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SUPERIOR COURT OF NEW JERSEY  
COUNTY OF HUDSON  
CIVIL DIVISION #3

SUPERIOR COURT OF N.J.  
FEE OFFICE  
COUNTY OF HUDSON

[REDACTED]  
Plaintiff,  
-vs-  
COUNTY OF HUDSON, HUDSON  
COUNTY CORRECTIONAL  
FACILITY, SGT. RICARDO  
AVILES in his individual and  
official capacities, JOHN DOES I-X  
in their individual and official  
capacities, and  
XYZ CORPORATIONS I-X,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUDSON COUNTY  
DOCKET NO.: HUD-L-2477-12

CIVIL ACTION

COMPLAINT AND JURY DEMAND

Plaintiff Suzanne Mutone, residing at 1065 Ruby Circle in Gilbertsville in  
Douglass Township in the County of Montgomery in the State of Pennsylvania, by way of  
Complaint, says:

COUNT ONE

**(N.J. Law Against Discrimination, Public Accommodation)**

- At all times relevant to this action, plaintiff [REDACTED] (hereinafter  
"[REDACTED]" or "plaintiff") has been employed by Cannon Cochran Management  
Services, Inc. (hereinafter "CCMSI").
- CCMSI is a third party administrator of Hudson County's workers compensation  
program.

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AMOUNT	200
PAYOR	

3. At all times relevant to this action, plaintiff was a Senior Claims Analyst.
4. Plaintiff worked out of her home in Pennsylvania but reported to the Neptune, New Jersey office of CCMSI.
5. Plaintiff's job responsibilities focused on claims management of workers compensation claims relating to employees of Hudson County.
6. Throughout her employment, plaintiff's work performance has been professional and competent.
7. Defendant County of Hudson ("Hudson County," "defendant" or "defendants") is a County situated in the State of New Jersey.
8. Defendant Hudson County Correctional Facility ("HCCF," "defendant" or "defendants") is a correctional facility in Hudson County.
9. Defendant Sergeant Ricardo Aviles ("Sergeant Aviles," "defendant" or "defendants") was at times relevant to this action a Sergeant and/or Senior Investigator for the Hudson County Correctional Facility.
10. At times relevant to this action, defendant Aviles was assigned to the Internal Affairs Unit of the Hudson County Correctional Facility, located in Secaucus, New Jersey.
11. Upon information and belief, defendant Ricardo Aviles is a cousin of HCCF Director Oscar Aviles, the highest ranking employee responsible for running the HCCF.
12. Upon information and belief, defendant Aviles was hired on September 20, 1994 as a County Corrections Officer.

13. Upon information and belief, defendant Aviles was promoted on April 19, 2003 to County Corrections Sergeant.
14. Upon information and belief, defendant Aviles was promoted on August 16, 2008 to Senior Investigator Parole and Secured Facilities.
15. Upon information and belief, in order to be eligible for the position of Senior Investigator Parole and Secured Facilities, an individual first has to have served one year in the title Investigator Parole and Secured Facilities.
16. Upon information and belief, Hudson County was required to hold a promotional examination before hiring into the title of Senior Investigator Parole and Secured Facilities.
17. Upon information and belief, Hudson County promoted Sgt. Aviles to Senior Investigator without Aviles having served a year in the title of Investigator Parole and Secured Facilities.
18. Upon information and belief, Hudson County promoted Sgt. Aviles to Senior Investigator without holding a promotional examination for that title.
19. Upon information and belief, it was not until October 2010 that Hudson County announced a promotional examination for those currently serving at least one year in the title of Investigator Secured Facilities.
20. Upon information and belief, defendant Aviles sat for the promotional examination.
21. Upon information and belief, defendant Aviles had never been listed on a promotional list for the position of Sr. Investigator Parole Secured Facilities until

a list was issued in June 8, 2011.

22. Defendants John Does I-X are currently unknown employees and/or agents of defendant NCHC and currently unknown principals, employees, and/or agents of XYZ Corporations who by their own conduct may be held liable for the unlawful conduct complained of herein.
23. Defendants XYZ Corporations I-X are currently unknown public entities, places of public accommodation, public facilities, corporations, associations or other entities who by the conduct of their principals, employees, and/or agents may be held liable for the unlawful conduct complained of herein.
24. Each individual defendant is sued in both his/her individual and official capacity to the extent the law makes such a distinction.
25. At all times relevant to this action, defendant Aviles was employed by Hudson County.
26. At all times relevant to this action, defendant Aviles was employed by the Hudson County Correctional Facility.
27. At all times relevant to this action, defendant Aviles was a member of upper management of defendants Hudson County and HCCF.
28. At all times relevant to this action, defendant Aviles had supervisory authority over plaintiff.
29. At all times relevant to this action, defendant Aviles was a government official.
30. At all times relevant to this action, each defendant was an agent of every other defendant.

