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SUPERIOR COURT OF NJ
SOMERSET COUNTY

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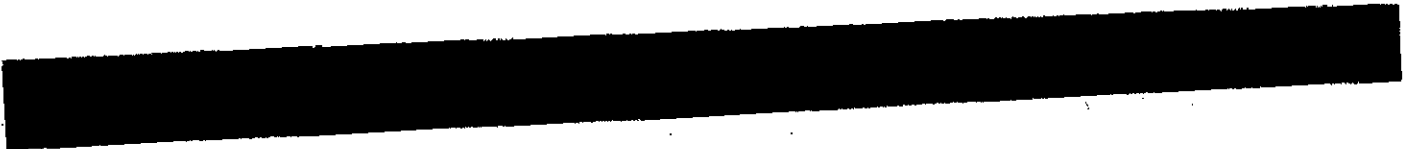
DEPUTY CLERK
CIVIL DIVISION

<p>TWANN HAMILTON, PLAINTIFF. v. NEW JERSEY STATE POLICE, of the State of New Jersey, TROOPER C. KEMPINSKI; (Badge 6993); TROOPER R. SICKLES (Badge 7151), TROOPER K. MOWATT (Badge 6418), and TROOPER G. MONTEROSSA (Badge 7053), and JOHN & JAN DOES 1-5, DEFENDANTS.</p>	<p>SUPERIOR COURT OF NEW JERSEY SOMERSET COUNTY: LAW DIVISION DOCKET No. SOM-L-<u>974-11</u> <u>Civil Action</u> COMPLAINT and JURY DEMAND</p>
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Plaintiff, Twann Hamilton, by and through his attorneys, Mark & Galusha, LLC, by way of Complaint against Defendants, does hereby state:

PARTIES

1. TWANN HAMILTON (hereinafter "Hamilton" or "Plaintiff") is a resident of the United States and is entitled to all the rights, privileges and immunities secured by the Constitution of the United States and the State of New Jersey.



2. STATE OF NEW JERSEY, DIVISION OF STATE POLICE (hereinafter "NJSP") is a corporation organized under the laws of the State of New Jersey.

3. TROOPER C. KEMPINSKI (Badge 6993) is a State Trooper and was at all times relevant herein, acting in his individual and official capacity.

4. TROOPER R. SICKLES (Badge 7151) is a State Trooper and was at all times relevant herein, acting in his individual and official capacity.

5. TROOPER K. MOWATT (Badge 6418) is a State Trooper and was at all times relevant herein; acting in his individual and official capacity.

6. TROOPER G. MONTEROSSA (Badge 7053) is a State Trooper and was at all times relevant herein, acting in his individual and official capacity.

7. John and Jane Does 1 through 5 were at all times relevant herein employed by the New Jersey State Police and participated in the stop, brutal assault, arrest, detention, search and prosecution of Plaintiff on or about June 23, 2009 at approximately 3:30 AM.

8. Defendant Officers, John Does 1-5 and Jane Does 1-5 are hereafter referred to collectively as the "Trooper Defendants."

VENUE

9. Venue properly lies in Somerset County, Superior Court Law Division pursuant to R. 4:3-2(a), because the cause of action arose in Somerset County.

PRELIMINARY STATEMENT

10. This civil action is brought by Plaintiff Iwan Hamilton for monetary compensation for the violation of his civil rights under the Fourth, Fifth, and Fourteenth Amendments of the Constitution of the State of New Jersey, as well under the NJ Law Against Discrimination.

11. On June 23, 2009 Hamilton was lawfully driving on Interstate 78, heading west when he was pulled over, maced, and beaten by members of the New Jersey State Police.

12. Thereafter, Hamilton spent two months in jail due to excessive bail.

FACTS

13. During the morning hours of June 23, 2009, Hamilton was traveling west out of New York City on Interstate 78, traveling through New Jersey to his home in Easton, Pennsylvania.

