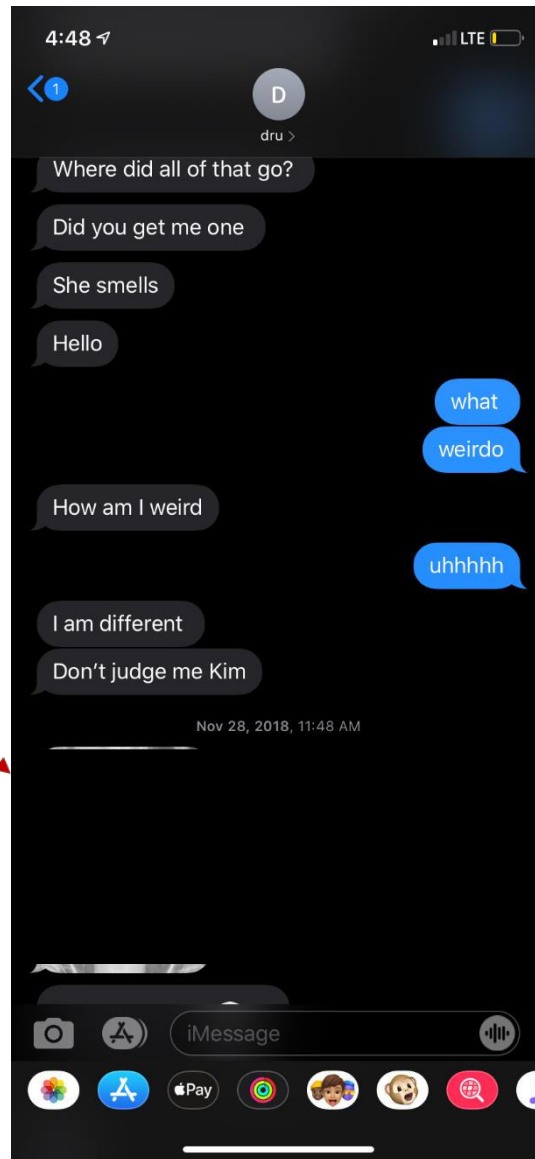
Pornographic video sent to Plaintiff admitting to sexually harassing co-worker, Meaghan Martin



² A “GIF” is an electronic animated picture file that can be sent via email or text message.

30. That same day (November 28, 2018), Defendant DiSilvestro also sent Plaintiff the below pornographic text message, which states: ***“I am different. Don’t judge me, Kim,” accompanied by a picture of a woman’s x-ray showing an erect penis being inserted into her vagina.***

Pornographic picture of woman’s x-ray showing an erect penis being inserted into her vagina



31. When Plaintiff again expressed her disgust and objection to such comments and messages, Defendant DiSilvestro merely brushed her concerns aside, stating: ***“You don’t like sex, do you?”***

32. When he was not prying into Plaintiff's private life, Defendant DiSilvestro regularly shared with Plaintiff the details of his marriage and sex life with his wife. Specifically, Defendant DiSilvestro told Plaintiff that he and his wife "have sex everyday" because his "wife always wants to." He further told Plaintiff that he and his wife had also tried using a sex swing.

33. Defendant DiSilvestro also requested that Plaintiff send pictures of her body, her breasts, and her buttocks to him in order to sexually gratify himself. Of course, Plaintiff refused to provide such pictures.

34. In addition, Defendant DiSilvestro sent pictures of himself to Plaintiff in hopes she would pay him compliments on his physical appearance. In response, Plaintiff refused to go along with Defendant and instead rejected these pictures by replying, "eww."

35. Furthermore, Defendant DiSilvestro made many attempts to be near or be alone with Plaintiff while at work. By way of example, but without limitation, any time Plaintiff was obtaining supplies from the office attic, Defendant DiSilvestro insisted he help her despite Plaintiff explaining she did not need any help.

36. In another example, Defendant DiSilvestro constantly walked by and stopped in front of Plaintiff's office or stopped Plaintiff in the hallway to stare and leer at her without discussing anything work-related. Even after Plaintiff begged Defendant DiSilvestro to stop his behavior, he ignored her and continued to carry on staring and leering.

37. Defendant DiSilvestro tried numerous times to convince Plaintiff to work late hours so only the two of them would be in the office together. Although he claimed they needed to work late to get things done, Plaintiff knew that Defendant DiSilvestro's intention was to attempt to engage sexual conduct with her.

38. Plaintiff told Defendant DiSilvestro that she did not want to be alone with him because she did not trust him to refrain from forcing himself upon her.

