

Exhibit A

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
New Jersey**

Monmouth County

Law Division

Docket No: _____

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

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If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

Michelle M. Smith

Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: New Jersey Turnpike Authority

Address of Defendant to Be Served: 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick
Office Address 65 East Route 4
Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
New Jersey**

Monmouth County

Law Division

Docket No: _____

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

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Michelle M. Smith

Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Philip Murphy

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
New Jersey**

Monmouth County

Law Division

Docket No: _____

**CIVIL ACTION
SUMMONS**

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Diane Gutierrez-Scaccetti

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
New Jersey**

Monmouth County

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**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Mary-Elizabeth Garrity

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick
Office Address 65 East Route 4
Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

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Monmouth County

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SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Ronald Gravino

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
New Jersey**

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**CIVIL ACTION
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From The State of New Jersey To The Defendant(s) Named Above:

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Michael R. DuPont

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

Defendant(s)

**Superior Court of
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SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Raymond M. Pocino

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick
Office Address 65 East Route 4
Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Ulises E. Diaz

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: John D. Minella

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

vs.

New Jersey Turnpike Authority, et al.

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Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: Raphael Salerno

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

SUMMONS

Attorney(s) Brandon J. Broderick

Office Address 65 East Route 4

Town, State, Zip Code River Edge, New Jersey 07661

Telephone Number (201) 853-1505

Attorney(s) for Plaintiff Marc W. Garbar

Nicholas DePalma, Paul Macchia, and

Maulik Sanghavi

Plaintiff(s)

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From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

Michelle M. Smith
Clerk of the Superior Court

DATED: 02/26/2020

Name of Defendant to Be Served: John O'Hern

Address of Defendant to Be Served: c/o New Jersey Turnpike Authority | 1 Turnpike Plaza, Woodbridge, NJ 07095

Marc W. Garbar (NJ Bar No. 040621995)
BRANDON J. BRODERICK LLC
Attorneys for Plaintiffs
65 State Route 4 East
River Edge, NJ. 07661
(201) 853-1505

NICHOLAS DEPALMA, PAUL : SUPERIOR COURT OF NEW JERSEY
MACCHIA and MAULIK SANGHAVI, : LAW DIVISION: MONMOUTH COUNTY
: DOCKET NO.

Plaintiffs, : CIVIL ACTION

v. : **COMPLAINT AND DEMAND FOR
TRIAL BY JURY**

NEW JERSEY TURNPIKE :
AUTHORITY, PHILIP MURPHY, in his :
individual and official capacities, DIANE :
GUTIERREZ-SCACCETTI, in her :
individual and official capacities, MARY- :
ELIZABETH GARRITY, in her :
individual and official capacities, :
RONALD GRAVINO, in his individual :
and official capacities, MICHAEL R. :
DUPONT, in his individual and official :
capacities, RAYMOND M. POCINO, in :
his individual and official capacities, :
ULISES E. DIAZ, in his individual and :
official capacities, JOHN D. MINELLA, :
in his individual and official capacities, :
RAPHAEL SALERMO, in his individual :
and official capacities, JOHN O’HERN, :
in his individual and official capacities, :
JANE DOES 1, 2, 3, in her/their :
individual and official capacities, and :
JOHN DOES 1, 2, 3, in his/their :
individual and official capacities, :

Defendants. :

Plaintiffs, Nicholas DePalma, Paul Macchia and Maulik Sanghavi, by and through their attorneys, Brandon J. Broderick LLC, complains of the defendants as follows:

THE PARTIES

1. Plaintiff, Nicholas DePalma (“DePalma” or “plaintiff DePalma”), is an individual residing in the township of Tinton Falls, County of Monmouth, State of New Jersey.

2. Plaintiff, Paul Macchia (“Macchia” or “plaintiff Macchia”), is an individual residing in Morristown, County of Morris, State of New Jersey.

3. Plaintiff, Maulik Sanghavi (“Sanghavi” or “plaintiff Sanghavi”), is an individual residing in the township of Cranford, County of Union, State of New Jersey.

4. Defendant New Jersey Turnpike Authority (“NJTA”) is an agency of the State of New Jersey with the power to sue or be sued pursuant to N.J.S.A. 27:23-5(d).

5. Upon information and belief, defendant Philip Murphy (“Murphy” or “defendant Murphy”) is an individual residing in the state of New Jersey. He is sued in his individual capacity and official capacity as Governor of the State of New Jersey.

