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OF COUNSEL

* MEMBER OF N.J. AND PA. BAR

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† CERTIFIED BY THE SUPREME

COURT OF NEW JERSEY

AS A CIVIL TRIAL ATTORNEY

June 28, 2011

Filing Clerk
Camden County Superior Court
Superior Court of New Jersey
Suite 150, Hall of Justice
101 South 5th Street
Camden, New Jersey 08103-4001

Re: Paff v. Runnemede Board of Education
Docket No: CAM-L-2865-11

Dear Sir or Madam:

I enclose herewith an original and one copy of an Answer and Case Information Statement, which we are filing on behalf of defendants, **Runnemede Board of Education, Record Custodian of the Runnemede Board of Education and Kelly Brazelton**, in the above referenced matter. I also enclose my check in the amount of \$135.00 to cover the cost of filing same.

Kindly file the documents and return a conformed "FILED" copy to us in the envelope provided.

Very truly yours,


Michael J. Heron
For the Firm

MJH/eo
Enc.

cc: Walter M. Luers, Esquire ✓

LENOX, SOCEY, FORMIDONI, BROWN, GIORDANO, COOLEY & CASEY, ESQUIRES
3131 Princeton Pike, Suite 1B
Trenton, New Jersey 08648
(609) 896-2000

Attorneys for Defendants

<p>John Paff, Plaintiff, v. Runnemede Board of Education; Record Custodian of the Runnemede Board of Education and Kelly Brazelton Defendants</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION - CAMDEN COUNTY DOCKET NO: CAM-L-2865-11 CIVIL ACTION ANSWER AND JURY DEMAND</p>
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Defendants, **Runnemede Board of Education; Record Custodian of the Runnemede Board of Education and Kelly Brazelton** with offices at 505 W. Third Avenue, Runnemede, New Jersey, by way of Answer to the plaintiff's Complaint do hereby state:

PRELIMINARY STATEMENT

1. These defendants are without sufficient information to form a belief as to the truth of the allegations contained in this paragraph, and thereby leave plaintiffs to their proofs.
2. These defendants are without sufficient information to form a belief as to the truth of the allegations contained in this paragraph, and thereby leave plaintiffs to their proofs.
3. Admit.
4. Admit.
5. Admit in part and leave plaintiffs to their proofs in part.
6. Admit.

7. Admit.

8. Admit.

9. Deny.

10. Deny.

11. Admit.

12. Deny.

13. These defendants are without sufficient information to form a belief as to the truth of the allegations contained in this paragraph, and thereby leave plaintiffs to their proofs.

14. Admit in part, deny in part.

15. Admit.

16. Admit.

17. Deny.

18. These defendants are without sufficient information to form a belief as to the truth of the allegations contained in this paragraph, and thereby leave plaintiffs to their proofs.

19. Admit.

20. Admit in part and other aspects of this call for a legal conclusion which these defendants cannot answer at this time.

21. Admit.

22. Deny.

FIRST COUNT

(OPEN PUBLIC RECORDS VIOLATION)

23. Deny.

24. Deny.

SECOND COUNT

(COMMON LAW RIGHT OF ACCESS)

25. Deny.

THIRD COUNT

(OPEN PUBLIC MEETINGS ACT)

26. Deny.

27. Deny.

FIRST SEPARATE DEFENSE

These defendants were not guilty of any negligence which was a proximate or producing cause of any injury or damage alleged in the Complaint.

SECOND SEPARATE DEFENSE

At the time and place alleged in the Complaint, these defendants violated no legal duty then and there owing to the plaintiffs.

THIRD SEPARATE DEFENSE

Any injury or damage alleged in the Complaint was caused solely by the negligence of the plaintiff, whereby the plaintiff is barred from recovery against this defendant.

FOURTH SEPARATE DEFENSE

The negligence of any of the plaintiffs either individual or in their representative capacity, was greater than any negligence of these particular defendants and, therefore, the plaintiff is not entitled to recover damages against these particular defendants, or in the alternative, any damages awarded to the plaintiff should be reduced in proportion to the percentage of negligence attributable to the plaintiff.

FIFTH SEPARATE DEFENSE

Any damages awarded to the plaintiff must be diminished pursuant to the principles and Doctrine of Avoidable Consequences.

SIXTH SEPARATE DEFENSE

These defendants are entitled to a credit for any expenses paid by the insurance of any other third parties which are claimed as damages by the plaintiffs, pursuant to N.J.S.A. 2A:15-97.

SEVENTH SEPARATE DEFENSE

Some part or all of plaintiff's Complaint may be barred by the New Jersey No-Fault Act, in that the plaintiff has failed to

comply with the medical and statutory thresholds enunciated by said Act.

EIGHTH SEPARATE DEFENSE

Defendants plead defense of N.J.S.A. 2A:15-5.2.

NINTH SEPARATE DEFENSE

Defendants plead defense of N.J.S.A. 2A:15-5.3.

TENTH SEPARATE DEFENSE

Defendants assert that the accident arose as a result of a certain emergency for which they bear no responsibility.