39. Moreover, when Defendant DiSilvestro learned that Plaintiff was moving to a new residence, he continuously asked Plaintiff if she needed help moving and if he could bring her dinner – all a ruse to get close to Plaintiff and convince her to have sexual contact with him.

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

41. During one particular instance, Defendant DiSilvestro questioned why Plaintiff did not respond to his requests to go out on dates. Plaintiff reminded Defendant DiSilvestro that he is not only her boss, but that he is also married with children and that his desires to go out on dates were obviously completely inappropriate under those circumstances.

42. Defendant DiSilvestro was not deterred by Plaintiff's logic and continued to sexually harass her on a daily basis, and even tried to conceal from his wife the fact that he was completely infatuated with Plaintiff.

43. As demonstrated by the text messages on the next page, ***Defendant DiSilvestro told Plaintiff, in no uncertain terms, that he was trying to convince his wife to stay home from the company dinner at the Salem County Vocational/Technical School to hide the fact that he planned on attending the dinner with Plaintiff without his wife's knowledge.***

44. Once again, Plaintiff refused to go along with Defendant DiSilvestro's scheme and refused his advances.



45. Nevertheless, despite Plaintiff's refusal to attend the dinner party with him, Defendant DiSilvestro still flirted with and sexually harassed Plaintiff during the event.

46. Specifically, while sitting next to his wife (whom he brought with him after all) Defendant DiSilvestro sent Plaintiff numerous compliments via Snap Chat, constantly telling her how "beautiful" and "nice" she looked. Plaintiff refused to acknowledge or respond to these Snap Chat messages. He further tried to convince Plaintiff to ride home with him at the end of the event.

47. During the company Christmas party, Defendant DiSilvestro continued to shower Plaintiff with unwanted compliments about how beautiful she was, and further begged Plaintiff to

send him pictures of herself that night in the outfit she wore so that he could sexually gratify himself. Again, Plaintiff refused to send Defendant DiSilvestro any such pictures and objected to and refused his sexual advances and requests. Plaintiff also declined his constant offers that he drive her home at the end of the party.

48. When Plaintiff continued to firmly demand that Defendant DiSilvestro stop his sexual advances, innuendos, messages, and comments, he grew hostile and abrasive towards Plaintiff.

49. Specifically, as a result of Plaintiff's rejections towards his unwanted sexual advances, Defendant DiSilvestro retaliated against Plaintiff. By way of example, but without limitation, Defendant DiSilvestro intentionally refused to answer or make himself unavailable to answer Plaintiff's questions regarding work, customers, or the status of projects. When he did finally decide to answer Plaintiff's questions, he would make Plaintiff stand in front of him in long moments of uncomfortable silence before acknowledging her.

50. Additionally, Defendant DiSilvestro lost his temper after Plaintiff declined his advances, becoming short and with her, yelling at her in front of other employees, and giving her the cold shoulder treatment throughout the course of the workday.

II. OTHER FEMALE EMPLOYEES FILE A SEXUAL HARASSMENT LAWSUIT AS A RESULT OF DEFENDANT DISILVESTRO'S SEVERE AND PERVASIVE SEXUAL HARASSMENT IN THE WORKPLACE ("MARTIN LITIGATION"). DURING THE PENDENCY OF THE MARTIN LITIGATION, DEFENDANT DISILVESTRO CONTINUES TO SEXUALLY HARASS PLAINTIFF AND DOES NOT TAKE THE MARTIN LITIGATION SERIOUSLY.

51. Unfortunately, Plaintiff was not the only victim of Defendant DiSilvestro's sexual harassment and unwanted sexual advances. Three (3) other female employees – Meaghan Martin, Chloe Davis, and Erica Reitz – were also subjected to such unlawful and discriminatory conduct,

and filed a lawsuit as a result (“Martin Litigation”). Attached hereto as **Exhibit A** is a copy of the Complaint (“Martin Complaint”) filed in the Martin Litigation.

52. As revealed by the Martin Complaint, Plaintiff’s co-workers were subjected to severe and pervasive sexual harassment at the literal hands of Defendant DiSilvestro on a regular basis. Thus, Defendants were clearly on notice and aware of Defendant DiSilvestro’s unlawful conduct in the workplace.

