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<p>DANIELA AGUDELO,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>COUNTY OF ESSEX, ANTONIO S. PIRES,              MICHAEL COSTA, ABC GOVERNMENT              ENTITY 1-5 (fictitious names describing              presently unidentified government entities), and              JOHN DOES 1-5 (fictitious names of presently              unidentified individuals),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY              LAW DIVISION              ESSEX COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><b>COMPLAINT &amp; DEMAND              FOR TRIAL BY JURY</b></p>
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Plaintiff Daniela Agudelo (“Plaintiff” or “Plaintiff Agudelo”), by way of Complaint against Defendant County of Essex (“Defendant County” or “Government Entity Defendant”), Antonio S. Pires (“Defendant Pires”), and Michael Costa (“Defendant Costa”) (collectively, “Individual Defendants”) (collectively, “Defendants”), allege as follows:

**INTRODUCTION**

1. At a time in our nation’s history where demand for the eradication of sexual harassment and gender discrimination has never been greater, Plaintiff is the latest victim of such patently unlawful conduct in the workplace. Defendants failed to afford Plaintiff – an Essex County Corrections Officer and 32-years-old woman at the start of her public service career – the basic right to be treated equally in the workplace and free of sexual harassment. Plaintiff is another

victim to this all-too-common occurrence. Indeed, in a career where female officers must assimilate to a male-dominated police culture, female officers are more likely to be sexually harassed as compared to other career fields.<sup>1</sup> An environment of repeated and egregious sexual harassment festered in the upper echelon of Defendant County, fueled by Associate Warden Defendant Pires. Defendant Pires, who is 48-years old and married, used his position of power over Plaintiff's employment to marginalize Plaintiff and subjected her to pervasive sexual harassment. At first, Defendant Pires exploited his position of authority in an effort to seduce and manipulate Plaintiff into a sexual relationship. When Plaintiff rejected Defendant Pires' advances, Defendant Pires retaliated by ordering his officers, "*she needs to be buried.*"

2. In sum, Defendants' actions serve as a reminder that no matter how far we have come as a society, there is still a need to protect victims and eradicate the cancer of unwanted sexual harassment and discrimination in the workplace. Fortunately, New Jersey's Law Against Discrimination, N.J.S.A 10:5-1 et seq., ("NJLAD") provides redress for women subjected to such unwanted treatment. Plaintiff accordingly brings this lawsuit.

### **PARTIES**

3. Plaintiff Agudelo is a 32-year-old, female individual residing in New Jersey and, at all times relevant hereto was employed by Government Entity Defendant as a Correction Officer.

4. Defendant County is a political subdivision and public entity organized under the laws of the State of New Jersey. Defendant County operates, maintains, and controls the Essex County Correctional facility located at 354 Doremus Avenue in the City of Newark, County of

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<sup>1</sup> Women Timothy M. Maher, Police Sexual Misconduct: Female Police Officers' Views Regarding Its Nature and Extent, 20 WOMEN & CRIM. JUST. 263, 266-75 (2010) ("Specifically, the research reveals that whereas 50 to 58 percent of women in the general work-force have experienced sexual harassment, 69 to 77 percent of women in male-dominated professions have been harassed.").

Essex and State of New Jersey. At all times relevant hereto, Defendant County is an “employer” as defined under the NJLAD.

5. Defendant Pires, a male, at all times relevant hereto, is an individual and Associate Warden of Government Entity Defendant. Defendant Pires has the authority to hire, fire, discipline, control employees’ wages and/or control Plaintiff’s schedule. This claim is brought against Defendant Pires in his individual capacity and/or as an agent or servant of Government Entity Defendant.

6. Defendant Costa, a male, at all times relevant hereto, is an individual and Scheduling Sergeant of Government Entity Defendant. Defendant Costa has the authority to hire, fire, discipline, control employees’ wages and/or control Plaintiff’s schedule. This claim is brought against Defendant Costa in his individual capacity and/or as an agent or servant of Government Entity Defendant.

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

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

**FACTS COMMON TO ALL CLAIMS**

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

10. Plaintiff commenced employment with Defendant County as a Corrections Officer in September of 2021.

11. During her tenure with Defendant County, Plaintiff was an excellent employee who satisfactorily carried out her job responsibilities. In fact, due to her work ethic, Defendants promoted Plaintiff to managing the electronic tablet/computer program for detainees and officers.

12. Although Defendants promised Plaintiff a prosperous and rewarding career in law enforcement, Plaintiff's career was stunted by unequivocal sexual harassment, retaliation, and unlawful conduct. Defendant County tolerates a workplace rife with sexual harassment and unlawful conduct. This conduct is engrained in the fabric of Defendant County and perpetrated by the highest-ranking officer – specifically Associate Warden Defendant Pires.

13. Early into Plaintiff's employment, Defendant Pires grew fond of Plaintiff. Despite the fact that Plaintiff viewed Defendant Pires as a mentor, Defendant Pires used his position of authority and power as a means to manipulate and coerce Plaintiff into a sexual relationship – all to fulfill his sexual fantasies and desires.<sup>2</sup>

14. The pattern of sexual harassment and discrimination directed at Plaintiff includes, but is not limited to, the following:

- a. Defendant Pires informed Plaintiff's best friend ("Best Friend") that he was romantically interested in Plaintiff based on her physical appearance, to which the Best Friend advised Plaintiff is not interested. In an effort to get unfettered access

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<sup>2</sup> Upon information and belief, Defendant Pires is no stranger to seeking relationships in the workplace, as he had a relationship with other co-workers.

to Plaintiff without Best Friend's thwarting his sexual desire, Defendant Pires sought to erode their friendship by claiming that Best Friend was "into witchcraft", recommended Plaintiff "see a Santeria priest," and instructed Plaintiff to avoid Best Friend. Defendant Pires later forced Plaintiff to drive with him to consult a Santeria Priest.

