

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

NOV 5 1985
SUPERIOR COURT OF N.J.
PAID

OCT 28 1985

M.V. 22
JOHN M. MAYSON
CLERK

JAMES R. BODNAR

33 NORTH MAIN STREET

PO BOX 493

MEDFORD, NEW JERSEY 08055

(609) 654-7914

ATTORNEY FOR Defendant, Hinson Disposal Service

Plaintiff

JOSEPH V. LORE ET ALS

vs.

Defendant

LONE PINE CORPORATION ET ALS

SUPERIOR COURT OF
NEW JERSEY
MONMOUTH COUNTY
LAW DIVISION

Docket No. L033606-85

CIVIL ACTION

ANSWER

For N.D.S.

Defendant, Hinson Disposal Service, by way of Answer
to plaintiff's Complaint says:

FIRST COUNT

1. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.
2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.
3. Defendant lacks sufficient information to either admit of deny and therefore leaves plaintiffs to their proofs.
4. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

5. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

6. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

7. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

8. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

9. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

10. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

11. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

12. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

13. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

14. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

15. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

BODNAR

AT LAW

EX 493

NEW JERSEY

55

SECOND COUNT

1. Defendant repeats and incorporates it's answer to the First Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

THIRD COUNT

1. Defendant repeats and incorporates all of it's answers to the First and Second Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

FOURTH COUNT

1. Defendant repeats and incorporates it's answer to the First through Third Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

FIFTH COUNT

1. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

4. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

5. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

SIXTH COUNT

1. Defendant repeats and incorporates it's answers to the First through Fifth Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

SEVENTH COUNT

1. Defendant repeats and incorporates all of it's answers to the First through Sixth as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

EIGHTH COUNT

1. Defendant repeats and incorporates all of it's answers to the First through Seventh Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

NINTH COUNT

1. Defendant repeats and incorporates it's answers to the First through Eighth Count as if set fore herein at lenght.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

TENTH COUNT

1. Defendant repeats and incorporates it's answer to Counts One through Nine as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

ELEVENTH COUNT

1. Defendant repeats and incorporates it's answer to the First through Tenth Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

TWELFTH COUNT

1. Defendant repeats and incorporates it's answer to Counts One through Eleven as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiff to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

THIRTEENTH COUNT

1. Defendant repeats and incorporates it's answer to the First through Twelfth Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

FOURTEENTH COUNT

1. Defendant repeats and incorporates it's answer to the First through Thirteenth Count as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

FIFTEENTH COUNT

1. Defendant repeats and incorporates it's answer to Counts One through Fourteen as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.

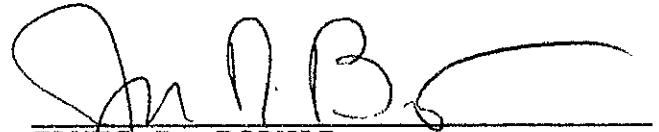
SIXTEENTH COUNT

1. Defendant repeats and incorporates it's answer to Counts One through Fifteen as if set forth herein at length.

2. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

3. Defendant lacks sufficient information to either admit or deny and therefore leaves plaintiffs to their proofs.

WHEREFORE, Defendant, Hinson Disposal Service, demands judgment dismissing this Count of the Complaint together with attorney fees and cost of suit.



JAMES R. BODNAR
Attorney for Defendant,
Hinson Disposal Service

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 6 1985

R-5 SR
JOHN M. MAYSON
CLERK

ACCT. CHGD.
SUPERIOR COURT OF N.J.
PAID

AUG 13 1985

LAW

UNIT

#40
SLIMM, DASH and GOLDBERG

216 HADDON AVENUE, SUITE 750

WESTMONT, NEW JERSEY 08108

(609) 858-7200

ATTORNEYS FOR defendant, Englishtown Auction Sales
& Steven J. Sobechko.

JURY

Plaintiff JOSEPH V. LORE, ELEANOR LORE,
JAMES DEITZ, MODESTA S. DEITZ,
KENNETH McKENZIE, CAMERON J. HILLMANN,
MILDRED L. HILLMANN, RATON HOLDING CO.,
ROBERT T. SEAMAN, SR., MARIAN J. SEAMAN,
FELIX J. McCABE and CAROL A. McCABE,
CATHERINE LOWENBURG, KAREN WARD,
ARTHUR PONTRELLI & SARAH PONTRELLI.
Defendant vs.
LONE PINE CORPORATION, ENGLISHTOWN
AUCTION SALES, et als

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

Docket No. L-033606-85

09
CIVIL ACTION
ANSWER, CROSSCLAIM AND DEMAND
FOR JURY TRIAL
E.A.S. + S.J.S.

Answering defendants, Englishtown Auction Sales and Steven J. Sobechko, by way of Answer to plaintiffs' Complaint, say:

1. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph one.
2. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph two.
3. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph three.
4. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph four.
5. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph five.

6. Denied insofar as directed to answering defendant.
7. Denied insofar as directed to answering defendant.
8. Denied insofar as directed to answering defendant.
9. Denied insofar as directed to answering defendant.
10. Denied insofar as directed to answering defendant.
11. Denied insofar as directed to answering defendant.
12. Denied insofar as directed to answering defendant.

13. The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a).

(b) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b).

(c) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c).

(d) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d).

(e) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e).

(f) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f).

(g) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g).

(h) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h).

(i) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i).

(j) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j).

(k) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k).

- (l) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l).
- (m) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m).
- (n) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n).
- (o) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o).
- (p) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p).
- (q) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q).
- (r) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r).
- (s) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s).
- (t) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t).
- (u) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u).
- (v) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v).
- (w) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w).
- (x) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x).
- (y) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y).

(z) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z).

(a-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-1).

(b-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-1).

(c-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-1).

(d-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-1).

(e-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-1).

(f-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-1).

(g-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-1).

(h-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-1).

(j-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-1).

(k-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-1).

(l-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-1).

(m-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-1).

(n-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-1).

(o-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-1).

(p-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-1).

(q-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-1).

(r-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-1).

(s-1) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-1).

(t-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-1).

(u-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-1).

(v-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-1).

(w-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-1).

(x-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-1).

(y-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-1).

(z-1)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-1).

(a-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-2).

(b-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-2).

(c-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-2).

(d-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-2).

(e-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-2).

(f-2) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-2).

(g-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-2).

(h-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-2).

(i-2) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-2).

(j-2) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-2).

(k-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-2).

(l-2) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-2).

(m-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-2).

(n-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-2).

(o-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-2).

(p-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-2).

(q-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-2).

(r-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-2).

(s-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-2).

(t-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-2).

(u-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-2).

(v-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-2).

(w-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-2).

(x-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-2).

(y-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-2).

(z-2)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-2).

(a-3)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-3).

(b-3)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-3).

(c-3)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-3).

(d-3)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-3).

(e-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-3).

(f-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-3).

(g-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-3).

(h-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-3).

(i-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-3).

(j-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-3).

(k-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-3).

(l-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-3).

(m-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-3).

(n-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-3).

(o-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-3).

(p-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-3).

(q-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-3).

(r-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-3).

(s-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-3).

(t-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-3).

(u-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-3).

(v-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-3).

(w-3) Denied.

(x-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-3).

(y-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-3).

(z-3) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-3).

(a-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-4).

(b-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-4).

(c-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-4).

(d-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-4).

(e-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-4).

(f-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-4).

(g-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-4).

(h-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-4).

(i-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-4).

(j-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-4).

(k-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-4).

(l-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-4).

(m-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-4).

(n-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-4).

(o-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-4).

(p-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-4).

(q-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-4).

(r-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-4).

(s-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-4).

(t-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-4).

(u-4) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-4).

(v-4)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-4).

(w-4)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-4).

(x-4)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-4).

(y-4)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-4).

(z-4)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-4).

(a-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-5).

(b-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-5).

(c-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-5).

(d-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-5).

(e-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-5).

(f-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-5).

(g-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-5).

(h-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-5).

(i-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-5).

(j-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-5).

(k-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-5).

(l-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-5).

(m-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-5).

(n-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-5).

(o-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-5).

(p-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-5).

(q-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-5).

(r-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-5).

(s-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-5).

(t-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-5).

(u-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-5).

(v-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-5).

(w-5) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-5).

(x-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-5).

(y-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-5).

(z-5)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-5).

(a-6)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-6).

(b-6)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-6).

(c-6) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-6).

(d-6)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-6).

(e-6)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-6).

(f-7)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-7).

(g-7)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-7).

(h-7)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-7).

(i-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-7).

(j-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-7).

(k-7)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-7).

(l-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-7).

(m-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-7).

(n-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-7).

(o-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-7).

(p-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-7).

(q-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-7).

(r-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-7).

(s-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-7).

(t-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-7).

(u-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-7).

(v-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-7).

(w-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-7).

(x-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-7).

(y-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-7).

(z-7) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-7).

(a-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-8).

(b-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-8).

(c-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-8).

(d-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-8).

(e-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-8).

(f-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-8).

(g-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-8).

(h-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-8).

(i-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-8).

(j-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-8).

(k-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-8).

(l-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-8).

(m-8) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-8).

(n-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-8).

(o-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-8).

(p-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-8).

(q-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-8).

(r-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-8).

(s-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-8).

(t-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-8).

(u-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-8).

(v-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-8).

(w-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-8).

(x-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-8).

(y-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-8).

(z-8)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-8).

(a-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-9).

(b-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-9).

(c-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-9).

(d-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-9).

(e-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-9).

(f-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-9).

(g-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-9).

(h-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-9).

(i-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-9).

(j-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-9).

(k-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-9).

(l-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-9).

(m-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-9).

(n-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-9).

(o-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-9).

(p-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-9).

(q-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-9).

(r-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-9).

(s-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-9).

(t-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-9).

(u-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-9).

(v-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-9).

(w-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-9).

(x-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-9).

(y-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-9).

(z-9)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-9).

(a-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-10).

(b-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen ((b-10).

(c-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-10).

(d-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-10).

(e-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-10).

(f-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-10).

(g-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-10).

(h-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-10).

(i-10) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-10).

(j-10) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-10).

(k-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-10).

(l-10) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-10).

(m-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-10).

(n-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-10).

(o-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-10).

(p-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-10).

(q-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-10).

(r-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-10).

(s-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-10).

(t-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-10).

(u-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-10).

(v-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-10).

(w-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-10).

(x-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-10).

(y-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-10).

(z-10)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-10).

(a-11)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-11).

(b-11)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-11).

(c-11)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-11).

(d-11)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-11).

(e-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-11).

(f-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-11).

(g-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-11).

(h-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-11).

(i-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-11).

(j-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-11).

(k-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-11).

(l-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-11).

(m-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-11).

(n-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-11).

(o-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-11).

(p-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-11).

(q-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-11).

(r-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-11).

(s-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-11).

(t-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-11).

(u-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-11).

(v-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-11).

(w-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-11).

(x-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-11).

(y-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-11).

(z-11) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-11).

(a-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-12).

(b-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-12).

(c-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-12).

(d-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-12).

(e-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-12).

(f-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-12).

(g-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-12).

(h-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-12).

(i-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-12).

(j-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-12).

(k-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-12).

(l-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-12).

(m-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-12).

(n-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-12).

(o-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-12).

(p-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-12).

(q-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-12).

(r-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-12).

(s-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-12).

(t-12) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-12).

(u-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-12).

(v-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-12).

(w-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-12).

(x-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-12).

(y-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-12).

(z-12)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-12).

(a-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-13).

(b-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-13).

(c-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-13).

(d-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-13).

(e-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-13).

(f-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-13).

(g-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-13).

(h-13)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-13).

(i-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-13).

(j-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-13).

(k-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-13).

(l-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-13).

(m-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-13).

(n-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-13).

(o-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-13).

(p-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-13).

(q-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-13).

(r-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-13).

(s-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-13).

(t-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-13).

(u-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-13).

(v-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-13).

(w-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-13).

(x-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-13).

(y-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-13).

(z-13) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-13).

(a-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-14).

(b-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-14).

(c-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-14).

(d-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-14).

(e-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-14).

(f-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-14).

(g-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-14).

(h-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-14).

(i-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-14).

(j-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-14).

(k-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-14).

(l-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-14).

(m-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-14).

(n-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-14).

(o-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-14).

(p-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-14).

(q-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-14).

(s-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-14).

(t-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-14).

(u-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-14).

(v-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-14).

(w-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-14).

(x-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-14).

(y-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-14).

(z-14) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-14).

(a-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-15).

(b-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-15).

(c-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-15).

(d-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-15).

(e-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-15).

(f-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-15).

(g-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-15).

(h-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-15).

(i-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-15).

(j-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-15).

(k-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-15).

(l-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-15).

(m-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-15).

(n-15)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-15).

(o-15) Denied.

(p-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-15).

(q-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-15).

(r-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-15).

(s-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-15).

(t-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-15).

(u-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-15).

(v-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-15).

(w-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-15).

(x-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-15).

(y-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-15).

(z-15) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-15).

(a-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-16).

(b-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-16).

(c-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-16).

(d-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-16).

(e-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-16).

(f-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-16).

(g-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-16).

(h-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-16).

(i-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-16).

(j-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-16).

(k-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-16).

(l-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-16).

(m-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-16)

(n-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-16).

(o-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-16).

(p-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-16).

(q-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-16).

(r-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-16).

(s-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-16).

(t-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-16)

(u-16) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-16).

(v-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-16).

(w-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-16).

(x-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-16).

(y-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-16).

(z-16)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-16).

(a-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (a-17).

(b-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (b-17).

(c-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (c-17).

(d-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (d-17).

(e-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (e-17).

(f-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (f-17).

(g-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (g-17).

(h-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (h-17).

(i-17) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (i-17).

(j-17) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (j-17).

(k-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (k-17).

(l-17) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (l-17).

(m-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (m-17).

(n-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (n-17).

(o-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (o-17).

(p-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (p-17).

(q-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (q-17).

(r-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (r-17).

(s-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (s-17).

(t-17) The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (t-17).

(u-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (u-17).

(v-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (v-17).

(w-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (w-17).

(x-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (x-17).

(y-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (y-17).

(z-17)The answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph thirteen (z-17).

14. Denied.

15. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

SECOND COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to paragraphs one through 15 of the First Count of plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

THIRD COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to paragraphs one through 15 of the First Count and paragraphs one through three of the Second Count.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

FOURTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to paragraphs one through 15 of the First Count and paragraphs one through three of the Second Count.

2. Denied.

3. Denied.

4. WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

FIFTH COUNT

1. Answering defendant has insufficient knowledge to form a belief as to the allegations of paragraph one.

2. Denied insofar as directed to answering defendant.

3. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

4. Answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph four.

5. Denied insofar as directed to answering defendant.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

SIXTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

SEVENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiff in any sum or manner whatsoever.

EIGHTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts of plaintiff's Complaint.

2. Answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph two.

3. Denied insofar as directed to answering defendant.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

NINTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts of plaintiff's Complaint.
2. Denied.
3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

TENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts of plaintiff's Complaint.
2. Answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph two.
3. Denied insofar as directed to answering defendant.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

ELEVENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth herein its answers to all preceding Counts of plaintiff's Complaint.
2. Denied.
3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

TWELFTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts of plaintiff's Complaint.
2. Denied.
3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

THIRTEENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Answering defendants have insufficient knowledge to form a belief as to the allegations of paragraph two.

3. Denied insofar as directed to answering defendants.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

FOURTEENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

FIFTEENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

SIXTEENTH COUNT

1. Answering defendant incorporates by reference as fully as though the same were set forth at length herein its answers to all preceding Counts to plaintiff's Complaint.

2. Denied.

3. Denied.

WHEREFORE, the defendant denies liability to the plaintiffs in any sum or manner whatsoever.

SEPARATE DEFENSES

1. The Court lacks jurisdiction over the subject matter as to the answering defendants.

2. Answering defendants did not cause, contribute to and/or permit the disposal of hazardous waste at the site, and therefore are not liable.

3. No act or omission of answering defendants was responsible for the hazardous waste at the site.

4. The conditions at the site were not the result of the fault or negligence on the part of answering defendants.

5. If any hazardous conditions exist at the site, they were caused solely by the acts and/or omissions of third parties, who were not employees, servants and/or agents of answering defendants.

6. Answering defendants did not engage in activity that created a nuisance, if in fact the nuisance exists or existed.

7. The answering defendants did not violate any Federal or State law, since they were and are not persons contributing to the disposal of hazardous waste at the site in question.

