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KEITH D. SKLAR, ESQ. (4399-2000)
ATTORNEY FOR PLAINTIFF, DAVID PERLMAN

DAVID PERLMAN, : SUPERIOR COURT OF NEW JERSEY
Plaintiff : COUNTY OF OCEAN
Vs. : LAW DIVISION
: DOCKET NO.: L-460-16
TOWNSHIP OF PLUMSTED : CIVIL ACTION
POLICE DEPARTMENT and/or : COMPLAINT
PLUMSTED TOWNSHIP and :
DIANA MOORE and JOHN :
DOES (1-5) : JURY TRIAL DEMANDED

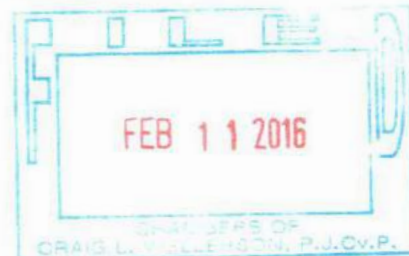
The Plaintiff, David Perlman, residing at 43 Sharon Station Road, in the Borough of Allentown, County of Monmouth and State of New Jersey, by way of complaint, says:

FACTS

1. At all times hereinafter mentioned, the Defendant, Plumsted Township Police and/or Plumsted Township, is a law enforcement entity charged with the responsibility to protect and serve the residents of Plumsted Township in the State of New Jersey; and is located at 2 Cedar Street, New Egypt, New Jersey, hereinafter referred to as "Police" and/or "Defendant".

2. John Doe 1-5, hereinafter "JD", are fictitious names for entities whose real names are unknown to Plaintiff, but, in the event the Defendant, Plumsted Township Police and/or Plumsted Township are not fully responsible for Plaintiff's damages as complained of herein, JD was responsible for those damages.

3. Diana Moore was the alleged victim whose address is unknown at the time of the filing.



4. On or about February 7, 2015, Plaintiff went to the Wawa convenience store, more appropriately described as store #979 located at 633 County Road 539, New Egypt, New Jersey to purchase gasoline.

5. Plaintiff had a brief conversation with the female attendant pumping gas known as Diana Moore.

6. Moore made allegations of criminal sexual contact to the Plumsted Township police.

7. As a result of this visit to Wawa, and the alleged victim's allegations, Plaintiff was subsequently charged with criminal sexual contact on the person of the gasoline attendant, a female.

8. Plaintiff was forced to endure the humiliation of being charged with the aforementioned crime and posted \$2500.00 bond.

9. Defendant never asked to see the store surveillance video but rather took a statement from the alleged victim and charged the Plaintiff with the crime of criminal sexual contact.

10. Charges went up to the Ocean County Prosecutor's Office where they were subsequently downgraded to harassment.

11. The victim never appeared at any hearings and the charges were subsequently dismissed.

FIRST COUNT- DEFAMATION

12. The Plaintiff, David Perlman, incorporates by reference paragraphs 1 through 11 as though the same were set forth herein at length.

13. Defendant had a duty to investigate the alleged incident before charging

the Plaintiff and then publishing those charges on Facebook at the Plumsted Police Facebook page on February 13, 2015 at 2:41 PM.

14. Defendant's statements that the Plaintiff had committed the act of criminal sexual contact and had grabbed the female gas attendant's breast were false and defamatory statements.

15. The statements were made deliberately to cause irreparable damage to the Plaintiff's reputation by making him out as one who commits the act of criminal sexual contact on females without any proofs whatsoever and are per se defamatory under New Jersey law.

16. The statements made by the Defendant clearly denigrated the Plaintiff's reputation in the community accusing him of committing criminal sexual contact and are per se defamatory under New Jersey law.

17. As a direct and proximate result of the Defendant's conduct, Plaintiff lost the opportunity to do business with various entities when a background check revealed these charges.

18. As a direct and proximate result of these defamatory statements, Plaintiff lost the opportunity for income which shall be established at trial.

19. As a direct and proximate result of these defamatory statements, Plaintiff has suffered extreme mental anguish and distress.

WHEREFORE, the Plaintiff, David Perlman demands judgment against the Defendant for compensatory and punitive damages, together with counsel fees, costs of suit and other relief as the Court may deem proper.

SECOND COUNT- DEFAMATION (MOORE)

20. Plaintiff, David Perlman, incorporates by reference paragraphs 1 through 19 as though the same were set forth herein at length.

21. Moore made statements to the Plumsted Township Police that she knew were false.

22. The statements were made deliberately to cause irreparable damage to the Plaintiff's reputation by making him out as one who commits the act of criminal sexual contact on females without any proofs whatsoever and are per se defamatory under New Jersey law.

23. The statements made by the Defendant (Moore) clearly denigrated the Plaintiff's reputation in the community accusing him of committing criminal sexual contact and are per se defamatory under New Jersey law.

24. As a direct and proximate result of these defamatory statements, Plaintiff has suffered extreme mental anguish and distress.

WHEREFORE, the Plaintiff, David Perlman demands judgment against the Defendant for compensatory and punitive damages, together with counsel fees, costs of suit and other relief as the Court may deem proper.

THIRD COUNT- TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

25. The Plaintiff, David Perlman, incorporates by reference paragraphs 1 through 24 as though the same were set forth herein at length.

26. The publication by the Defendant of the false and malicious statements about the Plaintiff as set forth in the previous count, as well as other actions and statements by the Defendant, interfered with Plaintiff's ability to induce new clients to do

business with him.

27. As a direct and proximate result of the Defendant's malicious and false statements causing potential clients not deal with the Plaintiff, Plaintiff suffered damages that will be established at trial.

WHEREFORE, the Plaintiff, David Perlman demands judgment against the Defendant for compensatory and punitive damages, together with counsel fees, costs of suit and other relief as the Court may deem proper.

FOURTH COUNT- JOHN DOES (1-5)

28. The Plaintiff, David Perlman, incorporates by reference paragraphs 1-27 as though the same were set forth herein at length.

29. John Does (1-5) are also responsible for injuries to the Plaintiff as enumerated in this complaint should it be found that the Defendant is not solely responsible for Plaintiff's injuries or is found to be only partially responsible for Plaintiff's injuries.

WHEREFORE, the Plaintiff, David Perlman demands judgment against the Defendant for compensatory and punitive damages, together with counsel fees, costs of suit and other relief as the Court may deem proper.

JURY DEMAND

A trial by jury is hereby demanded on all issues.

NOTICE OF DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that Keith D. Sklar, Esquire is hereby designated as trial counsel in the above-captioned litigation.

DEMAND FOR INTERROGATORIES

Demand is hereby made that the Defendants provide Answers to interrogatories that shall be served pursuant to Rule 4:17-1, within the time prescribed by rule.

CERTIFICATION PURSUANT TO R. 4:5-1

I, Keith D. Sklar, Esquire, certifies as follows:

1. The matter in controversy in this Complaint is not the subject of any other action pending in any Court or of a pending arbitrating proceeding.

2. There are no other known parties who should be joined in this action at this time.

I certify that the foregoing statements made by me are true. I am aware that if any other foregoing statements made by me are willfully false, I am subject to punishment.

Dated: February 9, 2016



Keith D. Sklar, Esquire
Attorney for Plaintiff, David Perlman