- b. Defendant Pires frequently leered at Plaintiff and undressed Plaintiff with his eyes.
- c. Defendant Pires repeatedly commented on Plaintiff's appearance, by calling her ***"beautiful"*** and ***"gorgeous."***
- d. Defendant Pires offered to drive Plaintiff to various appointments and home from work to which Plaintiff objected. When Plaintiff objected, Defendant Pires persisted and on one occasion stated, ***"Well you don't spend time with me anymore or let me drive you home."***
- e. Defendant Pires repeatedly instructed Plaintiff to "hang out" in his office during work hours, where he shut the door and flirted with her.
- f. On one occasion, Defendant Pires changed his door lock code to Plaintiff's birthday.
- g. Defendant Pires frequently showered Plaintiff with gifts. For Valentine's Day, Defendant Pires gifted Plaintiff a flower arrangement and teddy bear. On another occasion, Defendant Pires gifted Plaintiff a box including chocolate bars, candy, key chain, and a teddy bear – while he warned, "I have a gift bag for you tomorrow but ***it comes with a catch.***"
- h. Defendant Pires told Plaintiff that his first priority is his daughter, with Plaintiff as the second priority.

- i. On one occasion, Defendant Pires explained to Plaintiff how he dreamed they slept together.
15. To make matters worse, Defendant Pires frequently sexually harassed Plaintiff via text messages late into the night, including but not limited to the following messages:
- a. “Today was a good productive day. Only thing better would have been if I stayed later and got to *see boobs*.”
  - b. “And FYI, *you have a glow about you today*.”
  - c. Fantasying that “You *were in my room last night*, I spent the night with you and didn’t even get a kiss lol.”
  - d. “Since your phone has me blocked *I will text you my adoration for you*. There isn't much I wouldn't do for you, but I don't feel worthy of being in the same room as you. With that being said. *I have much love for you, so much, that I am willing to let my imaginary relationship go to let you fly high*. I will always be right behind you but from now on I'm just Pires and you are Agudelo.”
  - e. “Only thing better would have been *pics of you in them*.”
  - f. “Your glow is amazing, *you are absolutely gorgeous*, hair tied up and then I see the finger lololol.”
  - g. “That's why *I adore you* and your time issues” after Plaintiff worked a shift until 4 am.
  - h. “Have I told you lately *that I love you*.”
  - i. “Your smile is awesome.”
  - j. “What if I asked you to *marry me* with a ring 3x my ANNUAL salary. Would you be late to the wedding?”

- k. “You know you are lucky I like you.”
  - l. “Hey, until you tell me different I am going to tell you that *I got mad love for you....*”
  - m. Asking Plaintiff if she is watching porn, when she is in fact watching Netflix.
  - n. Defendant Pires texted Plaintiff almost every morning. By way of example, “*Wakey Wakey it's 8/*”
  - o. “Yeah but you were early and are the *prettiest and smartest girl* in the room.”
  - p. “I do understand you, do you wake up thinking of me, go to bed thinking of me. Cause *I do thinking of you and your fake boobs.*”
  - q. “He seems to be a good dude. But I don't want him to see *me all googly eye over you.*”
  - r. “Do you not think I would stop time for you?”
  - s. “After 8pm I will no longer flirt with you.”
16. During the course of Plaintiff’s employment, Defendant Pires flexed his authority with jokes that implicitly threatened her career: “*You are getting the boot,*” “*I’m shipping you off,*” and “*I am kidding.*”
17. By way of another example, Plaintiff was involved in a car accident in late February. On or about March 4, 2022, Defendant Pires promised to help Plaintiff with her car troubles by introducing her to a coworker who owns a dealership. That night, Defendant Pires offered to drive Plaintiff home from work, to which she objected. But Defendant Pires repeatedly insisted until Plaintiff agreed in fear of retaliation.
18. On the car ride home, Defendant Pires explained, “I’m going to lend you some money so if you find a car tomorrow you can buy it.” Despite Plaintiff’s clear rejection of his offer,

Defendant manipulated Plaintiff and insisted, *“I’m just trying to help you and please understand . . . I’m giving you this money I’m doing it out of the kindest of my heart there is no strings attached.”* Defendant Pires’ “no strings attached” loan was a farce, as Defendant Pires wholeheartedly knew the loan would control and manipulate Plaintiff into fulfilling his sexual desires. Defendant Pires then opened center console compartment, pulled out stacks of cash, and handed Plaintiff \$9,000 in cash.

19. Days later, Plaintiff purchased a vehicle from a co-worker. Plaintiff explained to Defendant Pires that she was financing directly with the coworker, used her own money as a down payment, and intended to return his money. Defendant Pires instructed Plaintiff, *“Hey I want you to pay her off with the money I gave you.. that way she can use that money for the wedding which happened this past July 2.”* In other words, Defendant Pires wanted Plaintiff to be indebted to him.

20. Plaintiff grew increasingly concerned regarding her career and safety, as Defendant Pires psychologically manipulated Plaintiff through repeated sexual harassment and advances. Yet, Plaintiff had nowhere to turn. Not only was the harassment from the highest ranking official – the Associate Warden – Plaintiff was reluctant to report the conduct in fear of retaliation, blame, disbelief, inaction, retaliation, humiliation, ostracism, and damage to her career and reputation.