14. At approximately 3:00 AM, as he was travelling through Bedminster on Route 78, Hamilton was pulled over by NJ State Troopers Kempinski (Badge 6993) and Trooper Sickles (Badge 7151), who were operating a police vehicle.

15. Officer Kempinski approached Hamilton's vehicle from the passenger side, and Hamilton advised Kempinski that he did not have a license on him.

16. At that moment, Trooper Sickles (Badge 7151) approached the vehicle also to the passenger side and requested Hamilton to "Write your name on a piece of paper."

17. Kempinski then approached Hamilton from the driver's side, opened Hamilton's car door, and told Hamilton to exit the vehicle and stand in front of the vehicle.

18. Hamilton asked if he was under arrest, to which Kempinski stated: "No, you are not under arrest."

19. Hamilton asked: "If I am not under arrest, why should I get out of the car?"

20. Kempinski then stated in a loud aggressive tone: "Step out of the car."

21. Within seconds, Hamilton was immediately maced repeatedly about his face. Hamilton's face, eyes and ears were burning and he could not see.

22. After being completely blinded, Kempinski reached into Hamilton's car, and dragged Hamilton out of the car and onto the interstate pavement.

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23. As Kempinski was dragging Hamilton to the ground, and still blinded, Hamilton was also being dragged by Sickles.

24. The two Troopers held Hamilton to the ground, exerting their entire weight upon Hamilton, and hand cuffed him.

25. Hamilton was face down and handcuffed, with two officers exerting incredible pressure on his back, with their knees in his back, and laid out on the shoulder of the interstate.

26. Hamilton's body was partially laying on the interstate as several vehicles drove by.

27. As he was lying on the ground, Kempinski lifted Hamilton's head up off the ground, and then slammed it to pavement.

28. Kempinski repeatedly punched Hamilton about his head and face, all while Hamilton lay blinded and helpless on the side of the interstate.

29. During the assault of Hamilton, one of the Troopers called Hamilton a "Stupid nigger, see what you get."

30. Another trooper said "You deserved to get your ass beaten for not listening."

31. Finally, another trooper stated: "You niggers need to learn to follow directions, how tough are you now."

32. At that moment, two additional Troopers, Mowatt and Monterossa, jump onto Hamilton.

33. This horrible event was caught on tape; however, one portion of the tape, where Hamilton was being brutalized was "blacked out" by the NJ Troopers, clearly to hide evidence.

34. In fact, at one point, the tape identifies the Trooper slamming Hamilton's face on the concrete road way, and being punched in the head, and then the tape immediately goes black.

35. Hamilton was handcuffed and placed into the back of Trooper Kempinski's cruiser.

36. While in the back of Kempinski's cruiser, Hamilton asked for medical attention, but was denied.

37. Instead, Hamilton was asked: "Who is Twann" and "Are you Twann," to which Hamilton responded: "Are you going to beat me up again?"

38. While in the back of the cruiser, Hamilton repeatedly asked for help, and that he was "just beaten up," to which the Troopers ignored him.

39. At one point, Kempinski spoke to Hamilton and admitted to Hamilton: "Are you under arrest? No, but get

out of the car," yet Hamilton was brutally and unnecessarily beaten by the Trooper, handcuffed, and placed in the back of the cruiser, where he was denied medical assistance.

40. As a result of the unlawful acts of NJ State Police and its various officers, Hamilton suffered an incredible amount of anxiety and emotional stress which was caused by Defendants.

41. At one point, a Sergeant of the New Jersey State Police arrived on the scene. The arresting Troopers lied to the Sergeant when they stated that Hamilton had "no ID" on him as the Troopers had previously lifted Hamilton's wallet, which had various credit cards and other information to identify Hamilton.

42. Despite not being at the scene, the Sergeant suggested fabricating a charge against Hamilton of "aggravated assault on a trooper" and "resisting arrest" despite the fact that Hamilton never assaulted any of the Troopers. Also, prior to being drug out of his car, Hamilton was not advised that he was under arrest.

