

ERIC S. LENTZ, ESQ.
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CHATHAM, NEW JERSEY
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Attorneys for Plaintiffs

870
Lentz
200
6/6
8070

Auto Neg.
(A) 603
Jury 159
RECEIVED/FILED
Superior Court of New Jersey

JUN 05 2006

CIVIL CASE MANAGEMENT
UNION COUNTY

PATRICIA (Riordan) McCLOUD, Individually
And as Administratrix of the Estate of her
brother, Adrian Riordan

Plaintiffs,

vs.

COUNTY OF UNION, UNION COUNTY
PARATRANSIT DEPT. OF HUMAN
SERVICES, SONIA CHAVANNE, JOHN/JANE
DOES 1-20 (fictitious persons), and ABC
Companies (1-50 fictitious)

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: UNION COUNTY

Docket No:

UNN-L-2082 06
Civil Action

COMPLAINT AND JURY DEMAND

082

Plaintiff, Patricia McCloud, Individually and as Administratrix of the Estate of Adrian Riordan, by way of Complaint, against the Defendants, say:

FIRST COUNT

1. On or about June 4, 2004, the Plaintiff, decedent Adrian Rordan was a resident at 520 Central Avenue, Plainfield, New Jersey
2. Plaintiff Patricia McCloud has been appointed as the Administratrix of the Estate of Adrian Riordan. The decedent was the brother of the plaintiff.
3. Defendant Sonia Chavanne, and John/Jane Doe 1-5 were agent(s), servant(s) and or employee(s) of the County of Union, Union County Paratransit, Department of Human Services; and/or ABC COMPANIES 1-10.
4. The defendant Union County, and the Union County ParaTransit, Department of Human Services, and ABC Companies 1-50 (fictitiously named) owned a "1996 Ford Bus, Reg number K681CG (N.J.) and by their employees John/Jane Doe 6-20 negligently maintained and serviced the bus.
5. On or about June 4, 2004, the defendant Sonia Chavanne and John/Jane Doe 1-5 operated the "1996 Bus" in a negligent, careless and or reckless manner.

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SECTION

6. On or about June 4, 2004, the decedent was a passenger on the aforementioned Ford Bus.
7. On or about June 4, 2004, the defendant Sonia Chavanne and John/Jane Doe 1-20 failed to supervise, monitor, that the decedent was belted, and/or failed to inspect, repair, and maintain the rear door of the bus in proper working and/or mechanical order in a closed and locked position.
8. At or about the intersection of Amsterdam and Myrtle Street, Roselle, New Jersey, plaintiff decedent, who was a passenger in the aforementioned vehicle was discovered on the road way.
9. Defendant Sonia Chavanne and John/Jane Doe 1-20, prior to the discovery of the decedent, was operating the aforesaid vehicle in a northerly direction on Myrtle Street.
10. Defendant Sonia Chavanne and John/Jane Doe 1-20 were oblivious to the fact that the decedent had fallen, or was ejected from the rear door, until approximately one block down the road.
11. As a direct and proximate result of the negligence of the Defendants jointly, and severally Adrian Riordan deceased, was caused grievous bodily injuries causing pain and suffering and ultimate death. The aforementioned injuries and damage was a foreseeable consequence of the Defendants, carelessness, negligence and recklessness
12. As a result of the aforementioned negligence of the defendants, any or all of them, the Estate of Adrian Riordan has incurred medical bills, and other pecuniary loses.
13. As a result of the negligence, careless, and recklessness of the defendant(s) the plaintiff decedent Adrian Riordan prior to his death, suffered severe and permanent injuries, severe pain, and loss of life's enjoyment.
14. Plaintiffs have complied with the provisions of N.J.S.A 2A:31-1et seq of the Wrongful Death Act of the State of New Jersey, with the provisions of N.J.S.A.2A:15-3 (Survivors Actions), and the Notice Requirement provision of the Tort Claim Act.
15. Although suffering from a pre-existing mental and physical ailment, the decedent provided emotional support to the extent he was able to his family.
16. The Estate of the decedent was liable for hospital, medical, funeral and burial expenses and charges of the decedent.

