

Attorney(s) Zeff Law Firm, LLC  
Office Address 100 Century Parkway  
Suite 305  
Town, State, Zip Code Mt. Laurel, NJ 08054  
Telephone Number (856) 778-9700  
Attorney(s) for Plaintiff Gregg L. Zeff

**Superior Court of  
New Jersey**

Camden COUNTY  
Law DIVISION

Samuel Munoz

Docket No: L-3587-11

Andres Nieves  
Plaintiff(s)

**CIVIL ACTION  
SUMMONS**

Vs.  
State of New Jersey  
City of Camden  
Defendant(s)

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Jennifer M. Perez,  
Acting Clerk of the Superior Court

DATED: 07/15/2011

Name of Defendant to Be Served: City of Camden

Address of Defendant to Be Served: 520 Market Street, 3rd Floor, Camden, NJ 08102

NOTE: The Case Information Statement is available at [www.njcourts.com](http://www.njcourts.com).

## Directory of Superior Court Deputy Clerk's Offices County Lawyer Referral and Legal Services Offices

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(800) 496-4570

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Civil Processing Office  
Hall of Justice  
1st Fl., Suite 150  
101 South 5<sup>th</sup> Street  
Camden, NJ 08103

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(856) 964-4520  
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(856) 964-2010

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(609) 465-3001

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Attn: Intake  
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1 North Broad Street  
Woodbury, NJ 08096

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(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

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Brennan Court House--1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

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LEGAL SERVICES  
(201) 792-6363

**HUNTERDON COUNTY:**  
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65 Park Avenue  
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(908) 735-2611  
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(908) 782-7979

**MERCER COUNTY:**  
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Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

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(609) 695-6249

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LEGAL SERVICES  
(732) 249-7600

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Court House  
P.O. Box 1269  
Freehold, NJ 07728-1269

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(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

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Morris County Courthouse  
Civil Division  
Washington and Court Streets  
P. O. Box 910  
Morristown, NJ 07963-0910

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(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

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118 Washington Street, Room 121  
P.O. Box 2191  
Toms River, NJ 08754-2191

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LEGAL SERVICES  
(732) 341-2727

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Court House  
77 Hamilton Street  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 523-2900

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
Attn: Civil Case Management Office  
92 Market Street  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 935-5629  
LEGAL SERVICES  
(856) 451-0003

**SOMERSET COUNTY:**

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P.O. Box 3000  
40 North Bridge Street  
Somerville, N.J. 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

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(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

**UNION COUNTY:**

Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340


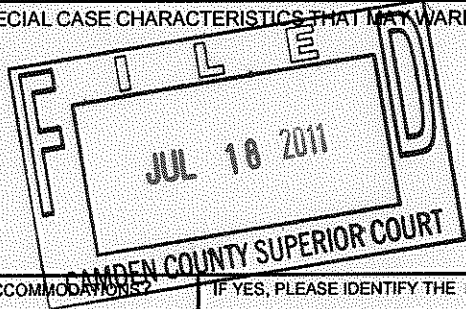


**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(908) 475-2010

# COPY

## Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY
 <p>Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> <b>Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</b></p>		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA
		CHG/CK NO.
		AMOUNT:
		OVERPAYMENT:
ATTORNEY / PRO SE NAME Gregg L. Zeff, Esquire		COUNTY OF VENUE Camden
TELEPHONE NUMBER (856) 778-9700		DOCKET NUMBER (when available) L-3587-11
FIRM NAME (if applicable) Zeff Law Firm, LLC		DOCUMENT TYPE Complaint
OFFICE ADDRESS 100 Century Parkway, Suite 305 Mt. Laurel, NJ 08054		JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NAME OF PARTY (e.g., John Doe, Plaintiff) Samuel Munoz, Plaintiff Andres Nieves, Plaintiff		CAPTION Samuel Munoz, et al. v. State of New Jersey, et al.
CASE TYPE NUMBER (See reverse side for listing) 509	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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? <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 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	
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>		
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION		
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP: <input checked="" type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
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		
		