53. Shockingly, however, Defendant DiSilvestro was not at all deterred by being personally named in the Martin Complaint because *he continued to sexually harass Plaintiff while the Martin Litigation was pending.*

54. As a result of the Martin Litigation, Defendants hired an investigator to investigate the claims set forth in the Martin Complaint. Just days before the investigation was to take place, the Individual Defendants held a short meeting with Plaintiff and the other employees regarding the Martin Litigation, Defendant DiSilvestro, and the impact upon the company.

55. After that meeting, Defendant DiSilvestro continued to make sexually charged comments and advances towards Plaintiff, and continued to leer at her body and look her up and down.

56. Plaintiff immediately demanded that he stop such behavior. Specifically, Plaintiff firmly told Defendant DiSilvestro, “*It’s not okay. The company is being sued for stuff like this.*”

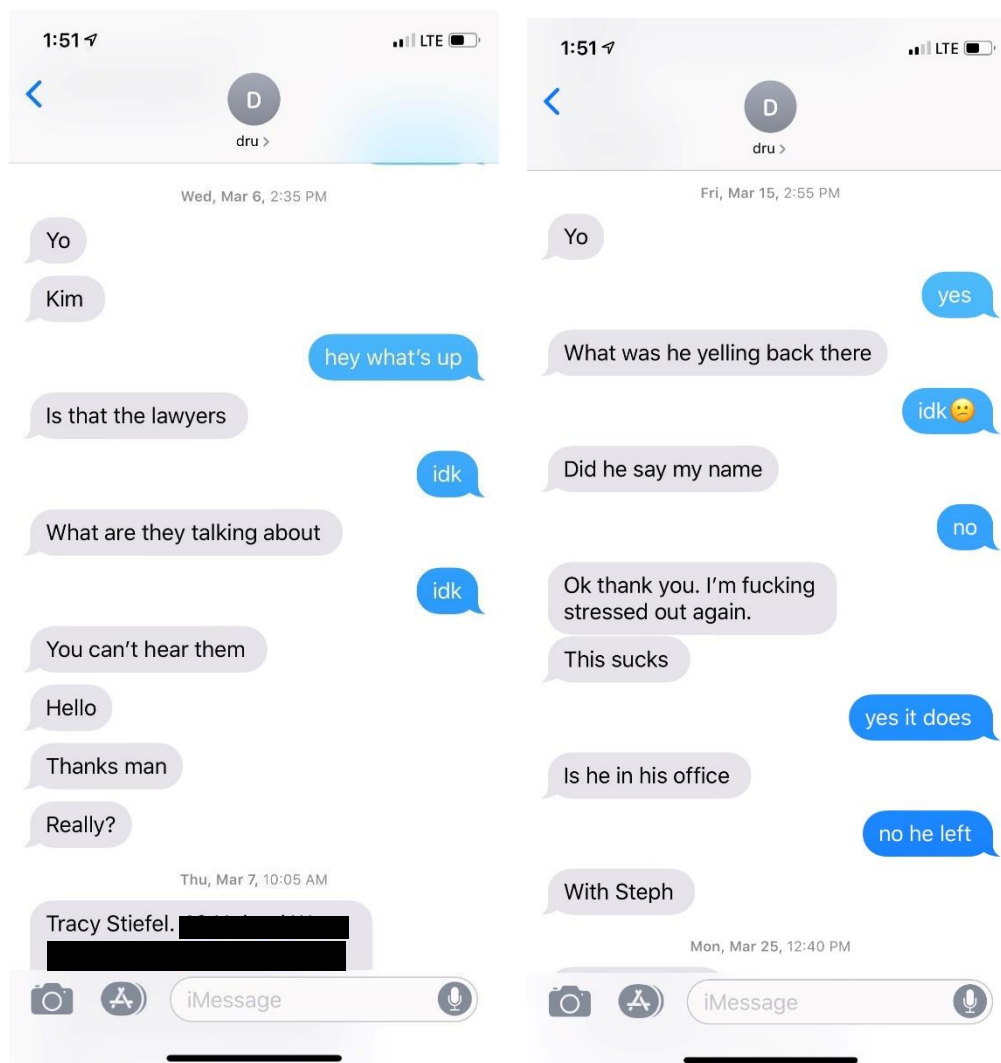
57. In response, Defendant DiSilvestro shrugged his shoulders, rolled his eyes, and laughed off Plaintiff’s concerns – clearly demonstrating that he did not take the Martin Litigation seriously. He further expressed to Plaintiff that he felt the Martin Litigation was a “*joke.*”

58. As such, Defendant DiSilvestro continued all of the same sexually charged and harassing behaviors (including groping himself in front of Plaintiff and grabbing her buttock) as

described herein while the Martin Litigation was ongoing. He also continued to ask Plaintiff to go out with him on dates.