6. Upon information and belief, defendant Diane Gutierrez-Scaccetti (“Scaccetti” or “defendant Scaccetti”) is an individual residing in the State of New Jersey. She is sued in her individual capacity and official capacity as the Chair of the NJTA Board of Commissioners and *ex officio* Commissioner of the NJTA.

7. Upon information and belief, defendant Mary-Elizabeth Garrity (“Garrity” or “defendant Garrity”) is an individual residing in the State of New Jersey. She is sued in her individual capacity and official capacity as the Director of Human Resources for the New Jersey Turnpike Authority.

8. Upon information and belief, defendant Ronald Gravino (“Gravino” or “defendant Gravino”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as the Vice Chairman of the Board of NJTA Commissioners.

9. Upon information and belief, defendant Michael R. DuPont (“DuPont” or “defendant DuPont”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as the Treasurer of the Board of NJTA Commissioners.

10. Upon information and belief, defendant Raymond M. Pocino (“Pocino” or “defendant Pocino”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as Commissioner on the NJTA Board.

11. Upon information and belief, defendant Ulises E. Diaz (“Diaz” or “defendant Diaz”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as Commissioner on the NJTA Board.

12. Upon information and belief, defendant John D. Minella (“Minella” or “defendant Minella”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as Commissioner on the NJTA Board.

13. Upon information and belief, defendant Raphael Salerno (“Salerno” or “defendant Salerno”) is an individual residing in the State of New Jersey. He is sued in his individual capacity and official capacity as Commissioner on the NJTA Board.

14. Upon information and belief, defendant John O’Hern (“O’Hern” or “defendant O’Hern”) is an individual residing in the state of New Jersey. He is sued in his individual capacity and official capacity as Deputy Executive Director and as Acting Executive Director of the NJTA.

FACTS COMMON TO ALL COUNTS

15. Plaintiffs were employed as attorneys in the Law Department of the New Jersey Turnpike Authority until they were advised of their imminent termination by defendants on or about February 26, 2018, with an effective termination date of March 9, 2018.

16. Plaintiffs commenced their employment with the NJTA Law Department during Governor Chris Christie's Administration. At the time of hire, plaintiffs were known Republicans and/or perceived supporters of then-Governor Chris Christie.

a. Plaintiff Sanghavi commenced his employment with NJTA during or around October 2015.

b. Plaintiff Macchia commenced his employment with NJTA during or around November 2015.

c. Plaintiff DePalma commenced his employment with NJTA during or around November 2016.

17. As plaintiffs were routinely and explicitly advised throughout their employment with NJTA, they occupied non-policy making positions which did not require political affiliation.

18. Plaintiffs lacked the authority to make final decisions and only performed basic lawyering functions such as drafting real-estate contracts, reviewing documents, proof-reading, and offering task-related information to their superiors.

19. Plaintiffs exercised very little discretion and influence over their work product as their assignments merely required an objective, neutral application of the already-established laws and regulations of the NJTA, and their work product was always subject to the final review and approval of their supervisor(s), Deputy General Counsel or General Counsel. In their positions, plaintiffs were heavily supervised and compelled to abide by strict reporting and productivity requirements.

20. NJTA policy is promulgated and controlled by the Governor's Authorities Unit, the NJTA's Executive leadership, and the NJTA's Board of Commissioners, all of which are entities

that plaintiffs did not regularly communicate or collaborate with while employed with NJTA; plaintiffs merely followed and adhered to the policy that came from such authorities.

21. Plaintiffs did not have the ability to influence policy or policy-makers. Plaintiffs were completely isolated, both physically and in their work-load, from policy-making individuals and processes at the NJTA. Plaintiffs and policy-makers occupied separate floors and plaintiffs were prohibited from entering the policy-makers' quarters, which were rigorously guarded with security. Plaintiffs very seldomly engaged in conversation with policy-makers as they were generally discouraged from speaking with them and plaintiffs were not privy to policy-making information or decisions, nor did plaintiffs participate in or influence policy-making decisions.

22. Plaintiffs did not prepare budgets or influence the budget of the NJTA.

23. Plaintiffs occupied low-level positions, had no subordinates or individuals that reported directly to them, and lacked the authority to hire and fire employees of the NJTA.

24. Throughout their employment, plaintiffs each maintained an unblemished and stellar employment record with excellent reviews and no disciplinary citations.

25. Throughout their employment, plaintiffs were not at-will employees and were protected by a duly-executed agreement with the NJTA, in which the NJTA was obligated, among other things, not to discriminate against plaintiffs on the basis of their political affiliation.