31. Plaintiff communicated by telephone and other remote means with employees or agents of Hudson County, often on a daily basis and multiple times a day, working closely with Jaymme Harney, Hudson County Risk Manager.
32. In or around September 2009, plaintiff first met Sgt. Ricardo Aviles in the Internal Affairs Unit in Secaucus.
33. Plaintiff saw Sgt. Aviles in Hudson County's offices on a number of occasions between September 2009 and May 2010.
34. During that period, plaintiff traveled often to Hudson County's office building in Secaucus, for example to meet with Jaymme Harney or to address work issues in the Internal Affairs Unit.
35. Plaintiff never saw Sgt. Aviles outside of the workplace.
36. From September 2009 through June 2010, plaintiff was subjected to sexually offensive conduct by defendant Aviles.
37. In the months after they met, Sgt. Aviles pursued plaintiff sexually.
38. Sgt. Aviles made his sexual interest in plaintiff known in how he looked her up and down, his efforts to get her to hug him or visit him, his comments on her body and appearance, his outright propositions, and other advances.
39. On several occasions when plaintiff was in his office, defendant Aviles made a point of drawing plaintiff's attention to his gun, on one occasion looking pointedly at his gun and telling her, "You don't want to fuck with me. I get what I want."
40. Defendant Aviles also impliedly threatened plaintiff by badmouthing various

individuals he contended were out to get him and telling her about the files he retained on everyone who was his enemy.

41. Sgt. Aviles made sexual comments about other employees of Hudson County, including bragging about sexual involvement with a particular female subordinate.
42. When plaintiff visited the Internal Affairs Unit, she would ask other officers to come get her if she was with Sgt. Aviles for more than five or ten minutes.
43. On one occasion in or around Spring 2010, Sgt. Aviles picked up plaintiff's phone and wrote down her phone number, after which he began calling or texting.
44. Defendant Aviles and plaintiff had a friendly interaction, but defendant Aviles would direct their exchanges to sexual topics, at which times plaintiff would reject or deflect him in an effort to maintain a friendly rapport.
45. On May 25, 2010, plaintiff visited the Hudson County offices in Secaucus to attend a meeting with Jaymme Harney.
46. Defendant Aviles called her and asked her to come to his office because he had something for her, so plaintiff went to Internal Affairs.
47. Plaintiff went to the Internal Affairs Unit and asked Investigator Frankie Rivera to accompany her to defendant Aviles's office.
48. After she arrived, defendant Aviles sent Investigator Rivera out of the room to get a desk phone to give to plaintiff.
49. When Investigator Rivera left the room, defendant Aviles asked plaintiff for a hug, complaining as he often had that she always gave everybody else a hug.
50. When plaintiff went to give him a hug, defendant Aviles attacked her physically

and sexually, grabbing, touching, and kissing her on various parts of her body including her buttocks, breasts, and neck, licking her face, and grabbing for her crotch.

51. Plaintiff kept telling defendant Aviles no and to stop.
52. Defendant Aviles told plaintiff he could hear if anyone was coming back down the hall.
53. Sgt. Aviles grabbed her hand while she was protesting and pulled her hand onto his crotch saying he wanted her to feel what she did to him.
54. Plaintiff was finally able to push him away.
55. After Investigator Rivera returned with the phone and was present in the room, defendant Aviles again asked plaintiff for a hug, and when plaintiff went to hug him he lifted her, then put her down and smacked her buttocks.
56. Plaintiff left the office with Investigator Rivera, took him to his office, then headed back to Pennsylvania.
57. After plaintiff left his office, defendant Aviles began calling and texting plaintiff and asking her to come back to his office.
58. Some time after the assault, Investigator Rivera asked plaintiff if something had happened with defendant Aviles, and plaintiff said yes and broke down.
59. Plaintiff began to hear rumors that defendant Aviles was telling people he was having sex with her.
60. In or around June 2010, Jaymme Harney telephoned plaintiff about things Harney was hearing, and plaintiff broke down and reported what had been happening with

defendant Aviles and the sexual assault.