 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?	
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 <i>Rule 1:38-7(b)</i> .		
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 (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                      | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 285 STRYKER TRIDENT HIP IMPLANTS | 291 PELVIC MESH/GYNECARE                   |
| 288 PRUDENTIAL TORT LITIGATION   | 292 PELVIC MESH/BARD                       |
| 289 REGLAN                       | 293 DEPUY ASR HIP IMPLANT LITIGATION       |

**Mass Tort (Track IV)**

- |                                       |  |
|---------------------------------------|--|
| 248 CIBA GEIGY                        | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 282 FOSAMAX                            |
| 271 ACCUTANE/ISOTRETINOIN             | 284 NUVARING                           |
| 274 RISPERDAL/SEROQUEL/ZYPREXA        | 286 LEVAQUIN                           |
| 278 ZOMETHA/AREDDIA                   | 287 YAZ/YASMIN/OCELLA                  |
| 279 GADOLINIUM                        | 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

Attorney(s) Zeff Law Firm, LLC  
Office Address 100 Century Parkway  
Suite 305  
Town, State, Zip Code Mt. Laurel, NJ 08054  
Telephone Number (856) 778-9700  
Attorney(s) for Plaintiff Gregg L. Zeff

**Superior Court of  
New Jersey**

Camden COUNTY  
Law DIVISION

Samuel Munoz  
Andres Nieves  
Plaintiff(s)

Docket No: L-3587-11

Vs.  
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City of Camden  
Defendant(s)

**CIVIL ACTION  
SUMMONS**

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Jennifer M. Perez,  
Acting Clerk of the Superior Court

DATED: 07/15/2011

Name of Defendant to Be Served: State of New Jersey

Address of Defendant to Be Served: 25 Walnut Street, P.O. Box 112, Trenton, NJ 08625

NOTE: The Case Information Statement is available at [www.njcourts.com](http://www.njcourts.com).

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Salem, NJ 08079

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(856) 451-0003

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Civil Division  
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40 North Bridge Street  
Somerville, N.J. 08876

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LEGAL SERVICES  
(908) 231-0840

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**UNION COUNTY:**

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2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

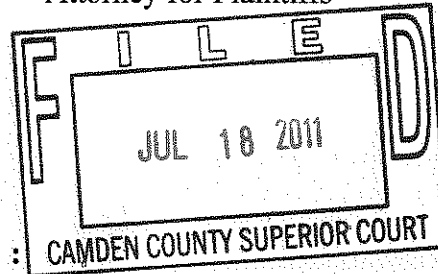
**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

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(973) 267-5882  
LEGAL SERVICES  
(908) 475-2010

ZEFF LAW FIRM, LLC  
GREGG L. ZEFF, ESQUIRE  
100 CENTURY PARKWAY, SUITE 305  
MT. LAUREL, NJ 08054  
(t) (856) 778-9700  
(f) (856) 702-6640  
[gzeff@glzefflaw.com](mailto:gzeff@glzefflaw.com)

Attorney for Plaintiffs



SAMUEL MUNOZ  
1721 42nd Street  
Pennsauken, NJ 08110

and

ANDRES NIEVES  
116 Nokomis Trail  
Medford Lakes, NJ 08055

*Plaintiffs,*

v.

STATE OF NEW JERSEY  
25 Walnut Street  
P.O. Box 112  
Trenton, New Jersey 08625

and

CITY OF CAMDEN  
520 Market Street, 3rd Floor  
Camden, NJ 08102

*Defendants.*

SUPERIOR COURT OF NEW JERSEY  
CAMDEN COUNTY – LAW DIVISION

Docket No. *L-3587-11*

JURY TRIAL DEMANDED

CIVIL ACTION COMPLAINT

Plaintiffs, Samuel Munoz and Andres Nieves (“Plaintiffs”), by and through their attorneys the Zeff Law Firm LLC hereby bring this Complaint against the State of New Jersey,

City of Camden, Chief Joseph Marini, Christine Tucker-Jones and Judge Theodore Davis (check into DCA and Rolando Torres) ("Defendants") and in support thereof aver as follows:

### PARTIES

1. Plaintiff Samuel Munoz ("Plaintiff") is a male individual residing at the above-listed address.

2. Plaintiff Andres Nieves ("Plaintiff") is a male individual residing at the above-listed address.

3. Defendant, State of New Jersey, with offices at the above listed address, claims and/or claimed authority to assume a supervisory role in the day-to-day operation of the Camden Fire Department.

