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DWAYNE J. WILLIAMS			LAW DIVISION
	:		ESSEX COUNTY
Plaintiff,	:		DOCKET NO.: ESX-L-_____ -22
vs.	:		
	:		Civil Action
	:		
MARIA I. VALADO, INDIVIDUALLY;	:		COMPLAINT and JURY DEMAND
JOHN J. NIESZ, INDIVIDUALLY;	:		
BAYONNE BOARD OF EDUCATION;	:		
and JOHN DOES 1-5; and JANE	:		
DOES 1-5; and	:		
XYZ LEGAL ENTITIES 1-3;	:		
Defendants	:		

INTRODUCTION

Plaintiff, Dwayne J. Williams, residing in East Orange, Essex County, State of New Jersey, was the Football Coach for Bayonne High School, from July 29, 2021 until December 7, 2021, an employee of Defendant Bayonne Board of Education complaining of the Defendants, says:

1. Dwayne Williams, a resident of the County of Essex, State of New Jersey, was unlawfully terminated in his position as Head Football Coach.

2. Individual Defendant Maria I. Valado is a citizen of the State of New Jersey and works for City of Newark Public Schools, Newark, New Jersey. Individual Defendant Maria I. Valado is a Trustee for Bayonne Board of Education.

3. Individual Defendant John J. Niesz is a citizen of the State of New Jersey, resides in Monmouth County at 135 Valley Road, Neptune, New Jersey and works as Superintendent, Bayonne Board of Education.

4. The Defendant Bayonne Board of Education (BBOE) is a government entity serving educational needs, operating within the State of New Jersey.

5. Defendants John Does- 1-5; Defendants Jane Does 1-5; and XYZ Legal Entities are unknown at this time. They are all residents of or work, or operate within the State of New Jersey, affiliated with the Defendants' illegal actions alleged herein.

STATEMENT OF FACTS

6. Plaintiff J. Williams is a very experienced and successful Football Coach and Educator both locally within the State of New Jersey, and also outside the State of New Jersey in

Kansas. As an Educator, he is an At-Risk Prevention Specialist and deals with In-School Suspension

7. Dwayne J. Williams's application for Open Vacancy Job ID 2001 was submitted on June 18, 2021. Defendant BBOE determined to hire Dwayne J. Williams with a decision date of July 29, 2021. At the time of the hiring, Plaintiff Williams was 62 years old. He was subject to and passed a Physical Examination by Dr. John T. Dedousis, Jr. MD on behalf of BBOE.

8. Throughout the hiring process, there were several decidedly strange aspects to the hiring. In one instance, while the Defendant BBOE Trustees and Superintendent were mulling the hiring process, Plaintiff Williams received a call from Athletic Director Michael Pierson. During that call, Plaintiff Williams was asked, "do you really want this job?" It was an odd inquiry, since Plaintiff Williams had indeed applied for the Open Position provided in excess of a dozen laudatory Letters of Recommendation from local and national Football coaches. Secondly, Athletic Director Michael Pierson stated, you may have to play the race card, make this racial, in order to get hired.

9. The Mayor of the City of Bayonne, James M. Davis, stated, Dwyane [Williams] gets that job over my dead body. The Mayor exerts influence over the Defendant Board as not only does the City of Bayonne release funding to the Bayonne Board of Education, but Mayor Davis routinely runs and endorses a slate of candidates for election of the Board of Education.

10. Throughout the successful tenure as the Bayonne High School Football during the 2021 Football season, despite being ultimately selected after several adjourned meetings, backroom dealings, and tabled discussions, Plaintiff's employment was consistently the subject of issues created by uninvolved outsiders. Those issues included: T-shirts donated by an Alumni which were fundraised for the Youth Football Team; to accusatory complaints over the use of foul language by the Athletic Trainer Tracey Power- who herself is a Plaintiff in a case against the Defendant BBOE and its previous Superintendent. Moreover, there were behind the scenes arguments between Board of Trustee Jodi Casais and the Athletic Director Michael Pierson over trying to terminate Plaintiff Williams even prior to the October 29, 2021 game against Barringer High School.