59. Only after Defendants retained legal counsel did Defendant DiSilvestro finally take the Martin Litigation seriously as he sent text messages to Plaintiff asking her if she could hear what was being discussed between Defendants E. Krise and S. Krise and their counsel.

60. Specifically, on or about March 6, 2019 and March 15, 2019, Defendant DiSilvestro sent the below text messages to Plaintiff asking about what was being discussed with the lawyers, which demonstrate Defendant DiSilvestro knew that his sexually charged and harassing conduct was serious, inappropriate, and illegal.



61. Plaintiff also spoke with Defendant S. Krise about what steps would be taken to prevent further sexual harassment by Defendant DiSilvestro. Defendant S. Krise stated that there would be training implemented to prevent repeat incidents, as well as training for employees regarding what they are supposed to do and how to report their complaints of sexual harassment.

III. EVEN AFTER THE MARTIN LITIGATION IS SETTLED, DEFENDANT DiSILVESTRO CONTINUES TO SEXUALLY HARASS PLAINTIFF. DEFENDANTS DISCUSS THE SETTLEMENT TERMS OF THE MARTIN LITIGATION WITH PLAINTIFF. FURTHERMORE, TO THIS DAY, DEFENDANTS HAVE FAILED TO INSTITUTE ANY TRAINING FOR THEIR EMPLOYEES REGARDING INVESTIGATING AND REPORTING SEXUAL HARASSMENT.

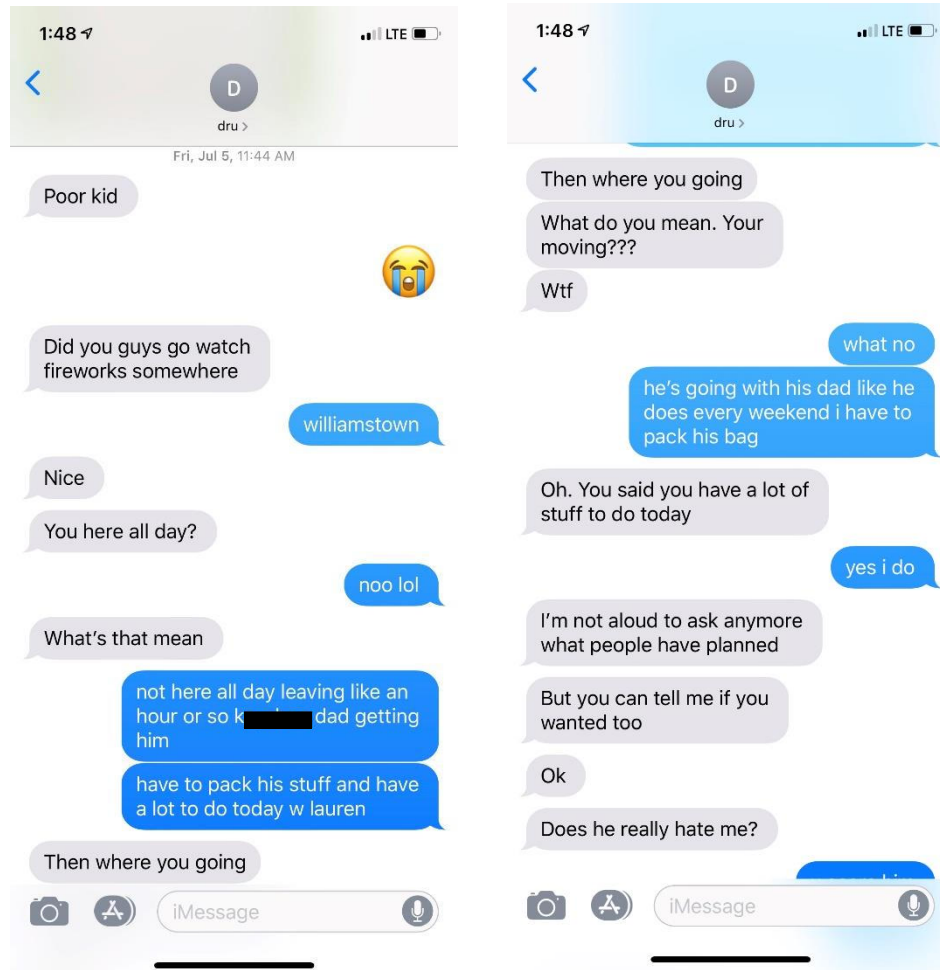
62. Ultimately, Defendant DiSilvestro was placed on leave during the Martin Litigation and was not permitted to return to work until after the matter was resolved. Notably, however, Defendant permitted Defendant DiSilvestro to “stop in” the office and “check up on things.” Of course, Defendant DiSilvestro used those opportunities to continue his sexual harassment of Plaintiff.

