

Daryl L. Zaslou, Esq. (Attorney ID 014391996)
 EICHEN CRUTCHLOW ZASLOW & MCELROY, LLP
 40 Ethel Road
 Edison, New Jersey 08857
 (732) 777-0100
 Attorneys for Plaintiff

BATCH NO:	56
DATE:	11-12-14
PAYMENT:	CA/CK/MO
CK/MO#:	32899
AMOUNT:	20.00
PREPARER:	MO

2014 NOV 12 PM 1:52
 HUNTERDON COUNTY
 CLERK OF COURT

ESTATE OF JEFFREY SCHEUERER by
 THOMAS SCHEUERER, Administrator Ad
 Prosequendum,

Plaintiffs,

vs.

TRACI A. KOMOROSKI, BEVERLEE M.
 WIND, JOHN DOES 1-10 (fictitious names),
 and ABC INC. 1-10 (fictitious name),

Defendants.

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION-HUNTERDON COUNTY
 DOCKET NO. HUN-L- 544-14

Civil Action

**COMPLAINT, JURY DEMAND,
 DESIGNATION OF TRIAL COUNSEL,
 WAIVER OF ANY NOTICES OF ANY
 ALLOCATION, CERTIFICATION OF
 PERMANENCY, AND CERTIFICATION**

Plaintiff, Estate of Jeffrey Scheuerer, by Thomas Scheuerer, Administrator Ad
 Prosequendum, residing in Flemington, New Jersey, by way of complaint say:

FIRST COUNT

1. Plaintiff Jeffrey Scheuerer, died intestate on March 28, 2013, leaving his parents as his survivors who were dependent upon the decedent and who sustained pecuniary losses.
2. This action has been commenced within two years after the death of Jeffrey Scheuerer in accordance with the provisions of N.J.S.A. 2A:31-1 et seq.
3. On or about March 28, 2013, Plaintiff decedent Jeffrey Scheuerer was a firefighter working a controlled burn site at Round Valley State Park near CR 629 in Clinton Township, New Jersey.
2. At said time and place, the defendant, Traci A. Komoroski was operating a motor

vehicle northbound on CR 629 in Clinton Township, New Jersey, when the Defendant negligently and carelessly failed to appreciate Plaintiff decedent and the general firefighting activity in the area, resulting in her striking Plaintiff decedent's body causing grievous and ultimately fatal injuries.

3. Defendant Traci A. Komoroski and/or Beverly M. Wind owned the vehicle Defendant Traci A. Komoroski was operating when Defendant Traci A. Komoroski caused the accident at issue.

4. At said time and place, defendants, JOHN DOES 1-10 (fictitious names) and/or ABC, INC. 1-10 (fictitious names), were the owners and/or operators of vehicles proceeding in the vicinity of the accident in Clinton Township, New Jersey, and/or who otherwise contributed to the accident at issue.

5. The defendants controlled, maintained and/or operated their vehicles in a careless, negligent and reckless manner which caused an accident involving the Plaintiff.

6. As a direct and proximate result of the aforesaid carelessness, negligence and recklessness of the defendants, Plaintiff decedent JEFFREY SCHEUERER was violently struck, sustaining painful and permanent injuries and resultant death.

WHEREFORE, Plaintiff Estate of Jeffrey Scheuerer, by Thomas Scheuerer, Administrator Ad Prosequendum, demand judgment for wrongful death and survivorship damages against the Defendants, together with interest and costs of suit.

SECOND COUNT

Plaintiffs repeat each and every allegation of the prior count as though set forth herein at length and makes them a part hereof.

1. Plaintiffs allege there was a breach of motor vehicle and other statutes and that constitutes a statutory tort.

WHEREFORE, Plaintiff Estate of Jeffrey Scheuerer, by Thomas Scheuerer, Administrator Ad Prosequendum, demand judgment for wrongful death and survivorship damages against the Defendants, together with interest and costs of suit.

THIRD COUNT

1. Plaintiff, repeats each and every allegation of the preceding count as if set forth herein at length.

2. The defendants, JOHN DOES 1-10 are a fictitious designation representing a class of as yet unknown individuals connected in any manner with the individual defendants in this matter who are vicariously liable for the other defendants' actions or failures or Plaintiff's injuries, and ABC CORP. 1-10 are a fictitious designation representing a class of as yet unknown entities or businesses connected in any manner with the individual defendants or the corporate defendants in this matter who are vicariously liable for the other defendants' actions or failures or plaintiff's injuries.