61. Plaintiff told Jaymme Harney that she was afraid to come forward, but Harney told her that she had to report the information.
62. Jaymme Harney told plaintiff that she had already left word for Donald Battista, Esq., County Counsel.
63. Some time later, Jaymme Harney told plaintiff that Don Battista had not responded, so Harney finally spoke to an Internal Affairs sergeant who was going to write a report.
64. Jaymme Harney told plaintiff that the County was going to investigate.
65. Shortly thereafter, Sgt. Aviles texted plaintiff and called her and screamed at her for reporting him and told her to tell the County that nothing had happened.
66. Plaintiff reported the incident to Jaymme Harney.
67. In an ongoing way, plaintiff reported to Jaymme Harney her concerns about the delay in responding to the complaints, the failure to inform her about the situation, the Hudson County environment, and her emotional distress.
68. Employees of Hudson County that plaintiff had good relationships with changed their treatment of plaintiff, withdrawing from her.
69. Employees of Hudson County that plaintiff did not know told her they knew about her and defendant Aviles.
70. Unlike before, Director Oscar Aviles no longer returned plaintiff's phone calls or e-mails relating to her claims work.
71. Upon information and belief, Hudson County referred plaintiff's allegations to the



Hudson County Prosecutor's Office (hereinafter "HCPO"), and in or around late Summer 2010 the HCPO told Hudson County it was not moving forward with charges.

72. Hudson County knew or should have known that the Hudson County Prosecutor's Office would not conduct an effective investigation of plaintiff's allegations.
73. It was not until January 2011 that Hudson County contacted plaintiff for an investigative interview.
74. In January and February 2011, plaintiff fully cooperated with three interviews by Hudson County's outside investigators, LeClair Ryan, traveling to New Jersey, answering questions, and providing documents.
75. During the January interview, plaintiff offered to show the investigators the text messages still on her telephone, but they said they didn't need her cell phone.
76. During an interview, a male attorney repeatedly referred to the assault as "the few seconds," and plaintiff got very upset and had to keep correcting him.
77. The investigators told plaintiff that they believed the assault had occurred and were going to recommend the removal of Sgt. Aviles.
78. The investigators told plaintiff that the report could take a couple of weeks to be finalized and they would notify her when it had been completed.
79. Plaintiff made repeated attempts to find out if the investigative report was complete.
80. In or around March 2011, in the face of the ongoing delays, plaintiff gave a statement to the HCPO, but as before the HCPO stated it was not moving forward

with charges.

81. In May 2011, plaintiff received an e-mail from LeClair Ryan stating that the law firm now had access to a device capable of retrieving data for cellular devices and asking her to provide her cell phone.
82. The cell phone which plaintiff had made available to the investigators in January had been damaged since then and was no longer available.
83. Upon information and belief, it was not until June 23, 2011 that Hudson County's investigation report was completed.
84. Upon information and belief, some kind of cease and desist order was eventually issued to defendant Aviles.
85. On or about July 14, 2011, plaintiff had a private attorney send a letter to Hudson County about her allegations.
86. Upon information and belief, it was not until August 1, 2011 that the County issued a Preliminary Notice of Disciplinary Action to defendant Ricardo Aviles.
87. Upon information and belief, Hudson County suspended defendant Aviles with pay for five (5) days for a *Loudermill* hearing.
88. Upon information and belief, defendant Aviles was returned to work but placed on the "Do Not Arm" list.
89. Upon information and belief, after the *Loudermill* hearing, defendant Aviles was placed on vacation despite the fact that he had exhausted his available vacation time.
90. On August 9, 2011, Hudson County responded to the letter of plaintiff's counsel

about her sexual harassment and assault allegations by ignoring the allegations completely and stating that she was needed to testify in the disciplinary hearing against defendant Aviles which would require a visit to New Jersey to prepare and another visit to New Jersey to testify.

91. In or around September 2011, without plaintiff's knowledge or consent, defendant Hudson County contacted CCMSI to obtain plaintiff's medical records and other information.
92. Plaintiff cooperated fully with Hudson County in the disciplinary action.
93. On or about October 12, 2011, plaintiff traveled from Pennsylvania to New Jersey to present her own testimony at the departmental disciplinary hearing.
94. Hudson County refused to permit plaintiff's counsel to accompany her when she testified at the disciplinary hearing.
95. Hudson County required plaintiff to sit and wait for hours outside the hearing room before testifying after driving from Pennsylvania to be on time for her scheduled appearance.
96. Upon information and belief, the disciplinary hearing was continued in November 2011.
97. Upon information and belief, Hudson County failed to present relevant and available evidence at the disciplinary hearing.
98. It was not until January 12, 2012 that Hudson County notified plaintiff that a decision had been rendered.
99. Hudson County refused to provide plaintiff with any more specific information

other than that "charges" of an unspecified nature had been sustained and unspecified discipline had been imposed on Sgt. Aviles.