11. Defendant John J. Niesz has long used his position as Superintendent to provide jobs and services to his friends. He

has encouraged those friends, specifically football coach(es), to apply for football coaching positions. During the alleged fracas of October 29, 2021, Defendant Niesz was not present; he was out of state in Ohio. BBOE Athletic Director Michael Pierson was also not in attendance at the October 29, 2021 but was in Florida.

12. Defendant Maria I. Valado owns a misconception of what her role as Trustee for the Board of Education. Defendant Valado acted outside the scope of the rights, authority, and responsibilities of a trustee. Defendant Valado did not attend the October 29, 2021 Football Game against Barringer High School. After the game, however, she individually, without authority, personally contacted the employees at Barringer High School to apologize for Plaintiff Williams' alleged actions; cast false aspersions about Plaintiff Williams; and stated she will get him terminated. Moreover, Individual Defendant Valado stated that Plaintiff Williams would be terminated.

13. On Monday, December 7, 2021 Plaintiff Williams was called in to Individual Defendant Niesz's office. In attendance were Athletic Director Michael Pierson, Principal Richard Baccarella, Individual Defendant Niesz, and Plaintiff Williams. Without discussion, without due process, without explanation, Plaintiff

Williams was terminated as Head Football Coach for Bayonne High School.

14. Unknown to Plaintiff Williams at the time, the Super Football Conference (SFC) was convening its Controversies, Ethics, and Sportsmanship Committee (CESC) on Tuesday, December 8, 2021 for which Principal Richard Baccarella, Bayonne High School, and Michael Pierson, Athletic Director for Bayonne High School would participate. The Defendants unlawfully terminated Plaintiff Williams the day prior to insure Plaintiff Williams could not participate in the SFC CESC's Hearing of the occurrence on October 29, 2021 post game events. Further, the Defendant BBOE, Defendant Niesz, and Athletic Director Michael Pierson failed to advise Plaintiff Williams of the meeting and his ability to provide testimony at the hearing.

15. It is not ironic that the SFC CESC's recommendation was that the Bayonne Football Team be placed in one (1) year probation and that Plaintiff Williams attend training in etiquette and also be placed on probation for one (1) year. However, Defendants Niesz and Defendant BBOE had already terminated Plaintiff Williams the day prior to the hearing. It is documented that Defendant Valado had already put the termination in process.

16. The Defendant BBOE has a history of discriminating treatment against minority coaches versus white coaches. For instance, David Hoffman a Caucasian, coach and employee of the BBOE was not terminated when his Baseball Team had an on-field brawl with their opponent. Mr. Hoffman was not disciplined when there was a gun incident in the Hockey Rink when Mr. Hoffman was present. There are countless other incidents wherein "protected" [white] employees receive little or no punishment when policies, regulations or the law are violated.

17. Mr. Hoffman was the alleged on-site administrator in charge the night of the October 29, 2021 game against Barringer H.S. The report provided, and relied upon by the Defendants, was inaccurate, re-written, and provided to the Defendants Niesz and BBOE. From there the Hoffman statement was provided to the Super Football Conference. There was a lack of security on the scene. Director of Security Tim Carey was not present. Another security person was in his car outside the stadium (as it was raining). Police Officers came when called for service. A security employee Jamie Dugan was reportedly injured and declined medical attention.

18. Instead of waiting until March 2022 to announce and receive applications for the proceeding school year, SY 2022-2023 (as is typical), the Defendants hired Jerome Hayes for next football season in January 2022. An African-American, Jerome Hayes is under 40 years old and much younger than Plaintiff Williams. It appears based on the timing, lack of adherence to the typical hiring procedures; the hiring of Jerome Hayes was done to defend against assertions of racial discrimination. Jerome Hayes had previously applied for the open position and was not selected by the BBOE.

