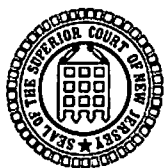


Appendix XII-B1



CIVIL CASE INFORMATION STATEMENT

2011 JUL 21 PM 7:38
(CIS)

SUPERIOR COURT OF NEW JERSEY
 Civil Part pleadings (not motions) under *Rule 4:5-1*
 Pleading will be rejected for filing, under *Rule 1:5-6(c)*,
 if information above the black bar is not completed
 or attorney's signature is not affixed

FOR USE BY CLERK'S OFFICE ONLY

PAYMENT TYPE: CK CG CA

CHG/CK NO.

AMOUNT:

OVERPAYMENT:

BATCH NUMBER:

ATTORNEY / PRO SE NAME

Donald M. Doherty, Jr., Eq.

TELEPHONE NUMBER

(609) 336-1297

COUNTY OF VENUE

Atlantic

FIRM NAME (if applicable)

The Law Office of Donald M. Doherty, Jr.

DOCKET NUMBER (when available)

OFFICE ADDRESS

125 N. Route 73
West Berlin, NJ 08091

DOCUMENT TYPE

JURY DEMAND Yes No

NAME OF PARTY (e.g., John Doe, Plaintiff)

Rosewood Properties, Inc.

CAPTION

Rosewood Properties, Inc. v. Egg Harbor Township, Eileen M. Tedesco, Municipal Clerk and Sharon Woolpert, Records Room Supervisor

CASE TYPE NUMBER (See reverse side for listing)

802

IS THIS A PROFESSIONAL MALPRACTICE CASE? YES NO

IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.

RELATED CASES PENDING?

Yes No

IF YES, LIST DOCKET NUMBERS

DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)?

Yes No

NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known)

NONE
 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?

Yes No

IF YES, IS THAT RELATIONSHIP:

EMPLOYER/EMPLOYEE FRIEND/NEIGHBOR OTHER (explain)
 FAMILIAL BUSINESS citizen & gov't

DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? Yes 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?

YES NO

IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION

WILL AN INTERPRETER BE NEEDED?

YES 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 *Rule 1:38-7(b)*.

ATTORNEY SIGNATURE:

[Handwritten Signature]

7/21/11



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
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

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

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- 280 ZELNORM
- 285 STRYKER TRIDENT HIP IMPLANTS
- 288 PRUDENTIAL TORT LITIGATION
- 289 REGLAN

- 290 POMPTON LAKES ENVIRONMENTAL LITIGATION
- 291 PELVIC MESH/GYNECARE
- 292 PELVIC MESH/BARD
- 293 DEPUY ASR HIP IMPLANT LITIGATION

Mass Tort (Track IV)

- 248 CIBA GEIGY
- 266 HORMONE REPLACEMENT THERAPY (HRT)
- 271 ACCUTANE/ISOTRETINOIN
- 274 RISPERDAL/SEROQUEL/ZYPREXA
- 278 ZOMETA/AREDDIA
- 279 GADOLINIUM

- 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL
- 282 FOSAMAX
- 284 NUVARING
- 286 LEVAQUIN
- 287 YAZ/YASMIN/OCELLA
- 601 ASBESTOS

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

The Law Office of Donald M. Doherty, Jr.
Donald M. Doherty, Jr., Esq.
125 North Route 73
West Berlin, NJ 08091
(609) 336-1297
Attorney for the Plaintiff

RECEIVED/FILED
2011 JUL 21 PM 2:56
SUPERIOR COURT OF NJ

ROSEWOOD PROPERTIES, Inc.,	:	NEW JERSEY SUPERIOR COURT
	:	ATLANTIC COUNTY- LAW DIV.
<i>Plaintiff,</i>	:	DOCKET NO.
vs.	:	
	:	Civil Action
EGG HARBOR TOWNSHIP, EILEEN M. TEDESCO,	:	
MUNICIPAL CLERK OF EGG HARBOR TOWNSHIP,	:	VERIFIED COMPLAINT
and SHARON WOOLBERT, a employee acting as	:	Prerogative Writ - OPRA
“records room supervisor”,	:	
	:	
<i>Defendants.</i>	:	

Plaintiff, Rosewood Properties, Inc. complains against the Defendants as follows:

Background

1. Plaintiff Rosewood Properties, Inc. requested records from Egg Harbor Township.
2. a. Defendant Egg Harbor Township is a municipality located in Atlantic County, New Jersey with offices located at 3515 Bargaintown Road, Egg Harbor Township, NJ 08234.
b. Defendant Eileen M. Tedesco is the Municipal Clerk of Egg Harbor Township.
c. Defendant Sharon Woolbert, a is a Egg Harbor Township employee acting as “records room supervisor”.
3. On July 18, 2011 plaintiff filed an OPRA request with the defendants.
4. The request sought copies of “all police reports and other police records regarding theft of property owned by Nicholas Russo, which occurred in the last five days in the Borough of Longport”, as well as “all government records” relating to the request. Ex. A.
5. On July 19, 2011 Defendant Woolbert responded via e-mail, denying the request on the basis that, “This is an indictable case and must go to the Atlantic County Prosecutor’s Office. We cannot release any information at this time.” Ex. B
6. Defendants did not inform the Plaintiff of the nature or volume of the records they possessed relating to the request.

