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Robert Ferrante and Doreen Ferrante

Plaintiff(s):

-vs-

**County of Monmouth; Monmouth
County Prosecutors Office;
Manasquan Board of Education;
Manasquan High School; New Jersey
Motor Vehicle Commission; State of
New Jersey; The Patch; Richard Roe
Publisher; ABC Publishing Company;
John/Jane Does, (1-100), XYZ Cos. (1-
10)**

Defendant(s):

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY**

Docket No. MON-L- 33 30-5

Civil Action

COMPLAINT AND JURY DEMAND

Plaintiffs Robert Ferrante and Doreen K. Ferrante, residing at 64 Maryland Avenue, West Long Branch New Jersey, by way of complaint against the above named defendants do hereby say:

STATEMENT OF FACTS

1. On or about September 18, 2013, Plaintiffs Robert M. Ferrante and his wife Doreen K. Ferrante came to learn that a photograph of Robert M. Ferrante, was set forth on the cover of a Monmouth County Prosecutor's Office handout that was being distributed to students and parents at Monmouth County High School Symposiums, including one that was held at Manasquan High School, on heroin use in Monmouth County. The handout included Mr.

Ferrante's photograph as one of the "Faces of Heroin" and was prepared and distributed by the Monmouth County Prosecutor's Office.

2. The pamphlet had been given out by the Prosecutor's Office to the attendees of the school meetings and were further made public on the internet via a news release by the Prosecutor's Office to the Patch Internet News service.

3. In particular the Internet article reported on the details of the symposium held at Manasquan High School and included the photograph of Plaintiff Robert Ferrante that was released by the Monmouth County Prosecutor's Office.

4. The photo of Robert Ferrante that was utilized by the Monmouth County Prosecutor's Office was a motor vehicle photograph that was released by the New Jersey Motor Vehicle Commission without the permission of the Plaintiff Robert Ferrante.

5. Robert Ferrante never used or was associated with Heroin use.

6. As a result of the release of the photo, both Robert Ferrante and Doreen Ferrante both sustained psychological damages.

COUNT ONE

**VIOLATION OF PLAINTIFF'S CIVIL RIGHTS AS PROTECTED UNDER NEW
JERSEY LAW**

1. Plaintiffs repeat and re-allege all paragraphs stated in the Statement of Facts and the Complaint herein.

2. Defendants, **County of Monmouth; Monmouth County Prosecutor's Office; Manasquan Board of Education; Manasquan High School; New Jersey Motor Vehicle Commission; State of New Jersey; The Patch; Richard Roe Publisher; ABC Publishing Company; John/Jane Does, (1-100), XYZ Cos. (1-10)** through their actions and/or or omissions, violated the plaintiff's State civil rights, including but not limited to:

- (A) the right to enjoy and defend life and liberty;
- (B) the right to pursue and obtain safety and happiness;
- (C) the right to due process of law;
- (D) the right to equal protection of the laws;
- (E) the right to any other natural and unalienable right retained by the people, a protected under the New Jersey Laws and Constitution.

3. As a direct and proximate result of defendants' violation of plaintiff's civil rights, plaintiff was seriously and permanently injured, suffered great humiliation, embarrassment and mental anguish, was prevented from attending to his ordinary routine affairs and has and will in the future be compelled to expend money for medical services in an effort to be treated for his injuries, and has otherwise been damaged.

WHEREFORE, plaintiff, Robert Ferrante and Doreen Ferrante, demand judgment against all the defendants, individually, jointly, severally and/or in the alternative, for damages, including but not limited to:

- (A) Compensatory;
- (B) Punitive;
- (C) Attorney's fees;
- (D) Interest and costs of suit; and

(E) Any other relief the Court deems proper.

COUNT TWO

VIOLATION OF PLAINTIFF'S CIVIL RIGHTS AS PROTECTED UNDER THE U.S.

CONSTITUTION

1. Plaintiffs repeat and re-allege all paragraphs stated in the Statement of Facts and Count One of the Complaint herein.

2. Defendants, **County of Monmouth; Monmouth County Prosecutors Office; Manasquan Board of Education; Manasquan High School; New Jersey Motor Vehicle Commission; State of New Jersey; The Patch; Richard Roe Publisher; ABC Publishing Company; John/Jane Does, (1-100), XYZ Cos (1-10)** through their actions or omissions violated the plaintiff's Civil Rights as protected under 42 U.S.C. 1983 et seq. by:

- (A) Psychologically attacking the plaintiffs;
- (B) falsely accusing the plaintiff;
- (C) treating the plaintiff in a discriminatory manner.

3. As a direct and proximate result of defendants' violation of plaintiff's civil rights, plaintiff was caused to suffer great pain and suffering, was seriously and permanently injured, suffered great humiliation, embarrassment and mental anguish, was prevented from attending to his ordinary routine affairs, and has and will in the future be compelled to expend money for medical services in an effort to be treated for his injuries, and has otherwise been damaged.

WHEREFORE, plaintiffs, Robert Ferrante and Doreen Ferrante, demand judgment against all the defendants, individually, jointly, severally and/or in the alternative, for damages, including but not limited to:

- (A) Compensatory;
- (B) Punitive;
- (C) Attorney's fees;
- (D) Interest and costs of suit, and
- (E) Any other relief the Court deems proper.