63. Moreover, even after the Martin Litigation settled, Defendant DiSilvestro continued to terrorize Plaintiff with sexual comments and advances. He continued to make sexual comments to Plaintiff; continued to grope himself in front of her; continued to ask her to meet him for dates, and continued to stare and leer at her body while at work. Although Plaintiff repeatedly told Defendant DiSilvestro to stop such behavior and told him that he could get fired, he ignored her, and thus, his sexually charged conduct persisted.

64. As a result of the Martin Litigation, Defendant DiSilvestro was strictly prohibited from asking female employees about their weekend plans and any other personal matters.

65. Nevertheless, Defendant DiSilvestro continued to contact Plaintiff about her personal affairs, including the fact she was moving and what she had planned for the weekend.

66. As demonstrated by the below text messages, *Defendant DiSilvestro not only admitted that he knew he should not be asking Plaintiff about such matters, but further tried to convince Plaintiff to tell him without him having to ask:*



67. Defendant DiSilvestro also implemented more subtle tactics in order to conceal the fact that he was sexually harassing Plaintiff after the Martin Litigation resolved in order to shield himself from further liability.

68. Indeed, rather than sending text messages to Plaintiff, Defendant Silvestro *typed out his sexually charged comments and innuendos in his cell phone's text message application,*

showed them to Plaintiff, and then immediately erased the message, thus preventing the creation of record of sexually charged text messages from him on Plaintiff's cell phone.

69. Plaintiff told Defendant DiSilvestro countless times to stop showing her these messages and to focus on items that need to be addressed at work. Unphased by Plaintiff's concerns, Defendant DiSilvestro continued showing her these sexually charge messages and erasing them from his cell phone.

70. Furthermore, once the Martin Litigation was settled, Defendants' employees discussed the details of settlement with Plaintiff. Specifically, another manager who was close friends with Defendant E. Krise told Plaintiff the precise settlement dollar amounts received by Ms. Martin, Ms. Davis, and Ms. Reitz.

71. In response, Plaintiff asked that this manager not to discuss this information with her because she did not want to know any of the details.

72. Most notably, however, is the fact that Defendants failed to institute any new training, or policies or procedures for reporting and investigating sexual harassment as Defendant S. Krise told Plaintiff.

73. In fact, Defendants instituted no training at all. Defendants also did not update the employee handbook with any new policies or procedures regard sexual harassment, discrimination, or retaliation. Employees were not given any verbal or written instructions on how to report sexual harassment, discrimination, or retaliation, or to whom they should report.

74. Moreover, Defendants did not explain to employee that they should report such issues immediately and did not explain that such reports would be thoroughly investigated.

75. In short, Defendants provided no information to employees about investigation procedures.

IV. PLAINTIFF IS CONSTRUCTIVELY DISCHARGED BY HER DOCTORS DUE TO DEFENDANT DiSILVESTRO'S ONGOING AND UNCHECKED SEXUAL HARASSMENT AND THE RESULTING STRESS AND ANXIETY.

76. Plaintiff treated with her doctor for the stress, anxiety, and emotional distress she suffered as a result of Defendant DiSilvestro's ongoing and unchecked sexual harassment and retaliation.

77. Specifically, on or about August 5, 2019, Plaintiff's doctor placed her on medical leave for a two (2) week period due to the hostile work environment as described herein. Plaintiff's doctor then extended this medical leave for another two (2) weeks.

78. On or about September 5, 2019, Plaintiff's psychiatrist determined that Plaintiff could no longer remain employed with Defendants due to the ongoing sexual harassment and hostile work environment, concluding that "it is not in the best interest of her mental health for her to return to work at this time."

79. Thus, Plaintiff was constructively discharged from her employment by her medical providers as a result of the herein described sexual harassment, discrimination, and retaliation and the resulting stress, anxiety, and adverse impacts upon her health and medical condition.

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

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

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

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

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

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

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

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

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

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

COUNT ONE

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

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

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

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

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

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

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

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

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

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

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

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

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

COUNT TWO

NJLAD – RETALIATION/IMPROPER REPRISAL

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

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

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

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

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

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

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

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

COUNT THREE

NJLAD – QUID PRO QUO SEXUAL HARASSMENT AND DISCRMINATION

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

105. Plaintiff was subjected to unwelcome sexual harassment in the form of sexual advances or requests for sexual favors from Defendant DiSilvestro.

