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<p>MARIE DEANE,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BOARD OF EDUCATION OF THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, LEROY SEITZ, Ed.D.; ELENA JAUME, 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                  MONMOUTH COUNTY                  DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><b>COMPLAINT AND DEMAND                  FOR JURY TRIAL; FIRST DEMAND FOR                  PRODUCTION OF DOCUMENTS AND                  FIRST SET OF INTERROGATORIES                  DIRECTED TO ALL DEFENDANTS</b></p>
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Plaintiff Marie Deane (“Plaintiff”), by way of Complaint against Defendant Board of Education of the Township of Holmdel, in the County of Monmouth (“Defendant Holmdel BOE”), Defendant ABC Corporations 1-5 (fictitious names describing presently unknown business entities) (along with “Defendant Holmdel BOE,” collectively referred to as the “Corporate Defendants”), Defendant LeRoy Seitz, Ed.D. (“Defendant Seitz”), Defendant Elena Jaume (“Defendant Jaume”) and Defendant John Does 1-5 (fictitious names describing presently unidentified individuals) (along with “Defendant Seitz” and “Defendant Jaume,” collectively referred to as the “Individual Defendants”) (all collectively “Defendants”), alleges as follows:

## INTRODUCTION

This is an action brought under the New Jersey Law Against Discrimination (“LAD”) which concerns the most basic rights of a human being - the right to be treated equally in the workplace. Defendants not only subjected Plaintiff to disparate treatment, degradation, and increased scrutiny on account of her gender, but also, flagrantly retaliated against Plaintiff for complaining about same. Specifically, Defendant Holmdel BOE permitted its former Interim Superintendent of Schools, Defendant Seitz, to repeatedly make misogynistic, sexually harassing and discriminatory comments about Defendant Holmdel BOE’s staff members.

Indeed, on or about September 24, 2021, Defendant Seitz informed Defendant Holmdel BOE’s Interim Director of Student Services, Dr. Carolyn Marano (“Dr. Marano”), in Plaintiff’s presence, that several women who had attended a recent meeting with him dressed provocatively in an attempt to persuade him on various topics discussed at said meeting. On another occasion shortly thereafter, Defendant Seitz stated to Dr. Marano in Plaintiff’s presence that while a female hairstylist was cutting his hair during a recent hair cut, he had a *“good view when she was leaning over in front of him cutting his hair and it would have been great to have a lap dance.”*

Defendant Seitz’s vile comments were not only directed towards Defendant Holmdel BOE’s staff members; indeed, he also directed such remarks towards students themselves. Specifically, on October 18, 2021, Defendant Seitz inappropriately discussed a school nurse’s concern with a parent request to provide cream to a student’s genital area. During the conversation, which was again in Plaintiff’s presence, Defendant Seitz stated to Dr. Marano, *“Oh come on Carolyn, we’ve got to have several pedophiles on staff that would volunteer to put Desitin on the child, haha. I want to see the job description for this, haha.”*

When Plaintiff reported Defendant Seitz for his egregiously harassing and discriminatory comments, she quickly found herself subjected to a torrent of retaliation. Indeed, after Plaintiff's complaints, Defendant Holmdel BOE forced Plaintiff to work from home while Defendant Seitz, remarkably, suffered no consequences and/or discipline whatsoever. While Plaintiff worked from home, Defendant Seitz gained possession of Plaintiff's passwords to her work accounts and rummaged through her accounts in an attempt to ascertain the details of Plaintiff's complaint about his harassing and discriminatory comments. Even worse, Defendant Seitz ultimately locked Plaintiff out of her work accounts, effectively prohibiting her from completing her work assignments. Rather than take appropriate action to address Defendant Seitz's conduct, Defendant Holmdel BOE instead unilaterally transferred Plaintiff from her prestigious role as a Confidential Secretary in Defendant Holmdel BOE's Central Office to a Secretary position for an Assistant Principal of Holmdel High School. This caused Plaintiff not only severe emotional distress, but also, severely impacted her future earning potential.