7. Defendants did not assert a basis for access denial recognized by the Open Public Records Act or attendant case law.

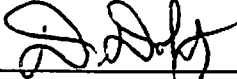
COUNT ONE

OPEN PUBLIC RECORDS ACT, N.J.S.A. 47:1A-1, et. seq., and PREROGATIVE WRIT

8. Defendants' failure to provide responsive records and/or a recognized basis for denial of access and/or a Vaughn index of the records withheld constitutes violates the Open Public Records Act.

WHEREFORE, Plaintiff requests judgement as follows:


- a. Directing the immediate release of the records sought;
- b. Imposition of a civil penalty against Defendant Eileen M. Tedesco and/or Woolbert pursuant to N.J.S.A. 47:1A-11;
- c. Awarding counsel fees and costs of suit;
- d. Awarding other such relief as may be fair, equitable and necessary.

 7/21/11

DONALD M. DOHERTY, JR., Esq.

RULE 4:5-1 CERTIFICATION

The undersigned hereby certifies that the matter in controversy is not the subject of any other pending action or arbitration proceeding. The undersigned does not know of the names of any other parties who should be joined in the action.

 7/21/11

DONALD M. DOHERTY, JR., ESQ.

VERIFICATION

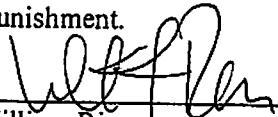
I, William Ring, do hereby verify the following statements on the following bases:

I am an officer of the Plaintiff, Rosewood Properties, Inc. The OPRA request was made by Rosewood at my direction.

Paragraphs 1-6 are made based upon my personal knowledge.

Paragraph 7 and 8 are based upon information and belief, as this is my understanding of the law as it has been explained to me by my legal counsel.

I certify the foregoing statements made by me are true and that if the statements are willfully false or misleading, I understand that I am subject to punishment.



William Ring
Vice President



Blaze Catania
Chief of Police

DEPARTMENT OF POLICE EGG HARBOR TOWNSHIP

3515 BARGAINTOWN ROAD
EGG HARBOR TOWNSHIP, NJ 08234-8321
OPRA REQUEST #RWP0092



(609) 926-4036
FAX: 926-4004

Important Notice

The reverse side of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information - Please Print

First Name _____ MI _____ Last Name _____
 Company ROSEWOOD PROPERTIES, INC.
 Mailing Address 1280 WEST NEWPORT CENTER DRIVE
 City DEERFIELD BEACH State FL Zip 33442 Email brussell@commerce-
group.com
 Business Hours Telephone: Area Code 954 Number 570-3513 Extension _____
 Preferred Delivery: Pick Up US Mail _____ On Site Inspect _____ E-Mail
 or Fax 954-360-0807
 Circle One: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE HAVE NOT been convicted of any
 indictable offense under the laws of New Jersey, any other state, or the United States.
 Signature _____ Date 7/18/11

Payment Information

Maximum Authorization Cost \$ 50.00
 Select Payment Method
 Cash _____ Check _____ Money Order _____
 Fees: Pages 1-10 @\$0.75
 Pages 11-20 @\$0.50
 Pages 21 - @\$0.25
 Delivery: Delivery / postage fees
 additional depending upon
 delivery type.
 Extras: Extraordinary service fees
 dependent upon request.

Record Request Information: To expedite the request, be as specific as possible in describing the records being requested. Also, please include the type of access requested (copying or inspection), and if data, the medium requested.

SEE ATTACHED EXHIBIT A

AGENCY USE ONLY

Est. Document Cost _____
 Est. Delivery Cost _____
 Est. Extras Cost _____
 Total Est. Cost _____
 Deposit Amount _____
 Estimated Balance _____
 Deposit Date _____

AGENCY USE ONLY

Disposition Notes
 Custodian: If any part of request cannot be
 delivered in seven business days,
 detail reasons here.

In Progress - Open _____
 Denied - Closed _____
 Filled - Closed _____
 Partial - Closed _____

AGENCY USE ONLY

Tracking Information		Final Cost	
Tracking #	_____	Total	_____
Rec'd Date	_____	Deposit	_____
Ready Date	_____	Balance Due	_____
Total Pages	_____	Balance Paid	_____
Records Provided			

Custodian Signature _____

Date _____

EXHIBIT A TO OPRA REQUEST #RWP0092

1. Provide a copy of all Police Reports and other Police Records regarding a theft of property owned by Nicholas Russo, which occurred the last five days in the Borough of Longport.
2. Provide all government records, including notes, memoranda and statements, in connection with #1 above.

If there are any questions regarding this Request, please contact
Brenda Russell at 954-570-3513.

**THE INFORMATION REQUESTED IN THIS OPRA REQUEST IS ALSO
REQUESTED UNDER THE COMMON LAW RIGHT TO KNOW.**

From: SWoolbert@ehtpd.com [mailto:SWoolbert@ehtpd.com]
Sent: Tuesday, July 19, 2011 2:21 PM
To: Brenda Russell
Subject: OPRA Request

This is an indictable case and must go to the Atlantic County Prosecutor's Office.
We can not release any information at this time.

Thanks,

Sharon Woolbert
Records Room Supervisor

B