21. On March 17, 2022, Defendant Pires’ became more emboldened and his sexual harassment more pervasive, as he confessed his love for Plaintiff in a long-winded text message:

Good morning gorgeous, This is going to be a long message. I just want you to know that I do always listen and focus so yesterday when you said that I was laughing inside because you have no clue how much I care and enjoy being in your company (focus). I just need you to know sometimes I feel I overstep my boundaries because I try to do too much, other times I sit there and admire you and although this sounds terrible just say shut up and kiss your lips, other times I think of what Ramirez said that I am completely the

opposite of any guy you have ever dated and all my insecurities kick in. So yesterday when I asked you if ***I told you have I told you that I love you lately and you said no not lately.*** The response I was waiting for was important because I just don't know what tomorrow brings. I want you to know that if anything the real devil said is true about guys you like, I know it's not me. I just don't know if you would take that chance or if I was in your path... So with that said and I know I'm all over the place... I don't want an answer right now, I don't want an answer from the other day, please don't get mad I say this but if you talk or see someone it's fine just say that because I would rather text you appropriately as a friend then something inappropriate that you would have to block me. ***Yesterday I would have given anything to give you a hug and/or kiss lol for luck for Saturday*** because when you clear your path I may not be in it. However, let me tell you something... ***In the last few months, today, tomorrow and next week I do love you, and I will love you more than any other friend you have just wondering if I can keep falling in love though?*** Again, I needed to vent and I really needed to let that out, please do not reply about this. When you know, send a picture of your name tag and I know I get to love you as a best friend or your lips and I get to keep falling in love to chase them.. Gay Rant over. Have a great day, love ya”

Emphasis added.

22. Defendant Pires repeatedly professed his love for Plaintiff, which Plaintiff ignored in the hopes that Defendant Pires’ sexual advances would stop. Plaintiff was deeply mistaken. Defendant Pires only grew more frustrated that Plaintiff would not engage in a sexual relationship.

23. On April 1, 2022, Defendant memorialized his frustration in a letter he texted Plaintiff. The letter reads:

Daniela,

I have made a decision. I hope you allow me to explain fully and agree to this.

First and foremost I want you to give the difference to Pizz so that you can finish up with her and she can use that cash for her wedding.

Second, I want to thank you... You see, I'm Broken... however for the last 6-8 months I was able to smile and enjoyed being around you. Even when you were not talking to me or avoiding me because of Ramirez. What I need you to know is I got feel some sort of affection, it was amazing. I shouldn't and will not continue to act this way, meaning flirting, asking you out, etc.... We hung out, we had a conversation about us and it didn't go anywhere. I'm okay with that... I value your friendship more than anything... When you asked me why I'm different, it's because I have to be. You know the saying, if you love someone let them go!!!! I'm not going anywhere and neither are you but our relationship will be as friends. I want you to know I will always love you just have to stop falling in love with you... So like I said, thank you for everything...

Tone

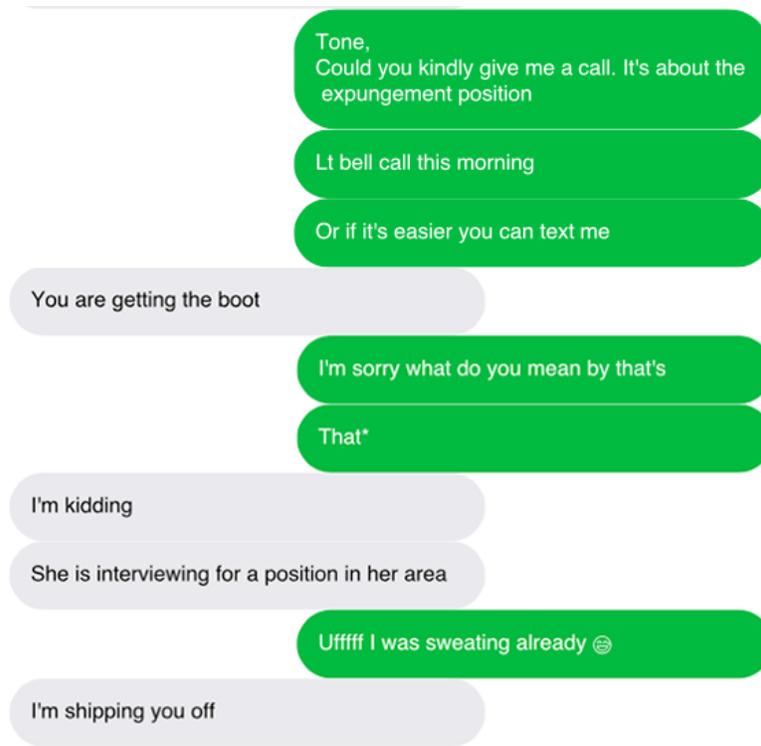
24. Plaintiff ignored the letter in an effort to avoid retaliation and to maintain a satisfactory working environment.

25. On April 5, 2022, Defendant Pires resent the letter with a warning, "***Last time I will send it***" and "***Did you get it.***"

26. Since ignoring Defendant Pires' advances were unsuccessful, Plaintiff mustered up the courage to schedule a meeting with Defendant Pires to explicitly reject his sexual advances. Plaintiff replied to Defendant Pires screenshot letter message, "***I suck at writing and I feel that we should sit together and talk.***"

27. Defendant Pires understood that Plaintiff would reject him, and thus he grew frustrated. On account of her objections, Defendant Pires subjected Plaintiff to repeated retaliation.

28. By way of example, Defendant Pires flexed his authority with jokes that implicitly threatened her career:



29. By way of another example, Defendant Pires instructed his right-hand man Sergeant Defendant Costa to eliminate Plaintiff’s ability to earn overtime. Defendant Costa informed Plaintiff, “[*Defendant Pires*] is stressed about all of your overtime . . . it doesn’t look good . . . if you want overtime you have to work in custody.” Remarkably, this was blatant retaliation as custody is a less desirable assignment and Defendant Pires *encouraged and approved* Plaintiff’s overtime two days prior.

30. Crippled by the burden of retaliation and mounting stress as her career hung in the balance, Plaintiff called Defendant Pires on multiple occasion between April 11 – April 15 to address the repeated retaliation. Defendant Pires ignored Plaintiff’s calls.