19. Plaintiff Williams has a long, proud history as a Football Player for Bayonne High School and the University of Iowa. As a Coach, Plaintiff Williams was named Coach of the Year 2013 Hudson County; named Coach of the Year in 2016 for Schlagle High School, Kansas City, KS. Plaintiff has been a consultant for Bayonne Youth Football for 30 years. The Defendant BBOE hired Plaintiff Williams then only acted forward in illegal attempts to destroy Plaintiff Williams' career, credibility, reputation.

20. Subsequent to the unlawful acts, Defendant Niesz and Defendant BBOE directed Principal Richard Baccarella and Athletic Director Pierson to send a letter to Football Parent/Guardian/Player dated December 13, 2021 asserting "damage" done by Plaintiff Williams. In support, players were

slated to stage a "walk-out" in solidarity with Plaintiff Williams. Those players were threatened by Defendant Niesz that they would not graduate and walk across the stage if they exercised their Freedom of Speech and Right to Assemble.

FIRST COUNT

NEW JERSEY LAW AGAINST DISCRIMINATION, N.J.S.A. § 10:5 et seq. N.J.S.A. 10:5-1 to -42--Age, Race, and Hostile Work Environment)

21. Plaintiff William hereby repeats and re-alleges all of the allegations set forth above as if set forth at length herein.

22. In relevant part, the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -42 ("NJLAD"), prohibits a hostile work environment.

23. The hostility and harassment to which Plaintiff Williams was subject was sufficiently severe or pervasive that a reasonable person would have deemed it to be hostile, abusive, intimidating, or offensive.

24. This harassment would not have occurred but for plaintiff's protected class(es), i.e. race, age.

25. Defendants above-described actions constitute unlawful employment actions in violation of NJLAD including, inter alia, N.J.S.A. § 10:5-1, et seq.

26. Defendant's own Athletic Director advised Plaintiff Williams that "you need to make this racial," if you want to be hired. Defendant BBOE then terminates Plaintiff Williams and hire a much younger replacement- during a time typically when no one is hired. The BBOE usually waits until March to announce open positions for next school year.

27. As stated, Defendant BBOE treats white coaches differently than Plaintiff Williams. For example Baseball Coach Hoffman was not terminated when his team had a brawl on the playing field. Secondly, Hoffman was not even disciplined when a gun was mis-utilized on the hockey arena office. There is a long history of double standards when it comes to white employees and black/African-American employees.

28. As a direct and proximate result of Defendant BBOE's and Defendant Niesz's hostile, racial and discriminatory actions, Plaintiff Williams has suffered economic and emotional damages.

WHEREFORE, Plaintiff Dwayne J. Williams demands that a judgment be entered against Defendants Bayonne Board of Education and Defendant Niesz awarding i) compensatory and punitive damages; ii) a reasonable attorney's fee pursuant to N.J.S.A. § 10:5-27.1; and iii) such other relief as this Court deems just and proper.

SECOND COUNT

(NJLAD-- Retaliation)

29. Plaintiff Williams hereby repeats and re-alleges all of the allegations set forth above as if set forth at length herein. This Count is asserted against the Defendant BBOE and Defendant Niesz.

30. During his tenure, Plaintiff Williams' complained of the unequal treatment, hostility, and harassment, plaintiff engaged in an activity that is protected under the NJLAD ("the Protected Activity"). It short, Plaintiff Williams asked BBOE Athletic Director Michael Pierson, "why is the Athletic Trainer performing the functions of the Athletic Director?" The Athletic Trainer should not be performing the functions of the Athletic Director which includes scheduling, eligibility, student athlete issues, etc.

31. As a direct result of the Protected Activity, Plaintiff's employment was targeted ("the Retaliation"). Plaintiff Williams every move was questioned, scenarios were observed and critiqued; language typically used on the football field was reported. Complaints were solicited against Plaintiff Williams. Trustees, including but not limited to Jodi Casais, complained that the Athletic Director was organizing an anti-Williams action by accusing Trustee Casais of wanting to oust Plaintiff Williams over fund raising T-Shirts for the Youth Football Program. These communications also revealed that certain teams received favorable treatment, equipment and materials over others.