Ultimately, the facts conclusively reveal that Defendant Holmdel BOE shirked its obligation to ensure the safety of its school community, and in fact, actively retaliated against Plaintiff for daring to complain about harassing comments perpetrated by the individual charged with leading the Holmdel School District at all relevant times. Fortunately, the LAD provides remedies for employees subjected to such invidious discrimination and retaliation. Plaintiff brings this action to vindicate her rights to a safe workplace free from sexual harassment and retaliation.

### **PARTIES**

1. Plaintiff is an individual currently residing in Manasquan, New Jersey.
2. Defendant Holmdel BOE is a non-profit corporation organized and existing under the laws of the State of New Jersey with a principal place of business located at 65 McCampbell

Road, Holmdel, NJ 07733. At all times relevant hereto, Defendant Holmdel BOE is an “employer” as defined under the LAD.

3. Defendant Seitz was, at all times relevant herein, the Interim Superintendent of Schools for Defendant Holmdel BOE. At all times relevant hereto, Defendant Seitz was an “employer” as defined under the LAD.

4. Defendant Jaume was, at all times relevant herein, the Human Resources (“HR”) Manager for Defendant Holmdel BOE. At all times relevant hereto, Defendant Jaume was an “employer” as defined under the LAD.

5. Upon information and belief, ABC Corporations 1-5 are currently unidentified business entities who acted in concert with Corporate Defendants and/or currently unidentified business entities responsible for the creation and/or implementation of policies of Corporate Defendants, and/or currently unidentified business entities who may have liability for the damages suffered by Plaintiff under any theory advanced herein.

6. Upon information and belief, Defendant John Does 1-5 are currently unidentified individuals who have acted in concert, aided and abetted, were complicit in, engaged in and/or encouraged conduct with regard to the instant matter and/or were responsible for the creation and/or implementation of policies of Corporate Defendants 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**

7. Defendant Holmdel BOE claims, at all times relevant hereto, that they had in effect at their facilities and locations within the State of New Jersey specific policies prohibiting sexual harassment and gender-based discrimination.

8. Defendant Holmdel BOE claims, at all times relevant hereto, that they had in effect at their facilities and locations within the State of New Jersey a zero-tolerance policy when it comes to sexual harassment, gender-based discrimination and retaliation.

9. Defendant Holmdel BOE claims, at all times relevant hereto, that they had in effect at their facilities and locations within the State of New Jersey policies and procedures requiring an employee who believes he or she was the victim of sexual harassment and/or gender discrimination to report the harassment to supervisory and management staff.

10. Defendant Holmdel BOE claims, at all times relevant hereto, that they had in effect at their facilities and locations within the State of New Jersey policies and procedures committing to engage in a timely and effective investigation of complaints of sexual harassment and gender discrimination brought to their attention by employees.

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

12. In or around October 2014, Plaintiff was hired as the Executive Secretary to the Assistant Superintendent of Defendant Holmdel BOE who, at that time, was Dr. Robert McGarry (“Dr. McGarry”).

13. When Dr. McGarry was promoted to Defendant Holmdel BOE’s Superintendent of Schools on or about July 1, 2016, Plaintiff was simultaneously promoted to Executive Secretary to the Superintendent so that she could continue working with Dr. McGarry.

14. Throughout her tenure with Defendant Holmdel BOE, Plaintiff genuinely enjoyed the work she was assigned and performed her job responsibilities competently and diligently, loyally dedicated to Defendant Holmdel BOE and the students which it serves.

15. Despite her demonstrated ability to maintain the very highest level of job performance, Plaintiff was ultimately subject to an intolerable hostile work environment rife with sexual harassment, gender discrimination and retaliation by Defendant Seitz, Defendant Holmdel BOE's Interim Superintendent of Schools at that time.

16. In a complete betrayal of the high professional standard set for educators, Defendant Seitz regularly engaged in sexually harassing and egregiously discriminatory conversations in Plaintiff's presence.