3. As a direct and proximate result of the aforesaid carelessness, negligence and recklessness of the defendants, JOHN DOES 1-10 and ABC CORP. 1-10, Plaintiff, Jeffrey Scheuerer, was violently struck, sustaining serious, painful and permanent injuries as a result of said negligence.

WHEREFORE, Plaintiff Estate of Jeffrey Scheuerer, by Thomas Scheuerer, Administrator Ad Prosequendum, demand judgment for wrongful death and survivorship damages against Defendants JOHN DOES and ABC CORP., together with interest and costs of suit.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all issues involved herein.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, DARYL L. ZASLOW, has been designated as trial counsel in the above matter.

CERTIFICATION OF PERMANENCY

Annexed hereto is the death certificate of the Hunterdon County Coroner. If any Defendant contends that the death certificate is insufficient to prove Plaintiff's permanent injuries, demand is hereby made that Defendant(s) immediately notify the Plaintiffs of any such deficiencies so that same may be corrected if necessary in a timely manner so as to ensure no Defendant is prejudiced by same.

DEMAND FOR INSURANCE COVERAGE

In accordance with R. 4:10-2, Defendants are demanded to provide a complete copy of their applicable insurance policies and declaration sheets within thirty (30) days of service of this Complaint.

DEMAND FOR DOCUMENTS AND MATERIALS

Plaintiff demands that the defendants, within 30 days of service of this Complaint, each produce copies of their complete files regarding the plaintiff and those documents and materials requested in the attached Notice to Produce.

DEMAND FOR INTERROGATORIES

Plaintiff demands that all the defendants answer Form C and Form C(1) interrogatories and the supplemental interrogatories within the time prescribed by law.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any Court or a pending Arbitration proceeding, nor is any other action or Arbitration proceeding contemplated. All parties known to plaintiff at this time who should have been joined in this action, have been joined.

EICHEN CRUTCHFIELD ZASLOW & McELROY

By: 

DARYL L. ZASLOW

DATED: November 10, 2014

FROM :

FAX NO. :

Apr. 24 2012 04:07PM P2

STATE OF NEW JERSEY

A0009193742

STATE FILE NUMBER

20130018489

CERTIFICATE OF DEATH

DECEASED NAME

JEFFREY SCHEUERER

DATE OF BIRTH

10/16/1977

SEX

MALE

DATE OF DEATH

03/28/2013

PLACE OF DEATH

RARITAN TOWNSHIP

COUNTY OF DEATH

HUNTERDON

RESIDENCE ADDRESS

45 DAYTON ROAD

SOCIAL SECURITY NUMBER

024-60-2444

MUNICIPALITY OF RESIDENCE

RARITAN TOWNSHIP

COUNTY OF RESIDENCE

HUNTERDON

DOMESTIC STATUS

SINGLE/NEVER MARRIED

MANNER OF DEATH: ACCIDENT

DATE ISSUED: APRIL 1, 2013

DATE FILED WITH REGISTRAR:

04/01/2013

AMENDED DATE:

ISSUED BY:

Readington Township

Darlene Mitchell, Local Registrar

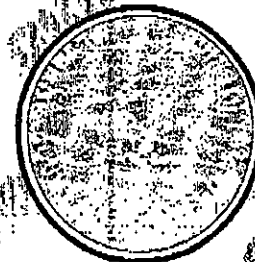
This is to certify that the above is correctly copied from a record on file in my office.

Certified copy not valid unless the raised Great Seal of the State of New Jersey or the seal of the issuing municipality or county, is affixed hereon.

Vincent T. Arrisi

Vincent T. Arrisi State Registrar

Office of Vital Statistics and Registry



REG-42A JAN 13

THIS DOCUMENT CONTAINS A UNIQUE STATE OF NEW JERSEY WATERMARK HOLD AT RIGTH TO VERIFY

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Daryl L. Zaslow, Esq. (Attorney ID 014391996)
EICHEN CRUTCHLOW ZASLOW & MCELROY, LLP
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ESTATE OF JEFFREY SCHEUERER by
THOMAS SCHEUERER, Administrator Ad
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vs.