32. The Retaliation was unlawful employment actions taken in violation of the NJLAD. The termination on Monday December 7, 2021 to insure that Plaintiff Williams could not defend himself, provide testimony; seek due process before the Conference on Tuesday, December 8, 2021; because the termination and lack of due process occurred due to the direction, authority, and substantial assistance and encouragement of Defendant Niesz, he is subject to individual liability under the NJLAD.

WHEREFORE, Plaintiff Dwayne J. Williams demands that a judgment be entered against Defendants Bayonne Board of Education and

Defendant Niesz awarding the following: i) compensatory and punitive damages; ii) a reasonable attorney's fee pursuant to N.J.S.A. § 10:5-27.1; and iii) such other relief as this Court deems just and proper.

THIRD COUNT

UNLAWFUL INTERFERENCE WITH ECONOMIC ADVANTAGE

33. Plaintiff Williams hereby repeats and re-alleges all of the allegations set forth above as if set forth at length herein. This Count is asserted against Defendant Maria I. Valado.

34. Defendant Valado unlawfully interfered with prospective economic advantage of Plaintiff Williams. That was an expectation that Plaintiff Williams would garner economic advantage and benefit accruing to Plaintiff Williams by being employed by the Bayonne Board of Education. Internal documents indicate Defendant Valado knew Plaintiff Williams was the Head Football Coach and had expectancy of being retained and renewed as such.

35. Defendant Valado wrongfully and without justification interfered with Plaintiff Williams' expectancy of economic advantage and benefit. Defendant Valado, without direction, authority, or prompting, made phone calls concerning an October 29, 2021 football game against Barringer High School. Defendant Valado did not even attend the game. Yet, Defendant Valado called employees of Barringer High School, Newark, New Jersey. Defendant Valado stated that Plaintiff Williams will be terminated. Further, Defendant Valado sent materials including an uncertified video purporting to blame Plaintiff Williams for the incident at the October 29, 2021 football game at Veterans Stadium.

36. In the absence of the actions of Defendant Valado, Plaintiff Williams would not have been subject loss of economic advantage and benefit. As such, Plaintiff Williams suffered professionally and personally based on the actions of Defendant Valado.

WHEREFORE, Plaintiff Dwayne J. Williams demands that a judgment be entered against Defendant Valdo awarding the following: i) compensatory and punitive damages; ii) a reasonable attorney's fee pursuant; and iii) such other relief as this Court and Jury deems just and proper.

FOURTH COUNT

**IMPLIED TERMS-BREACH OF GOOD FAITH
AND FAIR DEALING**

37. Plaintiff Williams hereby repeats and re-alleges all of the allegations set forth above as if set forth at length herein.

This Count is asserted against Defendant Bayonne Board of Education.

38. Each contract, such as the bilateral contract between Plaintiff Williams and the Defendant BBOE contains an implied covenant of good faith and fair dealing. Defendant BBOE failed to act in good faith and deal fairly with Plaintiff Williams.

39. Defendant BBOE did not act in a way that was honest and faithful to the agreed purposes of the contract and not consistent with the reasonable expectation of the parties, specifically Plaintiff Williams.

40. Defendant BBOE did act in bad faith, dishonestly, or with improper motive to destroy or injure the right of Plaintiff William to receive the benefits of the contract.

41. Defendant BBOE, its employees, agents, and those empowered actions engendered bad faith. Internal documents direct and suggest that there was improper motive, behavior and action toward depriving Plaintiff Williams of rights and benefits under contract.

42. These actions and conduct deprived Plaintiff Williams the benefit of the contract; Plaintiff Williams suffered injury, damage, loss, and harm.