8. The plaintiffs have no standing or capacity to enforce private rights if in fact such exist.

9. The answering defendants are not liable under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, which pre-empt any other statute or common law concerning liability for ground water contamination.

10. The answering defendants deny the negligence alleged.

11. The answering defendants deny that they are strictly liable in tort.

12. The answering defendants breached no duties allegedly owed.

13. The plaintiffs are barred from recovery by reason of their own negligence and/or comparative negligence.

14. The plaintiffs' actions are barred pursuant to the applicable statute of limitations, and answering defendants reserve the right to move to dismiss plaintiffs' Complaint for failure to file same within the time provided in the statute of limitations.

15. The plaintiffs' actions are barred as a result of failure to comply with the applicable rules and the New Jersey Rules of Civil Procedure regarding service and service of process, and answering defendants reserve the right to move to dismiss plaintiffs' Complaint for failure to properly serve the Complaint on defendants as provided by the applicable rules of procedure.

16. The accident, injuries and damages allegedly sustained were caused by the negligence and/or actions or inactions of third parties over whom answering defendants exercise no right or control.

17. The service of process over answering defendants was improper, and answering defendants reserve the right to move to strike service of process.

18. The plaintiffs fail to state a claim upon which relief can be granted, and answering defendants reserve the right to move to dismiss plaintiffs' Complaint for failure to state a claim upon which relief can be granted.

19. All of the harm allegedly suffered by plaintiffs resulted from the acts of god and not from any acts or omissions of answering defendants.

20. Answering defendants, at all times relevant hereto, complied with all Federal, State and local statutes, regulations and/or ordinances in effect in the disposing of any waste material.

21. Answering defendants are not responsible or liable for acts or omissions undertaken by or at the direction or sufferance of a governmental authority.

22. Answering defendants owed no duty to plaintiffs with respect to the subject matter of the Complaint.

23. Answering defendants made no representations or misrepresentations to plaintiffs.

24. Plaintiffs' claims are barred by the equitable doctrine of laches, estoppel, and/or unclean hands.

25. The plaintiffs have failed to mitigate their alleged damages.

26. Plaintiffs' claims are barred by the doctrine of election of remedies.

27. Plaintiffs can recover no damages from answering defendants, as plaintiffs have suffered no damage.

28. Answering defendants adopt and hereby incorporate by reference all separate or affirmative defenses raised by other defendants to the Complaint.

29. The answering defendants did not violate the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., and no jurisdiction is created by C.E.R.C.L.A. over answering defendants, since they are not persons who contributed to the disposal of hazardous waste.

30. The alleged conditions at the site are unabatable as to answering defendants who did not cause the conditions, were not the owners/operators, generators or haulers of waste at the time that wastes were disposed of, and answering defendants have no duty to take action to abate the alleged conditions.

31. There is no imminent and substantial endangerment to health or environment and therefore the Court is without jurisdiction of the subject matter.

32. The plaintiffs' Complaints are barred by laches and failure to act or notify answering defendants after plaintiffs had knowledge of the alleged conditions at the site.

CERTIFICATION

I certify that this pleading was served within the time period allowed under Rule 4:6-1(d).

I certify that at this time, upon information and belief, this matter in controversy is not the subject of any other action pending in any Court or the subject of a pending arbitration proceeding and that no other action or arbitration proceeding is contemplated.

There are no other parties known to this defendant who should be joined at this time.

SLIMM, DASH & GOLDBERG
Attorneys for defendants,
Englishtown Auction Sales &
Steven J. Sobechko



BY: JOHN L. SLIMM

Dated: August 2, 1985

CROSSCLAIM FOR CONTRIBUTION
AND INDEMNIFICATION

The defendant demands contribution and indemnification from all co-defendants, in accordance with the Comparative Negligence Act, N.J.S.A. 2A:15-5. 1 et seq. and the Joint Tortfeasor Contribution Law. N.J.S.A. 2A:53A-1 et seq.

SLIMM, DASH & GOLDBERG
Attorneys for defendants,
Englishtown Auction Sales &
Steven J. Sobeckko



BY: JOHN L. SLIMM

Dated: *August 2, 1985*

DEMAND is hereby made for a trial by jury as to all issues.

SLIMM, DASH & GOLDBERG
Attorneys for defendants,
Englishtown Auction Sales &
Steven J. Sobeckko



BY: JOHN L. SLIMM

SLIMM, DASH & GOLDBERG

216 Haddon Avenue

P.O. Box 2222

Westmont, New Jersey 08108

defendants, Englishtown Auction & Sobechko

Attorney(s):
Office Address & Tel. No.:

Attorney(s) for

JOSEPH V. LORE, et als, Plaintiff(s)
vs.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY
Docket No. L-033606-85

LONE PINE CORP., et als Defendant(s)

CIVIL ACTION

A copy of the within Notice of Motion has been filed with the Clerk of the County of New Jersey at

Attorney(s) for

The original of the within Notice of Motion has been filed with the Clerk of the Superior Court in Trenton, New Jersey.


Attorney(s) for

Service of the within

is hereby acknowledged this day of 19

Attorney(s) for

I hereby certify that a copy of the within Answer was served within the time prescribed by Rule 4:6.


JOHN L. SLIMM
Attorney(s) for defendants, Englishtown Auction & Sobechko

PROOF OF MAILING: On August 2, 1985, I, the undersigned, mailed to

all counsel
Attorney(s) for
at their respective addresses
by regular mail, return receipt requested the following:

Answer to plaintiff's Complaint, Crossclaim & Jury Demand

5-3 The return receipt card is attached to the original herof

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

Dated: August 2, 1985


Emmajeane Murphy

44000.01-28BF

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

P.C.

AUG 6 1985
M.V. 17
JOHN M. MAYSON
CLERK

SLIMM, DASH and GOLDBERG

216 HADDON AVENUE, SUITE 750

WESTMONT, NEW JERSEY 08108

(609) 858-7200

ATTORNEYS FOR Defendant Englishtown and Steven Sobeckko

Plaintiff JOSEPH V. LORE, et als

vs.

Defendant LONE PINE CORPORATION, et als

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Docket No. L-033606-85

CIVIL ACTION

ANSWER TO CROSSCLAIMS ASSERTED
BY DEFENDANT TOWNSHIP OF EAST
BRUNSWICK ON BEHALF OF DEFENDANT
ENGLISHTOWN

Defendant, Englishtown Auction Sales and Steven Sobeckko, by way
of Answer to the Crossclaims asserted by defendant Township of East
Brunswick says: DENIED.

SLIMM, DASH & GOLDBERG
Attorneys for Defendants
Englishtown and Sobeckko

BY:

Benjamin Folkman
BENJAMIN FOLKMAN

DATED: August 2, 1985

44000.01-28BF

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

July
AUG 23 1985

R-5
JOHN M. MAYSON
CLERK

RECEIVED
MONMOUTH COUNTY
JUL 23 1985
JANE G. CLAYTON
County Clerk

FILED

JUL 29 1985

MARSHALL SELIKOFF, J.S.C.

SLIMM, DASH and GOLDBERG
216 HADDON AVENUE, SUITE 750
WESTMONT, NEW JERSEY 08108
(609) 858-7200
ATTORNEYS FOR Deft. Englishtown Auction Sales

Plaintiff JOSEPH V. LORE, et als

vs.

Defendant LONE PINE CORPORATION, et als

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Docket No. L-033606-85

Civil

CIVIL ACTION

CONSENT ORDER EXTENDING
TIME TO ANSWER

This matter having been brought before the Court on application of
Slimm, Dash & Goldberg, attorneys for defendant, and it appearing to the
Court that there is good cause;

IT IS on this 29th day of July, 1985 ORDERED that the
time within which defendant is permitted to serve and file an Answer be
and hereby is extended ^{ten (10)} ~~twenty (20)~~ days from the date hereof.

MARSHALL SELIKOFF
JSA

, J.S.C.

We consent to the form and entry of
the within Order.

SHAMY & LUKE

George J. Shamy, Jr.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

40

AUG 12 1985

M.V. 29
JOHN M. MAYSON
CLERK

JURY

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corporation

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

LAW ~~UNIT~~ UNIT

AUG 19 1985

SUPERIOR COURT OF N.J.
PAID

JOSEPH V. LORE, ELEANOR LORE, :
JAMES DEITZ, MODESTA S. DEITZ, :
KENNETH MCKENZIE, CAMERON J. :
HILLMANN, MILDRED L. HILLMANN, :
RATON HOLDING CO., ROBERT T. :
SEAMAN, SR., MARIAN J. SEAMAN, :
FELIX J. MC CABE, CAROL A. :
MC CABE, CATHERINE LOWENBURG, :
KAREN WARD, ARTHUR PONTRELLI, :
and SARAH PONTRELLI, :

Plaintiffs,

-vs-

LONE PINE CORPORATION, A NEW :
JERSEY CORPORATION; ALL COUNTY :
ENVIRONMENTAL SERVICE CORP.; ALL :
COUNTY WASTE; ALLENTOWN BORO; :
ALLIED CHEMICAL; ALL WASTE :
SERVICES, INC.; ALMO ANTI- :
POLLUTION SERVICES; AMREICAN :
CYANAMID; AMERICAN-HOECHST :
CORP.; ATLANTIC DISPOSAL SERVICE :
INC.; ATLANTIC SANITATION SERVICE, :
INC.; ABC CORPORATION; A & B :
CESSPOOL; AIR PRODUCTS; :
EMY ALLEN; ALL-IN-ONE SERVICES; :
ALL PURPOSE; ALL STEEL MANUFAC- :
TURING CO.; AMERICAN FLANGE; :
AMERICAN INKS; AMERICAN STANDARD; :
ARMITAGE; ARMSTRONG; ARROW GROUP; :
ASHLAND CHEMICAL CO.; MACK :
BARNES; BFI OF SOUTH JERSEY INC.; :
BROCKWAY GLASS CO. INC.; J.T. :
BAKER; BASF WYANDOTTE; B. F. :
GOODRICH; BEL-RAY CO., INC.; :
BENJAMIN MOORE; BERMAR; BETH'S :
LANDSCAPING; THOMAS M. BILLY; :
BILL GERTY EXCAVATING CO.; BIO- :
:

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Civil Action

ANSWER, JURY DEMAND, AND
REQUEST FOR STATEMENT OF
DAMAGES

For LPC

NOMIC RESOURCES, INC.; LAWRENCE)
L. BLAKE; C. BOIS; BORDON;)
WALTER BRAND; ALBERT S. BROWN;)
C.M. BROWN; BROWN PAVING CO.;)
BUILD N SAVE; BUILDERS BLOCK &)
SUPPLY CO., INC.; RICHARD J.)
BYRNE; CARTER-WALLACE, INC.;)
HERBERT G. CASE, JR.; CIBA-)
GEIGY CORP.; CHARLES J. KUPPER,)
INC.; COCA COLA CO.; COLONIAL)
POULTRY FARMS; COLONIAL SEPTIC)
& CESSPOOL CLEANING; COLTS NECK)
TOWNSHIP; CRANBURY TOWNSHIP;)
CAGNEY & BYKE; CAPITOL)
MAGNETICS; CARPENTER; CELLU-)
CRAFT; CENTRAL JERSEY SEPTIC)
TANK; CHEMCOAT; CHEMICAL LEHMAN;)
CHESTERFIELD TOWNSHIP; ANDREW)
CHORNIEWY; CITY OF TRENTON; C &)
J CONTRACTING CO.; COMET CHEMI-)
CAL; CONGOLEUM/TRENTON; CONES-)
TOGA FUEL; CONTINENTAL CAN;)
CONVERTED, INC.; C&R EQUIPMENT;)
C. SEEMS & SONS; C. SIMPKINS &)
SONS; CUSTOM CHEMICAL; DIAMOND)
SHAMROCK CORP; MARION DELLATA-)
COMA; PAT DELORENZO; JOSEPH R.)
DUBOIS; DEPINTO'S EXCAVATING)
CONTRACTORS; JOHN A. DITCH;)
DECORATIVE INDUSTRIES; DOCK)
EDWARDS JR., DAMON DOUGLAS; DRI)
PRINT; DROST DISPOSAL; DUPONT;)
EAST WINDSOR TOWNSHIP; ECONOMY)
ENTERPRISES, INC.; ED MAHER;)
ENGLISHTOWN BOROUGH; EAST)
BRUNSWICK TOWNSHIP; MIKE)
EDWARDS; ALBERT ELIAS;)
DRUCKETT & LAIRD; ARLENE ELIAS)
ELIZABETH DISPOSAL, INC.; JOHN)
ELLINGTON; ROBERT A. ELLIS;)
ENGLISHTOWN AUCTION SALES;)
EWING TOWNSHIP; EXCELL CORP.;)
EXXON; FREEHOLD BOROUGH;)
FREEHOLD TOWNSHIP; FABRIC)
LEATHERS; FARMINGDALE BOROUGH;)
EVERETT FENWICK; FENWICK ENTER-)
PRISES; THOMAS FERRARO; F.)
HOLLANDER & SON, INC.; JOHN W.)
FLEMER; FLEXIBAR; FLORENCE)
TOWNSHIP; FORSGATE SANITATION,)
INC.; FRANK C. GIBSON & SONS;)
FRANK'S AUTO REPAIR; HERBERT)

FRAUB; FREEHOLD BOARD OF EDUCA-)
TION; FREEHOLD ELECTRIC CO.,)
INC.; FREEHOLD BORO POLICE DE-)
PARTMENT; FREEHOLD LUMBER CO.,)
INC.; FREEHOLD MUSIC CENTER;)
FREEHOLD RACEWAY; FREEHOLD)
REGIONAL HIGH SCHOOL; FREEHOLD)
TOWNSHIP WATER CO.; FREEHOLD)
TURKEY SWAMP; FROELICK BUILDING)
CONSTRUCTION CO.; GILBERT FREE-)
MAN; GARDEN STATE DISPOSAL SER-)
VICE, INC.; SIDNEY GELMAN;)
GEORGE E. HALO & SONS; ANTHONY)
M. GIAQUINTO; GILBERT CESSPOOL)
SERVICE, INC.; EDWARD)
GRABOWSKI; GRUMMAN AEROSPACE)
CORP.; GAF CORPORATION; JOSEPH)
GALE; GALE INDUSTRIAL SCRAP)
METAL; GANES; GARDEN STATE AIR)
CONDITIONING; ALLAN S. GARRET-)
SON; GENERAL ANILONE & FILM;)
GENERAL BEARING; GENERAL FOODS;)
GENERAL MOTORS; GENERAL ELECTRIC)
CO.; WILLIAM J. GERITY; FRANK)
C. GIBSON, INC.; GILBERT SEPTIC)
TANK SERVICE; GLEVENTO; GORDON)
& WILSON CO.; F GRABOWSKI;)
ROBERT GRABOWSKI; GREGORY)
PRESTON EXCAVATING CONTRACTORS;)
OLAV GROMANN; GTE-SYLVANIA;)
GUARDIAN, INC.; GUMINA)
CONSTRUCTION; G. WHITFIELD)
RICHARDS CO.; GEORGE E. HALO;)
HENRY HELFRICH; HIGGINS DIS-)
POSAL SERVICE; HIGHTSTOWN)
BOROUGH; HOLMDEL TOWNSHIP; HALL)
CONSTRUCTION CO.; HAMILTOWN)
TOWNSHIP; PAUL R. HANCIN;)
HARMON COLOR & CHEMICAL;)
HARSHAW; HARGILL SUPPLY CO.,)
INC.; HARRIS BROTHERS; HAULAWAY)
INC.; HECHT BROS., INC.; H.E.I.;)
E.G. HELLER; HELMETTA BOROUGH;)
CHARLES L. HENDRICKSON, JR.;)
CHARLES L. HENDRICKSON, SR.;)
HENDRICKSON EXCAVATING, INC.;)
ALEXANDER HERENCHAK; HERMETZ;)
HIGHTSTOWN BOROUGH; HIGHTSTOWN)
CARTING; HINSON DISPOSAL)
SERVICE; ARTHUR E. HOCHBERG;)
HOME DELL CONSTRUCTION CO.;)
HOLLAND & MC CHESNEY; HOWELL)