43. The Sergeant then advised the Troopers that they should take Hamilton's vehicle back to the station and obtain a search warrant to search the car to "find out what he is hiding."

44. Shockingly, the Sergeant then stated to his Troopers, "We are going to follow you, and if he [Hamilton] gives you any shit, pull over and force him to do it, and then ...we'll deal with it."

45. The Troopers then took Hamilton to be processed. During the ride down to the Station, Hamilton was only then given his Miranda Rights. When Hamilton was asked if he understood his Rights, Hamilton responded, "I just got beat up. My head slammed against the concrete. Punched in my face. Stomped." and "You're not supposed to beat people up out of frustration."

46. During the entire scene, Hamilton never once raised his voice, became belligerent or assaulted any of the Troopers.

CLAIMS FOR RELIEF

COUNT ONE

(New Jersey Civil Rights Act - "NJCHRA" - NJEA 10:6-2)

47. Plaintiff repeats and reasserts all facts in paragraphs 1-46 as if fully setforth herein.

48. Defendants have violated Plaintiff's rights by depriving or attempting to deprive Plaintiff's due process and equal protection rights, privileges or immunities secured by the Constitution or laws of the United States, and/or by interfering or attempting to interfere with

Plaintiff's substantive rights, privileges or immunities secured by the Constitution or laws of this State, and exercise or enjoyment of those substantive rights, privileges or immunities by threats, intimidation or coercion by a Defendants, acting under color of law.

49. Defendants, acting under color of law, have subjected and caused Plaintiff to be subjected to the deprivation of Plaintiff's substantive due process rights, equal protections, privileges or immunities secured by the laws of this State.

50. In violation of the New Jersey Civil Right Act, Plaintiff was illegally arrested, imprisoned, brutally assaulted, and prosecuted in violation of his fundamental rights to be free from tyranny, intimidation, coercion and physical threat by violating Plaintiff's substantive due process rights, privileges or immunities secured by the Constitution and/or laws of the United States and Constitution and laws of this State.

COURT INFO

*(New Jersey Civil Rights Act- NJCSA 10:6-2 -
Violation of the 4th, 5th and 14th Amendments)*

51. Plaintiff repeats and realleges each and every allegation above as though set forth herein.

52. Defendants are persons who, under color of law, and as a result of their willful and wrongful use of

intimidation, coercion, retention, excessive force and wrongful arrest by a NJ State Troopers who knowingly exceeded their lawful authority, denied Plaintiff his freedom from unlawful restraint, and have subjected Plaintiff to the deprivation of his civil rights.

53. As a direct and proximate result of the aforesaid violations, Plaintiff suffered injury, including but not limited to serious emotional injury, mental anguish, distress, humiliation, and indignity.

COUNT THREE

(NJ CIVIL RIGHTS ACT - N.J.S.A. 10:6-2 -

False Arrest)

54. Plaintiff repeats and realleges each and every allegation contained above as though set forth herein.

55. Defendants are persons who, under color of law, and as a result of their willful and wrongful motor vehicle stop, detention, and investigation then unlawfully arrested Plaintiff.

56. The arrest of Plaintiff by Defendant Police Officers knowingly exceeded their lawful authority, and did subject Plaintiff to a deprivation of his civil rights and thereby irreparably injured Plaintiff, in violation of the NJ Civil Rights Act.

57. As a direct and proximate result of the aforesaid violations, Plaintiff has suffered injury, including but

not limited to serious emotional injury, mental anguish, distress, humiliation, and indignity.

COUNT FOUR

**(NJ CIVIL RIGHTS ACT - N.J.S.A. 10:6-2 -
False Imprisonment)**

58. Plaintiff repeats and realleges each and every allegation contained above as though set forth herein.

59. Defendants, acting under color of law, have subjected and caused to be subjected to the deprivation of Plaintiff's rights, privileges or immunities by subjecting Plaintiff to illegal imprisonment.

60. The actions to Defendant Troopers were deliberate, willful and malicious in violation of the law, and the New Jersey State Constitution, including, but not limited to, Article 1, § 1.