100. One of the charges against Sgt. Aviles involved misuse of County property by giving plaintiff a desk phone belonging to the County for her use.
101. Plaintiff had returned the phone to Hudson County before the disciplinary hearing.
102. Hudson County refused to tell plaintiff whether any charge based on the sexual assault had been sustained in the disciplinary hearing.
103. Upon information and belief, Hudson County's disciplinary decision called for defendant Aviles to be demoted.
104. Upon information and belief, a demotion from Sr. Investigator would have rendered defendant Aviles either an Investigator or Correction Officer.
105. Upon information and belief, Hudson County moved defendant Aviles to a job created for him at the rank of Sergeant and referred to that as a "demotion."
106. Upon information and belief, both before and after defendant Aviles assaulted plaintiff, defendants gave defendant Aviles preferential treatment in the terms and conditions of his employment including inter alia promotion, enforcement of disciplinary rules, and benefits of employment.
107. Upon information and belief, defendant Aviles has violated various laws, rules and/or regulations in the course of his employment about which Hudson County knew or should have known.
108. Upon information and belief, defendant Aviles has engaged in a pattern of hostile conduct toward other women in the course of his employment about which

Hudson County knew or should have known.

109. Defendants gave defendant Aviles preferential treatment based on nepotism and his familial relationship with Director Oscar Aviles.
110. Defendants gave defendant Aviles preferential treatment based on his gender.
111. Defendants' failure to hold defendant Aviles accountable to the laws, rules and regulations applicable to other County employees contributed to defendant Aviles' ability to commit the acts complained of by plaintiff.
112. Defendants Hudson County and HCCF knew or should have known of defendant Aviles' conduct and the sexually offensive and physically assaultive environment.
113. Defendants Hudson County and the HCCF failed to have effective mechanisms in place to prevent, monitor, investigate and remediate discrimination and harassment in the workplace.
114. Defendants Hudson County and the HCCF failed to prevent defendant Aviles' conduct.
115. Defendants Hudson County and the HCCF failed to promptly and effectively respond to plaintiff's complaints.
116. Defendants Hudson County and the HCCF failed to adequately and effectively investigate plaintiff's complaints.
117. Defendants treated plaintiff differently based on her gender.
118. The conduct complained of by plaintiff was severe or pervasive.
119. Defendants' conduct would cause a reasonable woman to believe that the environment was hostile or abusive.

120. Each defendant is a person within the terms of the New Jersey Law Against Discrimination, N.J.S.A. § 10:5-1 et seq. (hereinafter "LAD").
121. At all times relevant to this action, defendants Hudson County and HCCF were employers within the terms of the LAD.
122. Defendant Aviles is an individual within the terms of the LAD.
123. At all times relevant to this action, defendant Aviles was an employee of defendants Hudson County and the HCCF within the terms of the LAD.
124. At all times relevant to this action, defendant Aviles was a public officer of defendants Hudson County and the HCCF within the terms of the LAD.
125. Plaintiff is a person within the terms of the LAD.
126. Plaintiff is an individual within the terms of the LAD.
127. At all times relevant to this action, Hudson County, the HCCF, and the Secaucus facility housing Internal Affairs were places of public accommodation within the terms of the LAD.
128. At all times relevant to this action, Hudson County, the HCCF, and the Secaucus facility housing Internal Affairs were public facilities within the terms of the LAD.
129. At all times relevant to this action, Hudson County, the HCCF, and the Secaucus facility housing Internal Affairs were real property within the terms of the LAD.
130. At all times relevant to this action, defendant Aviles and each John Doe defendant was acting within the scope of his/her employment.
131. Defendants have engaged in a pattern and practice of gender discrimination and

sexual harassment.