SANITATION; HOWELL TOWNSHIP;)
HUDSON IRON & METAL; WALTER C.)
HURLEY; H. WHITE TRUCKING;)
INTRA CITY WASTE MATERIALS, INC.)
IBM; INDUSTRIAL COATING CO.;)
INGERSOLL-RAND CO.; F. J.)
IENTILE, INC., INLAND; INMONT;)
INTERNATIONAL; JOSEPH W. IVINS;)
IVINS DISPOSAL SERVICE; JOHN)
HOLM & SONS; JACKSON TOWNSHIP;)
J.D. CONSTRUCTION; J.A. JONES)
CO., INC.; J&B ROOFING; ALBERT)
JENKINS; JERSEY CENTRAL POWER &)
LIGHT CO.; JERSEY SHORE MEDICAL)
CENTER; JOSEPHSON; JO MAR)
FENCE; JOSEPH OSTROSKI, JR.)
EXCAVATING; J. R. S. LUMBER)
SUPPLY CO., INC.; J. VINCE &)
SONS; KEANSBURG BOROUGH; WILLIAM)
L. KAPLIN; WALTER KARLUCK; KEITH)
LACKEY LAWN SVC; THOMAS P. KIELY)
KINGSLEY SQUARE; KERNS FURNI-)
TURE; KINGSTON; KINKER CHEMICAL;)
KOV ENTERPRISES; KING HEATING &)
COOLING; PAUL KOVALSKI; KUBIAK)
ELECTRIC; LEDERLE LABORATORIES;)
LEVIT & SONS; LONG BRANCH)
SEWERAGE; KEITH J. LACKEY; LAC)
AMERICAN; MURRAY LAGORSKI;)
EDWARD LAHAYE; RON LAKE;)
LAWRENCE TOWNSHIP; I. LANDAU;)
LERRIT, HENDERSON & CASEY;)
JEROME LIGHTMAN; LIGHTMAN DRUG)
CO.; LIVING SYSTEMS, INC.; LONG)
BRANCH TOWNSHIP; LOPATON CON-)
STRUCTION; LOWER BUCKS COUNTY;)
LUCKINS STEEL; M&A SALVAGE;)
MANALAPAN CARTAGE SVC.; MANALA-)
PAN TOWNSHIP; MARLBORO TOWNSHIP;)
MARLEEN J. MOZER; MILLSTONE)
TOWNSHIP; MINNESOTA MINING &)
MFG. CO.; MEK; MEADOWBROOK)
CARTAGE CO.; MONMOUTH SANITA-)
TION SVC; MONROE TOWNSHIP;)
MONROE TWP. MUNICIPAL UTILITIES)
AUTH.; MAAS & WELDSTEIN; MARIAN)
B. MACAULAY; MANALAPAN CARTAGE;)
MANZO EXCAV. CO.; MARLBORO)
PSYCHIATRIC HOSPITAL; ROGER)
MARTIN; WILLIAM MARTIN; MARTIN)
REALTY DEVEL., INC.; MATLACK;)
MATTY'S AUTO BODY SHOP; MAZZA &)

SONS; MAXWELL HOUSE; J. MATTHEWS;)
MCB CO.; SYLVESTER MC KELVEY;)
J.F. MC GREEVEY; MC KELVEY FUR-)
NITURE COMPANY; MEADOWBROOK)
CARTING CO.; M. EDWARDS LIGHT)
TRUCKING CONTR.; HARRY W. MEGILL;)
THOMAS A. MEHOLIC; MIHN'S BOAT)
YARD; MERCK PHARM.; MILLS CRANE;)
MIDEAST ALUMINUM; MILLHURST)
MILLS, INC.; M & T CHEMICAL;)
MOBILE CHEMICAL; MONMOUTH)
BATTLEFIELD STATE PARK; MON-)
MOUTH COUNTY BRIDGE DEPT.;)
MONMOUTH COUNTY HIGHWAY DEPT.;)
MONMOUTH COUNTY HISTORICAL)
ASSOC.; MONMOUTH COUNTY)
NATIONAL PARK; MONMOUTH COUNTY)
SHADE TREE COMMISSION; MON-)
FREEHOLD IND. PARK; MONMOUTH)
MECHANICAL CORP.; MONMOUTH)
MERCH. CO., INC.; MONMOUTH MUN.)
UTILITY; MONROE TWP.; MONROE)
TWP. MUN. UTIL.; MONTGOMERY TWP.;)
FRANK M. MUCCIO; J. MOUNT;)
NATIONAL WASTE DISPOSAL, INC.;)
NEPERA CHEM. CORP.; NESTLE CO.,)
INC.; SHERMAN NELSON; NEW EGYPT)
SALVAGE; NEW ENGLAND LAMINATES;)
CITY OF NEW BRUNSWICK; N.J. DEPT.)
HUMAN SVC.; N.J. DEPT. TRANSP.;)
N.J. INT'L MOVERS; N.J. TURN-)
PIKE AUTH.; NL INDUSTRIES; NORTH)
BRUNSWICK TWP.; NWL TRANS-)
FORMERS; OWENS CORNING; OWENS-)
ILLINOIS CORP.; OCEAN TWP.)
SEWER AUTHORITY; JOHN A.)
OLBIS AMUND J. OLSEN;)
OLSEN & HASSOLD, INC.; ONEIDA)
PKG. CO.; ON-SITE CON. CO.;)
ORRS MOTOR; OHIO CASUALTY INS.)
CO.; JOSEPH OSTROSKI, JR.;)
STOUT O'SULLIVAN; PINELAND)
SEPTIC SVC.; JOHN J. PINTO;)
PASSAIC COUNTY; PEN CHEMICAL;)
PENNWALT CORP.; PENNYWEIGHT &)
CO. STANLEY R. PERRINE; PETER)
J. SAKER, INC.; PFIZER; PLAINS-)
BORO TWP.; PLANT FOOD; AL POM-)
PONIO; POMPONIO TRUCKING &)
EXCAV.; P. PINTO & SON; IDA)
PRESTON; PRESTON EXCAV.;)
PRINCETON NURSERIES; PRINCETON)

TWP.; THOMAS PROCTOR; PROVINCE-)
LINE CONST. INC.; PYROLCA;)
GERALD QUAGLIETTA; QUALITY)
ROOFING CO.; RCA; JOHN W.)
RICHARDSON, JR.; ROHM & HAAS CO.)
ROOSEVELT BOROUGH; R&R; RANDOLPH)
TOWNSHIP; RANCOCAS VALLEY REFUSE)
DISPOSAL; RAYMOND C. RAYMOND;)
RAYMOND PRESTON, INC.; STUART)
REINER; REVLON; REFINED ONYX;)
RELIANCE UNIVERSAL; RECYCLING)
IND.; RHEEM; DONALD RIDDLE;)
RIDGE PRINTING; THOMAS D. RITZ;)
R.J. POST CONS.; R.L. TRUCKING;)
CRESCENT ROSELLE; SEYMOUR)
ROSENFARB; HARRY W. ROSH; R.T.D.)
CARTING; RUSSELL REID CO.;)
SCIENTIFIC CHEM. PROCESSING;)
LEIF R. SIGMOND; SOLVENTS RE-)
COVERY SVC.; SOUTHERN MON. REG.)
SEWERAGE; JOHN SAKER; P.S SAKER)
SANO CARTING CO., INC.; ROBERT W.)
SELLERS; RICHARD SCHNABLE;)
SCHNABLE TIRE CO.; JOSEPH L.)
SESSOCK; SCHAEFFER; SCHENECTADY)
CHEM.; DAVID C. SHADLE; DAVID)
C. SHAW; JOSEPH F. SHANNON;)
SEYMOUR SILVER; SILVER ENTER-)
PRISES; SILVERT'S FURNITURE;)
SILKA CHEM.; I. SHROTT; JOHN B.)
SMITH; T. FRED SMITH; STEVEN J.)
SOBECHKO; SOLITE; SQUIBB; S&S)
DISPOSAL STEINBACH CO.; STAR)
EXPENSION; E.G. STELLER; ROBERT)
STINSON; PAT K. STROMWASSER;)
SWAN PUMP & SUPPLY CO.; TAYLOR)
PUMPING SVC.; TOMS RIVER CHEM.)
CORP.; TWIN COUNTY DISPOSAL;)
LEONARD E. TAFT; GABRIELLE J.)
TASCIONE; TAYLOR MILLS; T.D.)
DE PONTE EXCAV.; TECH COATINGS;)
TENNECO; TENOX; THOMAS PROCTOR)
CO., VOORHEES J. THOMPSON;)
HAROLD R. TEST;)
THOMPSON DISPOSAL; TIDEWATER)
DISTRIBUTION; DENNIS TIMMERMAN;)
JAMES J. TRUNCER; UPPER FREE-)
HOLD TWP.; UNION CARBIDE; FRANK)
ULATOWSKI; VOGAL BREWESTER;)
ROGER W. VOGEL; WARD BROS. INC.;)
WASTE DISPOSAL, INC.; WATER)
TUNNEL CONS. CO.; WESTERN)

MONMOUTH UTIL; WEST WINDSOR)
 TWP.; ALVIN H. WHITE; WINDSOR)
 SEPTIC; WORTHINGTON BIOCHEMICAL;)
 WALL TWP.; WALTER C. HURLEY)
 CONST. CO.; WILLIAM F. WARD,)
 SR.; WEST LONG BRANCH EQUIP.;)
 WESTERN ELECTRIC CO.; WHITE)
 TRUCKING; HANS J. WIESE;)
 WILENTA BROS. CARTING; PETER)
 B. WILENTA; ARTHUR O. WILSON;)
 WINDSOR PUMPING; GILBERT)
 WINSTEN; WOODRIDGE TWP.; FRANK)
 L. WITMAN; WONDERICK; DAVID)
 WRIGHT; W.T.E.; JOHN M.)
 ZUCCARDELLI, III; ALEXANDER)
 FRANCIS ZYDALLAS; JOHN DOE (a)
 fictitious name, party intended)
 being unknown); JOHN ROE (a)
 fictitious name, party intended)
 being unknown); XYZ CORP. (a)
 fictitious name, party intended)
 being unknown).)
)
 DEFENDANTS.)

Defendant, Lone Pine Corporation, answering the Complaint of the plaintiffs, states the following:

1. The defendant Lone Pine Corporation admits that at the times and places set forth in the Complaint, they conducted a landfill known as the Lone Pine Landfill.
2. The defendant Lone Pine Corporation admits further that the landfill was operated from a period in 1959 until its closure in 1979.
3. The defendant Lone Pine Corporation admits further that during this period of time the landfill received garbage, refuse, waste from various haulers and generators and transporters.
4. Except as stated aforesaid, the defendants deny each and every remaining allegation in the Complaint insofar as it relates

to the negligent acts of the Lone Pine Corporation, its servants, agents and employees.

SEPARATE DEFENSES

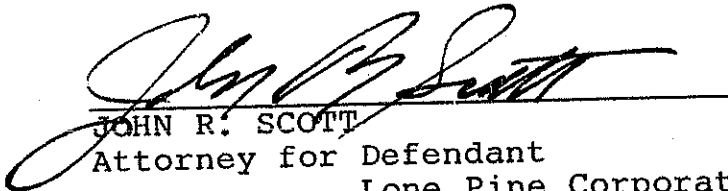
1. This defendant was guilty of no negligence which was the proximate cause of the damages alleged.
2. Any injuries or damages allegedly sustained by plaintiffs were the result of the negligence of third parties over whom this defendant exercised no control.

REQUEST FOR DAMAGES

PLEASE TAKE NOTICE that pursuant to Rule 4:8-1, the defendant Lone Pine Corporation demands plaintiffs to furnish a Statement of Damages claimed.

JURY DEMAND

The defendant Lone Pine Corporation hereby demands a trial by Jury on all issues.


JOHN R. SCOTT
Attorney for Defendant
Lone Pine Corporation

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 12 1985

M.V. 29
JOHN M. MAYSON
CLERK

Attorney(s): JOHN R. SCOTT, ESQ.
Office Address & Tel. No.: 387 Union Avenue P. O. Box 115
Belleville, New Jersey 07109
Attorney(s) for (201) 759-2654
Defendants Lone Pine

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

JOSEPH V. LORE ET ALS

Plaintiff(s)

vs.

LONE PINE CORPORATION ET AL

Defendant(s)

Docket No. L-033606-85

CIVIL ACTION

78
STIPULATION EXTENDING
TIME FOR ANSWER

It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s)

that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is hereby extended for a period of _____ days.

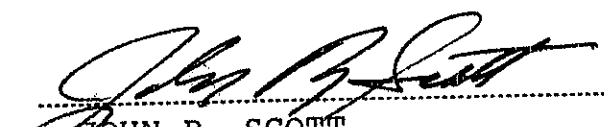
SHAMY & LUKE, ESQS.

By _____

Attorney(s) for Plaintiff(s)

Dated:

19 .


JOHN R. SCOTT
Attorney(s) for Defendant(s)

\$40

AUG 20 1985

SUPERIOR COURT OF N.J.
PAID

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 9 1985

M.V. 6
JOHN M. MAYSON
CLERK

JURY

MEHR & LAFRANCE

10 EAST MAIN STREET
P. O. BOX 680
FREEHOLD, NEW JERSEY 07728
(201) 431-4100

ATTORNEYS FOR Defendant, Frank's Auto Repair

JOSEPH V. LORE, et als,	:	SUPERIOR COURT OF
	:	NEW JERSEY
Plaintiff	:	LAW DIVISION
	:	MONMOUTH COUNTY
-vs-	:	DOCKET NO. L-033606-85
	:	Civil Action
LONE PINE CORPORATION, a New	:	ANSWER, CLAIM FOR CONTRIBUTION, REQUEST FOR DAMAGES AND JURY DEMAND
Jersey Corporation, et als	:	
Defendants	:	

09
F. A. R.

Defendant, Frank's Auto Repair, 70 Freehold Road, Englishtown, New Jersey, by way of Answer to the Complaint, insofar as it relates to this Defendant, says as follows:

FIRST COUNT

1. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the First Paragraph, and leaves Plaintiffs to their proofs.

2. The allegations of Paragraph 2 are denied.

3. The Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 3, 4 and 5, and leaves Plaintiffs to their proofs.

4. The allegations of Paragraphs 6, 7, 8 and 9 are denied.

5. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 10, except that this Defendant denies that it, its agents servants or employees, or anyone acting on behalf of this Defendant, caused any industrial, commercial waste, solid or other toxic to be negligently, improperly and/or unlawfully transported to, and/or dumped in the Lone Pine Landfill, in contravention of existing State and Federal Regulations.

6. The allegations of Paragraphs 11 and 12 are denied.

7. The allegations of Paragraph 13 insofar as they apply to this Defendant in Paragraph n-4 are denied. This Defendant is without information sufficient to form a belief as to the truth or falsity of the balance of the allegations contained in Paragraph 13, and leaves Plaintiffs to their proofs.

WHEREFORE, this Defendant demands Judgment dismissing the First Count of Plaintiffs' Complaint, with costs in favor of the Defendant.

SECOND COUNT

1. Defendant repeats all of its Answers to the First Count as though specifically set forth at length herein.

2. This Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of Paragraph 2 and leaves Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Second Count with costs in favor of this Defendant.

THIRD COUNT

1. Defendant repeats all of its Answers to the First and Second Counts as though specifically set forth at length herein.

2. This Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of Paragraph 2, and leaves Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Third Count of the Complaint with costs in favor of the Defendant.

FOURTH COUNT

1. Defendant repeats all of its Answers to the First, Second and Third Counts as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of Paragraph 2 and leaves Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. Defendant denies the allegations contained in Paragraph 3.

WHEREFORE, Defendant demands Judgment dismissing the Fourth Count with costs in favor of the Defendant.

FIFTH COUNT

1. Defendant repeats all of its Answers to the First, Second, Third and Fourth Counts of the Complaint as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of Paragraph 2 and leaves Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. Defendant repeats all of its Answers to the allegations contained in its Answer to this Fifth Count and makes them a part hereof as if set forth at length herein.

4. The Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 4, and leaves this Plaintiff to its proofs.

5. The allegations contained in Paragraph 5 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Fifth Count with costs in favor of the Defendant.

SIXTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First, Second, Third, Fourth and Fifth Counts as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of the second paragraph, and leaves the Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Sixth Count of the Complaint with costs in favor of the Defendant.

SEVENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First, Second, Third, Fourth, Fifth and Sixth Counts as though specifically set forth at length herein.

2. The allegations contained in Paragraphs 2 and 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Seventh Count with costs in favor of this Defendant.

EIGHTH COUNT

1. Defendant repeats its Answers to the allegations of the First through Seventh Counts, inclusive, as though specifically set forth at length herein.