61. As a proximate result of Defendants' actions, Plaintiff was injured in that he was subjected to improper detention, false imprisonment, and suffered financial, mental and emotional injury.

COUNT FIVE

**(NJ Civil Rights Acts - N.J.S.A. 10:6-2
Reckless Indifference for Serious Medical Needs)**

62. Plaintiff incorporates by reference all previous paragraphs and counts.

63. Because of his injuries Plaintiff was entitled to medical treatment upon Plaintiff's arrest and confinement and Defendant Police Officers deliberately and intentionally failed promptly to provide Plaintiff with such medical treatment.

64. As a proximate result of this denial of medical treatment, Plaintiff suffered damages.

COUNT SIX

(42 U.S.C.A. § 1983 - Excessive Force)

65. Plaintiff incorporates by reference all previous paragraphs.

66. The intentional use of excessive force by Defendants Officers violated the rights of Plaintiff as guaranteed by the Fourth and Fourteenth Amendments to the United States Constitution, for which Defendant officers are individually liable.

67. The intentional use of excessive force by Defendant Police Officers when Plaintiff was unarmed was done with actual malice toward Plaintiff and with willful and wanton indifference to and deliberate disregard for the constitutional rights of Plaintiff.

68. As a proximate result of the Defendants' actions, Plaintiff has suffered damages.

COUNT SEVEN

*(12 USC § 1983 -Negligent Supervision,
Retention, and Training)*

69. Plaintiff repeats and realleges each and every allegation set forth at length herein.

70. At all times relevant hereto, all Defendants were acting as State Troopers; and, represented themselves to be acting in the course and scope of their employment as State Troopers, and by and through their actions, violated established constitutional rights of Plaintiff, which a reasonable peace officer knew or should have known.

71. The above-referenced actions constituted, among other actions, intimidation, terror, threats, incompetence, improper training, improper procedures, unlawful arrest, negligent investigations, civil rights violations, all in violation of Plaintiff's Constitutional Rights.

72. The negligence and/or intentional acts and omissions of the individual Defendants, and the Police Departments all Defendants have caused Plaintiff mental injury, and caused other losses and injuries not yet manifested or known to Plaintiff.

73. Defendant Police Administration failed to train, supervise, and negligently hire these officers.

74. Defendant Police Administration breached its duty by failing to establish, monitor, maintain and control its Police Officers.

75. Due to the improper training, supervisor and control of the Defendants police officer by the State, its police department, and because the State has a custom, policy and practice of violating citizens' constitutional rights, it is reasonable for the actions of its police officers who also violate citizens' constitutional rights.

76. Had Defendants been properly monitored, supervised and trained, Plaintiff's rights would not have been violated.

77. As a proximate result of the Defendants' actions and non-actions, Plaintiff has suffered damages.

COUNT EIGHT

(42 USC § 1983 - Failure to implement Custom Practice Policy & Adhere to Law)

78. Plaintiff repeats and realleges each and every allegation as set forth at length herein.

79. Defendant State and its Police Department in their official capacity implicitly or explicitly adopted and implemented careless and reckless policies, customs, or practices, that included, among other things, of allowing their employees to unlawfully conduct motor vehicle stops

by using profiling techniques, then investigate, assault, detain, arrest, imprison, and prosecute, citizens of this state in such a way as to violate Plaintiff's constitution rights.

80. The failure of the State, its policy makers, Police Department, supervisors and administration to adequately implement, train, monitor and supervise its Police Department, and with a deliberate indifference to the rights of the citizens of this state who travel the road ways, violated Plaintiff's fundamental freedoms.

81. As a result of this deliberate indifference to Plaintiff's rights, Plaintiff has suffered psychological injuries, loss of companionship, and income and is entitled to relief.