17. By way of example but not limitation, on or about September 24, 2021, Defendant Seitz stated to Dr. Marano that several women who attended a recent meeting with him intentionally dressed provocatively to attempt to persuade him on various topics discussed at the meeting on that date.

18. Moreover, on or about October 7, 2021, Defendant Seitz stated to Dr. Marano that while a female hairstylist was cutting his hair during his most recent haircut, he had a "***good view when she was leaning over*** in front of him cutting his hair and it ***would have been great to have a lap dance.***"

19. These degrading and sexually charged comments were all made in the presence of Plaintiff.

20. Defendant Seitz's campaign of misogynistic, harassing and discriminatory comments were directed not only to females outside of Defendant Holmdel BOE's school

community, but also, towards Defendant Holmdel BOE's staff members and, disturbingly, even its students.

21. Indeed, on or about October 18, 2021, Defendant Seitz and Dr. Marano were having a conversation in Defendant Seitz's office with his door open, allowing Plaintiff to hear the conversation from her nearby desk.

22. During this conversation, Dr. Marano informed Defendant Seitz that Shirley Campuzano ("Ms. Campuzano"), the school nurse for the Village School, had called Dr. Marano to discuss a student concern. Specifically, Ms. Campuzano expressed that she was uncomfortable with a request by a student's parent to apply Desitin, a diaper rash cream, to the student's genital area to help alleviate diaper rash symptoms the student experienced.

23. In response, Defendant Seitz disturbingly retorted "Oh come on Carolyn, *we've got to have several pedophiles on staff that would volunteer to put Desitin on the child, haha. I want to see the job description for this, haha.*"

24. To state that Plaintiff was sickened upon hearing this would be a gross understatement. In fact, Plaintiff immediately experienced difficulty breathing and heart palpitations after overhearing Defendant Seitz's aforementioned harassing and discriminatory remarks.

25. Plaintiff knew she needed to report Defendant Seitz for said comments, and as such, requested a meeting with Denise King ("Ms. King"), the President of the Monmouth County Education Association, and Stephen Hunter, Esq. ("Mr. Hunter"), an attorney for the New Jersey Education Association.

26. With Plaintiff's consent, Mr. Hunter dispatched a letter to Paul Green, Esq. ("Mr. Green"), Board Attorney for Defendant Holmdel BOE, formally complaining about Defendant Seitz's aforementioned harassing and discriminatory remarks.

27. Upon receiving the letter containing Plaintiff's complaints, Mr. Green informed Mr. Hunter that an independent law firm would be hired to investigate same, which would include interviews of both Plaintiff and Defendant Seitz.

28. While this investigation took place, Defendant Seitz was neither subjected to discipline nor was he placed on administrative leave by Defendant Holmdel BOE. Instead, Defendant Seitz was simply allowed to continue working as the Interim Superintendent of Schools.

29. Outrageously, however, Plaintiff, the individual who reported Defendant Seitz's harassing and discriminatory remarks, was forced to work remotely from her home during this time.

30. Defendants' retaliation against Plaintiff for her complaints regarding Defendant Seitz did not end there.

31. Indeed, Defendant Jaume, Human Resources ("HR") Manager for Defendant Holmdel BOE, called Plaintiff on or about November 15, 2021 and demanded that she provide her password to her email and Google Drive accounts.

32. Upon information and belief, Defendant Jaume demanded Plaintiff's password to provide same to Defendant Seitz.

33. Once Defendant Seitz possessed Plaintiff's login credentials, Defendant Seitz removed Plaintiff's access to her work email and Google Drive accounts, effectively prohibiting her from continuing to work at home. Needless to say, Defendant Seitz intentionally orchestrated this plan to coerce Plaintiff's physical return to work so he could further escalate his retaliation



against Plaintiff for daring to object to an environment rife with invidious sexual harassment and gender discrimination.