106. If Plaintiff did not accede to his sexual demands, Defendant DiSilvestro threatened Plaintiff and/or instilled fear in Plaintiff she would lose her job or suffer other adverse employment consequences.

107. Defendants had knowledge of such conduct.

108. Plaintiff was retaliated against on a number of occasions as a result thereof.

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

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

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

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

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

COUNT FOUR

ASSAULT

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

112. By intentionally touching Plaintiff, particularly by touching Plaintiff in a sexual manner, Defendant DiSilvestro intended to cause and did cause Plaintiff to suffer apprehension of an immediate harmful contact.

113. Defendant DiSilvestro touched Plaintiff knowingly, willfully, and with malicious intent, and Plaintiff is entitled to punitive damages.

114. Defendant DiSilvestro was an employee of Corporate Defendant when he committed the acts intended to cause and causing Plaintiff to suffer apprehension of an immediate harmful contact.

115. Corporate Defendant, despite having actual or constructive notice of Defendant DiSilvestro's conduct, was deliberately indifferent and acquiesced to same, proximately causing damages to the Plaintiff.

116. On account of the conduct of Defendants, Plaintiff has been injured.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, 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.

COUNT FIVE

BATTERY

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

118. By intentionally touching Plaintiff, Defendant DiSilvestro intended to cause and did cause immediate harmful and offensive contact with Plaintiff.

119. Defendant DiSilvestro touched Plaintiff knowingly, willfully, and with malicious intent, and Plaintiff is entitled to punitive damages.

120. Defendant DiSilvestro was an employee of Corporate Defendant when he committed the intentional touching of Plaintiff.

121. Corporate Defendant, despite having actual or constructive notice of Defendant DiSilvestro's conduct, was deliberately indifferent and acquiesced to same, proximately causing damages to the Plaintiffs.

122. On account of the conduct of Defendants, Plaintiff has been injured.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, 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.

COUNT SIX

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

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

124. Defendants above described conduct was extreme and outrageous, and was intentionally committed in a fashion to produce emotional distress, or recklessly in deliberate disregard of a high degree of probability that emotional distress would follow.

125. Said conduct was the proximate cause of Plaintiff's emotional distress, which was so severe that no reasonable person could be expected to endure it.

126. Indeed, Plaintiff did in fact experience severe emotional distress by being threatened to provide sexual favors to Defendant DiSilvestro in order to keep her employment from being terminated or to avoid adverse employment action.

127. As a result, Plaintiff was caused to sustain and did sustain serious and permanent personal injuries requiring the care and treatment of physicians, hospitalization, and/or medication, and has been and will in the future be required to seek treatment and medication and will continue to be hampered in her daily routine.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, 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.

COUNT SEVEN

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

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

129. While employed with Defendants, Plaintiff was threatened to provide sexual favors to her supervisor, Defendant DiSilvestro, so as to prevent Defendant DiSilvestro from terminating her employment or subjecting her to adverse employment action.

130. Plaintiff had placed Defendants on notice by making complaints to her supervisors of the sexual harassment she was experiencing at the hands of Defendant DiSilvestro.

131. Despite being fully aware and informed of the fact that Defendant DiSilvestro was repeatedly and continuously subjecting Plaintiff to severe and pervasive sexual harassment, Defendants failed to take any reasonable action(s) to correct the situation.

132. As a result of Defendants' unreasonable failure to address Plaintiff's complaints, Plaintiff was left open and vulnerable to Defendants DiSilvestro's unlawful conduct, and thus, was threatened to provide unwanted sexual favors to Defendant DiSilvestro in order to prevent him from terminating her employment or subjecting her to adverse employment action.

133. Said negligent conduct was the proximate cause of Plaintiff's substantial bodily injury and/or sickness and/or emotional distress, which was so severe that no reasonable person could be expected to endure it.