WHEREFORE, Plaintiffs demand Judgment against the Defendants, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorneys' fees, and such other and further relief as the Court may deem just and equitable.

JURY DEMAND

TAKE NOTICE that plaintiff demands that the issues herein be tried by a jury.

DEMAND FOR PLEADINGS/DISCOVERY

TAKE NOTICE that the undersigned attorney(s), counsel for the Plaintiff(s), hereby demands pursuant to Rules 1:5-1(a); 4:17-2(b)(i) and 4:17-4(c), that each party herein provide any and all such pleadings and answered Interrogatories received from any party including any documents, papers and other materials referred to herein, upon the undersigned attorney, and answer Form C and C (2) Interrogatories of Appendix II of the N.J. Rules of Court; and

TAKE NOTICE this is a continuing demand.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Eric S. Lentz, Esq. is hereby designated as trial counsel for plaintiffs.

DEMAND FOR INSURANCE INFORMATION

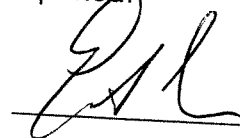
Pursuant to R 4:10-2 (b) state whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

Attach a copy of each insurance policy or in the alternative state:

- A. Name and address of insurer or issuer;
- B. Policy number;
- C. Dates of inception and expiration of coverage;
- D. Names and addresses of all persons insured;
- E. Policy limits;
- F. Name and address of person who has custody and possession of policy

CERTIFICATION

The undersigned hereby certifies that the within matter in controversy is not the subject of any other action pending in any Court or pending arbitration proceeding and that no other action or arbitration proceeding is presently contemplated.



Eric S. Lentz
Attorney for Plaintiffs

Dated: April 12, 2006



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial Law Division – 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 if 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 Eric S. Lentz, Esq.	TELEPHONE NUMBER (973) 635-3525	COUNTY OF VENUE Union
FIRM NAME (If applicable) Eric S. Lentz, Esq.	DOCKET NUMBER (When available) UNN-L-2082 06	
OFFICE ADDRESS 383 Main Street, Chatham, New Jersey 07078	DOCUMENT TYPE Complaint	JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME OF PARTY (e.g., John Doe, Plaintiff) Patricia (Riordan) McCloud. Individually and as Administratrix of the Estate of her brother Adrian Riordan	CAPTION Patricia (Riordan) McCloud. Individually and as Administratrix of the Estate of her brother Adrian Riordan vs. County of Union, et al	

CASE TYPE NUMBER (See reverse side for listing) 603	IS THIS A PROFESSIONAL MALPRACTICE CASE? IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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.

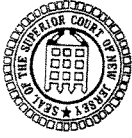
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

A. 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 type="checkbox"/> OTHER (explain) _____ <input type="checkbox"/> FAMILIAL <input checked="" type="checkbox"/> BUSINESS
B. 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:

This is a tort claim action. Plaintiff, decedent, was a disabled adult residing in a home in Plainfield, New Jersey. The County of Union provided transport to him. Decedent was ejected from the rear of the bus, causing his death

<input checked="" type="checkbox"/> 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: _____
ATTORNEY SIGNATURE 	



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
- 505 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)

Track II — 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 602 ASSAULT AND BATTERY
- 603 AUTO NEGLIGENCE – PERSONAL INJURY
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE – PROPERTY DAMAGE
- 699 TORT – OTHER

Track III — 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 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
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Mass Tort (Track IV)

- 240 REDUX/PHEN-FEN (formerly "DIET DRUG")
- 248 CIBA GEIGY
- 264 PPA
- 601 ASBESTOS
- 619 VIOXX

999 OTHER (Briefly describe nature of action) _____

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:

Verbal Threshold

Putative Class Action

Title 59

HAROLD J. GERR
Counselor at Law
47 Raritan Avenue, 2nd Floor
Highland Park, NJ 08904
(732) 249-4600
Attorney for Plaintiff

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SECTION

RECEIVED / FILED
Superior Court of New Jersey
MAR 28 2008
CIVIL CASE MANAGEMENT
UNION COUNTY

PATRICIA (Riordan) McCLOUD,
Individually and as Administratrix of the
Estate of her brother ADRIAN RIORDAN
Plaintiff(s),

SUPERIOR COURT OF NEW JERSEY
UNION COUNTY LAW DIVISION

v.