34. Even more concerning, Plaintiff's documentation of Defendant Seitz's sexual harassment and gender discrimination was stored on her work email and Google Drive. With Defendant Seitz now in control of these accounts, he was not only able to access Plaintiff's detailed report of Defendant Seitz's harassing and discriminatory remarks, but also, prevent Plaintiff from accessing same.

35. With Plaintiff no longer able to access her work accounts, Defendants then placed Plaintiff on an indefinite administrative leave.

36. Yet, Defendants' blatant pattern of retaliation against Plaintiff did not end there. In fact, in November 2021, Defendant Holmdel BOE updated their district website and removed Plaintiff's name from the Central Office homepage, thus signaling to Plaintiff and the school community that she was no longer being permitted to work in Defendant Holmdel BOE's Central Office immediately following, and as a direct result of, her reporting of Defendant Seitz's harassing and discriminatory remarks.

37. Plaintiff's name on the Central Office homepage was replaced by Giovanna Buzzerio ("Ms. Buzzerio"), whom Defendants reassigned from the William R. Satz Middle School to assume Plaintiff's job responsibilities.

38. Shortly thereafter, Defendant Holmdel BOE began conjuring clearly pretextual ruses to falsely accuse Plaintiff of workplace deficiencies, despite her exemplary record as an employee of Defendant Holmdel BOE.

39. By way of example but not limitation, on or about December 8, 2021, Mr. Green, at the behest of Defendant Seitz, asked to meet with Mr. Hunter and Plaintiff. Although Plaintiff

believed this meeting would be focused on the resolution of Plaintiff's outstanding complaint against Defendant Seitz, Mr. Green instead devoted the meeting to interrogate Plaintiff about an issue from the summer of 2021 where there was a purported "missing file" of Dr. McGarry, Defendant Holmdel BOE's previous Superintendent of Schools.

40. Notably, this "missing file" was soon found in the personnel file room, an area Plaintiff did not have access to and yet, Defendants Seitz and Jaume still falsely accused Plaintiff of removing the file from its proper location.

41. Undoubtedly, this false accusation was part of Defendants' concerted and calculated campaign to retaliate against Plaintiff for reporting Defendant Seitz for harassment and discrimination.

42. Shortly thereafter, on or about December 15, 2021, Defendant Seitz resigned from his position as Interim Superintendent of Schools citing "personal reasons."

43. On or about January 10, 2022, Mr. Green and Mr. Hunter had a meeting regarding Plaintiff's continued employment with Defendant Holmdel BOE. During said meeting, Mr. Green informed Mr. Hunter, who in turn told Plaintiff, that Plaintiff would be returning to work the following day on January 11, 2022; however, and significantly, Plaintiff was being unilaterally reassigned to Holmdel High School to work as a Secretary for Angela Thomas ("Ms. Thomas"), Holmdel High School's Assistant Principal.

44. Plaintiff immediately objected to this reassignment because Ms. Thomas was Dr. Marano's close friend, and Plaintiff feared that Ms. Thomas would continue retaliating against Plaintiff on behalf of Dr. Marano. Ultimately, however, Defendants transferred Plaintiff to Holmdel High School to work as a Secretary to Assistant Principal Michael Ferrarese ("Mr. Ferrarese").

45. Plaintiff further objected to said reassignment as she was caring for her terminally ill father and, thus, would not be able to return to work on one day's notice. As such, the parties agreed that Plaintiff would begin working on January 14, 2022. Nevertheless, Defendants charged Plaintiff for two (2) personal days from her absences balance.

46. In further retaliation against Plaintiff, Mr. Green also advised Mr. Hunter that Plaintiff would not receive her previous email and Google Drive account, and instead, would receive a new work email and Google Drive account. To be sure, no legitimate interest other than retaliating against Plaintiff existed for not restoring Plaintiff's access to her original work email.

47. Further, Plaintiff developed numerous detailed templates for her work assignments on her Google Drive account, which she suddenly no longer had access to. Thus, Defendants intentionally retaliated against Plaintiff by disrupting her ability to discharge her work responsibilities at the highest level.

