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 Attorneys for Plaintiff

<p>TINA RENNA, Plaintiff, v. COUNTY OF UNION, JAMES PELLETTIERE in his official capacity as the Clerk of the Board of the Union County Freeholders, OFFICE OF THE PROSECUTOR OF THE COUNTY OF UNION and JOHN DOES 1-50, Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: UNION COUNTY</p> <p>DOCKET NO._____</p> <p>CIVIL ACTION</p> <p>VERIFIED COMPLAINT</p>
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Plaintiff Tina Renna, through her counsel Law Offices of Walter M. Luers, LLC and by way of complaint against the Defendant County of Union, alleges as follows:

PRELIMINARY STATEMENT

1. This is an action under the Open Public Records Act, *N.J.S.A. 47:1A-1 et seq.*, and the common law right of access seeking to require disclosure of the report prepared by the Office of the Prosecutor of Union County regarding the unauthorized use of County-owned generators during and after Hurricane Sandy.

PARTIES

2. Plaintiff resides at 202 Walnut Avenue, Cranford, New Jersey 07016. Plaintiff is the President of the Union County Watchdog Association, Inc., which is a non-profit organization that is dedicated to educating the public about the operations of county government in Union County. Plaintiff is

frequently critical of Union County, its elected officials, agents and employees, and is a journalist within the meaning of the New Jersey reporters' shield law and is subject to the protections of that law.

3. Defendant County of Union is a municipal body corporate and public that is organized under the laws of the State of New Jersey whose principal office is located at the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey. Defendant is a "public agency" as that term is defined by OPRA, *N.J.S.A. 47:1A-1.1*.

4. Defendant James Pelletiere is an individual who is employed by the County of Union as the Clerk of the Board of Union County Freeholders. Pelletiere's official place of business is Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey. He is a custodian of a government record as that term is defined by *N.J.S.A. 47:1A-1.1*.

5. Defendant Office of the Prosecutor of the County of Union is organized under the laws of the State of New Jersey and is the chief law enforcement office in Union County. The Prosecutor's Office's principle place of business is Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey. The Office of the Prosecutor is named as a defendant

6. John Does 1-50 are named because we do not know the identities of the individuals identified in the Prosecutor's report. They are named in this action so that they may have the opportunity to assert a privacy interest in non-disclosure.

VENUE

7. Venue is properly laid in Union County because Defendant is a public agency located in Union County and because the cause of action arose in Union County. *R. 4:3-2(a)*.

FACTUAL ALLEGATIONS

8. On June 21, 2013, Plaintiff submitted a written OPRA request to Union County for copies of "All reports between the office of the UC Prosecutor to the State Attorney General's Office

regarding employee use of generators during the Super Storm Sandy emergency and power outages that followed” and “All reports between the Office of the Union County Prosecutor and the Union County Manager or his underlings regarding employee use of generators during the Super Storm Sandy emergency and power outages that followed”.

9. On July 17, 2013, Defendant denied access to “the Union County Prosecutor Report on the Unauthorized Use of County Property” (“Report”).

10. The Report is a public record subject to disclosure and not subject to any exception or exemption.

11. Plaintiff has a legitimate public interest and wholesome private interest in the Report.

12. Plaintiff’s interest in the report outweighs Defendants’ interest in non-disclosure.

FIRST COUNT
(OPEN PUBLIC RECORDS VIOLATION)

13. Plaintiff hereby repeats and incorporates by reference paragraphs 1-11 of this Verified Complaint.

14. Defendant violated OPRA by not providing Plaintiff with copies of the Report.

SECOND COUNT
(COMMON LAW RIGHT OF ACCESS)

17. Plaintiff hereby repeats and incorporates by reference paragraphs 1-14 of this Verified Complaint.

18. Plaintiff and the public’s interest in acquiring the Report outweigh any interest in continued secrecy that Defendant may have.

WHEREFORE, Plaintiff demands:

- A. Disclosure of the Prosecutor's Report on the unauthorized use of County property in connection with Hurricane Sandy;
- B. An award of costs of this action and reasonable attorneys' fees;
- C. Such other, further and different relief as the Court may deem equitable and just.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Walter M. Luers as trial counsel.

CERTIFICATION PURSUANT TO R. 1:38-7(B)

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.

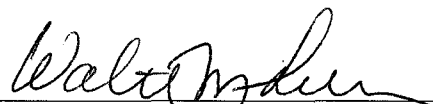
CERTIFICATION OF NO OTHER ACTIONS

Pursuant to R. 4:5-1, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding to the best of my knowledge and belief. To the best of my belief, no other action or arbitration proceeding is pending or contemplated. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. In addition, I recognize 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.

Respectfully submitted,

Dated: August 29, 2013

THE LAW OFFICES OF
WALTER M. LUERS, LLC

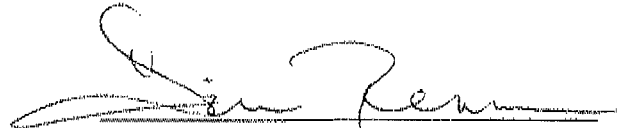
By: 
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VERIFICATION

Tina Renna, of full age, certifies as follows:

1. I am the Plaintiff in the action captioned "Tina Renna v. County of Union, *et al.*" All of the facts stated in the verified complaint to which this Verification is attached are true, and as to those facts that are alleged on information and belief, I believe those facts to be true.

2. 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.


Tina Renna

Dated: August 29, 2012