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Attorney for Plaintiff

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TINA RENNA,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION, UNION COUNTY
vs.	:	CIVIL PART
	:	
COUNTY OF UNION,	:	DOCKET NO.
Defendant.	:	CIVIL ACTION
	:	<b>VERIFIED COMPLAINT</b>

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Plaintiff Tina Renna, by way of complaint against the Defendant County of Union, states as follows:

1. This is an action under the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A to 11, challenging the County's policy of rejecting emails and other record requests that are not made using the County's official request form.

2. Plaintiff Tina Renna resides at 202 Walnut Avenue, Cranford, New Jersey, 07016.

3. Defendant County of Union is a political subdivision of the State of New Jersey.

4. The Government Records Council ("GRC") on February 17, 2006, issued Advisory Opinion No. 2006-01, which held that OPRA records requests are required to be on the agency's official form.

5. On March 9, 2006, the New Jersey State League of Municipalities' Division of Local Government Services sent its

members a letter alerting them of the issuance of GRC Advisory Opinion No. 2006-01.

6. On March 13, 2006, Tina Renna requested from the County of Union Board of Freeholders Clerk Nicole L. Tedeschi an electronic copy of Union County Resolution Number 42-2005.

7. Ms. Renna emailed the County her record request.

8. Ms. Renna did not use the County's official record request form.

9. The County's official record request form was not available for internet or email filing.

10. Union County Board of Freeholders Clerk Nicole L. Tedeschi on March 13, 2006, refused to grant Ms. Renna's records request on the grounds of GRC Advisory Opinion No. 2006-01.

11. Ms. Renna has not received any further response from the County regarding this matter.

12. Defendant County of Union's failure to process Ms. Renna's email record request violates N.J.S.A. 47:1A-5(g) ("A request for access to a government record shall be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian").

WHEREFORE, Plaintiff demands judgment against Defendant County of Union as follows:

A. Declaring that Defendant County of Union violated OPRA by refusing to process Ms. Renna's written record request.

B. Enjoining Defendant County from refusing to process

written OPRA record requests on the grounds that they are not made on the County's official records request form.

C. Awarding costs and attorney's fees; and

D. For such other relief as the Court deems equitable and just.

### **Designation of Trial Counsel**

Plaintiff designates Richard Gutman as trial counsel in this action.

### **Certification Pursuant to R. 4:5-1(b)**

The Plaintiff certifies that the matter in controversy is not the subject of any other action pending in any court or arbitration proceeding and that she is not contemplating any other action or arbitration proceeding regarding the subject matter of this action. Plaintiff is not aware of any other party that should be joined in this action.

Respectfully submitted,

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Richard Gutman