2. Defendant is without information sufficient to form as belief as to the truth or falsity of the allegations contained in Paragraph 2 and leaves Plaintiff to his proofs.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Eighth Count with costs in favor of the Defendant.

NINTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Eighth Counts, inclusive, as though specifically set forth at length herein.

2. The allegations contained in Paragraphs 2 and 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Ninth Count with costs in favor of the Defendant.

TENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Ninth Counts, inclusive, as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 2 and leaves Plaintiff to his proofs.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Tenth Count of the Complaint with costs in favor of this Defendant.

ELEVENTH COUNT

1. Defendant repeats its Ansewrs to the allegations contained in the First through Tenth Counts, inclusive, as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of Paragraph 2 and leaves Plaintiff to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Eleventh Count of the Complaint with costs in favor of the Defendant.

TWELFTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Eleventh Counts, inclusive, as though specifically set forth at length herein.

2. The allegations contained in Paragraphs 2 and 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Twelfth Count of the Complaint with costs in favor of the Defendant.

THIRTEENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Twelfth Counts, inclusive, as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 2.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Thirteenth Count of the Complaint with costs in favor of the Defendant.

FOURTEENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Thirteenth Counts, inclusive, as though specifically set forth at length herein.

2. The allegations contained in Paragraphs 2 and 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Fourteenth Count with costs in favor of the Defendant.

FIFTEENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Fourteenth Counts, inclusive, as though specifically set forth at length herein.

2. The allegations contained in Paragraphs 2 and 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Fifteenth Count of the Complaint with costs in favor of the Defendant.

SIXTEENTH COUNT

1. Defendant repeats its Answers to the allegations contained in the First through Fifteenth Counts, inclusive, as though specifically set forth at length herein.

2. Defendant is without information sufficient to form a belief as to the truth or falsity of the allegations contained in the first sentence of the second paragraph and leaves Plaintiffs to their proofs. The balance of the allegations contained in Paragraph 2 are denied.

3. The allegations contained in Paragraph 3 are denied.

WHEREFORE, Defendant demands Judgment dismissing the Sixteenth Count of the Complaint with costs in favor of the Defendant.

FIRST SEPARATE DEFENSE

Plaintiffs are guilty of contributory negligence and such negligence was greater than the negligence of this Defendant. In the event such contributory negligence is adjudged to be not greater than the negligence of this Defendant, Defendant demands that the Plaintiffs' damages be diminished by the percentage of Plaintiffs' contributory negligence under the Comparative Negligence Act, N.J.S.A. 2A:15-5.1, et. seq.

SECOND SEPARATE DEFENSE

While denying liability to the Plaintiffs, in the event that the Defendant is adjudged to be negligent, the Defendant alleges that the Co-Defendants were negligent and such negligence proximately contributed to the occurrences complained of and the damages as alleged in the Complaint, and the Defendant, Frank's Auto Repair, demands proportionate contribution under the Comparative Negligence Act, N.J.S.A. 2A:15-5.3, et. seq. from the Co-Defendants.

THIRD SEPARATE DEFENSE

Plaintiffs claims are barred by the Statute of Limitations.

FOURTH SEPARATE DEFENSE

Plaintiffs claims are barred by the Doctrine of Laches.

FIFTH SEPARATE DEFENSE

Plaintiffs fail to state a claim upon which relief can be granted.

DEMAND FOR SPECIFICATION OF DAMAGES

The Defendant, Frank's Auto Repair, demands that the Plaintiffs specify the amount of damages sued for in each Count of the Complaint pursuant to Rule 4:5-2.

DEMAND FOR TRIAL BY JURY

The Defendant, Frank's Auto Repair, hereby demands a trial by jury.

MEHR & LaFRANCE, ESQUIRES
Attorneys for Defendant,
Frank's Auto Repair

By: 
PETER R. LaFRANCE

DATED: August 7, 1985

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 9 1985

R-12
JOHN M. MAYSON
CLERK

Attorney(s): MEHR & LaFRANCE, ESQUIRES
Office Address & Tel. No.: 10 East Main Street, P. O. Box 680, Freehold, N.J. 07728
(201) 431-4100
Attorney(s) for Defendant, Frank's Auto Repair

JOSEPH V. LORE, et als,

Plaintiff(s)

vs.
LONE PINE CORPORATION, a New
Jersey Corporation, et als,

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY
Docket No. L-033606-85

CIVIL ACTION

78

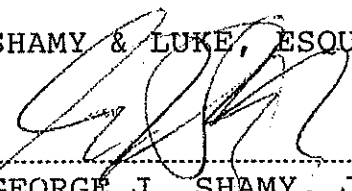
STIPULATION EXTENDING
TIME FOR ANSWER

It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s), Frank's Auto Repair

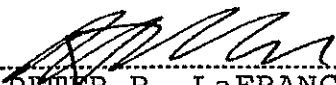
that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is hereby extended for a period of 30 days.

Dated: AUG 6 19 85 .

SHAMY & LUKE, ESQUIRES

By: 
GEORGE J. SHAMY, JR.
Attorney(s) for Plaintiff(s)

MEHR & LaFRANCE, ESQUIRES

By: 
PETER R. LaFRANCE
Attorney(s) for Defendant(s),
Frank's Auto Repair

203, ...
Docketed.

RECEIVED
MONMOUTH COUNTY
AUG 06 1986
JANNE G. COVATON
County Clerk

COMPUTER
There
AUG 07 1985

FILED
AUG 5 1985

MARSHALL SELIGOFF, J.S.C.

SECTION

CD. & FILED
SUPERIOR COURT
NEW JERSEY

6 15 1985

M.V. 11
M. MAYSON
CLERK

BUSCH AND BUSCH
99 BAYARD STREET
NEW BRUNSWICK, N. J. 08903
(201) 247-1017
ATTORNEYS FOR Deft., Township of East Brunswick

55

JOSEPH V. LORE, et al

Plaintiffs

vs

LONE PINE CORPORATION, et al

Defendants

SUPERIOR COURT OF
NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Docket No. L-033606-85

CIVIL ACTION

ORDER 30
for Dismissal

This matter was brought before the Court on July 12, 1985 upon the application of Busch and Busch, attorneys for the Township of East Brunswick, for an order dismissing Plaintiffs' Complaint against the Township of East Brunswick for failure to comply with the provisions of the New Jersey Tort Claims Act. The Court has considered the moving papers and any opposition filed thereto and for good cause shown, it is on this ~~5~~ day of *August*, 1985

ORDERED that Plaintiffs' Complaint against the Township of East Brunswick is dismissed for failure to comply with the provisions of the New Jersey Tort Claims Act and it is further

ORDERED that a copy of this Order be served upon all counsel within **10** days of the date hereof.

Marshall Berg
J.S.C.
Municipal Court
ASA

40-act

ACCT. CHGD.
SUPERIOR COURT OF N.J.
PAID
AUG 30 1985
LAW UNIT

JURY

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY
AUG 19 1985
M.V. 29
JOHN M. MAYSON
CLERK

RICHARD A. AMDUR
A PROFESSIONAL CORPORATION
STATE HIGHWAY 35
1 INDUSTRIAL WAY WEST
EATONTOWN, NEW JERSEY 07724
(201) 389-3800

ATTORNEY FOR Defendant-Freehold Borough

Plaintiff

JOSEPH V. LORE, et al.

vs.

Defendant

LONE PINE CORPORATION, et al.

09

SUPERIOR COURT OF
NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Docket No. L-033606-85

CIVIL ACTION

ANSWER, CROSSCLAIM FOR
CONTRIBUTION AND INDEMNIFICATION,
DEMAND FOR DAMAGES AND JURY DEMAND

as to J.B.

The defendant, Freehold Borough denies all of the allegations contained in the Complaint.

SEPARATE DEFENSES

1. At the time and place mentioned in the Complaint, the plaintiff was guilty of contributory negligence.
2. The incident and damages alleged in the Complaint were due to the negligence of others over whom this defendant had no control.

3. This defendant asserts immunity provided by law under Title 59 called the New Jersey Tort Claims Act.

CROSSCLAIM FOR CONTRIBUTION

The defendant demands contribution under the Joint Tortfeasors Act, N.J.S.A. 2A:53A1, et seq., from the co-defendants.

CROSSCLAIM FOR INDEMNIFICATION

By way of Crossclaim for Indemnification against the co-defendants, the defendant, states that:

1. While it denies that it was in any way negligent with respect to the injuries allegedly sustained by the plaintiffs, if it is found to have been negligent, then its negligence was secondary to the primary negligence of the co-defendants.

WHEREFORE, defendant demands judgment against the co-defendants for any and all sums which may be recovered against it by the plaintiffs.

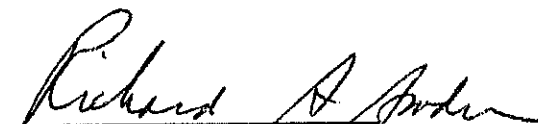
DEMAND FOR SPECIFICATION OF DAMAGES

Pursuant to R.R. 4:5-2, we hereby demand that you serve upon us within five (5) days from the date of service hereof upon you, a written specification of the amount of money damages claimed in the within cause of action.

We hereby certify that the within pleading was served within time in accordance with Rule 4:61(d). The defendant demands a trial by a jury.

Pursuant to R. 4:25-4, notice is hereby given that Richard A. Amdur, Esquire, is designated as trial counsel in the captioned matter.

RICHARD A. AMDUR, P.C.

BY: 
RICHARD A. AMDUR

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 19 1985

M.V. 29
JOHN M. MAYSON
CLERK

Attorney(s): RICHARD A. AMDUR, P.C.
Office Address & Tel. No.: P.O. BOX 190 OAKHURST, NEW JERSEY 07755
(201) 389-3800
Attorney(s) for Defendant-Freehold Borough

JOSEPH V. LORE, et al.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

vs.

Plaintiff(s)

Docket No. L-033606-85

LONE PINE CORPORATION, et al.

Defendant(s)

CIVIL ACTION

STIPULATION EXTENDING
TIME FOR ANSWER

It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s) Freehold Borough

that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is hereby extended for a period of 20 days.

Dated: August 1, 1985

SHAMY & LUKE, ESQS.

GEORGE J. SHAMY, JR.

Attorney(s) for Plaintiff(s)

RICHARD A. AMDUR, P.C.

RICHARD A. AMDUR

Attorney(s) for Defendant(s)

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

LAW ~~UNIT~~ UNIT

AUG 27 1985

SUPERIOR COURT OF N.J.
PAID

AUG 16 1985
M.V. 22 PM
JOHN M. MAYSON
CLERK

O'MALLEY, LOUGHRAN AND SURMAN
Lionshead Professional Building
17 Beaverson Boulevard
Post Office Box 220
Brick, New Jersey 08723
(201) 477-4200

Attorneys for Defendant Joseph R. DuBois, Individually and
Trading as Defendant Colonial Septic and Cesspool Cleaning

JOSEPH V. LORE, ET AL.,

Plaintiffs,

vs.

LONE PINE CORPORATION, ET AL.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

DOCKET NO. L-033606-85

Civil Action

ANSWER 09

J R DuBois / a C S & C C

Defendant Joseph R. DuBois, an individual trading as Defendant
Colonial Septic and Cesspool Cleaning, residing at 129 West Main Street,
Freehold, Monmouth County, New Jersey, by way of Answer to Plaintiffs'
Complaint says:

FIRST COUNT

1. He admits the allegations of Paragraphs 3, 4, and 5.
2. He denies the allegations of Paragraphs 12, 13(b-2), and 13(b-3).
3. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 1, 2, 6, 7, 8, 9, 10, 11,

13(a) through (Z-17) excepting (b-2) and (b-3) which are denied, 14, and 15 and leaves the Plaintiffs to their proofs.

SECOND COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

THIRD COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

FOURTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

FIFTH COUNT

1. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 1, 2, 4, and 5, and leaves Plaintiffs to their proofs.

2. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

SIXTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

SEVENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

EIGHTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

NINTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

TENIH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

ELEVENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

TWELFTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

THIRTEENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

FOURTEENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

FIFTEENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

SIXTEENTH COUNT

1. He repeats his answers to the foregoing allegations as if the same were set forth at length herein.

2. He lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraphs 2 and 3, and leaves Plaintiffs to their proofs.

FIRST AFFIRMATIVE DEFENSE

These Defendants did not breach any duty to the Plaintiffs.

SECOND AFFIRMATIVE DEFENSE

Such damages as Plaintiffs may have sustained were due solely to their negligent acts or the acts of others.

THIRD AFFIRMATIVE DEFENSE

Failure to state a claim upon which relief may be granted.

FOURTH AFFIRMATIVE DEFENSE

These Defendants had no knowledge or contractual privity with Plaintiffs.

FIFTH AFFIRMATIVE DEFENSE

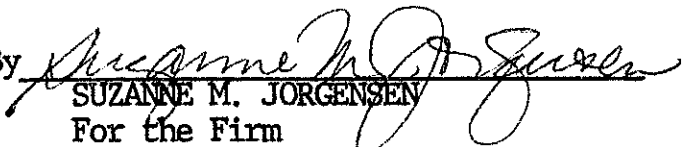
Plaintiff is barred from recovery against this Defendant, either in whole or in part, by the application of one or more of the following Doctrines or Standards:

A. Contributory and Comparative Negligence;

- B. Waiver;
- C. Estoppel;
- D. Laches;
- E. Statute of Limitations;
- F. Assumption of Risk;
- G. Breach of express or implied warranties;
- H. Failure to join necessary or indispensable parties.

O'MALLEY, LOUGHRAN AND SURMAN
Attorneys for Defendant
Joseph R. DuBois, Individually and
Trading as Colonial Septic and
Cesspool Cleaning

Dated: August 14, 1985

By 
SUZANNE M. JORGENSEN
For the Firm

FILED

AUG 5 1985

MARSHALL SELIKOFF, J.S.C.

SACHS & SACHS
45 E. Main St. (P.O. Box 394)
Holmdel, N.J. 07733
(201) 946-4620

Attorneys for Defendants Melody, Rash, Shaw, Truncer, Monmouth
County Bridge, Highway and Parks Departments and Monmouth
County Shade Tree Commission

JOSEPH LORE, et als.,

Plaintiffs,

v.

LONE PINE CORPORATION, et als.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

DOCKET NO. L-033606-85

30 Civil Action

ORDER OF DISMISSAL
AS TO DEFENDANTS MONMOUTH COUNTY
BRIDGE, HIGHWAY & PARKS DEPARTMENTS
AND MONMOUTH COUNTY SHADE TREE COMMISSION

Application having been made by Sachs & Sachs, Esqs.,
attorneys for defendants Melody, Rash, Shaw, Truncer, Monmouth
County Bridge, Highway and Parks Departments, and Monmouth County
Shade Tree Commission in the above-entitled matter; the
Court having read and considered the papers submitted; ~~and~~

~~and for good cause shown;~~

IT IS on this 5th day of August, 1985, ORDERED that
the Complaint be, and the same hereby is, dismissed as to
defendants Monmouth County Bridge Department, Monmouth County
Highway Department, Monmouth County Parks Department and Monmouth
County Shade Tree Commission for failure of the plaintiffs to

comply with the notice provisions of the New Jersey Tort
Claims Act.

J.S.C.

Answering/reply papers have been received from:

	Yes	No
Plaintiffs	()	()
Defendant		
Township of		
East Brunswick	()	()
Others	()	()
	()	()

CERTIFICATE OF SERVICE

- (X) I certify that a copy of the ^{known} within pleading was served upon all attorneys in the within matter by mailing same to them by United States Mail, on AUGUST 12, 1985.
- () I certify that a copy of the within pleading was served upon the following persons by mailing same to them by Certified Mail, R.R.R., on _____.
- () I certify that this pleading was served within the time permitted by Rule 4:6.
- () I certify that this pleading was served within the time permitted by Rule 4:6,
- () As extended by Extension of Time.
- () As acknowledged as within time.
- () As permitted by Court Order.
- () I certify that the original of the within pleading has been filed with the Superior Court Clerk, and that a clear copy thereof has been filed with the County Clerk indicated below:
- () Monmouth County Clerk
- () Middlesex County Clerk
- () Ocean County Clerk
- () _____ County Clerk
- ()

SACHS & SACHS
Attorneys for Various Depts

By: Robert A. Sachs

2031-06
Docketed.
FILED

AUG 5 1985

MARSHALL SELIKOFF, J.S.C.