COUNT THREE

**LIABILITY OF COUNTY AND PROSECUTOR'S OFFICE FOR ACTIONS OF AND
JOHN/JANE DOE (1-20)**

1. Plaintiffs repeat and re-allege all paragraphs stated in the Statement of Facts and Counts One and Two of the Complaint herein.

2. On or about, September 18, 2013, defendants County of Monmouth and Monmouth County Prosecutor's Office Department were the employers of John/Jane Doe (1-100).

3. Defendants John/Jane Doe (1-20) were acting in the course of their employment in connection with the actions as previously alleged, taken against the plaintiff on.

4. Defendants were incompetent, unfit and/or dangerous in connection with the performance of their employment by causing the release of the photograph of Plaintiff Robert Ferante depicting him as a Heroin user.

5. Defendants County of Monmouth and Monmouth County Prosecutor's Office knew or had reason to know of the incompetence, unfitness and dangerousness of defendants and John/Jane Doe (1-100).

6. Defendants County of Monmouth and Monmouth County Prosecutor's Office could reasonably have foreseen that the incompetence, unfitness or dangerousness of defendants and John/Jane Doe (1-100) created a risk of harm to other persons.

7. Defendants County of Monmouth and Monmouth County Prosecutor's Office were negligent in their hiring, retention or training of defendants and John/Jane Doe (1-100).

8. As a direct and proximate result of defendants County of Monmouth and Monmouth County Prosecutor's Office negligent failure to protect the public, namely the plaintiff, from the foreseeable harm caused by defendants and John/Jane Doe (1-100), plaintiff was caused to suffer great pain and suffering, was seriously and permanently injured, suffered great humiliation, embarrassment and mental anguish, was prevented from attending to his ordinary routine affairs, and has and will in the future be compelled to expend money for medical services in an effort to be treated for his injuries, and has otherwise been damaged.

WHEREFORE, plaintiffs ,Robert Ferrante and Doreen Ferrante, demand judgment against all the defendants, individually, jointly, severally and/or in the alternative, for damages, including but not limited to:

- (A) Compensatory;
- (B) Punitive;
- (C) Attorney's fees;
- (D) Interest and costs of suit; and
- (E) Any other relief the Court deems proper.

COUNT FOUR

1. Plaintiffs repeat and re-allege all paragraphs stated in the Statement of Facts and Counts One, Two and Three of the Complaint herein.

2. Defendants **County of Monmouth; Monmouth County Prosecutors Office; Manasquan Board of Education; Manasquan High School; New Jersey Motor Vehicle Commission; State of New Jersey; The Patch; Richard Roe Publisher; ABC Publishing Company; John/Jane Does, (1-100) and XYZ Cos.(1-10)** were negligent in attaining, releasing and using the photo of Plaintiff Robert Ferrante.

3. Defendants County of Monmouth; Monmouth County Prosecutor's office and the New Jersey Motor Vehicle Commission are responsible for the actions of the individual defendants named herein as they were acting as their agents, servants and/or employees.

4. As a direct and proximate result of the negligence of the defendants, the plaintiffs were caused to sustain severe and permanent psychological injuries and has and will continue in the future to experience great pain and suffering, as well as having to incur, now and in the future, medical expenses and lost wages. The injuries suffered satisfy the requirement of N.J.S.A. 59:8-1, et seq.

WHEREFORE, plaintiffs Robert Ferrante and Doreen Ferrante, demand judgment against defendants, **County of Monmouth; Monmouth County Prosecutors Office; Manasquan Board of Education; Manasquan High School; New Jersey Motor Vehicle Commission; State of New Jersey; The Patch; Richard Roe Publisher; ABC Publishing Company; John/Jane Does, (1-100), XYZ Co. (1-10)** individually, jointly, severally and/or in the alternative, for damages, including but not limited to:

(A)Compensatory;

(B)Punitive;

(C)Attorney's fees;

(D)Interest and costs of suit; and

(E)Any other relief the Court deems proper.]

JURY DEMAND

Plaintiffs Robert Ferrante and Doreen Ferrante hereby demand a trial by jury on all issues.

By: _____
John Jay Perrone, Esq.

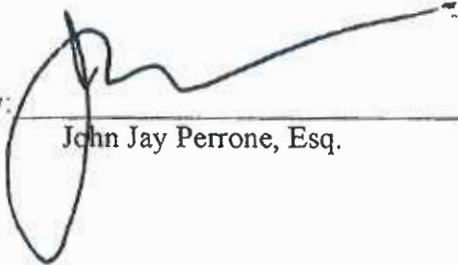
Dated: September 2, 2015

DESIGNATION OF TRIAL COUNSEL

John Jay Perrone is hereby designated trial counsel for Plaintiffs in connection with the within matter.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any court or a pending arbitration or proceeding, nor is any other action or arbitration contemplated. All parties known to Plaintiff who have been joined in this action had been joined.

By:  _____
John Jay Perrone, Esq.

Dated: September 2, 2015