31. On April 22, 2022, still without any direction and uneasy about her career, Plaintiff texted Defendant Pires pleading for help:

I'm very sorry to bother you and perhaps be insistent with my phone calls. I tried to catch you so we can have a talk. I wanted to know if you're okay? I knew last week you were on daddy day care and did

not want to bother you. However, this week I've noticed you have been a bit distant with me or perhaps not talking much. I believe its important to give people their own space and thought maybe you had something personal going on and did not want to be pushy. ***However, it. Feels like your upset at me and It makes me very sad.*** If I did something to upset you please help me understand it and from the bottom of my head my sincere apologies. I dont want to loose you as a friend and im hurt that things have been different this week. Can we talk maybe discuss wheats going on

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If it's about the money or my work ethic or something personal please let me know. ***I'm just a little taken back and a bit concern***

Emphasis added.

32. Defendant Pires replied in a text message where he memorialized his frustration due to Plaintiff's lack of response to his April 1, 2022 love letter:

Hi, do not feel upset or sad.

The problem was and is me...

I told you 13 times the money came with no strings attached..

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So like I told you in that message. We are friends. I have a lot of shit going on and just trying to protect you all. I told you I would be acting a bit different and we never had our talk. ***I waited for you but you never mentioned my letters or the talk so please understand I felt that I wasn't worth the time.***

Emphasis added.

33. Later, Plaintiff pleaded with Defendant Pires to cease his pursuit of Plaintiff and subsequent harassment. The text messages read in part:

Maybe Monday having a conversation is not a great idea

Oh come on tone

I think it's over due

I suck at writing

It'll be quick and I think we both deserve to talk about certain things

By the way you staying in AC for the weekend

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Are you still interested or worried?

Be honest

I'm worried about our situation and it has absolutely nothing to do with work or where I'm at or what I'm doing for work

It's more personal

I'm going to the babalao

Tomorrow

Im interested in talking about us and worried about our situation

So it's a mixture of a lot of things

You need to just tell me what you want

Friendship or more...

I have thrown out all messages.... I'm okay if it's friends

Tone I think this conversation and what you are asking me we need to have in person please give me the chance to talk about it in person

Just wish you told me sooner

34. Defendant Pires finally agreed to meet with Plaintiff in person, but proceed to intimidate Plaintiff by warning: ***“Fine in person, but know that in person I can lose it.”***

35. Rather than address the truth, Defendant Pires later refused to meet with Plaintiff unless she agreed to a sexual relationship:

Then let's not have a conversation Monday. ***Unless you were really interested and still are and committed***, honestly, you know how I can get. And I'm trying to avoid thinking the one thing I loved the most about you. Your soul.. wasn't real

Emphasis added.

36. Finally, on April 25, 2022, Plaintiff confronted Defendant Pires in his office regarding his sexual harassment. Plaintiff affirmatively stated that she was not interested in a romantic or sexual relationship. Defendant Pires grew angry and inquired if Plaintiff ***“looked at job bids for other positions,”*** implying that in retaliation he would remove Plaintiff from her current position.

37. After the meeting, Defendant Pires expressed his disdain for Plaintiff’s rejection of his sexual pursuit via text message to Plaintiff:

“We will never be where we were. I held you on a pedestal and allowed myself to be put in this situation. But the truth is, I knew i didn't belong... I asked you the other day, do you wake up or go to bed and think of me. ***Today you told me you do that for someone else, he holds your heart and he must treat you great.*** Fix it with him.”

Emphasis added.

38. The next day on, April 26, 2022, Defendant Pires gaslighted<sup>3</sup> and belittled Plaintiff via text message:

Listen, I am not going to throw you out or hurt you in anyway at that place. However, I have lowered the pedestal to where it should be. I won't be texting you anymore, our relationship as friends has and will change.

Please understand that I let you speak and say everything you had to say and I didn't say much. In my mind I did, but not out loud. I will not say anything else. Like I said thank you for letting me live a little, even if it was all in my mind. I appreciate you and you will continue to grow and shine. I won't block you as you did to me but I will not answer.”

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<sup>3</sup> “Gaslighting is a form of psychological manipulation in which the abuser attempts to sow self-doubt and confusion in their victim’s mind. Typically, gaslighters are seeking to gain power and control over the other person, by distorting reality and forcing them to question their own judgment and intuition.” Newport Institute, *How To Tell If Someone Is Gaslighting You*, [https://www.newportinstitute.com/resources/mental-health/what\\_is\\_gaslighting\\_abuse/](https://www.newportinstitute.com/resources/mental-health/what_is_gaslighting_abuse/) (last visited Aug 15, 2022).

I'm not upset with you. I blame myself fully. I stay 8 steps ahead and saw every sign. ***But I believed in you, I believed in your soul and I believed in fate.*** I was wrong and like i told you... it's okay to be wrong as long as you keep moving forward! ***This one will just leave a scar that I won't recover from.*** My problem, my fault....

Like I said Agudelo, I was never worth it. I knew that...

If we were in a real relationship I would have more to say, but in reality I don't want to say anything else.

This will not change our working relationship.

Have a great day

Emphasis added.

39. In further retaliation, Defendant Pires threatened Plaintiff's employment with comments, including but not limited to, ***"Enjoy [Plaintiff's position] while it lasts," "If you break the tablet, you don't get a replacement like the inmates,"*** and ***"Nothing is Forever."***

40. Even in light of his frustrations and blatant retaliation, Defendant Pires continued his attempt to seduce Plaintiff into a romantic relationship via text message, including but not limited to the following:

- a. "You said you miss me, ***let me know when you miss me enough lol.***"
- b. ***"You going to miss court and have a warrant for your arrest."***
- c. ***"Take a nap in my office in the morning."***

41. On May 17, 2022, Defendant Pires further reinforced that Plaintiff's career advancement is contingent upon accepting Defendant Pires' sexual advances, via text message:

Hi Agudelo,  
 Just wanted to let you know a couple of things...  
 I want you to know that I have never nor will ever speak bad of you..  
 The group will not and should not treat you differently as you are family...