RECEIVED
MONMOUTH COUNTY
AUG 06 1986
JANE G. CLAYTON
County Clerk

COMPUTER
Cherish
AUG 07 1985

SECTION

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 15 1985

M.V. 11
HM M. MAYSON
CLERK

SACHS & SACHS
45 E. Main St. (P.O. Box 394)
Holmdel, N.J. 07733
(201) 946-4620

Attorneys for Defendants Melody, Rash, Shaw, Truncer, Monmouth
County Bridge, Highway and Parks Departments and Monmouth
County Shade Tree Commission

JOSEPH LORE, et als.,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

Plaintiffs,

DOCKET NO. L-033606-85

v.

Civil Action 30

LONE PINE CORPORATION, et als.,

ORDER OF DISMISSAL
AS TO DEFENDANTS MONMOUTH COUNTY
BRIDGE, HIGHWAY & PARKS DEPARTMENTS
AND MONMOUTH COUNTY SHADE TREE COMMISSION

Defendants.

Application having been made by Sachs & Sachs, Esqs.,
attorneys for defendants Melody, Rash, Shaw, Truncer, Monmouth
County Bridge, Highway and Parks Departments, and Monmouth County
Shade Tree Commission in the above-entitled matter; the
Court having read and considered the papers submitted; ~~and~~

~~and~~ appearing in opposition, and for good cause shown;

IT IS on this 6 day of August, 1985, ORDERED that
the Complaint be, and the same hereby is, dismissed as to
defendants Monmouth County Bridge Department, Monmouth County
Highway Department, Monmouth County Parks Department and Monmouth
County Shade Tree Commission for failure of the plaintiffs to

comply with the notice provisions of the New Jersey Tort
Claims Act.

Marshall Selikoff

J.S.G. MARSHALL SELIKOFF
J.S.G.

Answering/reply papers have been received from:

	Yes	No
Plaintiffs	()	()
Defendant		
Township of		
East Brunswick	()	()
Others	()	()
	()	()

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY
AUG 16 1985
M.V. 3
JOHN M. MAYSON
CLERK

Attorney(s): VAN SICKLE & BIELORY, ESQS.
Office Address & Tel. No.: 2110 Hooper Avenue, Toms River, New Jersey 08753
(201) 255-6500
Attorney(s) for Defendant, COLONIAL POULTRY FARMS

JOSEPH V. LORE, et als.,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

Docket No. L-033606-85

Plaintiff(s)

vs.

LONE PINE CORPORATION, et als.,

Defendant(s)

CIVIL ACTION

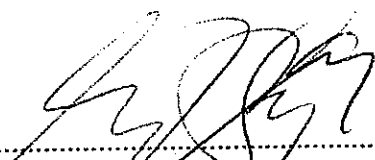
STIPULATION EXTENDING
TIME FOR ANSWER

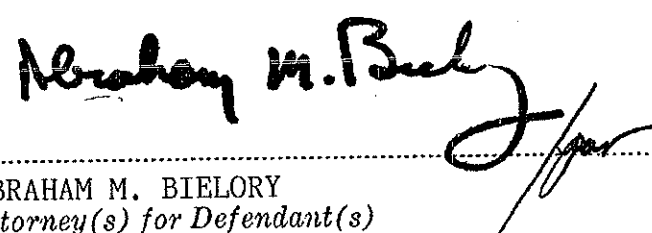
78

It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s), COLONIAL POULTY FARMS,

that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is hereby extended for a period of 30 days.

Dated: August 9, 19 85 .


GEORGE J. SHAMY, JR.
Attorney(s) for Plaintiff(s)


ABRAHAM M. BIELORY
Attorney(s) for Defendant(s)

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 19 1985

M.V. 11
JOHN M. MAYSON
CLERK

O'MALLEY, LOUGHRAN AND SURMAN
Lionshead Professional Building
17 Beaverson Boulevard
Post Office Box 220
Brick, New Jersey 08723
(201) 477-4200

Attorneys for Defendant Joseph R. DuBois, Individually and
Trading as Defendant Colonial Septic and Cesspool Cleaning

JOSEPH V. LORE, ET AL.,
Plaintiffs,

vs.

LONE PINE CORPORATION, ET AL.,
Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY

DOCKET NO. L-033606-85

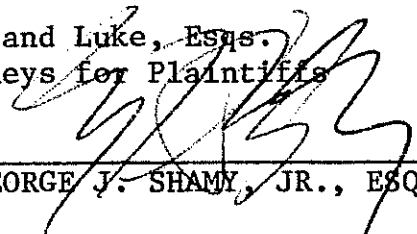
Civil Action

STIPULATION EXTENDING TIME
TO ANSWER

It is hereby stipulated and agreed by and between the attorney for the Plaintiffs, Joseph V. Lore, et al., and the attorney for the Defendant, Joseph R. DuBois, individually and trading as Defendant Colonial Septic and Cesspool Cleaning, that the time within which the said Defendant may serve and file a responsive pleading to the Complaint is hereby extended for a period of 30 days.

Shamy and Luke, Esqs.
Attorneys for Plaintiffs

Dated:

By 
GEORGE J. SHAMY, JR., ESQ.

O'Malley, Loughran and Surman, Esqs.
Attorneys for Defendant DuBois and Colonial

Dated: August 8, 1985

By 
SUZANNE M. JORGENSEN, ESQ.

Filed
SUPERIOR COURT
OF NEW JERSEY
SEP 30 1965
R-12
JOHN M. MAYSON
CLERK

PAID
OCT 9 1965
FINANCE SECT.

40

GRUNIN & KALMANOWITZ, ESQS., P. A.
A PROFESSIONAL CORPORATION
1027 HOOPER AVENUE
TOMS RIVER, NEW JERSEY 08753
(201) 341-5800
ATTORNEYS FOR Defendant

Plaintiff JOSEPH V. LORE, ELEANOR LORE, JAMES DEITZ, MODESTA S. DEITZ, KENNETH MCKENZIE CAMERON J. HILLMANN, MILDRED L. HILLMANN and RATON HOLDING CO., ROBERT T. SEAMAN, SR., MARIAN J. SEAMAN, FELIX J. MC CABE and CAROL A. MC CABE, CATHERINE LOWENBURG KAREN WARD, ARTHUR PONTRELLI AND SARAH PONTRELLI

SUPERIOR COURT OF
NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Docket No. L-033606-85

Defendant vs.
WILENTA BROTHERS CARTING
THE ESTATE OF PETER B. WILENTA, et al

CIVIL ACTION

09 ANSWER

W. B. C. & T. L. O.
P. B. W.

Defendants, Wilenta Brothers Carting and The Estate of Peter B. Wilenta, by way of Answer to the Plaintiffs' Complaint says:

Defendants, Wilenta Brothers Carting and The Estate of Peter B. Wilenta deny each and every allegation contained in the Plaintiffs' Complaint in so far as said allegations relate to said Defendants.

FIRST SEPARATE DEFENSE

The allegations of the Plaintiffs' Complaint and the relief sought by Plaintiffs fail to state a cause of action for which relief may be granted.

SECOND SEPARATE DEFENSE

Any claim that the Plaintiffs' may have to relief is barred by the statute of limitations.

THIRD SEPARATE DEFENSE

The allegations of the Complaint and the relief sought by the Plaintiffs' are barred by the public policy of this state.

FOURTH SEPARATE DEFENSE


The allegations of the Complaint and the relief sought by the Plaintiffs' are barred by the Plaintiffs' failure to mitigate their damages if any.

FIFTH SEPARATE DEFENSE

The allegations of the Complaint and the relief sought by the Plaintiffs' are barred by conduct amounting to a release.

WHEREFORE, Defendants Wilenta Brothers Carting and The Estate of Peter B. Wilenta demand judgment as follows:

1. Dismissing the Plaintiffs' Complaint.
2. Awarding the Defendants attorney fees and costs of this suit to be taxed.
3. Awarding the Defendants such further relief as this court may deem equitable and just.


LINDA KALMANOWITZ
Attorney for Defendants
Wilenta Bros. Carting
Estate of Peter B. Wilenta

Dated: September 23, 1985

CERTIFICATION OF SERVICE

I certify that the within Answer was served upon the attorney for the Plaintiffs within the time period prescribed by the Rules of Court. I further certify that the within Answer was filed with the Clerk of the Superior Court in Trenton pursuant to the Rules of Court.

GRUNIN & KALMANOWITZ
Attorneys for Defendants

By: 
LINDA KALMANOWITZ

Dated: September 23, 1985

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

docketed

FILED

AUG 26 1985

WALTER H. GEHRICKE, J.S.C.

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COMPUTER
Force
AUG 30 1985

SEP 4 1985

M.V. 8
JOHN M. MAYSON
CLERK

RECEIVED
MONMOUTH COUNTY
AUG 28 1985
JANE G. CLAYTON
County Clerk

JOSEPH BUTTAFUOCO
64-72 Schuyler Avenue
Kearny, NJ
(Harrison Post Office 07029)
(201) 998-7355
Attorney for Defendant(s)
Paul Kovalski

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et al

Plaintiff(s),

Civil Action

vs.

CONSENT ORDER EXTENDING
TIME TO SERVE ANSWER

78

LONE PINE CORPORATION, et al

Defendant(s).

.....
The matter being opened to the Court by Joseph Buttafuoco, attorney for the defendant(s), Paul Kovalski, on motion to enlarge the time of said defendant(s) to serve and file an Answer to the Complaint or otherwise plead in this action, and George J. Shamy, Jr. attorney for the plaintiff consenting thereto; and the Court being of the opinion that good cause for such enlargement of the time to Answer or otherwise plead has been shown;

IT IS on this 26th day of August, 1985,
ORDERED that the time of the defendant(s), Paul Kovalski, to serve and file an Answer to the Complaint of the plaintiff or otherwise plead in this matter be extended to the 6th day of September, 1985.

Walter H. Gehricke
J.S.C.

WALTER H. GEHRICKE J.S.C.

I hereby consent to the form and entry of the within Order.

George J. Shamy, Jr.
George J. Shamy, Jr.
Attorney for Plaintiff(s)

P.C.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 18 1985

M.V. 22 SR
JOHN M. MAYSON
CLERK

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :

Plaintiffs, :

-vs- :

LONE PINE CORPORATION, A
Corporation of the State of
New Jersey, et als, :

Defendants. :

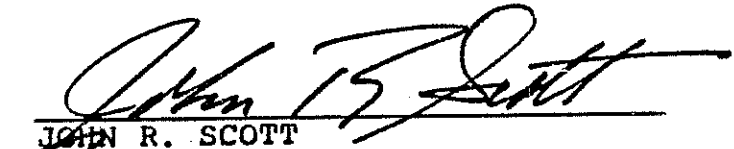
Civil Action

26

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant CHARLES L. HENDRICKSON, SR. says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

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SUPERIOR COURT
OF NEW JERSEY

SEP 9 1985

M.V. 6
JOHN M. MAYSON
CLERK

Attorney(s): Pitney, Hardin, Kipp & Szuch, 163 Madison Avenue,
Office Address & Tel. No.: Morristown, New Jersey 07960
(201) 267-3333

Attorney(s) for Defendant
Union Carbide Corporation

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

JOSEPH V. LORE, et al.,

Plaintiff(s)

vs.

LONE PINE CORPORATION, et al.,

Defendant(s).

Docket No. L-033606-85

CIVIL ACTION

STIPULATION EXTENDING
TIME FOR ANSWER

78

It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for defendant(s) UNION CARBIDE CORPORATION

that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is hereby extended for a period of 30 days.

Dated: August 30, 1985

SHAMY & LUKE ESQ.

By

Attorney(s) for Plaintiff(s)

PITNEY, HARDIN, KIPP & SZUCH

By

Attorney(s) for Defendant(s)

P.C.

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

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JOHN M. MAYSON
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :
-vs- :
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

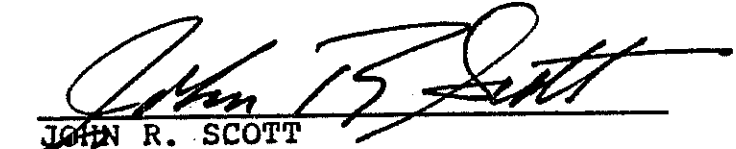
26

Civil Action

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant HARRY W. RASH says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

J.R.C.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 28 1985

M.V. 22

JOHN M. MAYSON
CLERK

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :
-vs- :
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

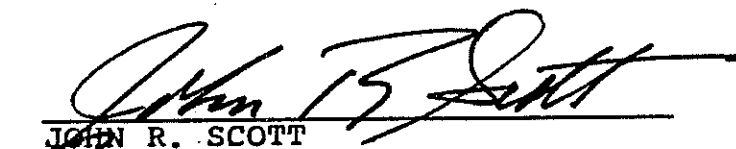
26

Civil Action

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant DAVID C. SHAW says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

JURY

acc 40

RECD & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 8 1985

ASST. CLERK
SUPERIOR COURT OF N.J.
PAID
SEP 10 1985
LAW UNIT

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JOHN M. MAYSON
CLERK

CT

VAN SICKLE & BIELORY, ESQS.
2110 Hooper Avenue
Toms River, New Jersey 08753
(201) 255-6500

Attorneys for Defendant, COLONIAL POULTRY FARMS, INC.

JOSEPH V. LORE, et als.,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION - MONMOUTH COUNTY
Plaintiffs	:	DOCKET NO. L-033606-85
vs.	:	69 CIVIL ACTION
LONE PINE CORPORATION, et als.,	:	ANSWER, CROSSCLAIMS, ANSWER TO
Defendants	:	CROSSCLAIMS, DEMAND FOR
	:	STATEMENT OF DAMAGES AND
	:	JURY DEMAND
	:	<i>C. P. F. Inc.</i>

Defendant, Colonial Poultry Farms, Inc., incorrectly designated as Colonial Poultry Farms, hereinafter referred to as Colonial, by way of Answer to plaintiffs' Complaint, says:

AS TO FIRST COUNT

1. Colonial is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 1.
2. Colonial makes no response to the allegations of Paragraphs 2 through 9 as they do not pertain to it.
3. Colonial denies the allegations of Paragraphs 10, 11, and 12.
4. Colonial denies the allegations of Paragraph 13 (a-2).
5. Colonial makes no response as to the remainder of the allegations of Paragraph 13 as it does not pertain to it.

AS TO SECOND COUNT

1. Colonial repeats and realleges each and every answer given to the First Count of plaintiffs' Complaint as though set forth herein at length.
2. Colonial has no knowledge or information sufficient to form a belief as to the ownership of the property in question and denies the remaining allegation of Paragraph 2.
3. Colonial denies the allegations of Paragraph 3.

AS TO THIRD COUNT

1. Colonial repeats and realleges each and every answer given to the First and Second Counts of plaintiffs' Complaint as though set forth herein at length.
2. Colonial has no knowledge or information sufficient to form a belief as to the ownership of the property mentioned and denies the remainder of the allegation of Paragraph 2.
3. Colonial denies the allegations of Paragraph 3.

AS TO FOURTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Third Counts of plaintiffs' Complaint as though set forth herein at length.
2. Colonial has no knowledge or information sufficient to form a belief as to the ownership of the property mentioned and denies the remainder of the allegation of Paragraph 2.
3. Colonial denies the allegations of Paragraph 3.

AS TO FIFTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Fourth Counts of plaintiffs' Complaint as though set forth herein at length.
2. Colonial has no knowledge or information sufficient to form a belief as to the allegations of Paragraphs 1, 2, and 4.
3. Colonial denies the allegations of Paragraph 5.

AS TO SIXTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Fifth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial has no knowledge or information sufficient to form a belief as to the ownership of the property mentioned and denies the remainder of the allegation of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

AS TO SEVENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Sixth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial denies the allegations of Paragraphs 2 and 3.

AS TO EIGHTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Seventh Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

AS TO NINTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Eighth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial denies the allegations of Paragraphs 2 and 3.

AS TO TENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Ninth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

AS TO ELEVENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Tenth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial is without knowledge or information sufficient to form a belief as to the ownership of the property in question and denies the remainder of the allegation of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

AS TO TWELFTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Eleventh Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial denies the allegations of Paragraphs 2 and 3.

AS TO THIRTEENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Twelfth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

AS TO FOURTEENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Thirteenth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial denies the allegations of Paragraphs 2 and 3.