48. Significantly, Defendants' disparate treatment of Plaintiff in this regard was not implemented with other employees of Central Office that were previously transferred, including but not limited to, Patricia Desaro, Paula Rispoli, and Jeanne Panepinto.

49. Notably, Mr. Green refused to provide any explanation as to why Plaintiff was not allowed to return to her position as Executive Secretary to the Superintendent of Schools.

50. Finally, Mr. Green informed Plaintiff that she would receive a summary of the independent investigation.

51. However, and as yet another example of Defendant Holmdel BOE's failure to appropriately redress Plaintiff's complaints regarding Defendant Seitz, Mr. Green did not provide Plaintiff with the summary of the independent investigation until nearly *two months later*, on March 4, 2022.

52. In the report, Mr. Green openly acknowledged and admitted that “the investigator found [Plaintiff]’s allegations to be credible.”

53. Astoundingly, Mr. Green went onto elaborate that Plaintiff “could be characterized as a ‘busybody’ who often listens in on other conversations,” a statement which is, in and of itself, inherently sexist.

54. Not only did Plaintiff’s involuntary transfer to Holmdel High School result in the loss of status working at Defendant Holmdel BOE’s Central Office, but also, said transfer resulted in a loss of future earnings as well.

55. Indeed, on average, Plaintiff received a 2% yearly raise as Executive Secretary to the Superintendent, which was an increase of approximately \$1,800.00 annually. However, school secretaries only receive a \$500.00 annual salary increase. Thus, as a result of Plaintiff’s retaliatory transfer to Holmdel High School, Plaintiff will be receiving a smaller annual salary raise than she would have but for Defendants’ retaliatory employment transfer.

56. Upon information and belief, Defendant Holmdel BOE was preparing to raise Plaintiff’s salary as Executive Secretary to the Superintendent by at least \$6,000.00 in order to better align Plaintiff’s salary with average salaries for similar positions in Monmouth County. However, Plaintiff was denied this potential raise when Defendant Holmdel BOE transferred her from Central Office to Holmdel High School in retaliation for her complaints about Defendants’ harassment and discrimination.

57. Moreover, Plaintiff will continue to suffer future losses of income, as Plaintiff’s social security benefits and pension benefits are based upon her highest three (3) years of salary.

58. Simply stated, Defendant Holmdel BOE, by and through their agents, intentionally created, knowingly permitted, and failed to remedy a hostile working environment rife with sexual

harassment, gender discrimination, and retaliation. As a result of Defendants' illegal actions, Plaintiff has, and continues to, suffer severe emotional trauma and will suffer future financial loss.

**COUNT ONE**

**NJLAD – SEXUAL HARRASSMENT, AND HOSTILE WORK ENVIRONMENT  
DISCRIMINATION**

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

60. The pattern and practice of sexual harassment by Defendants is outlined above.

61. 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.

62. Defendant Holmdel BOE did not maintain useful formal and informal complaint structures for victims of discrimination and harassment.

63. Defendant Holmdel BOE did not properly train supervisors and/or employees on the subject of discrimination and harassment.

64. Defendant Holmdel BOE failed to institute appropriate monitoring mechanisms to check the effectiveness of the policies and complaint structures.

65. Defendant Holmdel BOE 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 discriminated against Plaintiff and retaliated against her for complaining about such conduct.

66. Defendant Holmdel BOE failed to conduct prompt and thorough investigations of employee complaints of harassment or provide a remedial plan reasonably calculated to stop any harassment, discrimination, and/or retaliation that is found.