TRACI A. KOMOROSKI, BEVERLEE M.
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Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-HUNTERDON COUNTY
DOCKET NO. HUN-L-

Civil Action

DEMAND FOR INTERROGATORIES

TO:

SIR/MADAM:

Demand is hereby made of Defendants for certified answers to Form C, C(1) and the following Interrogatories within the time prescribed by the Rules of the Court.

EICHEN CRUTCHLOW ZASLOW & MCELROY, LLP

By: 

DARYL L. ZASLOW

DATED: November 10, 2014

SUPPLEMENTAL INTERROGATORIES

- S1. State the names and addresses of any and all proposed expert witnesses and attach true copies of all written reports provided to you by any such proposed expert witnesses. With respect to all expert witnesses, including treating physicians, who are expected to testify at trial and with respect to any person who has conducted an examination pursuant to Rule 4:19, who may testify, state each such witness' name, address and area of expertise and attach a true a true copy of all written reports provided to you. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S2. State the name and address of all passengers in defendant's motor vehicle. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S3. Describe in detail the location of the accident scene including the number of lanes, type of road surface, speed limit on each road, and description of any and all traffic control devices. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S4. Set forth the speed of each vehicle at the time of the first observation and at the time of impact. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S5. Describe any and all obstructions that distracted or interfered with the visual observations of anyone involved in the accident. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S6. Set forth in time and distance when this defendant first observed all others involved in this

accident and subsequent observations made up to the point of impact. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.

- S7. Describe the direction and location of each vehicle at the point of impact as well as what parts of each vehicle came into contact, debris left on the roadway and the final resting position of each vehicle. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S8. Describe the time and distance from the point of impact when each driver utilized their horn and/or brakes. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S9. Was any other person or entity responsible in whole or in part for the happening of this accident and, if so, describe with specificity how each person was responsible for the happening of the accident. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.
- S10. Set forth where you were coming from, where you were going to and the time you were expected to arrive. Please provide all documents which pertain in any way to the interrogatory or Defendant's answer to this interrogatory.

CERTIFICATION

I hereby certify that the copies of the reports annexed hereto [rendered] provided by either treating physicians or proposed expert witnesses are exact copies of the entire report or reports [rendered] provided by them; that the existence of other reports of said doctors or experts, written or oral, are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

Dated: _____

Daryl L. Zaslow, Esq. (Attorney ID 014391996)
EICHEN CRUTCHLOW ZASLOW & MCELROY, LLP
40 Ethel Road
Edison, New Jersey 08857
(732) 777-0100
Attorneys for Plaintiff

ESTATE OF JEFFREY SCHEUERER by
THOMAS SCHEUERER, Administrator Ad
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Plaintiffs,

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WIND, JOHN DOES 1-10 (fictitious names),
and ABC INC. 1-10 (fictitious name),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY
DOCKET NO. MON-L-

Civil Action

FIRST NOTICE TO PRODUCE

TO:

SIR/MADAM:

Plaintiff herein requests, pursuant to R. 4:18-1, that Defendants produce the following documents at the office of Eichen Crutchlow Zaslow & McElroy, LLP, 40 Ethel Road, Edison New Jersey:

1. Any and all video tapes, surveillance films, movies, and/or computerized technology that have anything to do with the facts and circumstances of this case.
2. All medical records, reports and/or other documents which Defendant maintains contains information concerning any pre-existing or subsequent injuries, disabilities, or illnesses of Plaintiff and attach copies of all documents which bear upon or relate to the above.
3. The curriculum vitae for each expert witness named in your client's answers to interrogatories.
4. Set forth the name, publisher, date of publication and page reference of each text, treatise,

article, standard, manual, policy, procedure, directive, book or writing of any kind which supports your experts' opinions in this case and provide complete copies of all such materials.