AS TO FIFTEENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Fourteenth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial denies the allegations of Paragraphs 2 and 3.

AS TO SIXTEENTH COUNT

1. Colonial repeats and realleges each and every answer given to the First through Fifteenth Counts of plaintiffs' Complaint as though set forth herein at length.

2. Colonial is without knowledge or information sufficient to form a belief as to the ownership of the property in question and denies the remainder of the allegation of Paragraph 2.

3. Colonial denies the allegations of Paragraph 3.

FIRST AFFIRMATIVE DEFENSE

This defendant has not been negligent.

SECOND AFFIRMATIVE DEFENSE

This defendant has not violated any duty owed to any of the plaintiffs.

THIRD AFFIRMATIVE DEFENSE

The injuries sustained by plaintiffs, if any, are the results of acts of other parties other than Colonial.

FOURTH AFFIRMATIVE DEFENSE

Without admitting any negligence on their part, Colonial says that if, in fact, such negligence is found, then the claims asserted against it are barred or, in the alternative, the recoverable damages are reduced by reason of the Comparative Negligence Act, N.J.S.A. 2A:15-5.1, et seq.

FIFTH AFFIRMATIVE DEFENSE

The injuries sustained by plaintiffs, if any, are the result of avoidable consequences of plaintiffs' own acts.

SIXTH AFFIRMATIVE DEFENSE

The damages sustained, if any, are a result of the acts of third parties over whom Colonial has no control.

SEVENTH AFFIRMATIVE DEFENSE

The cause of action asserted by plaintiffs is barred by the Statute of Limitations, N.J.S.A. 2A:14-2.

EIGHTH AFFIRMATIVE DEFENSE

The cause of action asserted by plaintiffs is barred.

NINTH AFFIRMATIVE DEFENSE

The cause of action asserted against Colonial is barred by public policy.

CROSSCLAIM FOR INDEMNIFICATION

Colonial demands indemnification from all parties or entities which hauled, transported, stored or otherwise acted with respect to any substances which may have at any time been in the possession of this defendant and which gives rise to any cause of action arising in favor of plaintiffs.

CROSSCLAIM FOR CONTRIBUTION

Colonial demands contribution from all other defendants pursuant to the New Jersey Joint Tortfeasors' Contribution Act, N.J.S.A. 2A:53A-1, et seq., and the Comparative Negligence Act, N.J.S.A.2A:15-15.1, et seq.

ANSWER TO CROSSCLAIMS

Colonial, by way of Answer to any Crossclaims which have been or may be filed against them, says:

They deny any allegations of a Crossclaim and further deny that any other parties are entitled to indemnification or contribution from them.

DEMAND FOR STATEMENT OF DAMAGES

Pursuant to R.4:5-2, Colonial demands that plaintiffs furnish a written statement of the amount of damages claimed as to this defendant within five (5) days hereof.

JURY DEMAND

This defendant demands trial by a jury of twelve (12) persons.

VAN SICKLE & BIELORY, ESQS.

By Abraham M. Bielory
ABRAHAM M. BIELORY
Attorneys for Defendant,
Colonial Poultry Farms, Inc.

DATED: August 29, 1985

DESIGNATION OF TRIAL COUNSEL

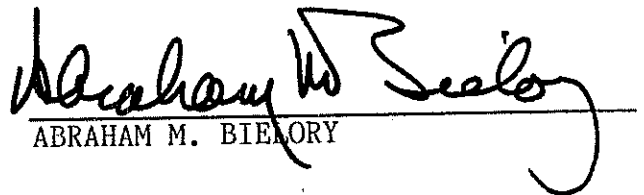
Pursuant to the provisions of R. 4:25-4, the Court is advised that Abraham M. Bielory, Esquire, of the law firm of Van Sickle & Bielory, Esqs., is hereby designated as trial counsel in regard to the above entitled matter.

VAN SICKLE & BIELORY, ESQS.

By 
ABRAHAM M. BIELORY

CERTIFICATION

I hereby certify that the within Answer, Crossclaims, Answer to Crossclaims, Demand for Statement of Damages, and Jury Demand was filed with the Clerk of the Superior Court in Trenton within the time as extended by counsel and that a clear-cut copy was forwarded to my adversary, George J. Shamy, Jr., Esquire, attorney for the plaintiffs, and to all other counsel who have answered and who are listed on the attached sheet.


ABRAHAM M. BIELORY

DATED: August 29, 1985

Richard Amdur, Esquire
P. O. Box 190
Oakhurst, New Jersey 07755
Attorney for Freehold Borough

Sanford D. Brown, Esquire
Dawes & Brown, Esqs.
64 West Main Street
P. O. Box 391
Freehold, New Jersey 07728
Attorney for Hendrickson Excavating
and Charles Hendrickson, Sr.

Joseph Buttafuoco, Esquire
64-72 Schuyler Avenue
Kearny, New Jersey
Harrison Post Office 07029
Attorney for Paul Kovalski

H. Frank Carpentier, Esquire
Carton, Nary, Witt & Arvanitis,, Esqs.
Route 66 at Garden State Parkway
P. O. Box 1229
Asbury Park, New Jersey 07712
Attorney for Freehold Raceway

John Paul Dizzia, Esquire
Dizzia & Mullin, Esqs.
86 Hudson Street
Hoboken, New Jersey 07030
Attorney for Freehold Borough

Lane M. Ferdinand, Esquire
Rachmiel & Ferdinand, Esqs.
99 Morris Avenue
Springfield, New Jersey 07081
Attorney for Timmerman

William J. Friedman, Esquire
Pitney, Hardin, Kipp & Szuch, Esqs.
163 Madison Avenue
CN 1945
Morristown, New Jersey 07960-1945
Attorney for Union Carbide, American
Cyanamid, Ciba-Geigy and Diamond
Shamrock

Vincent E. Halleran, Jr., Esquire
56 West Main Street
Freehold, New Jersey 07728
Attorney for Halo

Suzanne M. Jorgensen, Esquire
O'Malley, Loughran & Surman, Esqs.
17 Beaverson Boulevard
P. O. Box 220
Brick Town, New Jersey 08723
Attorney for Joseph R. Du Bois
and Colonial Septic

Peter R. LaFrance, Esquire
Mehr & LaFrance, Esqs.
10 East Main Street
P. O. Box 680
Freehold, New Jersey 07728
Attorney for Frank's Auto Repair

Granville D. Magee, Esquire
Magee & Graham, Esqs.
Route 35 & Allaire Road
P. O. Box 1200
Wall Township, New Jersey 07719
Attorney for Freehold Township
and Water Department

William J. O'Hagan, Jr., Esquire
Stout, O'Hagan & O'Hagan, Esqs.
1411 Highway 35 North
Ocean Township, New Jersey 07712
Attorney for Englistown Auction Sales

Robert A. Sachs, Esquire
Sachs & Sachs, Esqs.
45 East Main Street
P. O. Box 394
Holmdel, New Jersey 07733
Attorney for Melody, Rash, Shaw,
and Truncer

John R. Scott, Esquire
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
Attorney for Lone Pine Corporation

George J. Shamy, Jr., Esquire
Shamy & Luke
178 Livingston Avenue
New Brunswick, New Jersey 08901
Attorney for Plaintiffs

John L. Slimm, Esquire
Slimm, Dash & Goldberg, Esqs.
216 Haddon Avenue
P. O. Box 2222
Westmont, New Jersey 08108
Attorney for Englishtown Auction Sales

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 28 1985

M.V. 22
JOHN M. MAYSON
CLERK

AK

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

PC

JOSEPH V. LORE, et als, :

Plaintiffs, :

-vs- :

Civil Action

LONE PINE CORPORATION, A
Corporation of the State of
New Jersey, et als, :

Defendants. :

ANSWER TO CROSSCLAIMS

JL

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant EUGENE MELODY says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.

John R. Scott
JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 28 1985

M.V. 22
JOHN M. MAYSON
CLERK

DP

pe

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :

Civil Action

-vs- :

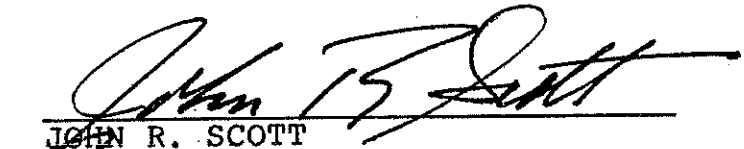
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

ANSWER TO CROSSCLAIMS

JS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant TOWNSHIP OF EAST BRUNSWICK says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

40-02

LAW ~~UNIT~~ UNIT

SEP 18 1985

SUPERIOR COURT OF N.J.
PAID

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 3 1985

M.V. 22
JOHN M. MAYSON
CLERK

JURY

DIZZIA & MULLIN, P.C.
86 Hudson Street
Hoboken, New Jersey 07030
(201) 656-1000
Attorneys for Defendant,
BOROUGH OF ALLENTOWN

JOSEPH V. LORE, et als,

Plaintiffs,
v.

LONE PINE CORPORATION, et als,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY

Docket No. L-033606-85

CIVIL ACTION

ANSWER, SEPARATE DEFENSES,
CROSSCLAIMS, REQUEST FOR
STATEMENT OF DAMAGES, AND
JURY DEMAND

as to B.O.A.

The defendant, BOROUGH OF ALLENTOWN, by way of Answer to the Complaint of the Plaintiffs, says:

Except to admit that the defendant, BOROUGH OF ALLENTOWN, is a municipality as alleged at Paragraph 13(c) of the First Count of the Complaint, this defendant denies each and every allegation of Paragraph 13(c) of the First Court, and denies each and every other allegation of the

Complaint in its entirety, insofar as same pertains to this defendant, and leaves the plaintiffs to their proofs.

FIRST SEPARATE DEFENSE

This defendant was free of any and all negligence.

SECOND SEPARATE DEFENSE

This defendant owed no duty to plaintiffs.

THIRD SEPARATE DEFENSE

Any damages or injuries which may have been sustained were not proximately caused by this defendant.

FOURTH SEPARATE DEFENSE

Any damages or injuries allegedly sustained were caused by the sole negligence of the plaintiffs.

FIFTH SEPARATE DEFENSE

Any damages or injuries which may have been sustained were caused by the sole negligence of a third party or parties over whom this defendant had no control.

SIXTH SEPARATE DEFENSE

Any damages or injuries which may have been sustained were caused through the sole negligence of one or more of the co-defendants herein.

SEVENTH SEPARATE DEFENSE

Any damages or injuries which may have been sustained were the result of an unavoidable accident.

EIGHTH SEPARATE DEFENSE

Plaintiffs were guilty of contributory negligence to an extent barring any recovery.

NINTH SEPARATE DEFENSE

Any damages or injuries claimed herein are limited by the laws of the State of New Jersey respecting comparative negligence, i.e. N.J.S.A. 59:9-4.

TENTH SEPARATE DEFENSE

The Complaint is barred by and/or this defendant is immune from suit under the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq.

ELEVENTH SEPARATE DEFENSE

The Complaint is barred for failure to comply with the prerequisites to suits against public entities, i.e. N.J.S.A. 59:8-1 through N.J.S.A. 59:8-11.

TWELFTH SEPERATE DEFENSE

Any recovery to which plaintiffs might otherwise be entitled is subject to the reductions and limitations of N.J.S.A. 59:9-2.

THIRTEENTH SEPERATE DEFENSE

The Complaint fails to state a claim upon which relief can be granted against this defendant.

FOURTEENTH SEPERATE DEFENSE

The Complaint is barred, in whole or in part, by the applicable statute of limitations.

The defendant, BOROUGH OF ALLENTOWN, reserves the right to amend this Answer to assert additional defenses and to make further admissions upon completion of further investigation and discovery.

CROSSCLAIMS

The defendant, BOROUGH OF ALLENTOWN, by way of Crossclaim against all co-defendants, says:

FIRST COUNT

While denying any liability herein, the BOROUGH OF ALLENTOWN, asserts that should liability be found against it, it is entitled to and hereby claims contribution from

all co-defendants herein, pursuant to the provisions of the New Jersey Joint Tortfeasors Contribution Law, N.J.S.A. 2A:53A-1, et seq., and the Comparative Negligence Act, N.J.S.A. 2A:15-5.1.

SECOND COUNT

While denying any negligence in any regard, the BOROUGH OF ALLENTOWN asserts that its negligence, if any was passive, vicarious and imputed, whereas the negligence of the co-defendants was active and primary.

WHEREFORE, the BOROUGH OF ALLENTOWN demands judgment by way of indemnity against the co-defendants for any judgment which may be entered in favor of the plaintiffs against the BOROUGH OF ALLENTOWN.

THIRD COUNT

The defendant, BOROUGH OF ALLENTOWN, by way of Crossclaim against the co-defendants Albert S. Brown, Hecht Bros., Ins. and J. Vince & Sons, Inc., says:

While denying any liability herein or any negligence in any regard, the BOROUGH OF ALLENTOWN, asserts and alleges that there exists a relationship between it and each of the above stated three co-defendants, arising out of contract, or otherwise imposing a legal duty, entitling the BOROUGH OF ALLENTOWN to indemnification from each of said co-defendants.

WHEREFORE, the BOROUGH OF ALLENTOWN demands judgment of restitution and/or indemnification against the co-defendants Albert S. Brown, Hecht Bros. Inc, and J. Vince & Sons, Inc.

REQUEST FOR STATEMENT
OF DAMAGES

TAKE NOTICE, that in accordance with R.4:5-2, this defendant requires of the plaintiffs, within five (5) days of service hereof, a written statement of the amount of damages claimed by each plaintiff in the within action.

DEMAND FOR JURY

In accordance with R.4:35-1 this defendant demands trial by jury on all issues.

DIZZIA & MULLIN, P.C.
Attorneys for Defendant
Borough of Allentown

BY: 

John Paul Dizzia, Esq.

Dated: Hoboken, New Jersey
August 30, 1985

CERTIFICATE OF SERVICE

It is hereby certified that the within pleading was served upon the attorneys for the plaintiffs within the time required by R. 4:6-1; and that it was served upon all other attorneys of record in accordance with R.1:5.

DIZZIA & MULLIN, P.C.
Attorneys for Defendant
The Grad Partnership
Borough of Allentown

BY:



John Paul Dizzia, Esq.

August 30, 1985

DIZZIA & MULLIN, P.C.
86 Hudson Street
Hoboken, New Jersey 07030
(201) 656-1000
Attorneys for Defendant,
BOROUGH OF ALLENTOWN.

FILED

AUG 26 1985

RECEIVED
MONMOUTH COUNTY
AUG 26 1985
JANE G. CLAYTON
County Clerk

WALTER H. GEHRICKE, J.S.C.
REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

JOSEPH V. LORE, et als,

SEP 3 1985

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY

Plaintiffs, R-6

JOHN M. MAYSON
CLERK

Docket No. L-033606-85

v.

Civil Action

LONE PINE CORPORATION, et als, :

CONSENT ORDER GRANTING LEAVE TO
FILE ANSWER

Defendants. : 78

This matter being open to the Court by DIZZIA & MULLIN,
P.C., Attorneys for the defendant, BOROUGH OF ALLENTOWN,
on said defendant's application for leave to file an Answer
or otherwise move with respect to the Complaint and good
cause being shown;

IT IS ON THIS 29th DAY OF *July*, 1985 ORDERED
that the defendant, BOROUGH OF ALLENTOWN, be and is hereby
granted leave to file an Answer to the Complaint within 10
days from the date of this Order.

Walter H. Gehricke
J.S.C.

I hereby consent to the entry
of the foregoing Order.

[Signature]
SHAMY & LUKE, ESQS.
Attorneys for Plaintiffs,
JOSEPH V. LORE, et als.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 3 1985

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JOHN M. MAYSON
CLERK

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LAW UNIT
SEP 16 1985
SUPERIOR COURT OF N.J.
PAID

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SUPERIOR COURT
OF NEW JERSEY

SEP 11 1985

M.V. 22
JOHN M. MAYSON
CLERK

JOSEPH BUTTAFUOCO
64-72 Schuyler Avenue
Kearny, NJ
(Harrison Post Office 07029)
(201) 998-7355
Attorney for Defendant
Paul Kovalski

JOSEPH V. LORE, et al
Plaintiffs

JURY

vs.