4. The City of Camden is a municipal corporation operating under the laws of New Jersey and Camden.

### FACTS

5. Plaintiffs are Hispanic firefighters working for the City of Camden. Munoz has been a firefighter since August 20, 2001. Nieves has been a firefighter since February 3, 1997.

6. In March 2006 Plaintiffs made a presentation for diversity and promotions in the fire department to then Camden Chief Operating Officer ("COO") Theodore Primas.

7. Since approximately that date Plaintiffs have been the driving force in promotion of minority rights in the City of Camden Fire Department. They have worked as officers and members of the Camden City Latino Professional Firefighters Organization to promote equal rights.

8. Plaintiffs have written and corresponded with the City and State of New Jersey on multiple occasions regarding these issues.

9. Plaintiffs have filed grievances and lawsuits alleging disparate treatment toward minorities in hiring, promotions, discipline and training.

10. In 2008 Munoz participated in a lawsuit against the City of Camden and Camden Business Administrator Christine Tucker-Jones, among other defendants, alleging discrimination.

11. In October 2008 Nieves made a presentation to then COO Judge Theodore Davis regarding improving the fire department, including diversity issues.

12. In the summer of 2009 Plaintiffs met with Councilmen Angel Fuentes and Francisco Moran as well as Assemblywoman Nilsa Cruz to discuss problems with diversity in the fire department in Camden. Those issues included promotional issues related to captain vacancies and treatment of Hispanics.

13. As a result of this meeting, Assemblywoman Cruz sent a letter of inquiry to the City of Camden and others.

**a. Captain's Exam**

14. In the summer of 2008 firefighters across the State of New Jersey were studying for a Captain's exam. During this time, copies of answers to that Captain's exam were discovered in the Camden fire house. The Plaintiffs initiated an effort to discover the truth about these events and to ensure that the process remained fair.

15. The Plaintiffs gave statements to the state police about the circulating test answers in the fire house.

16. Beginning in the summer of 2009 and into 2010 the Plaintiffs made numerous efforts to meet with Camden Business Administrator Christine Tucker-Jones regarding issues of

diversity and racial inequality within the fire department. Tucker-Jones refused to meet with the Plaintiffs.

**b. Retaliation**

17. Sometime in 2009 the Plaintiffs, through hiring and attrition, were ranked at the top of the promotional list for captain.

18. In January 2009 the Plaintiffs were assigned to acting captains positions for limited tours of 12 to 24 hours. (An acting captain is a firefighter that is temporarily promoted to an acting position as captain due to a shortage of captains. Acting captains receive captains pay for the time they are acting in that position. Moreover, acting captains receive the invaluable experience of performing the duties of a captain.)

19. Acting captains are supposed to be selected based on placement on the captains list for promotion. Plaintiffs, as highest ranking on the promotional list, were entitled to be assigned as acting captains before others beneath them on the list. In deviation from this practice, Plaintiffs were regularly skipped over for assignment as acting captain in favor of other firefighters.

20. While the Plaintiffs were acting captains, they were treated less favorably than Caucasian or other acting captains who had not made similar complaints. The less favorable treatment included but was not limited to:

- a. The Plaintiffs were screamed at on a frequent basis by senior officers during the time they were acting captains;
- b. Plaintiff Munoz was subject to unsafe fire tactics at fire scenes
- c. Plaintiff Nieves was called "Sirhan Sirhan" and threatened with a picture from the newspaper of a dying person labeled with his name on it;

d. The Plaintiffs were not offered acting positions in accordance with their seniority and rank; and

e. The Plaintiffs were offered less acting positions than others of less seniority and rank.

21. The Plaintiffs were skipped for promotion and never promoted to the position of captain despite being fully qualified. Rather, other firefighters beneath them on the list who were not Latino and had not made complaints about discrimination were promoted ahead of them.