5. Set forth the name, publisher, date of publication and page reference of each text, treatise, article, standard, manual, policy, procedure, directive, book or writing of any kind which you intend to offer or read into evidence in this matter or use during direct and/or cross examination of any witness during the trial in this matter and provide complete copies of all such materials.
6. Set forth the name, publisher, date of publication and page reference of each text, treatise, article, standard, manual, policy, procedure, directive, book or writing of any kind which your expert(s) relied upon in any way in formulating their opinion(s) in this matter and provide complete copies of all such materials.
7. State the name, address and relationship of each person who has assisted defendant in answering interrogatories or who has provided any information concerning defendant's answers to interrogatories or answers to this Notice to Produce.
8. Any and all x-rays films, CT scans, MRI films, or any other diagnostic test results concerning the injuries Plaintiff sustained in this accident or to any prior or subsequent injuries or illnesses.
9. Supply Defendant operator's driver's license number along with a list of any restrictions or conditions thereon.
10. Supply a complete copy of the police report in this matter including any continuation reports and/or supplemental reports including any filed by Defendant.
11. Supply a complete copy of any written documents that you intend to offer into evidence or utilize in any manner at the time of trial.
12. If this Defendant has been a party to any other litigation supply all pleadings, interrogatories, deposition transcripts and/or trial manuscripts from all such litigation.
13. The records of any criminal convictions of defendant.
14. Any summonses received by defendant in this case.
15. Any governmental and/or regulatory agency summonses, violations, warnings or reprimands defendant received in connection with this incident.

16. Any governmental and/or regulatory agency summonses, violations, warnings or reprimands defendant has received in the last three years regarding any condition alleged by plaintiff to have caused or contributed to the accident in question.
17. Complete copy of Defendant's driving history.
18. A certified copy of Defendant's cellular/mobile phone bill and any records, printouts and/or materials which reflect and/or pertain in any way to Defendant's use of his cellular/mobile phone between 4:40 p.m. and 6:30 p.m. on April 30, 2011.
19. A certified copy of Defendant's daily planner, Outlook calendar, computerized planner, mobile planner and/or any records, appointment books, calendars, planners or other documents, printouts or materials which reflect or pertain in any way to Defendant's schedule from April 29, 2011 through April 30, 2011.
20. A certified copy of all of Plaintiffs credit/debit card statements which set forth any purchase activity between April 29, 2011 through April 30, 2011.
21. Copies of all reports, deposition transcripts and/or trial transcripts Defendant may use at trial to examine and/or cross-examine any witness at trial.
22. Any and all expert reports which the defendant intends to rely upon at the time of trial.

TAKE NOTICE THAT failure to do so may subject the defendant to those sanctions provided by R.4:23.

TAKE FURTHER NOTICE to produce the aforesaid documents in their original form at the time of trial.



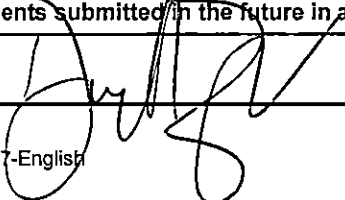
EICHEN CRUTCHLOW ZASLOW & MCELROY, LLP

By: 

DARYL L. ZASLOW

DATED: November 10, 2014

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
	Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	
			CHG/CK NO.	
			AMOUNT:	
		OVERPAYMENT:		
		BATCH NUMBER:		
ATTORNEY / PRO SE NAME Daryl L. Zaslow, Esq.		TELEPHONE NUMBER (732) 777-0100	COUNTY OF VENUE Hunterdon	
FIRM NAME (if applicable) Eichen Crutchlow Zaslow & McElroy LLP		DOCKET NUMBER (when available) L-544-14		
OFFICE ADDRESS 40 Ethel Road Edison, New Jersey 08817		DOCUMENT TYPE Complaint		
		JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
NAME OF PARTY (e.g., John Doe, Plaintiff) Estate of Jeffrey Scheuerer by Thomas Scheuerer, Admin. Ad Pros., Plaintiff		CAPTION Estate of Jeffrey Scheuerer by Thomas Scheuerer, Admin. Ad Pros. v. Traci A. Komoroski, Beverlee M. Wind, et al.		
CASE TYPE NUMBER (See reverse side for listing) 603N	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
 Do you or your client need any disability accommodations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
Will an interpreter be needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, FOR WHAT LANGUAGE?		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .				
ATTORNEY SIGNATURE: 				

HUNTERDON COUNTY JUSTICE CENTER
CIVIL DIVISION
65 PARK AVE
FLEMINGTON NJ 08822

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (908) 237-5820
COURT HOURS 8:30 AM - 4:30 PM

DATE: NOVEMBER 13, 2014
RE: ESTATE OF JEFFREY SCHEUERER VS KOMOROSKI
DOCKET: HNT L -000544 14

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MICHAEL F. ONEILL

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (908) 237-5822.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: DARYL ZASLOW
EICHEN CRUTCHLOW & MCELROY
40 ETHEL ROAD
EDISON NJ 08817-2249

JUTSPA0