134. As a result, Plaintiff was caused to sustain and did sustain serious and permanent personal injuries requiring the care and treatment of physicians, hospitalization, and/or medication, and has been and will in the future be required to seek treatment and medication and will continue to be hampered in her daily routine.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, 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 DISCOVERY OF INSURANCE COVERAGE

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

DEMAND FOR TRIAL BY JURY

Plaintiff demand a trial by jury on all issues.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

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

Dated: December 6, 2019

DESIGNATION OF TRIAL COUNSEL

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

CERTIFICATION

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

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

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

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

Dated: December 6, 2019

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<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;">FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, PUNITIVE DAMAGES, AND DEPOSITION NOTICES TO DEFENDANT(S)</p>
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PLEASE TAKE NOTICE that, McOmber & McOmber, P.C., attorneys for Plaintiff Kimberly A. North (“Plaintiff”) demand that Defendants Defendant Eric M. Krise Electrical Contractor, LLC (“Defendant Krise Electrical”), Defendant Dru DiSilvestro (“Defendant DiSilvestro”), Defendant Eric M. Krise (“Defendant E. Krise”), Defendant Stephanie Krise (“Defendant S. Krise”), Defendant Wendy Seagraves (“Defendant Seagraves”), and Defendant Jim Parks (“Defendant Parks”) (“Individually Defendant”) (collectively “Defendants”),

(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 Krise Electrical” shall mean Eric M. Krise Electrical Contractor, LLC and any of its officers, directors, employees, agents, representatives, successors, predecessors, assigns, divisions, affiliates, subsidiaries, and all persons acting or purporting to act on its behalf.

3. “Defendant DiSilvestro” shall mean Dru DiSilvestro, Defendant in the above captioned action.

4. “Defendant E. Krise” shall mean Eric M. Krise, Defendant in the above captioned action.

5. “Defendant S. Krise” shall mean Stephanie Krise, Defendant in the above captioned action.

6. “Defendant Seagraves” shall mean Wendy Seagraves, Defendant in the above captioned action.

7. “Defendant Parks” shall mean Jim Parks, Defendant in the above captioned action.

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

9. 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.

10. 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.

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

12. “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.

13. “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.

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

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

16. 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.

17. 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.

18. 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.

19. “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.

20. 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.

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

22. 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.

23. 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.

24. 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.

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

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

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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

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

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

13. In the event that any document or portion thereof is withheld on the basis of any privilege or otherwise claimed to be protected against production, such document shall be identified by stating: (a) the nature of the privilege or reason for withholding which Defendant(s) contend applied; (b) the factual basis for Defendant(s)' assertion of privilege or the reason for withholding; (c) the type of document (e.g., letter, memorandum, etc.); (d) all authors and addressees; (e) all indicated and blind copies; (f) all persons to whom the document was distributed, shown, or explained; (g) the document's date; (h) a summary description of the document's subject matter; (i) the number of pages and attachments or appendices comprising the document; and (j) its present custodian.

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

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

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

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

18. Punitive Requests relate to Corporate Defendant(s)' financial condition for purposes of punitive damages. "Case law recognizes the defendant's financial condition as a relevant factor in all punitive-damage awards." *Herman v. Sunshine Chemical Specialties, Inc.*, 133 N.J. 329, 339, (1993). In order to properly determine the appropriate punitive damage award amount, the trier of fact "must consider evidence of the Defendant's financial condition." *Id.* at

342. “The degree of punishment resulting from a judgment must be, to some extent, in proportion to the means of the guilty person. *Restatement (Second) of Torts* 908 comment d (1977).” *McDonough v. Jorda*, 214 N.J. Super. 338, 349 (1986), *certif. denied*, 110 N.J. 302,(1988) *cert. denied*, 489 U.S. 1065 (1989).

DOCUMENT REQUESTS TO DEFENDANT(S)

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

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

3. 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.

4. 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.

5. 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.

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

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

8. 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.

9. 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.

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

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

12. 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.

13. 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.

14. 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.

15. 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.

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

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

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

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

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

21. 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.

22. 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.

23. 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.

24. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45. 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.

46. 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.

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

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

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

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

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

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

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

54. 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.

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

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

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

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

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

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

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

62. 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.

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

64. 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.

65. 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.

66. 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.

67. All statements, documents, or communications concerning any communication

between Defendant(s) and Defendant(s)' Human Resources department regarding Plaintiff.

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

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

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

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

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

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

74. 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).

75. 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.

76. 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.

77. 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.

78. 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.

79. 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.

80. 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.

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

82. 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.

83. 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.

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

85. 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. 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.

7. 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.

8. 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.

9. 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.

10. 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.

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

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

13. 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.

14. 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.

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

16. With respect to each proposed expert witness referred to in the preceding

Interrogatory, provide the following:

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

17. 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.

18. 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.

19. 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.

20. 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.

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

22. 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.

23. 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.

24. 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.

25. 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.