67. As the employer and/or supervisor of Plaintiff, Defendant Holmdel BOE is vicariously, strictly, and/or directly liable to Plaintiff pursuant to the New Jersey Law Against Discrimination (“NJLAD”), *N.J.S.A. 10:5-1, et seq.*, in that the affirmative acts of harassment and discrimination committed by Defendant Seitz and Defendant Jaume that occurred within the scope of her employment; the creation of the hostile work environment was aided by Defendant Holmdel BOE in delegating power to Defendant Seitz and Defendant Jaume to control the day-to-day working environment; and/or Defendant Holmdel BOE was deliberately indifferent, reckless, negligent and/or tacitly approved the discrimination, hostile work environment; and/or 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 and discrimination in the workplace; and/or by having actual knowledge of the harassment and discrimination of Plaintiff and failing to promptly and effectively act to stop it.

68. Defendants aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce Defendant Seitz and Defendant Jaume to commit acts and omissions that were in violation of the NJLAD by committing affirmatively harassing, discriminatory, and retaliatory acts towards 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)*.

69. Defendants and the managers and/or supervisors of Plaintiff, including Defendant Seitz and Defendant Jaume, 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 and discriminatory acts toward

Plaintiff in violation of their supervisory duty to halt or prevent harassment and discrimination rendering all Defendants individually and collectively liable to Plaintiff pursuant to *N.J.S.A. 10:5-12(e)*.

70. 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 NJLAD, punitive damages, pre-and post-judgment interest, attorneys' fees and costs of suit and for such other relief that the Court deems equitable and just. 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. Pre-judgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the NJLAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation 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 prevention 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 prevention 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 and 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**

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

71. 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.

72. As a direct result, Defendants took retaliatory action against Plaintiff, which are outlined above.

73. 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).

74. 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, ant attorneys' fees and costs of suit. More specifically, Plaintiff demands judgments 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. Pre-judgment interest and enhancements to off-set negative tax consequences;
- I. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- J. Such other relief as may be available pursuant to the NJLAD and which the Court deems just and equitable;
- K. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- L. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation 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 prevention 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 prevention 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 and 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.

**DEMAND FOR DISCOVERY OF INSURANCE COVERAGE**

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

**DEMAND FOR TRIAL BY JURY**

Plaintiff demands a trial by jury on all issues.

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, Marie Deane*

By: /s/ Austin B. Tobin  
AUSTIN B. TOBIN, ESQ.

Dated: March 15, 2022

**DESIGNATION OF TRIAL COUNSEL**

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

**CERTIFICATION**

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

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

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, Marie Deane*

By: /s/ Austin B. Tobin  
AUSTIN B. TOBIN, ESQ.

Dated: March 15, 2022

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<p>MARIE DEANE,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BOARD OF EDUCATION OF THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, LEROY SEITZ, Ed.D.; ELENA JAUME, 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                  MONMOUTH COUNTY                  DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><b>FIRST DEMAND FOR PRODUCTION OF DOCUMENTS AND FIRST SET OF INTERROGATORIES DIRECTED TO ALL DEFENDANTS</b></p>
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**FIRST SET OF DOCUMENT REQUESTS, INTERROGATORIES, PUNITIVE DAMAGES, AND DEPOSITION NOTICES TO DEFENDANT(S)**

PLEASE TAKE NOTICE that, McOmbler McOmbler & Luber, P.C., attorneys for Plaintiff Marie Deane (“Plaintiff”) demand that Defendants Defendant Board of Education of the Township of Holmdel, in the County of Monmouth, Defendant LeRoy Seitz, Ed.D., and Defendant Elena Jaume (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 Holdmel BOE” shall mean Board of Education of the Township of Holmdel 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 Seitz” shall mean LeRoy Seitz, Defendant in the above-captioned action.

4. “Defendant Jaume” shall mean Elena Jaume, Defendant in the above-captioned action.