*I need you to know I just have to cut you off completely as I don't want to text you because I miss you or by accident...*

I got your back from a distance.

I'm sorry to even send this message...

But I needed closure

Emphasis added.

42. On May 18, 2022, the next day, Plaintiff apologized in an attempt to placate

Defendant Pires and avoid further retaliation:

Good morning Tone,

I would like to start off by reminding you that until this day I still hold the outmost appreciation, admiration, and respect for you. I have nothing bad to say or feel about you. You are an amazing guy and a great boss. *To be quite honest with you this situation has been a bit frustrating and extremely hurtful* because never in a million years did I imagine our friendship would vanish. I have very few friends but those friends I value and cherish everyday. And YOU are one of those. I can not grasp what I did so incorrect that led to this outcome. However I need you to understand that it was never my intention to hurt you or hurt our friendship. *I know you do not want to hear im sorry but from the bottom of my heart I'm sorry.* I hope and pray everyday that we can mend things and bond again like we once did. I believe true friendships withstand all. Like I said to you many times before my loyalty remains intact and I will forever be here. Thank you for everything you have done for me for taking the chance on me and most importantly for allowing me to grow. I hope you have an amazing Wednesday and a great rest of the week. Xoxo

Emphasis added.

43. On May 23, 2022, Plaintiff attended a birthday dinner with coworkers, during which she felt ostracized and ignored by Defendant Pires. After the dinner, Defendant Pires texted

Plaintiff in another attempt to court her affection:

Just a couple things I really want to say and I hope it's okay...

1) tonight was great but I realized I miss you terribly...

2) You looked gorgeous but you always did.

3) *I loved you and still do, more then you know, I wish someone comes along and treats you better and loves you more then I could if he isnt there already..*

4) I never blocked your number but after this message I have too...  
Good Night

Emphasis added.

44. On May 28, 2022, Defendant Pires texted Plaintiff, "*I text myself some nights pretending it's you just to vent, in an analogy you covered my ears and made the world go away...*" In addition, when referring to the rain, Defendant Pires said, "*That's because the heavens are crying that you dropped me like a blocked call... lol.*"

45. On June 2, 2022, Plaintiff texted Defendant Pires to complain about the retaliation, scrutiny, and ostracization. The complaint reads:

Tone

You know I have not been in your office in a while and it felt really good to be around. I have never said it to you because I wanted to give you your space and as always I put myself in your shoes but for the past month or *so I've been feeling so out of place at work like an outsider* and I hate that feeling because I really care about you all. It sucks having to hesitate to go to your office and talk to you about your day of simple questions when we need a direction. I miss the old days I really do. I just wanted you to know That I truly value you and your friendship. I hope you have a great night. Don't forget I'm here if you need anything I can multitask and do tablets while any other assignment you may need help with.

Emphasis added.

46. Rather than address the underlying concerns of Plaintiff's complaints, Defendant Pires replied:

*I fell heavy for you and it was no secret, I thought you were into me because you did say that. I fucked up... I knew it wasn't real... that's why I asked you often...*

Our friendship can never be the same. People around us saw the attachment we had and now they don't.

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It's weird for people but no one will or has treated you different.  
I'm glad you are healing and loving yourself  
I need you to stop saying you love me, because you see I was in love  
with you and I never even got to kiss you.... now that's sad

Did [Best Friend] get her wish, she did and she didnt...

*She can say she made sure we never got together physically* but she  
can't say we didn't emotionally.... also she couldn't take from you  
what you have now. You work hard for you.

Emphasis added.

47. In an attempt to repair his image and ego, Defendant Pires demanded Plaintiff lie  
to her coworkers and say that she had feelings for him:

What I need you to do is just have a real one on one with everyone  
in our circle and say the truth..... *you began to have some feelings  
for me, but you were not ready for a relationship*, tell then you  
never had an intention to use me or be like Ramirez.

Emphasis added.

48. In a last-ditch effort to placate Defendant Pires and salvage her career, Plaintiff  
replied:

Tone,  
You did not fucked up. I've told you before it's me and *I never meant  
to hurt you*. I would never ever ever do that because you hold a  
special place in my heart. Tone I can imagine how much people see  
things but truly I don't care about people. I tried to keep that bond  
and awesome relationship we had. But I felt like you wanted your  
space like you did not want me around and you did not want to talk  
me I felt like you just drop me out of the face of the earth wish hurt  
me a lot I have gotten home many times and cried and than I got to  
a point where I did not know how to mend or make things better  
kind of a road block. I felt like nothing of what I said would make  
anything better. So I stayed quiet and just did my job. But trust me  
deep inside I was and I'm still very upset

Im not a hypocrite and it's very difficult to hide my emotions. Im not  
okay going to work unhappy. Im not okay not talking about things  
that bother me and I am not good at bottling things inside. I just have  
stayed quiet because I have a lot of respect for you and *I did not*

*know if maybe insisting on mending things between you and I would make you more upset. I'm*

Not a “Burian” pretending like everything is okay when things are just wrong. I'm sorry tone but I have a heart and a big heart

Emphasis added.

49. Defendant Pries only grew more frustrated and continued to manipulate Plaintiff – *the actual sexual harassment victim* – into feeling guilty:

I heard a rumor you were with someone while we talked, after you told me you were not over someone else it made me feel like it was true.

Then I thought of you blocking me, *you didn't text all weekend I believed it.* I have no clue if it is/was real NOR do I care or want to know. I just felt that cut so deep... but I never turned my back on you, I just looked away

We can mend our work relationship. I just can't be around you outside of here. I look like a clown

Emphasis added.