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

27. 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.

28. 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.

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

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

35. 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.

36. 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.

37. 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.

38. 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.

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

40. 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.

41. 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.

42. 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).

43. 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.

44. 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.

45. 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

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

47. 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).

48. 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.

49. 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).

50. 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).

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

52. 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.

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

54. 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.

55. 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.

56. 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.

57. 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.

58. 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.

59. 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.

60. 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.

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

62. 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).

63. 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.

64. 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.

65. 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.

66. 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?

67. 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).

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

69. 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.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

78. 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.

79. 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.

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

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

82. 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.

83. 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.

84. 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.

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

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

87. 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).

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

89. 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.

90. 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.

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

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

93. 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.

94. 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).

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

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

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

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

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

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

101. 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).

102. 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.

103. 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.

104. 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.

105. 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.

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

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

108. 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.

109. 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.

110. 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.

111. 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.

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

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

114. 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.

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

116. 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.

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

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

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

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

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

122. 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.

123. 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.

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

125. 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.

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

127. 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.

128. 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.

129. 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.

130. 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.

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

132. 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).

133. 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):

- a. Name and address;
- b. State of incorporation;
- c. The state in which doing business;
- d. Address of each business office;
- e. The name and address of each current officer or director;
- f. The nature of the business in which engaged.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

CERTIFICATION

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

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

Dated: _____, 2019

By: _____

CERTIFICATION

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

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

Dated: _____, 2019

By: _____

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R. Armen McOmber, Esq. – NJ ID # 018251998
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Christian V. McOmber, Esq. – NJ ID # 012292010
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(732) 530-8545 Fax
Attorneys for Plaintiff, Kimberly A. North

<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION OF CORPORATE DEFENDANT(S)</u></p>
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PLEASE TAKE NOTICE that pursuant to *Rule 4:14-2(c)* of the New Jersey Rules of Court, Plaintiff Kimberly A. North through her undersigned counsel, will take the deposition upon oral examination of the corporate representative of Corporate Defendant (s) **commencing on April 6, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C. 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, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

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<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION</u></p>
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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 **Dru Disilvestro commencing on April 7, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

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Attorneys for Plaintiff, Kimberly A. North

<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION</u></p>
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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 **Eric M. Krise commencing on April 8, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

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

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

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Attorneys for Plaintiff, Kimberly A. North

<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO</u> <u>DEPOSITION</u></p>
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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 **Stephanie Krise commencing on April 9, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

Matthew A. Lubber, Esq. – NJ ID # 017302010
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R. Armen McOmber, Esq. – NJ ID # 018251998
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Christian V. McOmber, Esq. – NJ ID # 012292010
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<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION</u></p>
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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 **Wendy Seagraves commencing on April 10, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

PLEASE TAKE FURTHER NOTICE that the foregoing deposition shall be conducted before a notary public or other duly authorized officer and will be recorded stenographically and/or

by videotape in accordance with Rules of Court. The deposition shall continue from day to day, weekends and holidays excepted, until completed, unless otherwise agreed by the parties.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

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Attorneys for Plaintiff, Kimberly A. North

<p>KIMBERLY A. NORTH,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>ERIC M. KRISE ELECTRICAL CONTRACTOR LLC, DRU DISILVESTRO, ERIC M. KRISE, STEPHANIE KRISE, WENDY SEAGRAVES, JIM PARKS, ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: right;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION CAMDEN COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><u>NOTICE OF R. 4:14-2(c) VIDEO DEPOSITION</u></p>
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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 **Jim Parks** **commencing on April 13, 2020 at 10:00a.m.** at the law offices of McOmber & McOmber, P.C.

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

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, Kimberly A. North

Dated: December 13, 2019

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

Civil Case Information Statement

Case Details: CAMDEN | Civil Part Docket# L-004988-19

Case Caption: NORTH KIMBERLY VS ERIC M. KRISE
ELECTRICAL CONT

Case Initiation Date: 12/13/2019

Attorney Name: MATTHEW ALLEN LUBER

Firm Name: MC OMBER & MC OMBER, PC

Address: 54 SHREWSBURY AVENUE

RED BANK NJ 07701

Phone: 7328426500

Name of Party: PLAINTIFF : NORTH, KIMBERLY, A

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

Case Type: LAW AGAINST DISCRIMINATION (LAD) CASES

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

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

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

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

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

If yes, is that relationship: 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

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

12/13/2019

Dated

/s/ MATTHEW ALLEN LUBER

Signed