26. On or about November 7, 2017, defendant Murphy was elected to become the next Governor of the State of New Jersey and was formally sworn in as Governor on or about January 16, 2018.

27. Upon information and belief, during or around November 2017, the Murphy Administration started developing and/or implementing its plan for the transition of cabinet members, policies, and agenda.

28. Upon information and belief, defendant Scaccetti was chosen by the Murphy Administration and began serving as the Acting Commissioner of the New Jersey Department of Transportation on or about January 16, 2018.

29. Defendant Scaccetti is the Chair of the NJTA Board of Commissioners and *ex officio* Commissioner of the NJTA (collectively, “Chair of the NJTA Board”).

30. Upon information and belief, defendant Scaccetti, both individually and in her capacity as the Chair of the NJTA Board, along with the support of defendant Murphy and his administration, initiated a partisan, vengeful plan to oust all NJTA Law Department employees who were Republican and/or perceived supporters of former Governor Chris Christie, regardless of employment level.

31. Shortly thereafter, the Murphy Administration, acting through the Chair of the NJTA Board, in an effort to suppress dissenting voices and violate the First Amendment, initiated a politically-partisan purge of NJTA employees whom defendants suspected would not politically support defendant Murphy and/or the new NJTA administration under defendant Murphy.

32. On or about February 26, 2018, plaintiffs received a letter of termination, signed by defendant Garrity, which stated, in pertinent part:

“[y]our position with the New Jersey Turnpike Authority (“NJTA”) as “Attorney” is a policymaking and advisory position. As a result of the change in administration of NJTA, your employment with NJTA will be terminated effective March 9, 2018. This termination is not for disciplinary reasons.”

33. To add partisan fuel to the fire, plaintiffs not only received letters of termination on February 26, 2018, but they were also unexpectedly instructed to leave their offices and their jobs that same day, compounding their injuries.

34. Upon information and belief, plaintiffs and a few others in the NJTA Law Department, all of whom were Republican and/or perceived supporters of Governor Chris Christie,

were terminated effective March 9, 2018, while others in the NJTA Law Department, who were not Republican and/or perceived supporters of Governor Chris Christie, were not terminated.

35. Upon information and belief, previous administrations, including under former Governor Chris Christie's Administration, did not terminate NJTA Law Department attorneys, similarly situated to plaintiffs, who possessed, or were perceived to possess, dissenting or opposing political views when such administrations came into power.

36. Upon information and belief, defendant Murphy authorized the termination of plaintiffs.

37. Upon information and belief, defendant Scaccetti, with approval from defendant Murphy, made the decision to terminate plaintiffs.

38. Upon information and belief, the Board of NJTA Commissioners, including defendants Scaccetti, Garrity, Gravino, DuPont, Pocino, Diaz, Minella, and Salerno, and Deputy Executive Director/Acting Executive Director defendant O'Hern, exercised control and influence over the decision to terminate plaintiffs.

39. The facts clearly indicate that defendants made the decision to terminate plaintiffs based on plaintiff's political affiliation. For example:

a. The letter of termination states that they are being terminated solely due to the "change in administration";

b. Upon information and belief, defendants were aware of plaintiffs' political affiliation and knew they were hired by the NJTA Law Department during former Governor Chris Christie's administration;

c. Similarly situated attorneys in the Law Department, who were not hired during the Chris Christie Administration, but were instead hired under various previous

administrations, and perceived as being politically aligned with the party in power, were not discharged from their positions.

40. Although defendants were aware that terminating non-policy making employees, such as plaintiffs, for their political affiliation is a blatant violation of the clearly established Constitutional right to freedom of association as well as a breach of the NJTA Agreement, they proceeded with such termination and, in an attempt to mask their unlawful behavior, intentionally misclassified plaintiffs as “policymakers.”

41. Considering that plaintiffs played absolutely no role in creating, influencing, or devising NJTA policy, nor did they communicate with or exercise any influence over policy-making individuals, a reasonable official would recognize that such misclassification and termination violates the First Amendment and is a breach of the NJTA Agreement.