22. The promotional list was manipulated to exclude the Plaintiffs from promotion. Among the matters manipulated were improperly ranking less qualified candidates above the Plaintiffs in contradiction to the established ranking system, and allowing candidates who were not qualified to be promoted over the Plaintiffs.

23. Ultimately several of the promoted candidates were found to have been illegally promoted. Despite the illegal promotions, the Plaintiffs were not promoted in their stead.

24. In the summer of 2009 the Plaintiffs, along with the union IAFF Local # 788 met with Chief Marini to discuss vacancies in the captain's positions. Chief Marini admitted that there were ten (10) vacancies in the fire department for captains.

25. At that time the table of organization called for fifty-four (54) captains while there were only forty-four (44) captains working at the time.

26. Chief Marini stated in the meeting that the city would be promoting ten (10) captains to meet the table of organization.

27. At that time Plaintiffs were the seventh and eighth ranked candidates on the captain's list.

28. The City only promoted six (6) rather than ten (10) to award promotion of Plaintiffs.

29. Plaintiffs are subject to ongoing, continuing violation of their right to be promoted to Captain.

**COUNT I**  
**N.J.S.A 10:5-1 et seq.**  
**RACIAL DISCRIMINATION**

30. Plaintiffs incorporate the preceding paragraphs of this Complaint as if same were set forth herein at length.

31. The Plaintiffs were Hispanic male employees of the Camden Fire Department.

32. While working for the fire department the Plaintiffs were treated less favorably than similarly situated non-Hispanic employees with regard to promotions, salary increases, discipline, and general treatment, among other things.

WHEREFORE, Plaintiffs respectfully requests this Honorable Court:

- (A) award Plaintiffs compensatory damages including but not limited to pain, suffering, past economic loss, future economic loss, back pay, front pay, wage increases, loss of life's pleasures, loss of reputation, loss of promotional opportunity, benefits, and other damages;
- (B) award reasonable costs and attorney's fees;
- (C) award punitive damages;
- (D) grant any other relief that this court deems just and proper under the circumstance.

**COUNT II**  
**N.J.S.A 10:5-1 et seq.**  
**HOSTILE WORK ENVIRONMENT**

33. Plaintiffs incorporate the preceding paragraphs of this Complaint as if same were



set forth herein at length.

34. The Plaintiffs were subjected to severe and pervasive treatment that other non-Hispanic employees were not subjected to.

35. The Plaintiffs were referred to by racially hostile names, they were threatened, denied raises, and promotions because they are Hispanic.

WHEREFORE, Plaintiffs respectfully requests this Honorable Court:

- (A) award Plaintiffs compensatory damages including but not limited to pain, suffering, past economic loss, future economic loss, back pay, front pay, wage increases, loss of life's pleasures, loss of reputation, loss of promotional opportunity, benefits, and other damages;
- (B) award reasonable costs and attorney's fees;
- (C) award punitive damages;
- (D) grant any other relief that this court deems just and proper under the circumstance.

**COUNT III**  
**N.J.S.A 10:5-1 et seq.**  
**RETALIATION**

36. Plaintiffs incorporate the preceding paragraphs of this Complaint as if same were set forth herein at length.

37. While working for the fire department, the Plaintiffs continuously made complaints about the unfair treatment of and discrimination against Hispanics in the department.

38. As a result of their complaints the Plaintiffs were treated less favorably than employees that did not complain about discrimination, and were denied promotional and other opportunities at the department.

WHEREFORE, Plaintiff respectfully requests this Honorable Court:

- (A) award Plaintiff compensatory damages including but not limited to pain, suffering, past economic loss, future economic loss, back pay, front pay, wage increases, loss of life's pleasures, loss of reputation, loss of promotional opportunity, benefits, and other damages;
- (B) award reasonable costs and attorney's fees;
- (C) award punitive damages;
- (D) grant any other relief that this court deems just and proper under the circumstance.

**ZEFF LAW FIRM, LLC**

BY: \_\_\_\_\_

  
**GREGG L. ZEFF, ESQUIRE**

Dated: July 18, 2011