50. Defendant Pires’ manipulation was successful. Plaintiff felt irrationally guilty and apologized, as demonstrated in her response:

Although this whole situation has hurt me much *I've felt like an outsider I have dread going to work I have cried and I have felt like I don't belong there anymore* I'm still the same positive jolly person you met. I don't hold grudges I don't mind apologizing I like talking about things that bother me I hate knowing others are mad at me.. I like being happy and right now I'm just not

\*\*\*

Im sorry and I know you don't want me to say im sorry but I need you to understand and get through your head that I have never used you and never deliberately wanted to hurt you. I'm sorry for letting it out tonight maybe is not the best time but I needed to say it I'm not okay not being okay. I hope you have a wonderful night and I will see you mañana By the way I'm going to visit you everyday even if you don't look at me or talk to me. I'm on a mission [emoji]

Emphasis added.

51. Defendant Pires cemented Plaintiff's irrational guilt and explained his love, as demonstrated by the following messages:

- a. "I don't want you to be sorry," *"The hurt is done,"* and "I'm happy you let it all out."
- b. "Daniela, get thus through your gorgeous head. I treated you different because *I fell in love with you. Never kissed you, Not to see your tits or ass...* I fell in love with your soul..."
- c. "Our friendship can never be the same."
- d. "Unless I'm just an idiot, I feel and truly believed we both had more feelings and any motions involved than just friendship" "Emotions\*."
- e. "The last couple of days you keep telling me that you love me you love me and last night I almost sent you a message but I didn't have the balls".
- f. In order for me to treat you better then others you would have to be more then that. That's where you were and now you are not."
- g. "I treated you like my number one. I fucked up because I wasn't yours. Get it."
- h. "I told you the day you broke me, I will protect you, watch and let you grow and always support you."
- i. "With me Daniela, for us to go back to where we were it would take you taking that leap, that chance and alot of work."
- j. See you don't know me. *I LOVED you so much I just fell back in my whole.* Anyone else would just be banished and told to stay the fuck away."

52. On June 4, 2022, Defendant Pires bet Plaintiff that she would laugh at a Tik Tok video. He stated, "*if you Don't make the deal without knowing what the prizes are*" and "*You*

*laugh you have to send boob pic.”* When Plaintiff rejected the deal, Defendant Pires stated, *“I’m kidding, I would never want you to show me something you didn’t do on your own.”*

53. On June 5, 2022, while attending a work function, Defendant Pires texted Plaintiff *“You should have been here anyway as my date but Nooooooo”* and *“I got all dressed up knowing I would be able to get you here. It’s not meant to be. I give up.”*

54. On June 7, 2022, Defendant Pires’ sexual advances continued as he attempted to change Plaintiff’s mind:

I think you need to look in the mirror and just tell yourself the truth.  
Pires is married, has kids, chubby, older *but he is the best thing that might happen to me.*  
Weigh out the good with the bad.  
You even share my password

Emphasis added.

55. On June 8, 2022, Defendant Pires texted Plaintiff instructing her, *“You have a job to do and you forgot it already.”* Plaintiff replies *“which job... wait which job,”* to which Defendant Pires reminded her *“Stand in front of that mirror”* – referring to his instructions the day before to reevaluate her rejection of Defendant Pires’ advances and propositions.

56. On June 9, 2022, Defendant Pires and other coworkers planned to attend a work dinner at Allegra. Defendant Pires invited Plaintiff on the condition that she *“Go in the bathroom, look in the mirror and ask yourself. If yes we will be at Allegra, you will be able to sit next to me”* and *“Again, only if you look in the mirror and will seal it with a kiss. Or else we just coworkers.”* Plaintiff declined to attend.

57. Yet again, Defendant Pires subjects Plaintiff to further retaliation on account of her objections of his sexual advances and propositions.

58. By way of example, on June 13, 2022, at the direction of Defendant Pires, Scheduling Officer Alex Rodriguez (“Officer Rodriguez”) reassigned Plaintiff to a custody post, which is considered an unfavorable assignment.

59. On June 15, 2020, yet again, Officer Rodriguez reassigned Plaintiff to the custody post. Not only was the custody facility fully staffed, but Plaintiff’s reassignment left her administration post unattended in violation of Defendant County’s policy.

60. Plaintiff then called Officer Rodriguez and complained regarding the sudden reassignment and retaliation. Officer Rodriguez told Plaintiff he would meet with her before his shift to explain the situation.

61. Therein Officer Rodriguez stated, ***“To be honest, [Defendant Pires] is just mad you won’t sleep with him” and “[Defendant Pires] wants to get rid of you.”*** Officer Rodriguez then explained that two weeks prior, Defendant Pires called him into his office to ask about Plaintiff and Officer Rodriguez’s friendship. Defendant Pires was jealous and asked, ***“are you hooking up with [Plaintiff] . . . I don’t want to look like a fool.”*** Officer Rodriguez responded that he maintained a platonic relationship with Plaintiff.

62. Defendant Costa then called Officer Rodriguez. Unbeknownst to Defendant Costa, Plaintiff could hear the conversation. Defendant Costa chastised Officer Rodriguez for not helping to retaliate against Plaintiff. In his rant, Defendant Costa stated, ***“Why are you hooking [Plaintiff] up [with good assignments] . . . I don’t care about her . . . [Defendant Pires] doesn’t care about her . . . put her in the worst post of the jail . . . she needs to be buried”*** – all in clear retaliation. Defendant Costa also stated, ***“[Defendant Pires] thinks you are sleeping with her.”***

63. In response, Officer Rodriguez explained, ***“I don’t want to get in the middle of this”*** and ***“it seems like Defendant Pires is mad that she didn’t sleep with him.”***

64. In an attempt to protect his best friend, Defendant Costa responded “*no, no, no... [Defendant Pires] is not mad because of that.*” Defendant Costa then explained that Defendant Pires’ most recent characterizations of Plaintiff justified his anger – which stand in stark contrast to his strong affection for Plaintiff merely weeks ago:

- a. “stole money from him and other coworkers”
- b. “stole company time”
- c. “is a liar who play games”
- d. “she does not do anything”
- e. “she abuses the time and spends all day doing tablets, sending emails, etc”
- f. “no one likes her in the office.