CIVIL ACTION
Docket No.: UNN-L-2082-06

COUNTY OF UNION, PARATRANSIT
SYSTEM, ATC VANCOM, INC., SONIA
CHAVANNE, JOHN/JANE DOE 1-20
fictitious persons) and ABC COMPANIES
(1-50 fictitious)

AMENDED COMPLAINT and
JURY DEMAND

Defendant(s).

The plaintiff, PATRICIA McCLOUD, Individually and as Administratrix of the Estate of Adrian Riordan, by way of Complaint against the Defendants say:

FIRST COUNT

1. On or about June 4, 2004, plaintiff, decedent Adrian Riordan was a resident at 520 Central Avenue, Plainfield, New Jersey
2. Plaintiff, PATRICIA McCLOUD, has been appointed as the Administratrix of the Estate of Adrian Riordan. The decedent was the brother of the plaintiff.
3. Defendant, SONIA CHAVANNE, and John/Jane Doe 1-5 were agent(s), servant(s) and or employee(s) of the PARATRANSIT SYSTEM and/or ATC VANCOM INC. and/or ABC COMPANIES 1-10.
4. The defendant Union County, ParaTransit System and/or ATC VanCom Inc., and ABC Companies 1-50 (fictitiously named) owned a "1996 Ford Bus, Reg number K681CG (N.J.) and by their employees John/Jane Doe 6-20 negligently maintained and serviced the bus.
5. On or about June 4, 2004, the defendant Sonia Chavanne and John/Jane Doe 1-5

operated the "1996 Bus" in a negligent, careless and or reckless manner.

6. On or about June 4, 2004, the decedent was a passenger on the aforementioned Ford Bus.

7. On or about June 4, 2004, the defendant Sonia Chavanne and John/Jane Doe 1020 failed to supervise, monitor, that the decedent was belted, and/or failed to inspect, repair, and maintain the rear door of the bus in proper working and/or mechanical order in a closed and locked position.

8. At or about the intersection of Amsterdam and Myrtle Street, Roselle, New Jersey, plaintiff decedent, who was a passenger in the aforementioned vehicle was discovered on the road way.

9. Defendant, Sonia Chavanne and John/Jane Doe 1-20, prior to the discovery of the decedent, was operating the aforesaid vehicle in a northerly direction on Myrtle Street.

10. Defendant, Sonia Chavanne, and John/Jane Doe 1-20 were oblivious to the fact that the decedent had fallen, or was ejected from the rear door, until approximately one block down the road.

11. As a direct and proximate result of the negligence of the Defendants jointly, and severally Adrian Riordan deceased, was caused grievous bodily injuries causing pain and suffering and ultimate death. The aforementioned injuries and damages was a foreseeable consequence of the Defendants, carelessness, negligence and recklessness.

12. As a result of the aforementioned negligence of the defendants, any or all of them, the Estate of Adrian Riordan has incurred medical bills, and other pecuniary loses.

13. As a result of the negligence, careless, and recklessness of the defendant(s) the plaintiff decedent Adrian Riordan prior to his death, suffered severe and permanent injuries, severe pain, and loss of life's enjoyment.

14. Plaintiffs have complied with the provisions of N.J.S.A.2A:31-1et seq of the Wrongful Death Act of the State of New Jersey, with the provisions of N.J.S.A.2A:15-2 (Survivors Actions), and the Notice Requirement provision of the Tort Claim Act.

15. Although suffering from a pre-existing mental and physical ailment, the decedent provided emotional support to the extent he was able to his family.

16. The Estate of the decedent was liable for hospital, medical, funeral and burial expenses and charges of the decedent.

WHEREFORE, plaintiffs demands judgment against the defendants, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such others and further relief of the Court may deem just and equitable.



HAROLD J. GERR, ESQ.
Attorney for Plaintiff

Dated: February 26, 2008

JURY DEMAND

Plaintiff hereby demands a trial by jury on all counts.