FIRST CAUSE OF ACTION

**Violation of Rights Secured by the First Amendment to the United States Constitution
Pursuant to 42 U.S.C. § 1983**

**against defendant Murphy, defendant Scaccetti, defendant Garrity, defendant Gravino,
defendant DuPont, defendant Pocino, defendant Diaz, defendant Minella, defendant
Salerno, and defendant O’Hern all in their individual capacities.**

42. Plaintiffs repeat and re-allege each and every allegation in the preceding paragraphs as if fully set forth herein.

43. While acting under color of law and by using power that they possessed by virtue of state law, defendants intentionally deprived plaintiffs of their constitutional right to freedom of speech and association by terminating them from their positions as non-policy making employees based on their political affiliation.

44. As a direct and proximate result of defendants’ actions, plaintiffs have suffered loss of past and future income.

45. As a direct and proximate result of defendants' actions, plaintiffs have suffered and continue to suffer severe mental anguish and emotional distress, including, but not limited to, stress, anxiety, embarrassment, impairment of reputation, loss of self-esteem, loss of sleep, emotional pain and suffering, and other stress-related ailments.

WHEREFORE, plaintiffs demand judgment against defendants on all counts for:

- i. Lost wages;
- ii. Compensatory damages;
- iii. Emotional distress damages;
- iv. Non-compensatory damages;
- v. Punitive damages;
- vi. Attorney's fees;
- vii. Costs; and
- viii. Such other and further relief as the Court deems fair and equitable.

SECOND CAUSE OF ACTION

**Violations of Rights Secured by Article 1 of the New Jersey Constitution
Pursuant to the New Jersey Civil Rights Act, N.J.S.A. 10:6-2
against defendant Murphy, defendant Scaccetti, defendant Garrity, defendant Gravino,
defendant DuPont, defendant Pocino, defendant Diaz, defendant Minella, defendant
Salerno, and defendant O'Hern all in their individual capacities.**

46. Plaintiffs repeat and re-allege each and every allegation in the preceding paragraphs as if fully set forth herein.

47. While acting under color of state law, defendants intentionally deprived plaintiffs of their Constitutional right to freedom of speech by terminating them from their positions as non-policy making employees based on their political affiliation.

48. As a direct and proximate result of defendants' actions, plaintiffs have suffered loss of past and future income.

49. As a direct and proximate result of defendants' actions, plaintiffs have suffered and continue to suffer severe mental anguish and emotional distress, including, but not limited to, stress, anxiety, embarrassment, impairment of reputation, loss of self-esteem, loss of sleep, emotional pain and suffering, and other stress-related ailments.

WHEREFORE, plaintiffs demand judgment against defendants on all counts for:

- i. Lost wages;
- ii. Compensatory damages;
- iii. Emotional distress damages;
- iv. Non-compensatory damages;
- v. Punitive damages;
- vi. Attorney's fees;
- vii. Costs; and
- viii. Such other and further relief as the Court deems fair and equitable.

THIRD CAUSE OF ACTION
Breach of Contract
Pursuant to N.J.S.A. 59:13-3
against the New Jersey Turnpike Authority

50. Plaintiffs repeat and re-allege each and every allegation in the preceding paragraphs as if fully set forth herein.

51. Defendant NJTA breached the executed, written Agreement, *i.e.*, employment contract, that it entered into with plaintiffs, by discriminating against plaintiffs on the basis of their political affiliation, which was expressly prohibited by the contract.

52. As a direct and proximate result of defendants' actions, plaintiffs have suffered loss of past and future income.

WHEREFORE, plaintiffs demand judgment against defendant on all counts for:

- i. Lost wages;
- ii. Compensatory damages;
- iii. Emotional distress damages;
- iv. Non-compensatory damages;
- v. Punitive damages;
- vi. Attorney's fees;
- vii. Costs; and
- viii. Such other and further relief as the Court deems fair and equitable.

FOURTH CAUSE OF ACTION

**Wrongful Termination in Violation of a Clear Mandate of Public Policy
against the New Jersey Turnpike Authority and all other named defendants, in their
individual and official capacities.**

53. Plaintiffs repeat and re-allege each and every allegation in the preceding paragraphs as if fully set forth herein.

54. The statute creating the New Jersey Turnpike Authority, N.J.S.A. 27:23-5(d) grants NJTA the right to sue and be sued in its own name. The New Jersey Supreme Court has held that such a provision authorizes suit against that agency for wrongful termination in violation of a clear mandate of public policy as per New Jersey Common Law. As such, NJTA violated its duty as an employer not to discharge an employee in violation of a clear mandate of public policy, namely the public policy to protect public employees' Constitutional right to freedom of speech and association.

