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June 1, 2016

Via E-mail

Kevin B. Riordan, Esq.
20 Hadley Avenue
Toms River, NJ 08753

Re: Stanziano v. Manchester Township, et al
Docket No. OCN-L-1245-13

Dear Mr. Riordan:

As per our telephone conversation please allow this letter to memorialize the following:

Firstly, plaintiff has authorized me to settle certain claims for the sum of \$115,000.

Secondly, certain other claims are not being settled and remain open for disposition.

Tracking the originally filed Complaint (filed May 3, 2013) plaintiff will settle:

Count 1	(LAD)
Count 2	(CEPA)
Count 3	(Invasion of Privacy)
Count 4	(Emotional Distress) (no matter under which claims it may arise)
Count 5	(Political Discrimination)
Count 6	(Promise to Pay)
Count 7	(Civil Conspiracy)

These are all the claims in the Complaint as originally filed.

The disciplinary charges were filed May 4, 2013 and in response thereto plaintiff filed an Amended Complaint on May 22, 2013.

In this Amended Complaint plaintiff created a new Count Seven (Deprivation of Constitutional Rights) and the Civil Conspiracy claim became Count Eight. Plaintiff will settle both of these claims (civil rights and civil conspiracy).

Plaintiff again amended his Complaint on November 27, 2013 to assert a claim for breach of an Employment Agreement. This claim is now pending as Count Ten. This claim is not being settled.

Plaintiff also moved to amend his complaint to add claims relating specifically to his wrongful termination and his termination hearing. This motion was denied.

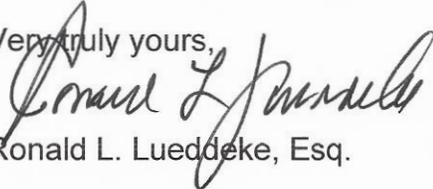
Plaintiff will continue his statutory claims relating to his alleged wrongful termination including those arising under his tenure statute, N.J.S.A. 40A:154.6, the trial de novo statute 40A:9-161 and the statute that Mayor Fressola relied upon as indicated in his August 26, 2013 termination letter, N.J.S.A. 40:69A-43(c). It is also plaintiff's position that the disciplinary hearing conducted is a nullity because the Hearing Officer had a disqualifying conflict of interest. In addition, the "good cause" standard embodied in 40:69A-43(c) was not utilized and even if plaintiff had engaged in the conduct specified in the disciplinary charges he was entitled to progressive discipline and not termination. If plaintiff prevails on these claims he would be entitled to back pay and reinstatement and related relief. These claims will be continued and are not being settled.

The Employment Agreement claims and the claims described in the paragraph immediately above would be carved out from any General Release and could be characterized as "non-released claims".

Finally, plaintiff filed a new action: Stanziano v. Estate of Mercun, et al Docket No. OCN-L-841-16. This claim will be dismissed with prejudice as part of the settlement.

I trust this sufficiently delineates the settled claims and the unsettled claims. Please contact me should further clarification is necessary. Thank you.

Very truly yours,


Ronald L. Lueddeke, Esq.

RLL/tjb

Cc: Stephen Stanziano