WHEREFORE, Plaintiff Dwayne J. Williams demands that a judgment be entered against Defendant BBOE for breach of good faith and fair dealing awarding the following: i) compensatory and punitive damages; ii) a reasonable attorney's fee pursuant; and iii) such other relief as this Court and Jury deems just and proper.

FIFTH COUNT

DEFAMATION

43. Plaintiff Williams hereby repeats and re-alleges all of the allegations set forth above as if set forth at length herein. This Count is asserted against Defendant Niesz and Defendant Valado.

44. In written and oral communications Defendant Niesz and Defendant Valado, on multiple occasions, communicated to persons, other than Plaintiff Williams false and defamatory statements of fact concerning Coach Williams.

45. Defendant Valado and Defendant Niesz knew such statements were false, and/or acted in reckless disregard of its truth or falsity, or acted negligently in failing to ascertain the falsity of the statements.

46. In the instance of Defendant Valado, she failed to act as a reasonably prudent person would have acted under the circumstances. Defendant Valado had no reasonable grounds to believe that the statements were true; she neither attended the October 29, 2021 football game nor had the benefit of any type of investigation conducted. Defendant Valado took it upon herself to defame Plaintiff Williams to individuals affiliated with Barringer, Newark, and persons identified through Open Public Records Request responses.

47. In the instance of Defendant Niesz, he failed to act as a reasonably prudent person would have acted under the circumstances. Defendant Niesz had no reasonable grounds to believe that his statements were true. Defendant Niesz defamed

Plaintiff Williams to members of the Super Football Conference, and by stating Plaintiff Williams was terminated for his actions on October 29, 2021. Defendant Niesz lack of investigation as to the accuracy of his statements, and the nature and the interests of the SFC members, depriving Plaintiff Williams of due process before such board. Moreover, Defendant Niesz made defamatory statements to students, parents, guardians regarding Plaintiff Williams.

WHEREFORE, Plaintiff, Dwayne J. Williams demands judgment against the Defendant Valado, and Defendant Niesz for damages: compensatory and punitive, together with the costs and disbursement of this action.

SIXTH COUNT

**VIOLATIONS OF ART 1, THE CONSTITUTION
OF THE STATE OF NEW JERSEY
(NJCRRA; Free Speech, Retaliation & Chilling Effect)**

48. Plaintiff hereby re-alleges and incorporates by reference previous paragraphs as fully set forth herein. This cause of action is pled against Defendant BBOE.

49. Plaintiff belongs to a class protected by the Constitution of the State of New Jersey and Civil Rights Act, as a Citizen, as well as an employee of the BBOE.

50. Defendant BBOE is an employer and as such is prohibited in retaliating in employment due to an employee disclosing or coming forth with inappropriate or illegal actions of an employer, employee, or third party doing business with the Defendant Bayonne Board of Education.

51. Plaintiff possesses a prima facie case as he engaged in an activity protected by State of New Jersey Constitution, CRA which promptly caused several retaliatory actions. Then Defendants retaliated and reprised against Plaintiff William when they affected his constitutionally protected rights. This included but not limited to his due process.

52. Under the State of New Jersey Constitution Plaintiff Williams is entitled to report methods and manners being utilized by the BBOE or its employees that he believes are not proper or appropriate and he must be protected from any retaliatory actions. Plaintiff Williams spoke out about the illegality, hostility, discrimination and harassment he experienced from his superiors. These complaints were met with retaliation and increased hostility, and harassment.

53. The aforesaid actions of the Defendants along with such others as may be disclosed in discovery violated the Plaintiff's

Free Speech Rights under the constitution of the State of New Jersey.

54. As a result of the aforementioned violation of the Plaintiffs' State Constitutional Rights, plaintiff sustained the previously described injuries, pursuant to N.J.S.A. §10:6-2, the Plaintiff is entitled to attorney's fees, costs and expenses in the event they prevail on this claim. Defendants were "acting under color of law" when they violated Plaintiff's civil rights, N.J.S.A. §10:6-2(c).