ELEVENTH SEPARATE DEFENSE

The accident and resultant damages was caused by intervening and superseding acts of negligence by individuals and/or entities over whom this defendant had no direction or control, namely the codefendants in said litigation.

TWELFTH SEPARATE DEFENSE

Plaintiff has failed to state a cause of action against this particular defendant.

THIRTEENTH SEPARATE DEFENSE

Defendants hereby reserve the right to add additional separate defenses based upon pre-trial discovery and trial testimony.

FOURTEENTH SEPARATE DEFENSE

Recovery on the claims set forth in the Complaint is barred by the contributory wantonness of the injured plaintiff.

FIFTEENTH SEPARATE DEFENSE

Defendants assert that it is entitled to credit or set-off with respect to all collateral payments made to plaintiffs in accordance with N.J.S.A. 2A:15-97.

SIXTEENTH SEPARATE DEFENSE

Defendants assert all rights, immunities, defenses or the like available under the NJ Tort Claims Act N.J.S.A. 59 et. seq.

SEVENTEENTH SEPARATE DEFENSE

Defendants plead the New Jersey Statute of Limitations as a bar to plaintiff's Complaint.

EIGHTEENTH SEPARATE DEFENSE

Defendants assert the rights and immunities, bars, defenses, and standards of proofs enunciated in N.J.S.A. 2A:58(c).

DEMAND FOR ANSWERS TO UNIFORM INTERROGATORIES

Defendants herein demand that plaintiff answer Uniform Interrogatories Form A, Form A(1), and such other supplemental interrogatories as may be propounded, in accordance with R. 4:17-1, within thirty (30) days of receipt of said Answer.

REQUEST FOR STATEMENT OF DAMAGES

Pursuant to the provisions of R. 4:5-2, it is hereby requested that a written statement specifying the amount of damages claimed on each count of the Complaint be furnished to the undersigned attorneys within five (5) days of service of a copy hereof.

CERTIFICATION

We hereby certify that the within pleading was served within the time provided by R. 4:6-1. Pursuant to the provisions of R. 4:5-1, the undersigned attorney certifies that to the best of his knowledge the above matter is not the subject of any other action pending in any court or of a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated.

JURY DEMAND

Defendants request a trial by jury.

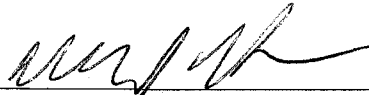
DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R. 4:25-4, the court is advised that Michael J. Heron Esquire is hereby designated as trial counsel.

NOTICE TO SERVE COPIES
OF PLEADINGS AND DISCOVERY

Take notice that the undersigned attorneys, counsel for the defendants, **Runnemedede Board of Education; Record Custodian of the Runnemedede Board of Education and Kelly Brazelton**, do hereby demand that each party herein serving pleadings and demands or requests for discovery and receiving answers thereto, serve copies of all such pleadings, demands or requests for discovery received from any party, including any documents, papers and other material referred to therein, upon the undersigned attorneys and take notice that this is a continuing demand.

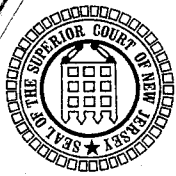
LENOX, SOCEY, FORMIDONI, BROWN,
GIORDANO, COOLEY & CASEY



Michael J. Heron, Esquire
Attorneys for Defendants

DATED: June 28, 2011

Appendix XII-B1



**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 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 Michael J. Heron	TELEPHONE NUMBER (609) 896-2000	COUNTY OF VENUE Camden
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FIRM NAME (if applicable) Lenox, Socey, Formidoni, Brown, Giordano, Cooley & Casey, LLC	DOCKET NUMBER (when available) CAM-L-2865-11
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OFFICE ADDRESS 3131 Princeton Pike, Building 1B Trenton, New Jersey 08648	DOCUMENT TYPE Answer to the Complaint
JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

NAME OF PARTY (e.g., John Doe, Plaintiff) Runnemede Board of Education, Record Custodian of the Runnemede BOE, Kelley Brazelton (defendants)	CAPTION John Paff v. Runnemede Board of Education, et als.
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CASE TYPE NUMBER (See reverse side for listing) 605	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.
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RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, LIST DOCKET NUMBERS
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DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) New Jersey School Boards Association Insurance Group <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN
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THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.

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

DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> BUSINESS
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DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? Yes No

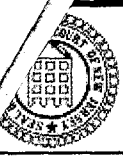
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION

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
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WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, FOR WHAT LANGUAGE?
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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 *Rule 1:38-7(b)*.

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 (Johnson & Johnson) |
| 288 PRUDENTIAL TORT LITIGATION | 292 PELVIC MESH (Bard) |

Mass Tort (Track IV)

- | | |
|---------------------------------------|--|
| 248 CIBA GEIGY | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 282 FOSAMAX |
| 271 ACCUTANE | 283 DIGITEK |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 284 NUVARING |
| 275 ORTHO EVRA | 286 LEVAQUIN |
| 277 MAHWAH TOXIC DUMP SITE | 287 YAZ/YASMIN/OCELLA |
| 278 ZOMETA/AREDDIA | 601 ASBESTOS |
| 279 GADOLINIUM | |

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