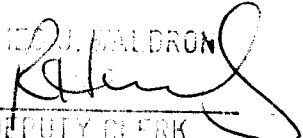


U.S. BANKRUPTCY COURT
FILED
NEWARK, NJ

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JAMES J. WALDRON
BY: 
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

<p>In re ROBERT P. CIFRODELLI,</p> <p style="text-align: center;">Debtor,</p> <p>YONI MISAEEL HERRERA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>ROBERT P. CIFRODELLI,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 15-24183-RG</p> <p>Chapter 7</p> <p>COMPLAINT OBJECTING TO DISCHARGE OF ROBERT P. CIFRODELLI AND/OR OBJECTING TO THE DISCHARGEABILITY OF THE CONTINGENT LIABILITY WHICH IS THE SUBJECT OF <u>Herrera v. Cifrodelli, et al.</u>, UNN-L-4294-13</p> <p>Adv. Proc. No. _____</p>
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Plaintiff, YONI MISAEEL HERRERA, residing at 618 Broadway, Apt. #1, Kingston, New York, by way of complaint against debtor/defendant ROBERT P. CIFRODELLI, residing at 771 Baily Avenue, Elizabeth, New Jersey, says:

FIRST COUNT

1. On or about the evening of January 13, 2012 and the early morning hours of January 14, 2012, plaintiff, YONI MISAEEL HERRERA, was a patron of the Coco Bongo Nightclub in Elizabeth, New Jersey.

2. On January 14, 2012, while exiting the aforementioned premises plaintiff, YONI MISAEEL HERRERA, realized he had left his cell phone inside the nightclub building.

3. When plaintiff, YONI MISAEEL HERRERA, attempted to reenter the

nightclub building to retrieve his cell phone, he was confronted, verbally accosted, and instructed to leave the premises by debtor/defendant, ROBERT P. CIFRODELLI, and Joseph Aliseo, who were both police officers for the City of Elizabeth and were working an extra duty shift/detail outside the Coco Bongo Nightclub.

4. As plaintiff, YONI MISAEEL HERRERA, turned to walk away, both debtor/defendant, ROBERT P. CIFRODELLI, and Joseph Aliseo, without provocation, repeatedly struck plaintiff, YONI MISAEEL HERRERA, with their fists, feet, and pepper spray.

5. Debtor/defendant, ROBERT P. CIFRODELLI's conduct was malicious and intentional in that he deliberately attacked plaintiff, YONI MISAEEL HERRERA, with the intent to cause him harm.

6. As a proximate result of debtor/defendant, ROBERT P. CIFRODELLI's, physical attack, plaintiff, YONI MISAEEL HERRERA, sustained severe and permanent bodily injuries accompanied by great pain, mental anguish, confinement, loss of liberty, loss of constitutional rights, imprisonment, and incurred various economic losses.

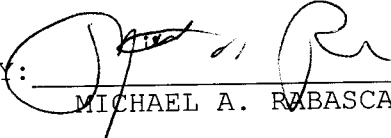
7. On or about December 4, 2013, plaintiff, YONI MISAEEL HERRERA, filed a Complaint in the Superior Court of New Jersey, Law Division, and Union County under docket number UNN-L-4294-13 to recover damages arising out of the aforementioned incident from debtor/defendant, ROBERT P. CIFRODELLI, among others. A true and correct copy of the Complaint is attached hereto as **Exhibit A**.

8. Debtor/defendant, ROBERT P. CIFRODELLI, is not entitled to a

discharge of his contingent liability to plaintiff, YONI MISAEEL HERRERA, because plaintiff sustained his injuries as a direct and proximate result of debtor/defendant's intentional and malicious acts and, thus, discharge of said liability is prohibited pursuant to 11 U.S.C. § 523(a)(6)

WHEREFORE, plaintiff, YONI MISAEEL HERRERA, demands a judgment against debtor/defendant, ROBERT P. CIFRODELLI, such that he cannot discharge his contingent debt to plaintiff.

THE EPSTEIN LAW FIRM, P.A.
Attorneys for Plaintiff/Objector

BY: 
MICHAEL A. RABASCA

Dated: October 30, 2015