55. Plaintiff Williams is entitled to trial by jury. Plaintiff has suffered damages due to the Defendants' actions awarding his compensatory damages, including but not limited to front pay, back pay, the value of health insurance and other benefits, bonuses and vacation, damages for her mental injuries, damages for emotional distress, punitive damages, pre- and post-judgment interest, counsel fees, costs of litigation and such other relief as the Court may deem just and appropriate under the circumstances.

WHEREFORE, Plaintiff, Dwayne J. Williams demands judgment against the Defendant BBOE, Defendant Niesz, Defendant Valado and others, together with the costs and disbursement of this action.

PRAYER

WHEREFORE, Plaintiff Dwayne J. Williams demands judgment against the Defendant BBOE, Defendant John J. Niesz, Individually; Defendant Maria I. Valado, Individually; John Does; Jane Does; and XYZ Entities, for damages, together with interest and costs of suit and the following relief:

- a. A clean personnel file; and
- b. Reinstatement to full responsibilities, tenure, and compensation for Plaintiff Williams; and
- c. Payment of compensatory damages in the amount of \$650,000; and
- d. Payment of Punitive Damages in the amount set by the jury; and
- e. Agreement of non-retaliation by BBOE, Personnel employed or associated with the BBOE;
- f. Costs, expenses, and attorney's fees as provided under statute.
- g. any and all other general or specific relief, both at law and equity, to which Plaintiff Williams may be justly entitled.

JURY DEMAND

Plaintiff Dwayne J. Williams hereby demands trial by jury as to all issues in the above matter.

DEMAND FOR DISCOVERY OF INSURANCE INFORMATION

Pursuant to New Jersey Court Rule 4:10-2(b), demand is made that Defendant BBOE; Individual Defendant Niesz (Bond); Individual Defendant Maria I. Valado (Bond) 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 a 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 coverage, but also any and all excess, catastrophe and umbrella policies.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, James R. Lisa, Esq., is hereby designated as trial counsel for Plaintiff Williams, in the above matter.

Dated: February 24, 2022

James R. Lisa, Esq. /s/

By: _____

James R. Lisa, Esq.
For Plaintiff Williams



CERTIFICATION

I certify, pursuant to R. 4:5-1, that to the best of my knowledge, information and belief at this time, the matter in controversy is not the subject matter of any other action pending in any other court, nor of any pending arbitration proceeding; that no other action or arbitration is contemplated; and that there are no other parties who should be joined in this action.

James R. Lisa, Esq. /s/

Dated: February 24, 2022

James R. Lisa, Esq.
Attorney for Plaintiff

	<h2 style="margin: 0;">Civil Case Information Statement</h2> <h3 style="margin: 0;">(CIS)</h3> <p style="margin: 0;">Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</p>		For Use by Clerk's Office Only
			Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca
			Chg/Ck Number:
			Amount:
		Overpayment:	Batch Number:
Attorney/Pro Se Name JAMES R. LISA , ESQ. #035211983		Telephone Number (201) 653-2888	County of Venue Essex ▼
Firm Name (if applicable) LAW OFFICE OF JAMES R. LISA		Docket Number (when available)	
Office Address 910 BERGEN AVENUE, STE 203; JERSEY CITY, NJ 07306		Document Type COMPLAINT	
		Jury Demand <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Party (e.g., John Doe, Plaintiff) DWAYNE J. WILLIAMS, PLAINTIFF		Caption DWAYNE J. WILLIAMS v. MARIA I. VALADO, ET ALS	
Case Type Number (See reverse side for listing) 005/609	Are sexual abuse claims alleged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this a professional malpractice case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If you have checked "Yes," see <i>N.J.S.A. 2A:53A-27</i> and applicable case law regarding your obligation to file an affidavit of merit.	
Related Cases Pending? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," list docket numbers	
Do you anticipate adding any parties (arising out of same transaction or occurrence)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Name of defendant's primary insurance company (if known) <input type="checkbox"/> None <input checked="" type="checkbox"/> Unknown	
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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If "Yes," is that relationship: <input type="checkbox"/> Employer/Employee <input type="checkbox"/> Friend/Neighbor <input checked="" type="checkbox"/> Other (explain) <input type="checkbox"/> Familial <input type="checkbox"/> Business	
OVERSIGHT BOARD			
Does the statute governing this case provide for payment of fees by the losing party?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, please identify the requested accommodation:	
Will an interpreter be needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, for what language?	
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 <i>Rule 1:38-7(b)</i>.			
Attorney Signature:			