65. In closing, Defendant Costa warned Officer Rodriquez, “*if you are hitting that*” – referring to sexual relationship with Plaintiff – “*that’s okay, just be smart and don’t get jammed up.*” The call then ended.

66. With her career crumbling and a target on her back, Plaintiff broke down. Plaintiff continues to suffer from stress, sadness, and anxiety causing her mental and emotional anguish and dysfunction, with physical manifestations of same including, but not limited to, nervousness, anxiousness, sleeplessness, loss of appetite and loss of sleep. Plaintiff felt demoralized, violated, and belittled.

67. Crippled by mounting anxiety, on June 16, 2022, Plaintiff called out of work by utilizing a sick day.

68. On June 20, 2022, Plaintiff emailed the Inspector General Dominic J. Scaglione to complain about Defendant Pires’ egregious sexual harassment:

Dear Mr. Scaglione,

On September 24, 2021, I took a leap of faith and transferred to the Essex County Department of Corrections. What I believed then was the best decision regarding my career has now turned into a nightmare. I say this because today I'm somehow able to collect enough courage to bring the harassment I have endured at the workplace to your knowledge. In March 2022 I was offered by Associate Warden Pires to work directly under his supervision in an administration post. I was extremely ecstatic to take this position because I knew this would be the chance, I had to demonstrate my knowledge and great work ethic. However, I was too naive to realize that all the great things Associate Warden Pires was doing for me had a written agenda and would come with a prize. As time went by, we built a good working relationship. He then started to address me differently by calling me "gorgeous" and often complimented me with phrases such as "you always look beautiful" and "you have a glow about you." The comments progressively became more inappropriate and his fantasy that "you were in my room last night I spend the night with you and did not even get a kiss." He also said, "he was willing to let his imaginary relationship go to let me fly high."

It was not until April 18, 2022, that he manifested he wanted to establish an intimate relationship with me and needed a definite answer. He requested if I was interested, I was to send him a picture of my lips. It was shocking and I felt intimidated or for lack of better terms I was afraid my response would not be to his liking, and I would lose my job, so I avoided responding. At that point, things took a turn for the worse and he retaliated. He began to become distant, avoided me, and did not communicate much. On April 1, 2022, I received a letter from him where he acknowledges that things are not going anywhere with us, and that he would not continue to flirt or ask me out. He continued to reassure me that we would remain friends and that our working relationship would never change. On April 25, 2022, after receiving a message where he expressed his frustration for not replying to the letter, I decided to have a sit down with him and politely declined to establish a personal relationship or become intimate with him. I just wanted to work hard and do my job without sexual harassment and advances from Pires.

After declining his proposal, the workplace became a hostile professional environment for me. He made remarks such as "did you look at the bids today" implying that I would need to look at other positions in a different work area. He continuously highlighted that our relationship as friends changed and therefore, he would not answer if I was to make any attempts in contacting him. He took

away my ability to get overtime. I started feeling that my admin position was at risk however the reassurance settled in when on Tuesday, May 10 Associate warden Pires insinuated I was not going to be working there much longer by stating "Enjoy your job while it lasts, nothing is forever, and I won't be around to save everyone." The threats of losing my job continued as he persistently stated he was going to cut me off and that I was on "knock off." I felt like an outsider because I was no longer involved in different work interactions my other co-workers made part of. On June 2, 2022, I expressed my concern about feeling unwelcomed by him and my other colleagues. I proceeded to make him aware that I was not happy at the workplace and that things needed to change. He advised that in order for things to change I was to sit down and have a one-on-one with my co-workers and lie that "I began to have some feelings for him, but I was not ready for a relationship." This was all a lie he wanted me to spread to salvage his reputation. In addition to those requests, he highlighted that things would not change unless I took a chance on him and worked really hard for it. On June 9, 2022, he advised that I was invited to dinner along with other coworkers but could only sit next to him if I was to look at the mirror and although he was married, had kids, and was chubby he might be the best thing that happened to me. Additionally, he requested that I seal my decision to be with him by giving him a kiss.

The harassment is now turning out to be more intimidating due to my silence. Throughout this week associate Warden Pires continuously pulled me from my current position to work custody. Although no additional personnel was required and the facility was fully staffed during those days. On Wednesday, June 15, 2022, I was pulled to work custody although no one else would be around to assist with the tablets. It's imperative to have at least one team member in the office conducting all required tasks. Without any regard for stopping the work functions of my current position. I have repeatedly complained and asked Pires to stop, but he does not care and continues to harass me and retaliate. My character and work ethic has been tarnished by numerous negative comments and accusations he has made about me. Resulting in daily suffering to my professional dignity. All of this has caused me a great deal of anxiety, depression, and fear. I'm unable to take it any further and therefore report it to you as my last escape and the hope of survival. I humbly end this letter as a victim of workplace harassment with the hope of getting immediate attention to the incident. I demand a thorough and immediate investigation while I consider my options.

Respectfully,

Daniela Agudelo

69. On June 22, 2022, Plaintiff's doctor wrote Plaintiff out of work with return date of September 21, 2022. Plaintiff's medical leave paperwork memorialized the devastating impact of Defendant Pires' sexual harassment:

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

Major Depressive Disorder  
Generalized Anxiety Disorder

70. Despite Plaintiff's formal complaint, Defendant Pires is still employed as Associate Warden.

71. As a result of Defendants' unlawful conduct, Plaintiff suffered and continues to suffer significant economic loss and emotional distress.