82. In committing the acts complained of herein, Defendants acted under color of state law to deprive Plaintiffs as alleged herein of certain constitutionally protected rights including, but not limited to: a) the right to be free from unreasonable seizures and false imprisonment; b) the right not to be deprived of liberty without due process of law; c) the right not to be deprived of property without due process of law; d) the right to be free from excessive use of force by persons acting under

color of state law; and e) the right to just compensation for an unlawful restriction in one's freedoms, through its:

- A. Policy, practice, custom or procedure of failing to properly train and supervise officers to avoid the inappropriate investigation techniques;
- B. Policy, practice, custom or procedure of failing to train and supervise officers in the techniques of the proper arrest procedures;
- C. Policy, practice, custom or procedure of failing to train and supervise officers in the investigation and detention of persons;
- D. Policy, practice, custom or procedure of covering up police misconduct by falsifying and fabricating investigation reports rather provide a true and accurate version of events;
- E. Policy, practice, custom or procedure of failing to discipline officers who violate the Constitution or law or otherwise transgress the rights of persons during their investigations; and
- F. Policy, practice, custom or procedure of being deliberately indifferent to the violation by law enforcement officers of the rights of persons;
- G. Policy, practice, custom or procedure of allowing the use of outrageous and excessive force against Plaintiff;
- H. Policy, practice, custom or procedure of allowing the use of failing to independently and adequately investigate complaints of excessive force;

- I. Policy, practice, custom or procedure of failing to effectively discipline or restrain police officers who wrongfully utilized excessive force;
- J. Policy, practice, custom or procedure of failing to establish appropriate policies and procedures to address and correct the repeated use of excessive force by police officers in traffic stops; and
- K. Policy, practice, custom or procedure of allowing failing to protect civilians who had sustained injury from the reckless indifference of defendant State of New Jersey's agents, servants and employees in its Police Department to their serious medical needs.

83. It is the State's custom, policy and practice to violate one's constitutional rights - by and through its employees, and is liable to plaintiff.

COURT NOTE

(42 U.S.C. § 1983 & 42 U.S.C. § 1985 - Individual Liability of NJ State Troopers)

84. Plaintiff repeats and realleges each and every allegation contained above as though set forth herein.

85. The Defendant Police Officers acted with malice and illegally arrested, imprisoned and prosecuted Plaintiff, which operated to deprive Plaintiff of his constitutional rights.

86. The Defendant Officers are accountable for their unlawful actions because they violated Plaintiff's

fundamental and constitutional rights by acting in the official and individual capacity.

87. At a minimum, the Officers acted deliberately and/or with reckless indifference to such constitutional violations.

88. The foregoing actions were taken pursuant to an official and extant policy and practice of Defendant State of New Jersey.

89. Alternatively, the foregoing actions were taken by the individuals in their private capacity by acting beyond and outside the scope of their duties.

90. The foregoing actions were knowing, willful, deliberate and a collaborative effort of the Defendants to violate the law and deprived Plaintiff of his civil rights, and Plaintiff is therefore entitled to punitive damages under applicable law.

91. Defendants have engaged in behavior that violates Plaintiff's constitutional rights and have thereby irreparably injured Plaintiff.

COURT USE

(AZDEC §1985 & NYCPA - Conspiracy)

92. Plaintiff repeats and realleges each and every allegation contained above as though set forth herein.

93. As a result of their concerted unlawful and malicious conspiracy of Defendants Plaintiff, an African American male, was deprived of both his liberty without due process and equal protection of the law, in violation of the Fourth, Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985, and NJCRA, and because of the color of his skin.

COUNT ELEVEN

Respondent Superior

94. Plaintiff incorporates by reference all previous paragraphs and counts.

95. For all acts performed within their official capacity, and within the scope of their employment as New Jersey State Police Officers, the State of New Jersey is liable for compensation under the doctrine of respondent superior.

96. For all acts in which it is found that the State of New Jersey failed, pursuant to 42 USC § 1983 or the NJCRA, to properly train, monitor, and enforce its officers' conduct, and/or to which there is an official custom, policy and practice, Defendant State of New Jersey is liable for compensatory damages under the doctrine of respondent superior for the acts of Defendant Police Officers.