Side 2



Civil Case Information Statement (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1*

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days discovery

- | | |
|--|---|
| 151 Name Change | 506 PIP Coverage |
| 175 Forfeiture | 510 UM or UIM Claim (coverage issues only) |
| 302 Tenancy | 511 Action on Negotiable Instrument |
| 399 Real Property (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction) | 512 Lemon Law |
| 502 Book Account (debt collection matters only) | 801 Summary Action |
| 505 Other Insurance Claim (including declaratory judgment actions) | 802 Open Public Records Act (summary action) |
| | 999 Other (briefly describe nature of action) |

Track II - 300 days discovery

- | | |
|---|---|
| 305 Construction | 603Y Auto Negligence – Personal Injury (verbal threshold) |
| 509 Employment (other than Conscientious Employees Protection Act (CEPA) or Law Against Discrimination (LAD)) | 605 Personal Injury |
| 599 Contract/Commercial Transaction | 610 Auto Negligence – Property Damage |
| 603N Auto Negligence – Personal Injury (non-verbal threshold) | 621 UM or UIM Claim (includes bodily injury) |
| | 699 Tort – Other |

Track III - 450 days discovery

- | | |
|------------------------------|--|
| 005 Civil Rights | 608 Toxic Tort |
| 301 Condemnation | 609 Defamation |
| 602 Assault and Battery | 616 Whistleblower / Conscientious Employee Protection Act (CEPA) Cases |
| 604 Medical Malpractice | 617 Inverse Condemnation |
| 606 Product Liability | 618 Law Against Discrimination (LAD) Cases |
| 607 Professional Malpractice | |

Track IV - Active Case Management by Individual Judge / 450 days discovery

- | | |
|---|--|
| 156 Environmental/Environmental Coverage Litigation | 514 Insurance Fraud |
| 303 Mt. Laurel | 620 False Claims Act |
| 508 Complex Commercial | 701 Actions in Lieu of Prerogative Writs |
| 513 Complex Construction | |

Multicounty Litigation (Track IV)

- | | |
|---|---|
| 271 Accutane/Isotretinoin | 601 Asbestos |
| 274 Risperdal/Seroquel/Zyprexa | 623 Propecia |
| 281 Bristol-Myers Squibb Environmental | 624 Stryker LFIT CoCr V40 Femoral Heads |
| 282 Fosamax | 625 Firefighter Hearing Loss Litigation |
| 285 Stryker Trident Hip Implants | 626 Abilify |
| 286 Levaquin | 627 Physiomesh Flexible Composite Mesh |
| 289 Reglan | 628 Taxotere/Docetaxel |
| 291 Pelvic Mesh/Gynecare | 629 Zostavax |
| 292 Pelvic Mesh/Bard | 630 Proceed Mesh/Patch |
| 293 DePuy ASR Hip Implant Litigation | 631 Proton-Pump Inhibitors |
| 295 AlloDerm Regenerative Tissue Matrix | 632 HealthPlus Surgery Center |
| 296 Stryker Rejuvenate/ABG II Modular Hip Stem Components | 633 Prolene Hernia System Mesh |
| 297 Mirena Contraceptive Device | 634 Allergan Biocell Textured Breast Implants |
| 299 Olmesartan Medoxomil Medications/Benicar | |
| 300 Talc-Based Body Powders | |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59 Consumer Fraud