72. Plaintiff's reduction of hours and reassignment is blatant discrimination and retaliation on account of Plaintiff's sex.

73. Defendants' unlawful discrimination and retaliation directed towards Plaintiff would not have occurred but for her sex and her objections to Defendant Pires' sexual advances.

74. Defendant Costa was Plaintiff's direct supervisor who was directly involved or at a minimum aided or abetted in Defendants' unlawful discrimination and retaliation. Defendant Costa's conduct was active and purposeful by eliminating Plaintiff's overtime ability, Defendant Costa understood his role to facilitate and assistance Defendant Pires in retaliating against Plaintiff, and Defendant Costa knowingly and substantially assisted in said discrimination and retaliation.

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

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

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

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

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

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

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

82. Plaintiff would not have suffered the aforementioned sexual harassment and retaliation but-for her gender.

**COUNT ONE**

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

**DISCRIMINATION DUE TO GENDER/SEX**

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

84. The pattern and practice of hostile work environment sexual harassment and retaliation directed at Plaintiff is outlined above.

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

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

87. 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.

88. When a supervisor engages in "affirmatively harassing acts", he "flouts [his] duty" and "subjects himself and his employer to liability." *Hurley v. Atl. City Police Dep't*, 174 F.3d 95, 126 (3d Cir. 1999); see also *Rowan v. Hartford Plaza Ltd, LP*, 2013 N.J. Super. Unpub. LEXIS 766, at \*18-19 (Super. Ct. App. Div. Apr. 5, 2013); *Yobe v. Renaissance Elec., Inc.*, Civil Action No. 15-3121, 2016 U.S. Dist. LEXIS 18227, at \*12 (D.N.J. Feb. 16, 2016).

89. As discussed above, Defendant Pires subjected Plaintiff to repeated and pervasive sexual harassment. After Plaintiff denied his sexual advances, Defendant Pires subjected Plaintiff to repeated retaliation by directing Defendant Costa and other scheduling staff reduce her overtime ability, reassigning her to undesirable shifts, and proclaiming to terminate Plaintiff.

90. It is unlawful discrimination "[f]or any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so." N.J.S.A. 10:5-12(e). The NJLAD imposes liability to Individual Defendants irrespective of their supervisory role. *Cicchetti v. Morris County Sheriff's Office*, 194 N.J. 563, 568 (2008) (holding that individual liability is limited to "acts that constitute aiding or

abetting,” without requiring that the individual also qualify as a supervisor.); *Raber v. Express Scripts Hold. Co.*, No. 18-cv-8639, 2019 U.S. Dist. LEXIS 34444 (D.N.J. Mar. 5, 2019); *Stouch & Bodnar v. Dep’t of Child Protection and Permanency, et al.*, Docket No. BUR-L-151-19 (Law Div. May 12, 2020).

91. Individual Defendants had the “authority to hire, fire, discipline, control employees’ wages or control [Plaintiff’s] schedule[.]” *Herman v. Coastal Corp.*, 348 N.J. Super. 1, 28 (Super. Ct. App. Div. 2002).

92. As discussed above, the Defendant Costa has direct involvement in Plaintiff’s discrimination and retaliation. Defendant Costa aided in conduct that caused injury to Plaintiff, Defendant Costa was generally aware of their role in the unlawful conduct, and Defendant Costa knowingly and substantially assisted in the unlawful conduct.

93. Defendant Costa aided, abetted, incited, compelled and/or coerced, and/or attempted to aid, abet, incite, compel and/or coerce each other and/or Government Entity Defendant to commit acts and omissions that were in violation of the NJLAD by committing affirmatively retaliatory acts toward Plaintiffs, rendering him individually and collectively liable to Plaintiff pursuant to N.J.S.A. 10:5-12(e).

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

**COUNT TWO**

**NJLAD – RETALIATION/IMPROPER REPRISAL**

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

96. 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.

97. The retaliation directed at Plaintiff included but is not limited to, requiring Plaintiff to endure sexual harassment as a condition of employment and failing to investigate Plaintiff's complaints of sexual harassment.

98. Plaintiff was affirmatively and/or constructively terminated by Defendants in retaliation for making complaints about Defendants' conduct and due to Defendants' failure to take corrective and remedial action. As a direct result, Defendants took retaliatory action against Plaintiff, which is outlined above.

99. 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).

100. 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, attorneys' fees and costs of suit. More specifically, Plaintiff demands judgment against Defendants for harm suffered in violation of the NJLAD as follows:

**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, Daniela Agudelo*

By: /s/ Matthew A. Luber, Esq.  
MATTHEW A. LUBER, ESQ.

Dated: August 23, 2022

**DESIGNATION OF TRIAL COUNSEL**

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

**CERTIFICATION**

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

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

McOMBER McOMBER & LUBER, P.C.  
*Attorneys for Plaintiff, Daniela Agudelo*

By: /s/ Matthew A. Luber, Esq.  
MATTHEW A. LUBER, ESQ.

Dated: August 23, 2022



# Civil Case Information Statement

## Case Details: ESSEX | Civil Part Docket# L-004983-22

**Case Caption:** AGUDELO DANIELA VS COUNTY OF ESSEX

**Case Initiation Date:** 08/23/2022

**Attorney Name:** MATTHEW ALLEN LUBER

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

**Address:** 54 SHREWSBURY AVE

RED BANK NJ 07701

**Phone:** 7328426500

**Name of Party:** PLAINTIFF : Agudelo, Daniela

**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

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: Daniela Agudelo?** 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)*

08/23/2022

Dated

/s/ MATTHEW ALLEN LUBER

Signed