COUNT TWELVE

(New Jersey Law Against Discrimination - Race)

97. Plaintiff repeats and reasserts all allegations above as if fully set forth at length herein.

98. By reasons of the facts and circumstances asserted above, Plaintiff was discriminated against when he was singled out and targeted for a motor vehicle stop, assaulted on the roadway, arrested and prosecuted by the State of New Jersey and its Police Department, all because of his race as an African American.

99. The arrest of Plaintiff due to his race is a violation of the New Jersey Law Against Discrimination as the Officers represented, and, to the extent that they interact with the public, are for all intents and purposes, places of "public accommodation" pursuant to New Jersey Law.

100. Although the Defendants knew or should have known of the discrimination, Defendants through their lack of training supervisor and control, implemented a false arrest of Plaintiff, resulting in his imprisonment and the malicious prosecution of his person for no other reason but for the color of his skin in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:6-1, et al.

101. These illegal actions were committed by the State of New Jersey and its Police officers, with the acquiescence of the State and administration, supervisors, and upper management.

102. The foregoing actions on the part of Defendants constituted unlawful discrimination based upon Plaintiff's race in a place of public accommodation by the Police, confined in their conduct by the LAD as traveling places of public accommodation, and in the location of a public Laundromat.

103. The foregoing actions were knowing, willful, and deliberate with a total lack of regard to Plaintiff and in complete disregard to the sensibilities and an abuse of authority against Plaintiff.

104. Defendants have engaged in behavior that violates the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1, et al. and have thereby irreparably injured Plaintiff.

COUNT THIRTEEN
(Aiding & Abetting)

105. Plaintiff repeats and reasserts all allegations above as if fully set forth at length herein.

106. Defendants wrongfully aided and abetted co-defendants unlawful discriminatory treatment of Plaintiff,

in violation of the New Jersey Law Against Discrimination
N.J.S.A. 10:5-12, et seq.

107. Each and every Defendant Officers' conduct had the tacit approval of the other, as well as Defendants Supervisor, and acted in concert with the Officers.

108. Because of the collective acts of each Defendant, and due to their plan, scheme and motives to treat Plaintiff in an unlawfully discriminatory manner, Defendants wrongfully aided and abetted each other.

109. As a result of all Defendants unlawful conduct, Plaintiff suffered emotional distress, anxiety, and depression, humiliation and embarrassment.

110. The illegal conduct was in furtherance of the race and disability discrimination identified throughout this complaint.

COUNT FOURTEEN

(Assault & Battery)

111. Plaintiff repeats and reasserts all allegations above as if fully set forth at length herein.

112. On or about June 23, 2009, Plaintiff was operating his vehicle on Interstate 78 in the State of New Jersey.

113. While traveling through the State of New Jersey, Plaintiff was stopped by Defendant Troopers and brutally

sprayed in the eyes with mace, drug out of his car onto the concrete, stomped on the head, back and legs, and beaten about the head and face, all without provocation, cause or justification, and contrary to the law.

114. Defendant Troopers did violently commit and assault and battery Plaintiff, and caused him great fear and apprehension, as well as bodily injuries.

115. By reason of the foregoing, Plaintiff was and is damaged, in that he was painfully injured, incurred and will incur medical expenses in an effort to cure himself of said injuries, and was otherwise prevented and will be so prevented in the future from engaging in his usual pursuits and duties.

COUNT SIXTEEN

(Intentional Infliction of Emotional Distress)

116. Plaintiff repeats and reasserts all allegations above as if fully set forth at length herein.

117. By reasons of the facts and circumstances asserted above, Plaintiff the victim of racial profiling, was discriminated against, maced, beaten, handcuffed, arrested, and forced to expend time and money to defend himself, all through a course of extreme and outrageous conduct, beyond the bounds of decency, acted without regard to the mental and emotional well-being of Plaintiff.