132. Defendants have engaged in a pattern and practice of failing to prevent, monitor, investigate and remediate discrimination and harassment in the workplace.
133. For years, HCCF and the Internal Affairs Unit in particular have been compromised by discriminatory, retaliatory, and assaultive behavior within its ranks.
134. By and through the above actions, defendants sexually harassed and discriminated against plaintiff on the basis of gender in violation of the LAD:
135. Defendants Hudson County and the HCCF are liable for their own negligence and affirmative acts.
136. Defendants Hudson County and HCCF are liable for the actions of the individual defendant under the doctrine of respondeat superior.
137. Defendants Hudson County and the HCCF are vicariously liable and/or liable under agency principles for defendant Aviles' conduct.
138. Each defendant provided knowing and substantial assistance to every other defendant and aided and abetted or attempted to aid and abet violations of plaintiff's rights under the LAD.
139. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
140. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury

to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT TWO**

**(N.J. Law Against Discrimination, Doing Business)**

141. Plaintiff incorporates by reference each and every other allegation made herein.
142. Defendants were in a contractual relationship and/or doing business with CCMSI and plaintiff at all times relevant to this action.
143. By and through the above actions, defendants sexually harassed and discriminated against plaintiff on the basis of gender in violation of the LAD.
144. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
145. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT THREE**

**(N.J. Law Against Discrimination, Employment)**

146. Plaintiff incorporates by reference each and every other allegation made herein.
147. At all times relevant to this action, defendants employed plaintiff within the terms of the LAD.
148. By and through the above actions, defendants sexually harassed and discriminated against plaintiff on the basis of gender in violation of the LAD.
149. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful



acts against plaintiff.

150. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT FOUR**

**(N.J. Law Against Discrimination, Retaliation)**

151. Plaintiff incorporates by reference each and every other allegation made herein.
152. Plaintiff's protests, reports and complaints about defendants' conduct constitute protected activity under the LAD.
153. By and through the above actions, defendants retaliated against plaintiff for protected conduct in violation of the LAD.
154. Defendants have engaged in a pattern and practice of unlawful retaliation for protected conduct under the LAD.
155. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
156. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT FIVE**

**(N.J. Civil Rights Act, Equal Protection, Gender Discrimination/Sexual Harassment)**

157. Plaintiff incorporates by reference each and every other allegation made herein.

158. At all times relevant to this action, each defendant acted under color of state law.
159. Defendants deprived plaintiff of the rights, privileges, and immunities secured by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and Article 1, paragraphs 1 and 5 of the New Jersey Constitution, inter alia.
160. The unconstitutional conduct complained of by plaintiff was the result of a municipal policy or custom of defendants Hudson County and the HCCF.
161. Hudson County and/or HCCF officials, employees or agents with final policy-making authority were directly involved in or acquiesced to the unconstitutional conduct complained of by plaintiff.
162. Defendants Hudson County's and the HCCF's failure to train despite having contemporaneous knowledge of the offending incidents and/or knowledge of a prior pattern of similar incidents constitutes deliberate indifference to the rights of others.
163. By and through the above actions, defendants violated the New Jersey Civil Rights Act, N.J.S.A. § 10:6-1 et seq.
164. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
165. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT SIX**  
**(N.J. Civil Rights Act, Due Process/Bodily Integrity/Liberty)**

166. Plaintiff incorporates by reference each and every other allegation made herein.
167. Defendants deprived plaintiff of the rights, privileges, and immunities secured by the Due Process Clause of the Fourteenth Amendment to the United States Constitution and Article 1, paragraph 1 of the New Jersey Constitution, inter alia.
168. The unconstitutional conduct complained of by plaintiff was the result of a municipal policy or custom of defendants Hudson County and the HCCF.
169. Hudson County and/or HCCF officials, employees or agents with final policy-making authority were directly involved in or acquiesced to the unconstitutional conduct complained of by plaintiff.
170. Defendants Hudson County's and the HCCF's failure to train despite having contemporaneous knowledge of the offending incidents and/or knowledge of a prior pattern of similar incidents constitutes deliberate indifference to the rights of others.
171. By and through the above actions, defendants violated the New Jersey Civil Rights Act, N.J.S.A. § 10:6-1 et seq.
172. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
173. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury

to her constitutional rights, humiliation, and/or damages to reputation.

**COUNT SEVEN**

**(N.J. Civil Rights Act, Due Process and Equal Protection, Arbitrary and Capricious)**

174. Plaintiff incorporates by reference each and every other allegation made herein.
175. Defendants' actions were irrational and wholly arbitrary and capricious.
176. Defendants' actions were not rationally related to a legitimate governmental interest.
177. Defendants deprived plaintiff of the rights, privileges, and immunities secured by the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the United States Constitution and Article 1, paragraphs 1 and 5 of the New Jersey Constitution, inter alia.
178. The unconstitutional conduct complained of by plaintiff was the result of a municipal policy or custom of defendants Hudson County and the HCCF.
179. Hudson County and/or HCCF officials, employees or agents with final policy-making authority were directly involved in or acquiesced to the unconstitutional conduct complained of by plaintiff.
180. Defendants Hudson County's and the HCCF's failure to train despite having contemporaneous knowledge of the offending incidents and/or knowledge of a prior pattern of similar incidents constitutes deliberate indifference to the rights of others.
181. By and through the above actions, defendants violated the New Jersey Civil Rights Act, N.J.S.A. § 10:6-1 et seq.

182. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
183. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

### **COUNT EIGHT**

#### **(N.J. Civil Rights Act, Unconstitutional Retaliation)**

184. Plaintiff incorporates by reference each and every other allegation made herein.
185. Plaintiff's protests, reports and complaints about defendants' conduct constitute free speech, association, expression and/or petition.
186. Plaintiff's protests, reports and complaints about defendants' conduct are matters of public concern.
187. Plaintiff's constitutionally protected conduct was a substantial factor in defendants' adverse actions against plaintiff.
188. Defendants deprived plaintiff of the rights, privileges, and immunities secured by the First and Fourteenth Amendments to the United States Constitution and Article 1, paragraphs 6 and 8 of the New Jersey Constitution, inter alia.
189. The unconstitutional conduct complained of by plaintiff was the result of a municipal policy or custom of defendants Hudson County and the HCCF.
190. Hudson County and/or HCCF officials, employees or agents with final policy-making authority were directly involved in or acquiesced to the unconstitutional

conduct complained of by plaintiff.

191. Defendants Hudson County's and the HCCF's failure to train despite having contemporaneous knowledge of the offending incidents and/or knowledge of a prior pattern of similar incidents constitutes deliberate indifference to the rights of others.
192. By and through the above actions, defendants violated the New Jersey Civil Rights Act, N.J.S.A. § 10:6-1 et seq.
193. Defendants are liable for punitive damages based on the participation and/or willful indifference of upper management and the egregiousness of the unlawful acts against plaintiff.
194. As a result of defendants' actions, plaintiff has suffered and continues to suffer economic loss, emotional distress, pain and suffering, psychological injury, injury to her constitutional rights, humiliation, and/or damages to reputation.

**WHEREFORE**, cause having been shown, plaintiff demands judgment against defendants jointly and severally and seeks the following relief:

- a. compensatory damages, including but not limited to damages for economic losses, back pay, front pay, damage to career and earning capacity, emotional distress, pain and suffering, psychological injury, and, humiliation;
- b. damages for harm to her reputation;
- c. damages for harm to her constitutional rights;
- d. punitive damages;

- e. liquidated damages;
- f. attorneys' fees, contingency fee enhancement, pre-judgment interest, post-judgment interest, and costs and expenses of suit;
- g. an award to reflect negative tax consequences of a lump sum jury award;
- h. injunctive relief, including but not limited to a permanent injunction ordering defendants to adopt and comply with effective policies, procedures, and training programs for the prevention and remediation of unconstitutional conduct and statutory civil rights violations by reason of gender, and,
- i. such other relief as the Court may deem equitable and just.

**FRANCIS & MANSHEL, LLC**  
*Attorneys for Plaintiff*

BY: 

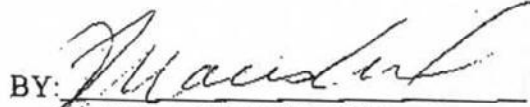
LISA MANSHEL, ESQ.

DATED: May 15, 2012

**JURY DEMAND**

Plaintiff demands trial by jury with respect to all issues so triable.

**FRANCIS & MANSHEL, LLC**  
*Attorneys for Plaintiff*

BY:   
LISA MANSHEL, ESQ.

DATED: May 15, 2012



**CERTIFICATION**

Pursuant to New Jersey Court Rule 4:5-1, plaintiff hereby certifies that to her knowledge, (1) the matter in controversy is not the subject of any other pending or contemplated action in any court or arbitral forum; and, (2) there are no non-parties who must be joined in this action. Plaintiff recognizes the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in this original certification.

**FRANCIS & MANSHEL, LLC**  
*Attorneys for Plaintiff*

BY: 

LISA MANSHEL, ESQ.

DATED: May 15, 2012

**DESIGNATION OF TRIAL COUNSEL**

Lisa Manshel, Esq. is hereby designated as trial counsel in the within matter.

**FRANCIS & MANSHEL, LLC**  
*Attorneys for Plaintiff*

BY:   
LISA MANSHEL, ESQ.

DATED: May 15, 2012