LONE PINE CORPORATION, et al
Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO. L-033606-85

Civil Action

ANSWER, CROSSCLAIM, ANSWER TO
ALL CROSSCLAIMS, REQUEST FOR
DAMAGES AND JURY DEMAND

09

PK

Defendant, Paul Kovalski, by way of Answer to the Complaint as filed by the plaintiffs above, says:

1. He denies the allegations contained in Paragraph #1 of the First Count of the Complaint.
2. He denies the allegations contained in Paragraph #2 of the First Count of the Complaint.
3. He denies the allegations contained in Paragraph #3 of the First Count of the Complaint.
4. He denies the allegations contained in Paragraph #4 of the First Count of the Complaint.
5. He denies the allegations contained in Paragraph #5 of the First Count of the Complaint.
6. He denies the allegations contained in Paragraph #6 of the First Count of the Complaint.
7. He denies the allegations contained in Paragraph #7 of the First Count of the Complaint.

8. He denies the allegations contained in Paragraph #8 of the First Count of the Complaint.
9. He denies the allegations contained in Paragraph #9 of the First Count of the Complaint.
10. He denies the allegations contained in Paragraph #10 of the First Count of the Complaint.
11. He denies the allegations contained in Paragraph #11 of the First Count of the Complaint.
12. He denies the allegations contained in Paragraph #12 of the First Count of the Complaint.
13. He denies the allegations contained in Paragraph #13 of the First Count of the Complaint.
14. He denies the allegations contained in Paragraph #14 of the First Count of the Complaint.
15. He denies the allegations contained in Paragraph #15 of the First Count of the Complaint.
16. He denies the allegations contained in Paragraph #1 of the Second Count of the Complaint.
17. He denies the allegations contained in Paragraph #2 of the Second Count of the Complaint.
18. He denies the allegations contained in Paragraph #3 of the Second Count of the Complaint.
19. He denies the allegations contained in Paragraph #1 of the Third Count of the Complaint.
20. He denies the allegations contained in Paragraph #2 of the Third Count of the Complaint.
21. He denies the allegations contained in Paragraph #3 of the Third Count of the Complaint.
22. He denies the allegations contained in Paragraph #1 of the Fourth Count of the Complaint.

23. He denies the allegations contained in Paragraph #2 of the Fourth Count of the Complaint.
24. He denies the allegations contained in Paragraph #3 of the Fourth Count of the Complaint.
25. He denies the allegations contained in Paragraph #1 of the Fifth Count of the Complaint.
26. He denies the allegations contained in Paragraph #2 of the Fifth Count of the Complaint.
27. He denies the allegations contained in Paragraph #3 of the Fifth Count of the Complaint.
28. He denies the allegations contained in Paragraph #4 of the Fifth Count of the Complaint.
29. He denies the allegations contained in Paragraph #5 of the Fifth Count of the Complaint.
30. He denies the allegations contained in Paragraph #1 of the Sixth Count of the Complaint.
31. He denies the allegations contained in Paragraph #2 of the Sixth Count of the Complaint.
32. He denies the allegations contained in Paragraph #3 of the Sixth Count of the Complaint.
33. He denies the allegations contained in Paragraph #1 of the Seventh Count of the Complaint.
34. He denies the allegations contained in Paragraph #2 of the Seventh Count of the Complaint.
35. He denies the allegations contained in Paragraph #3 of the Seventh Count of the Complaint.
36. He denies the allegations contained in Paragraph #1 of the Eighth Count of the Complaint.
37. He denies the allegations contained in Paragraph #2 of the Eighth Count of the Complaint.

38. He denies the allegations contained in Paragraph #3 of the Eighth Count of the Complaint.
39. He denies the allegations contained in Paragraph #1 of the Ninth Count of the Complaint.
40. He denies the allegations contained in Paragraph #2 of the Ninth Count of the Complaint.
41. He denies the allegations contained in Paragraph #3 of the Ninth Count of the Complaint.
42. He denies the allegations contained in Paragraph #1 of the Tenth Count of the Complaint.
43. He denies the allegations contained in Paragraph #2 of the Tenth Count of the Complaint.
44. He denies the allegations contained in Paragraph #3 of the Tenth Count of the Complaint.
45. He denies the allegations contained in Paragraph #1 of the Eleventh Count of the Complaint.
46. He denies the allegations contained in Paragraph #2 of the Eleventh Count of the Complaint.
47. He denies the allegations contained in Paragraph #3 of the Eleventh Count of the Complaint.
48. He denies the allegations contained in Paragraph #1 of the Twelfth Count of the Complaint.
49. He denies the allegations contained in Paragraph #2 of the Twelfth Count of the Complaint.
50. He denies the allegations contained in Paragraph #3 of the Twelfth Count of the Complaint.
51. He denies the allegations contained in Paragraph #1 of the Thirteenth Count of the Complaint.
52. He denies the allegations contained in Paragraph #2 of the Thirteenth Count of the Complaint.

53. He denies the allegations contained in Paragraph #3 of the Thirteenth Count of the Complaint.
54. He denies the allegations contained in Paragraph #1 of the Fourteenth Count of the Complaint.
55. He denies the allegations contained in Paragraph #2 of the Fourteenth Count of the Complaint.
56. He denies the allegations contained in Paragraph #3 of the Fourteenth Count of the Complaint.
57. He denies the allegations contained in Paragraph #1 of the Fifteenth Count of the Complaint.
58. He denies the allegations contained in Paragraph #2 of the Fifteenth Count of the Complaint.
59. He denies the allegations contained in Paragraph #3 of the Fifteenth Count of the Complaint.
60. He denies the allegations contained in Paragraph #1 of the Sixteenth Count of the Complaint.
61. He denies the allegations contained in Paragraph #2 of the Sixteenth Count of the Complaint.
62. He denies the allegations contained in Paragraph #3 of the Sixteenth Count of the Complaint.

AFFIRMATIVE DEFENSES

1. The negligence of the plaintiff(s) and/or the co-defendant(s) was greater in degree than the negligence of the defendant(s), Paul Kovalski, and therefore the plaintiff(s) should be barred from recovery under the applicable Comparative Negligence Law, and the co-defendant(s) must pay their proportionate share of any judgment in accordance with their degree of negligence. Further, plaintiff(s) should be barred from complete recovery in that degree that their negligence contributed to the happening of the accident under the applicable Comparative Negligence Law.

2. Plaintiff fails to state a claim on which relief can be granted and this defendant reserves the right to move for dismissal at any time prior to or during trial.
3. This defendant breached no duty owed to the plaintiff(s).
4. The Complaint herein was filed more than two years beyond the date of the accident and the cause of action is barred by the Statute of Limitations.

CROSSCLAIM

Defendant(s), Paul Kovalski, by way of Crossclaim against the co-defendant(s), says:

FIRST COUNT

Defendant(s), Paul Kovalski, claims contribution based on the Comparative Negligence Law under the Joint Tortfeasors Contribution Act against the co-defendant(s) for any judgment against this defendant(s) in favor of the plaintiff(s).

SECOND COUNT

Defendant(s), Paul Kovalski, makes claim against the co-defendant(s) for indemnification for any sums which may be adjudged against this defendant(s). Any sums adjudged against this defendant(s) are the sole responsibility of the co-defendant(s) and arise because of a breach of duty by said co-defendant(s) to the defendant(s), Paul Kovalski; and/or because of a breach of warranty, express or implied; and/or because of a breach of an agreement, express or implied in law and/or in fact.

WHEREFORE, defendant(s), Paul Kovalski, demands judgment in indemnification, including costs against the co-defendant(s).

ANSWER TO ALL CROSSCLAIMS

This defendant(s) denies each and every allegation of any crossclaim which may be asserted against it by the co-defendants.

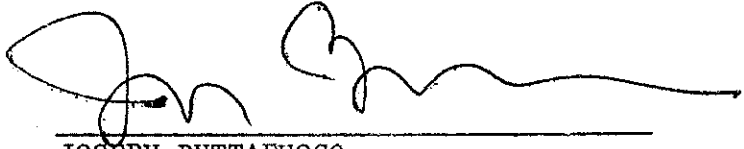
REQUEST FOR DAMAGES

You are hereby requested and required to furnish the undersigned, within 5 days, with a written statement of the amount of damages claimed in this action.

JURY DEMAND

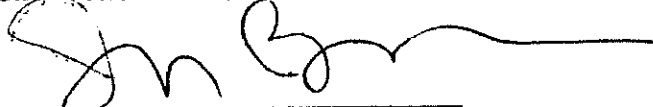
Defendant(s) hereby demands a trial by jury of 12 persons on all issues.

DATED: September 5, 1985



JOSEPH BUTTAFUOCO
Attorney for Defendant(s)
Paul Kovalski

I hereby certify that this pleading was served within the time period allowed by the Rules of this Court



JOSEPH BUTTAFUOCO
Attorney for Defendant(s)
Paul Kovalski

9c

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 3 1985
M.V. 22
JOHN M. MAYSON
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :
-vs- :
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

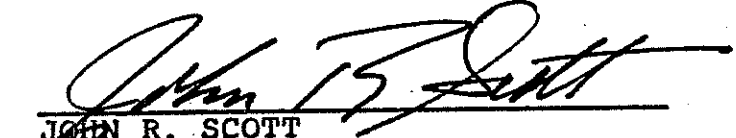
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Civil Action

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant FRANK'S AUTO REPAIR says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 30 1985

M.V. 6
JOHN M. MAYSON
CLERK

DIZZIA & MULLIN, P.C.
86 Hudson Street
Hoboken, New Jersey 07030
(201) 656-1000
Attorneys for Defendant,
BOROUGH OF ALLENTOWN.

JOSEPH V. LORE, et als, : SUPERIOR COURT OF NEW JERSEY
Plaintiffs, : LAW DIVISION: MONMOUTH COUNTY
v. : Docket No. L-033606-85
: Civil Action
LONE PINE CORPORATION, et als, :
Defendants. : NOTICE OF MOTION TO DISMISS
COMPLAINT

TO: SHAMY & LUKE, ESQS.
178 Livingston Avenue
New Brunswick, New Jersey
Attorneys for Plaintiffs

and

All other counsel of record per attached list.

S I R S :

PLEASE TAKE NOTICE that on Friday, September 13, 1985,
at 9:00 o'clock in the forenoon or as soon thereafter as counsel
may be heard, the undersigned attorneys for defendant, Borough
of Allentown, will move before the Superior Court of New Jersey,

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

PC

SEP 14 2005

M.V. 3

JOHN M. MAYS
CLERK

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :

Plaintiffs, :

-vs-

Civil Action

26

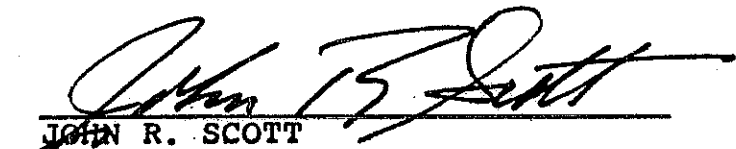
LONE PINE CORPORATION, A
Corporation of the State of
New Jersey, et als, :

ANSWER TO CROSSCLAIMS

Defendants. :

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant COLONIAL POULTRY FARMS, INC. says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

P.C.

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

AUG 28 1985

M.V. 22 SR
JOHN M. MAYSON
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :
-vs- :
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

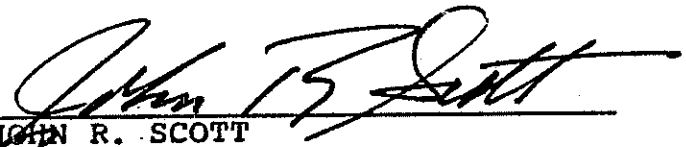
Civil Action

26

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant JAMES J. TRUNCER says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

LAW UNIT

SEP 19 1985

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY.

SEP 6 1985

M.V. 3
JOHN M. MAYSON
CLERK

JURY

**SUPERIOR COURT OF N.J.
PAID**

DAWES & BROWN, P.A.
Attorneys at Law
64 West Main Street
Post Office Box 391
Freehold, New Jersey 07728
(201) 462-0480

Attorneys for Defendants, Hendrickson Excavating, Inc., Charles
Hendrickson, Sr., and Charles Hendrickson, Jr.

JOSEPH LORE, et als,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiffs,	:	MONMOUTH COUNTY
	:	
vs.	:	DOCKET NO. L-033606-85
	:	
LONE PINE CORPORATION, et als, :		CIVIL ACTION
	:	
Defendants.	:	ANSWER, CROSSCLAIM, ANSWER TO
	:	CROSSCLAIMS, DEMAND FOR STATEMENT
	:	OF DAMAGES AND JURY DEMAND

H.E., C.H. Sr. + C.H. Jr.

Defendants, Hendrickson Excavating, Charles Hendrickson, Sr.,
and Charles Hendrickson, Jr., having their place of business in
Freehold, County of Monmouth, State of New Jersey, by way of Answer
to the Complaint of the plaintiffs, say:

AS TO FIRST COUNT

1. They have insufficient information to affirm or deny the allegations of Paragraphs 1 through 9.
2. They deny the allegations of Paragraphs 10 through 12 as against them.
3. They deny the allegations of Paragraph 13 as against them and have insufficient information to affirm or deny the remaining allegations.

AS TO SECOND COUNT

1. The defendants repeat their answers to the allegations set

forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO THIRD COUNT

1. The defendants repeat their answers to the allegations set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO FOURTH COUNT

1. The defendants repeat their answers to the allegations set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO FIFTH COUNT

1. The defendants repeat their answers to the allegations set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They repeat their answers to the allegations as set forth above.

4. They have insufficient information to affirm or deny the allegations of Paragraph 4.

5. They deny the allegations of Paragraph 5 as against them.

AS TO SIXTH COUNT

1. The defendants repeat their answers to the allegations as set

forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO SEVENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO EIGHTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO NINTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO TENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

AS TO ELEVENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.
2. They have insufficient information to affirm or deny the allegations of Paragraph 2.
3. They deny the allegations of Paragraph 3 as against them.

AS TO TWELFTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.
2. They deny the allegations of Paragraph 2 as against them.
3. They deny the allegations of Paragraph 3 as against them.

AS TO THIRTEENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.
2. They have insufficient information to affirm or deny the allegations of Paragraph 2.
3. They deny the allegations of Paragraph 3 as against them.

AS TO FOURTEENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.
2. They deny the allegations of Paragraph 2 as against them.
3. They deny the allegations of Paragraph 3 as against them.

AS TO FIFTEENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.
2. They deny the allegations of Paragraph 2 as against them.
3. They deny the allegations of Paragraph 3 as against them.

AS TO SIXTEENTH COUNT

1. The defendants repeat their answers to the allegations as set forth above, as if set forth at length herein.

2. They have insufficient information to affirm or deny the allegations of Paragraph 2.

3. They deny the allegations of Paragraph 3 as against them.

SEPARATE DEFENSES

FIRST SEPARATE DEFENSE

Plaintiffs fail to state a cause of action upon which relief can be granted.

SECOND SEPARATE DEFENSE

These defendants did not breach any duty to the plaintiffs.

THIRD SEPARATE DEFENSE

Damages sustained, if any, were the result of negligence or acts of third parties over whom these defendants had no control.

FOURTH SEPARATE DEFENSE

Without admitting any negligence on their part, these defendants claim that the plaintiffs are barred from recovery against them, either in whole or in part, by the application of one or more of the following: (a) contributory and comparative negligence; (b) waiver; (c) estoppel; (d) laches; (e) statute of limitations; (f) assumption of risk; (g) breach of express or implied warranties; (h) failure to join necessary or indispensable parties.

FIFTH SEPARATE DEFENSE

These defendants had no knowledge of contractual privity with the plaintiffs.

CROSSCLAIM FOR INDEMNIFICATION

These defendants demand indemnification from all parties or entities which hauled, transported, stored or otherwise acted with respect to any substances which may have at any time been in the possession of these defendants.

CROSSCLAIM FOR CONTRIBUTION

These defendants demand contribution from all other defendants pursuant to the New Jersey Joint Tortfeasors Contribution Act, N.J.S.A. 2A:53A-1 et seq., and the Comparative Negligence Act, N.J.S.A. 2A:15-15.1 et seq.

ANSWER TO CROSSCLAIM

These defendants, by way of answer to the many crossclaims which have been or may be filed against them, deny the allegations to the crossclaim and further deny that any other party is entitled to indemnification or contribution from them.

DEMAND FOR STATEMENT OF DAMAGES

These defendants demand that the plaintiff furnish a written statement of the amount of damages claimed within five (5) days.


JURY DEMAND

These defendants demand a trial by jury as to all issues.