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

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

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

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

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

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

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

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

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

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

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

16. “Document” or “documents” is defined in accordance with New Jersey Court *Rule 4:18-1* and includes the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced, or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including, but not limited to, memoranda, notes, minutes, records photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statements, charts, studies, reports, graphs, statements, notebooks, handwritten notes, application, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations or voicemails, emails, inter-office or intra-office communications, handwritten or other notices, diaries, invoices, purchase orders, bills of lading, work papers, and also including, but not limited to, originals and all copies which are different from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, representatives, employees, or attorneys of Defendant(s), or all persons acting on Defendant(s)’ behalf, including documents at any time in the possession, custody or control of such Individuals or entities who are known by Defendant(s) to exist. Include any catalog, brochure, or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant(s) have or have had access.

17. The term “communication” means any conversation, correspondence, discussion, meeting, message, record of phone calls, or other occurrence in which data, conclusions,

information, opinions, or thoughts are exchanged between two or more persons, whether it be written, oral, or electronically transmitted.

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

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

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

21. The phrases “relating to” or “relate to” or “relates to” or “refer to” or “refers to” or “referred” or “relating to” and/or “regarding” shall be construed in the broadest possible sense to mean, *inter alia*, concerning, referring to, embodying, constituting, describing, connected with, commenting on, responding to, evidencing, identifying, supporting, contradicting, rebutting, pertaining to, and/or relating in any way.

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

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



## INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

14. Whenever a claim of privilege concerns any oral communication or statement, identify the participants to the communication and the person giving and receiving the statement,

and set forth the date and place of the communication or statement and state the general subject matter thereof and state the basis for the claim of privilege.

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

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

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

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

*McDonough v. Jorda*, 214 N.J. Super. 338, 349 (1986), *certif. denied*, 110 N.J. 302,(1988) *cert. denied*, 489 U.S. 1065 (1989).

**DOCUMENT REQUESTS TO DEFENDANT(S)**

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

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

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

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

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

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

7. All statements, documents, or communications concerning or made by Defendant(s) that relate to the defenses, affirmative defenses, and/or denials asserted in the Answer.

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

9. 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31. 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.

32. 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.

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

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

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

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

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

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

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

40. 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.

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

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

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

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

45. All documents concerning any client or customer Grievances against Defendant(s) for the past ten (10) years.

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

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

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

49. 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.

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

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

52. 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.

53. 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.



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

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

56. Produce a copy of the Plaintiff's personnel file(s).

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

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

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

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

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

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

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

64. 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).

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

66. All documents or electronic data relating, reflecting or referring to Defendant(s) policy or policies concerning employees' use of desktop computers from home or remote

locations, and the management, preservation and/or deletion of data created or transmitted to or from such computers.

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

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

69. 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.

70. 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.

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

72. 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.

73. 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.

74. All statements, documents, or communications concerning any incident reports taken concerning discrimination, harassment, hostile work environment and unfair favoritism complaints by employees and/or clients of Defendant(s) that relates to Defendant(s).

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

76. 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 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.
  
2. State if information set forth in the answers to these Interrogatories is based on personal knowledge. If not based on personal knowledge, set forth with specificity the sources of information and belief.
  
3. Identify each person, not a party to the action, who assisted or participated in preparing and/or supplying any of the information given in answer to or relied in answering these Interrogatories.

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

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

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

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

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

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

- a. field of expertise;
- b. educational background;
- c. the names of any and all books, periodicals, or other writings that he or she has written or to which he or she has contributed;
- d. the date, time, and place at which any oral opinion was rendered, specifying to whom that opinion was rendered and describing the content of that opinion;
- e. true and accurate copies of any and all written reports or opinions, including drafts;
- f. the name, last known address, last known telephone number, job title, and current employer of each person with whom the expert has met in connection with formulating his or her opinion or preparing his or her report(s);
- g. true and accurate copies of any and all documents that the expert created, obtained, or reviewed in connection with the formulation of his or her opinion or the preparation of his or her report(s);

- h. all tangible things upon which your expert(s) may rely as an exhibit at trial and identify the name and address of the person in whose custody the above identified tangible things are at the present time and;
- i. if any such reports, either written or oral, subsequently become known to you or become available, submit copies thereof to supplemental answers to these Interrogatories.