118. As a direct and proximate result of the aforesaid discrimination, harassment and retaliation, Plaintiff now has suffered injury, including but not limited to serious emotional injury, mental anguish, distress, humiliation, and indignity.

WHEREFORE, Plaintiff demands judgment against all Defendants, for Compensatory Damages, emotional distress, pain and suffering; Punitive Damages; Interest; Attorney's Fees and Costs; and Other such equitable relief.

RESPECTFULLY SUBMITTED,

MARK & GILUSIA, LLC
Attorneys for Plaintiff



Jamison M. Mark, Esq.

Dated: June 14, 2011

DESIGNATION OF TRIAL COUNSEL

Trial Counsel is hereby designated as Jamison M.
Mark, Esq.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands, pursuant to R. 4:35-1 et
seq., trial by jury of all issues triable by jury

MARK & GALUSHA, LLC
Attorneys for Plaintiff


Jamison M. Mark, Esq.

Dated: June 14, 2011

DEMAND FOR INSURANCE INFORMATION

Pursuant to New Jersey Court Rule 4:10-2(b), Demand is made that Defendants disclose to Defendants attorney whether or not 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 indemnify or reimburse for payments made to satisfy the judgment and provide Defendants' attorney with true copies of these insurance agreements or policies, including but not limited to, any and all declaration sheets. This demand shall include and cover not only primary coverage but also any and all excess, homeowners, and umbrella policies.

SETTLEMENT AGREEMENT

AND

UNCONDITIONAL GENERAL RELEASE

1. Releasors and Releasees: The Releasor is Twann A. Hamilton; referred to as "I" or "me" or "Releasor." Releasees are: the State of New Jersey, including all of its departments, divisions, agencies, officials, employees, and agents; the Attorney General of New Jersey, including all of his departments, divisions, agencies, officials, employees, and agents; the State of New Jersey Division of State Police, including all of its departments, divisions, agencies, officials, employees, and agents; Craig Kempinski, Robert Sickles, Gary Monterosso, Kesene (Mowatt) Grier. Releasees are collectively referred to as "You" or "Releasees."

2. Release: I release and give up any and all claims and rights which I may have against You, including claims for personal injury, bodily injury, pain and suffering and any other harms, known or unknown. I hereby release all claims, demands, damages, causes of action, or suits which have been or could have been brought. I hereby release all claims, including those of which I am not aware and those not mentioned in this Release. I hereby release all claims that have been brought or could be brought against you, whether known or unknown, proximately

caused by the interaction between You and I related to the action captioned Twann Hamilton v. New Jersey State Police, et al., Civil Action No. 11-5691 (PGS-TJB) (the "Lawsuit"). I hereby release all claims, including but not limited to all claims under: 42 U.S.C. § 1983, the New Jersey Civil Rights Act, 10:6-2, Title VII of the Civil Rights Act, the New Jersey Law Against Discrimination, the Americans Equal Pay Act, the Conscientious Employee Protection Act, the Age Discrimination in Employment Act, the Civil Service Act, the Handicapped, Blind, or Deaf Persons Civil Rights Law, the Developmentally Disabled Rights Act, the Americans with Disabilities Act, the Alcoholism Treatment and Rehabilitation Act, the Education Code, public works statutes, the Public Transportation Act, the Right to Know Act, the Occupational Safety and Health Act, the New Jersey Smoking Act, wages and hour laws, unemployment compensation, disability benefits laws, workers compensation, the U.S. Constitution, the New Jersey Constitution, tort law, and/or contract law.

3. Terms: I will be paid a total of five thousand dollars (\$5,000), which is inclusive of attorneys' fees and costs, in full payment for making this Release. I agree that I will not seek anything further, including any other payment, from You. Payment will be made to Jamison M. Mark, Esq. in trust for Twann A. Hamilton. This Release and the issuance

thereof is supported by and is in consideration of the mutual benefits to the Releasor and Releasees obtained from the resolution of these claims. Pursuant to this Settlement, NO PAYMENT IS TO BE MADE BY Craig Kempinski, Robert Sickles, Gary Monterosso and/or Kesene (Mowatt) Grier. Having consulted and reviewed this Release with the legal counsel of my choosing, I agree to the propriety and legal sufficiency of the consideration supporting this Release and intend to be legally bound hereby. Payment shall be made as soon as possible under the State system of checks and balances, including an appropriate lien search.