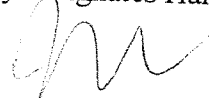


HAROLD J. GERR, ESQ.
Attorney for Plaintiff

Dated: February 26, 2008

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to Rule 4:25-4 plaintiff hereby designates Harold J. Gerr, Esq. as trial counsel in the within matter.



HAROLD J. GERR, ESQ.
Attorney for Plaintiff

Dated: February 26, 2008

CERTIFICATION PURSUANT TO R.4:5-1

I hereby certify as follows:

1. That the matter in controversy in the within action is not the subject of any other action pending in any other Court or of a pending arbitration proceeding and no such action or arbitration proceeding is contemplated.
2. I am not aware of any other party who should be joined in the within action.



HAROLD J. GERR, ESQ.
Attorney for Plaintiff

Dated: February 26, 2008

FILED

MAR 14 2008

WILLIAM A. DANIEL, J.S.C.

HAROLD J. GERR
47 Raritan Avenue, 2nd Floor
Highland Park, New Jersey 08904
(732) 249-4600
Attorney for Plaintiff(s)

PATRICIA (Riordan) MCCLLOUD,
Individually and as Administratrix of the
Estate of her brother ADRIAN RIORDAN

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CIVIL PART
UNION COUNTY

plaintiff,

vs.

Docket No.: L-2082-06

COUNTY OF UNION, UNION COUNTY
PARATRANSIT DEPARTMENT OF
HUMAN SERVICES, SONIA CHAVANNE,
JOHN/JANE DOE 1-20 (fictitious persons) and
ABC COMPANIES (1-50 fictitious)


defendants.

**ORDER ALLOWING
PLAINTIFF TO FILE
AMENDED COMPLAINT**

This matter having been brought before the Court upon the motion of plaintiff's counsel,
seeking an Order granting the plaintiff leave to file amended complaint, and the Court
having considered the matter, and good cause appearing,

IT IS on this 14 day of ~~February~~ March 2008, 2008

ORDERED that the plaintiff shall have leave to amend the complaint to name
defendant, ATC VANCOM INC., as a direct defendant and to correct the name of defendant,
Paratransit System within the next ~~10~~ 5 days.


J.S.C. William A. Daniel, J.S.C.

() opposed
(X) unopposed

HAROLD J. GERR
COUNSELOR AT LAW
47 RARITAN AVENUE, 2ND FLOOR
HIGHLAND PARK, NEW JERSEY 08904

HAROLD J. GERR

MARGARET KIEHNE PATERSON

(732) 249-4600
FAX# (732) 249-0643

OUR FILE NO.
16517

March 26, 2008

Union County Superior Court
2 Broad Broad, 1st Floor
Elizabeth, NJ 07201

Re: McCloud v. Union County

Dear Sirs/Madam:

Enclosed please find documents listed below:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Amended Complaint with copy of "filed" Order | <input type="checkbox"/> C.I.S. |
| <input type="checkbox"/> Amended Complaint | <input type="checkbox"/> Verification of Plaintiff |
| <input checked="" type="checkbox"/> Jury Demand | <input type="checkbox"/> Brief |
| <input type="checkbox"/> Notice to Take Depositions | <input type="checkbox"/> Demand to Answer Supplemental |
| <input type="checkbox"/> Notice of Motions | <input type="checkbox"/> Return of Service |
| <input type="checkbox"/> Certification of Service | <input checked="" type="checkbox"/> Return Envelope |
| <input checked="" type="checkbox"/> Certification of Counsel | <input type="checkbox"/> Order to Show Cause |
| <input type="checkbox"/> Affidavit of Attorney | <input type="checkbox"/> Demand to Answer Interrogatories |
| <input type="checkbox"/> Notice to Produce | <input type="checkbox"/> Demand for Insurance Coverage |

RECEIVED
Superior Court of New Jersey
MAR 28 2008
CIVIL CASE MANAGEMENT
UNION COUNTY

Will you please:

- File same and return conformed, filed copy
 Sign and return Consent and Return

Thank you.

Sincerely,


HAROLD J. GERR

HJG/rb
Encl.

cc: Timothy P. Burns, Esq. (with encl.)