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

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

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

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

13. 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.

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

15. 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.

16. 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.

17. 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.

18. 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.

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

20. 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.

21. 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.

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

23. Identify and provide full details concerning any Investigation relating to the allegations and claims in the Complaint, including but not limited to who was questioned or interviewed, what was discovered, and what corrective action was taken.

24. Identify 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.

25. 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.

26. 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.

27. 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.

28. 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.

29. 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.

30. 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.



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

- a. provide a description of the system(s) or procedure(s) used for the past five (5) years to present; and
- b. identify all documents that in any way touch upon, discuss or pertain to any of the matters referred to in this Interrogatory.

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

33. 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.

34. 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.

35. 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).

36. 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.

37. 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.

38. 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.

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

40. 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).

41. 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.

42. 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).

43. 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).

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

45. 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.

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

47. 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.

48. 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.

49. 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.

50. 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.

51. 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.

52. 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.

53. 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.

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

55. 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).

56. 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.

57. 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.

58. 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.

59. 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?

60. 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).

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

62. 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.

63. 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.

64. 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.

65. 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.

66. 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.

67. 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.

68. 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.

69. 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.

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

71. 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.

72. 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.

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

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

75. 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.

76. 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.

77. 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.

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

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

80. 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).

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

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

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

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

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

86. 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.

87. 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.

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

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

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

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

93. 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).

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

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

96. Identify and describe in detail Defendant(s)' discrimination 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.

**INTERROGATORIES TO INDIVIDUAL DEFENDANT(S) ONLY**

101. 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.

102. 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.

103. 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.

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

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

#### **DOCUMENT REQUESTS RELATED TO PUNITIVE DAMAGES**

1. All financial statements prepared for the years 2011 through 2021 up to and including the present, setting forth income, expenses, assets, liabilities, and profits of the Corporate Defendant(s).

2. All tax returns filed by the Corporate Defendant(s) for the years 2011 through 2021, up to and including the present.

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

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

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

6. All documents evidencing judgments against the Corporate Defendant(s) and the amount of those judgments for the years 2011 through 2021, up to and including the present.

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

8. All documents evidencing or setting forth accounts receivable and/or obligation owed by others to the Corporate Defendant(s) for the years 2011 through 2021, up to and including the present.

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

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

11. All copies of inventories taken by the Corporate Defendant(s) of its property at any time during the years 2011 through 2021, up to and including the present.

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

105. 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.

106. Is a majority interest in the corporate stock of the Defendant(s) owned by any individual, corporation or holding company?

107. 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.

108. 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.

109. 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.

110. 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.

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

112. 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).

113. 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.

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

115. 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.

116. 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.

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

118. 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.

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

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

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, Marie Deane*

By: /s/ Austin B. Tobin  
AUSTIN B. TOBIN, ESQ.

Dated: March 15, 2022



**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: \_\_\_\_\_, 2022

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: \_\_\_\_\_, 2022

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

# Civil Case Information Statement

## Case Details: MONMOUTH | Civil Part Docket# L-000743-22

**Case Caption:** DEANE MARIE VS BOARD OF EDUCATION O F THE

**Case Initiation Date:** 03/15/2022

**Attorney Name:** AUSTIN B TOBIN

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

**Address:** 54 SHREWSBURY AVE

RED BANK NJ 07701

**Phone:** 7328426500

**Name of Party:** PLAINTIFF : DEANE, MARIE

**Name of Defendant's Primary Insurance Company**

(if known): Unknown

**Case Type:** LAW AGAINST DISCRIMINATION (LAD) CASES

**Document Type:** Complaint with Jury Demand

**Jury Demand:** YES - 6 JURORS

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

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

**Are sexual abuse claims alleged by:** MARIE DEANE? NO

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

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

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

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

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

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

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

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

**Will an interpreter be needed?** NO

**If yes, for what language:**

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

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

03/15/2022

Dated

/s/ AUSTIN B TOBIN

Signed