4. Taxes: The State of New Jersey shall issue an IRS 1099 Form with respect to the consideration paid to me pursuant to Paragraph Four of this Release. I shall be solely responsible for the payment of appropriate taxes on this settlement, if any, and I shall indemnify You and hold You harmless in the event a taxing authority determines there should have been a withholding.

5. Attorneys' Fees and Advice of Counsel: This Release includes all claims for attorneys' fees and costs. Releasor represents that Jamison M. Mark, Attorney at Law, is the only attorney who may have a claim for payment or reimbursement of fees or costs in connection with any claims by Releasor against the Releasees, including all claims set forth in the Lawsuit.

Releasor agrees, however, that any fees and costs incurred by any other attorney or law firm who may have rendered services to the Releasor related to this lawsuit shall be satisfied out of the payment set forth in Paragraph Three and Releasor agrees to indemnify, defend and hold Releasees harmless from any and all claims by any attorneys and/or their agents seeking payment of attorneys' fees and/or costs. Releasor's attorney, Jamison M. Mark, Attorney at law, covenants to refund to Releasor any costs of litigation paid or advanced him. I am satisfied with the legal services that the Mark Law Firm has rendered on my behalf. Any questions that I may have regarding this settlement have been answered to my satisfaction.

6. Denial of Liability: Nothing contained in this Release is intended to be, or shall be construed to be, an admission that the Releasees have violated any federal, state, or local law, constitution, ordinance or regulation; or that they breached any contract; or that they committed any wrong whatsoever against Releasor. Releasees expressly deny the validity of the Releasor's disputed claims, and nothing contained herein may be used or viewed as an admission of liability.

7. Who is Bound: I am bound by this Release. Anyone who succeeds to my rights and responsibilities is also bound. This

Release is made for my benefit and all who succeed to my rights and responsibilities.

8. Dismissal of Pending Lawsuits: In addition to this Agreement, I agree to sign a Stipulation of Dismissal with Prejudice of my claims and causes of action related to the Lawsuit.

9. Non-assignment: None of the benefits being given to the Releasor pursuant to this Settlement Agreement and Unconditional General Release have been assigned or are subject to alienation (i.e., personal bankruptcy).

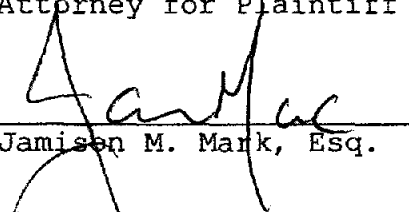
10. Integration: This Release sets forth the entire understanding and agreement between the Releasor and Releasees regarding the subject matter stated herein and supersedes any prior or contemporaneous written or oral agreements concerning the same. This Release may not be amended or modified except by agreement in writing signed by both the Releasor and the Releasees.

11. Signatures: I understand and agree to the terms of the Release. By signing this Release, I acknowledge that I have carefully read it, understand it, and am aware that I am giving up important rights. By signing this Release, I acknowledge that I have been provided sufficient opportunity to consult with counsel of my own choosing regarding its terms and regarding the rights that I am relinquishing under it. I sign this Release

without costs or attorney's fees in accordance with the agreement between the parties.

MARK LAW FIRM
Attorney for Plaintiff

BY:

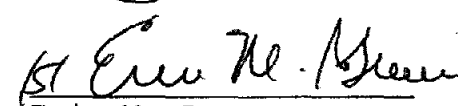

Jamison M. Mark, Esq.

Dated:

3/27/14

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Defendants

By:


Erin M. Greene
Deputy Attorney General

Dated:

4-28-14