55. Defendants Murphy, Scaccetti, Garrity, Gravino, DuPont, Pocino, Diaz, Minella, Salerno and O'Hern all personally participated in the wrongful termination of plaintiffs and are therefore individually liable, in their individual and official capacities, for the harm resulting from such participation.

56. As a direct and proximate result of defendants' actions, plaintiffs have suffered loss of past and future income.

57. As a direct and proximate result of defendants' actions, plaintiffs have suffered and continue to suffer severe mental anguish and emotional distress, including, but not limited to, stress, anxiety, embarrassment, impairment of reputation, loss of self-esteem, loss of sleep, emotional pain and suffering, and other stress-related ailments.

WHEREFORE, plaintiffs demand judgment against all defendants on all counts for:

- i. Lost wages;
- ii. Compensatory damages;
- iii. Emotional distress damages;
- iv. Non-compensatory damages;
- v. Punitive damages;
- vi. Attorney's fees;
- vii. Costs; and
- viii. Such other and further relief as the Court deems fair and equitable.

DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand trial by jury as to all issues in the above matter.

DESIGNATION OF TRIAL COUNSEL

Marc W. Garbar is hereby designated as trial counsel pursuant to R. 4:25-4.

BRANDON J. BRODERICK, LLC

By: Marc W. Garbar
Marc W. Garbar, Esq.
Attorneys for plaintiffs

DATED: February 26, 2020

CERTIFICATION PURSUANT TO R.4:5-1

I certify that the matter in controversy is not the subject of any other action pending in any court or a pending arbitration proceeding and that no such action or arbitration proceeding is contemplated. To plaintiffs' knowledge no other party should be joined in this action.

Marc W. Garbar
MARC W. GARBAR

DATED: February 26, 2020

Civil Case Information Statement

Case Details: MONMOUTH | Civil Part Docket# L-000709-20

Case Caption: DEPALMA NICHOLAS VS NEW JERSEY
TURNPIKE AUTHORITY

Case Initiation Date: 02/26/2020

Attorney Name: MARC WAYNE GARBAR

Firm Name: BRANDON J. BRODERICK, ESQ. LLC

Address: 65 EAST ROUTE 4 1ST FL

RIVER EDGE NJ 07661

Phone: 2018531505

Name of Party: PLAINTIFF : DePalma, Nicholas

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: CIVIL RIGHTS

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same
transaction or occurrence)? NO

Are sexual abuse claims alleged? NO

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? YES

If yes, is that relationship: Employer/Employee

Does the statute governing this case provide for payment of fees by the losing party? YES

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? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

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 *Rule* 1:38-7(b)

02/26/2020
Dated

/s/ MARC WAYNE GARBAR
Signed

ATLANTIC COUNTY:
Deputy Clerk, Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:
Deputy Clerk, Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:
Deputy Clerk, Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

CAMDEN COUNTY:
Deputy Clerk, Superior Court
Civil Processing Office
Hall of Justice
1st Fl, Suite 150
101 South 5th Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 482-0618
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:
Deputy Clerk, Superior Court
9 N. Main Street
Cape May Court House, NJ
08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:
Deputy Clerk, Superior Court
Civil Case Management Office
60 West Broad Street
P. O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

ESSEX COUNTY:
Deputy Clerk, Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr.
Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:
Deputy Clerk, Superior Court
Civil Case Management Office,
Attn: Intake, First Fl., Court
House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:
Deputy Clerk, Superior Court
Civil Records Dept.
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:
Deputy Clerk, Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 236-6109
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:
Deputy Clerk, Superior Court
Local Filing Office, Courthouse
175 S. Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:
Deputy Clerk, Superior Court
Middlesex Vicinage
Second Floor, Tower
56 Paterson Street
P. O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:
Deputy Clerk, Superior Court
Court House
P. O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:
Morris County Courthouse
Civil Division
Washington & Court Streets
P. O. Box 910
Morristown, NJ 07963-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:
Deputy Clerk, Superior Court
Court House, Room 121
118 Washington Street
P.O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:
Deputy Clerk, Superior Court
Civil Division - Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:
Deputy Clerk, Superior Court
Attn: Civil Case Management
Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 691-0494

SOMERSET COUNTY:
Deputy Clerk, Superior Court
Civil Division Office
40 North Bridge Street
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:
Deputy Clerk, Superior
Court
Sussex County Judicial
Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:
Deputy Clerk, Superior
Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-
6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:
Deputy Clerk, Superior
Court
Civil Division, Court
House
413 Second Street
Belvidere, NJ 07823-
1500
LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 475-2010