DAWES & BROWN, P.A.
Attorneys for Defendants Hendrickson
Excavating & Charles Hendrickson, Sr. & Jr.

DATED: 9/3/85

BY:



SANFORD D. BROWN, ESQ.

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R. 4:25-4, the Court is advised that Sanford D. Brown, Esquire of the firm of Dawes & Brown, P.A., is hereby designated as trial counsel in regard to the above entitled matter.

DAWES & BROWN, P.A.

BY:


SANFORD D. BROWN, ESQ.

CERTIFICATION

I hereby certify that the within Answer, Crossclaims, Answer to Crossclaims, Demand for Statement of Damages and Jury Demand was filed with the Superior Court, Trenton, New Jersey within the time as extended by counsel.

DATED: 9/3/85


SANFORD D. BROWN, ESQ.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 16 1985

R-4
JOHN M. MAYSON
CLERK

Attorney(s): DAWES & BROWN, P.A.

Office Address & Tel. No.: 64 West Main Street

Freehold, NJ 07728 (201) 462-0480

Attorney(s) for Defendants, Hendrickson Excavating and
Charles Hendrickson, Sr.

JOSEPH V. LORE, et als

Plaintiff(s)

vs.

LONE PINE CORPORATION, et als

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY
Docket No. L-033606-85

CIVIL ACTION

78
STIPULATION EXTENDING
TIME FOR ANSWER

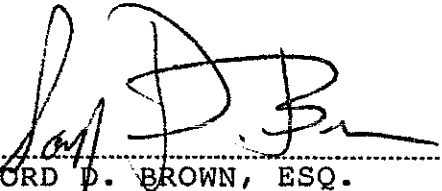
It is hereby stipulated and agreed by and between the attorney(s) for plaintiff(s) and the attorney(s) for
defendant(s) HENDRICKSON EXCAVATING and CHARLES HENDRICKSON, SR.,

that the time within which the said defendant(s) may serve and file a responsive pleading to the Complaint is
hereby extended for a period of 30 days.

Dated: August 15 19 85.



GEORGE J. SHAMY, JR., ESQ.
Attorney(s) for Plaintiff(s)



SANFORD D. BROWN, ESQ.
Attorney(s) for Defendant(s) Hendrickson
Excavating and Charles Hendrickson, Sr.

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey 07109
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

OC

SEP 12 1985

M.V. 22
JOHN M. MAYSON
CLERK

CH

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :

Plaintiffs, :

-vs- :

LONE PINE CORPORATION, A
Corporation of the State of
New Jersey, et als, :

Defendants. :

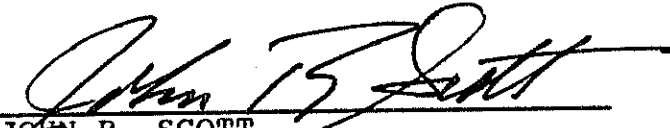
Civil Action

26

ANSWER TO CROSSCLAIMS

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant ENGLISHTOWN AUCTION SALES says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

JOHN R. SCOTT, **SEP 16 1985** 8R
387 Union Avenue
P. O. Box 115 M.V. 17
Belleville, New Jersey 07109
(201) 759-2654
JOHN M. MAYSON
CLERK

P.C.

Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :

Plaintiffs, :

Civil Action

-vs- :

LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :

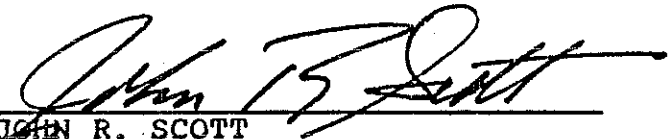
26

ANSWER TO CROSSCLAIMS

Defendants. :

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant JOSEPH R. DUBOIS says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

2039-85

FILED
AUG 29 1985

RECEIVED
AUG 26 1985
COUNTY
JANICE [unclear]
County Clerk

COMPUTER
Theresa
AUG 29 1985
SECTION

DIZZIA & MULLIN, P.C.
86 Hudson Street
Hoboken, New Jersey 07030
(201) 656-1000
Attorneys for Defendant,
BOROUGH OF ALLENTOWN.

WALTER H. GEHRICKE, J.S.C.

EC'D. & FILED
SUPERIOR COURT
NEW JERSEY

SEP 8 1985

M.V. II
M. MAYSON,
CLERK

JOSEPH V. LORE, et als, :
Plaintiffs, :
:
LONE PINE CORPORATION, et als, :
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY

Docket No. L-033606-85

Civil Action

CONSENT ORDER GRANTING LEAVE TO
FILE ANSWER

60

This matter being open to the Court by DIZZIA & MULLIN,
P.C., Attorneys for the defendant, BOROUGH OF ALLENTOWN,
on said defendant's application for leave to file an Answer
or otherwise move with respect to the Complaint and good
cause being shown;

IT IS ON THIS 29th DAY OF Aug, 1985 ORDERED
that the defendant, BOROUGH OF ALLENTOWN, be and is hereby
granted leave to file an Answer to the Complaint within 10
days from the date of this Order.

Walter H. Gehricke
J.S.C.

WALTER H. GEHRICKE J.S.C.

I hereby consent to the entry
of the foregoing Order.

[Signature]
SHAMY & LUKE, ESQS.
Attorneys for Plaintiffs,
JOSEPH V. LORE, et als.

Acct
40

RECD. & FILED
SUPERIOR COURT
OF NEW JERSEY

JURY

ACCT. CHGD.
SUPERIOR COURT OF N.J.
PAID
SEP 24 1985
LAW UNIT

SEP 15 1985

M.V. 17

JOHN M. MAYSON

CLERK

**FEUERSTEIN, SACHS, MAITLIN,
ROSENSTEIN & FLEMING**

EIGHTY MAIN STREET
WEST ORANGE, N. J. 07052
(201) 731-3400

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MORRIS COUNTY

ATTORNEYS FOR Defendant,
Chilton Memorial Hospital File #17981

Plaintiff

BETTY DELIA and LEO DELIA,

69

vs.

Defendant

CHILTON MEMORIAL HOSPITAL and
HOSPITAL BUILDING & EQUIPMENT CORP.,
a Division of HBE.

Docket No. L-059116-85

CIVIL ACTION

ANSWER, CROSSCLAIM,
JURY DEMAND and
DESIGNATION OF TRIAL
COUNSEL C.M.H.

Defendant, CHILTON MEMORIAL HOSPITAL, with an address at
97 West Parkway, Pompton Plains, New Jersey, by way of Answer,
says that:

AS TO FIRST COUNT

1. As to paragraph 1, this defendant does not have sufficient knowledge or information to form a belief and puts the plaintiffs to their proof thereof.

2. As to paragraph 2, defendant, Chilton Memorial Hospital, admits that it had a duty of reasonable care and asserts that it fully complied with its duty in all respects.

THIRD SEPARATE DEFENSE

The liability of the defendant, Chilton Memorial Hospital, is limited to a maximum of \$10,000, as set forth in the statute in New Jersey governing such cases.

CROSSCLAIM

Defendant, CHILTON MEMORIAL HOSPITAL, by way of crossclaim against the defendant, HOSPITAL BUILDING & EQUIPMENT CORP., a Division of HBE, says:

FIRST COUNT

1. This defendant has been sued by plaintiffs as more particularly set forth in the plaintiffs' complaint.

2. While denying any breach of contract, negligence or other liability to the plaintiffs herein, this defendant asserts that any such breach of contract, negligence or other liability which may be attributed to it would be passive, secondary, vicarious and would arise purely by operation of law whereas the liability of the co-defendant would be active, primary, direct, and arises out of its own culpable actions.

WHEREFORE, the defendant, Chilton Memorial Hospital, demands judgment for complete indemnification from the co-defendant for any judgment which may be entered against it in the within matter, together with interest and costs of suit.

SECOND COUNT

1. This defendant repeats the allegations of the First Count of its Crossclaim as if specifically set forth herein at length.

2. While denying any negligence which was a proximate

cause of any injuries to the plaintiffs, this defendant demands contribution from the co-defendant under the New Jersey Joint Tortfeasors Act and the Comparative Negligence Act.

JURY DEMAND

This defendant hereby demands a trial by jury of all issues.

DESIGNATION OF TRIAL COUNSEL

Lawrence P. Stern, Esq. is designated trial counsel in this matter.

CERTIFICATION


Pursuant to R.4:5-1, this is to certify that to the best of our knowledge the within matter is not the subject of any other action pending in any court or arbitration proceeding and none is contemplated.

CERTIFICATION

This is to certify that the within Answer and Crossclaim was served within the time period allowed under R.4:6.

FEUERSTEIN, SACHS, MAITLIN,
ROSENSTEIN & FLEMING
Attorneys for Defendant,
Chilton Memorial Hospital

By


MARVIN A. SACHS

A Member of the Firm.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

N.F.

JOHN R. SCOTT, ESQ.
387 Union Avenue
P. O. Box 115
Belleville, New Jersey
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SEP 16 1985

M.V. 17
07109
JOHN M. MAYSON
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, :
-vs- :
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

Civil Action

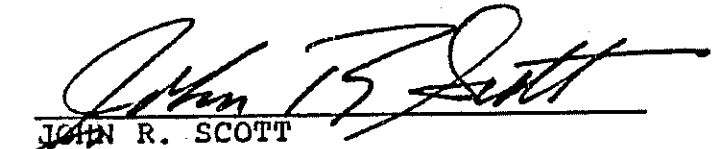
26

ANSWER TO CROSSCLAIMS

L.P.C.

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant COLONIAL SEPTIC & CESSPOOL CLEANING says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

N.F.

JOHN R. SCOTT, ESQ. **SEP 16 1985**
387 Union Avenue
P. O. Box 115
Belleville, New Jersey **M.V. 17**
(201) 759-2654 **JOHN M. MAXSON**
Attorney for Defendant Lone Pine Corp. **CLERK**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :

Plaintiffs, 26 :

-vs- :

Civil Action

LONE PINE CORPORATION, A :

Corporation of the State of :

New Jersey, et als, :

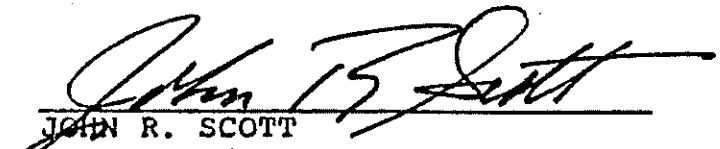
Defendants. :

ANSWER TO CROSSCLAIMS

J. P. C.

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant HENDRICKSON EXCAVATING INC. says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

NY

JOHN R. SCOTT, ESQ. **SEP 16 1985**
387 Union Avenue M.V. 17
P. O. Box 115 JOHN M. MAYSON
Belleville, New Jersey **07109**
(201) 759-2654
Attorney for Defendant Lone Pine Corp.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH V. LORE, et als, :
Plaintiffs, : 26

Civil Action

-vs- :

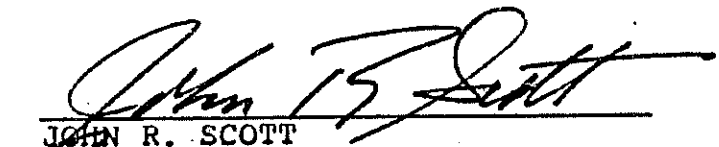
LONE PINE CORPORATION, A :
Corporation of the State of :
New Jersey, et als, :
Defendants. :

ANSWER TO CROSSCLAIMS

L. P. C.

The defendant, LONE PINE CORPORATION, by way of Answer to
Crossclaim of defendant PAUL KOVALSKI says:

1. Defendant LONE PINE CORPORATION denies all the
allegations in the Crossclaims hereinabove stated.


JOHN R. SCOTT
Attorney for Defendant Lone Pine Corp.

140

LAW UNIT

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 27 1985

SUPERIOR COURT OF N.J.
PAID

JURY

SEP 23 1985

M.V. 22
JOHN M. MAYSON
CLERK

LAW OFFICES OF
LANE M. FERDINAND
99 MORRIS AVENUE
SPRINGFIELD, N. J. 07081
(201) 467-1060

ATTORNEY FOR Beth & Dennis Timmerman t/a Beth's Landscaping
FILE NO. 85-3487F

Plaintiff

JOSEPH LORE, et als.,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY

vs.

Docket No. L-033606-85
09

Defendant

LONE PINE CORPORATION, et als.,

CIVIL ACTION

ANSWER, SEPARATE DEFENSES, CROSSCLAIM,
DEMAND FOR DAMAGES, JURY DEMAND, CERT-
IFICATION and NOTICE OF TRIAL COUNSEL

For Bx DT BZ

Defendants, Beth Timmerman and Dennis Timmerman t/a Beth's Landscaping,
by way of Answer to plaintiff's Complaint filed herein alleges and says:

1. Each and every allegation of the Complaint insofar as it is
directed towards this defendant is denied.

SEPARATE DEFENSES

FIRST: This defendant was guilty of no negligence which was the cause
of the damages alleged.

SECOND: This defendant violated no duty toward any party.

THIRD: This defendant violated no law, regulation or breached any
duty.

FOURTH: Any injuries or damages alleged by the plaintiff were the
results of the acts of third persons over whom this defendant exercised no

control.

FIFTH: The Complaint fails to state a claim upon which relief can be granted.

SIXTH: The Complaint fails to state a cause of action.

SEVENTH: The plaintiffs are guilty of comparative and contributory negligence in a degree greater than that of this defendant thus barring recovery.

EIGHTH: This claim is barred by reason of the statute of limitations N.J.S.A. 28:14-2, et. seq.

CROSSCLAIM FOR CONTRIBUTION & INDEMNIFICATION

Defendants, Beth & Dennis Timmerman t/a Beth's Landscaping, hereby demand contribution from all other defendants pursuant to the New Jersey Joint Tortfeasors Contribution Act, N.J.S.A. 2A:53A-1 et. seq., and the Comparative Negligence Act, N.J.S.A. 2A:15-15.1 et. seq.

DEMAND FOR DAMAGES

Attorney for defendants, Beth & Dennis Timmerman t/a Beth's Landscaping, demand that the plaintiff furnish a written statement of the amount of damages claimed within five (5) days.

JURY DEMAND

LANE M. FERDINAND
Attorney for Defts., Timmerman, t/a Beth's
Landscaping

BY _____

LANE M. FERDINAND

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R. 4:25-4, the Court is advised that Lane M. Ferdinand, Esq., of the firm Lane M. Ferdinand, P.A., is hereby designated as trial counsel in regard to the above entitled matter.

LANE M. FERDINAND
Attorney for Defts., Timmerman, t/a Beth's
Landscaping

BY _____

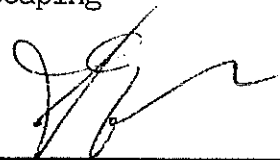
LANE M. FERDINAND

CERTIFICATION

I hereby certify that the within Answer, Crossclaims, Demand for Statement of Damages and Jury Demand was filed with the Superior Court, Trenton, New Jersey within the time prescribed by the rules of Court.

LANE M. FERDINAND
Attorney for Defts., Timmerman t/a Beth's
Landscaping

BY



LANE M. FERDINAND

DATED: September 18, 1985

P.C.

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP 13 1985

M.V. 3
JOHN M. MAYSON
CLERK

O'MALLEY, LOUGHRAN AND SURMAN
Lionshead Professional Building
17 Beaverson Boulevard
Post Office Box 220
Brick, New Jersey 08723
(201) 477-4200

Attorneys for Defendant Joseph R. DuBois, Individually and
Trading as Defendant Colonial Septic and Cesspool Cleaning

JOSEPH V. LORE, ET AL.,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION - MONMOUTH COUNTY
Plaintiffs,	:	
	:	DOCKET NO. L-033606-85
vs.	:	
	:	Civil Action
LONE PINE CORPORATION, ET AL.,	:	
	:	<u>CROSSCLAIM AND ANSWER TO</u>
Defendants.	:	<u>ALL CROSSCLAIMS</u>

CROSSCLAIM

Defendant Joseph R. DuBois, an individual trading as Defendant Colonial Septic and Cesspool Cleaning, by way of Crossclaim against the Co-Defendants in this action, says:

FIRST COUNT

Defendant Joseph R. DuBois, an individual trading as Defendant Colonial Septic and Cesspool Cleaning claims contribution under the Joint Tortfeasors Contribution Act against the Co-Defendants in this action for any judgment against Defendants Joseph R. DuBois and Colonial Septic and Cesspool Cleaning in favor of Plaintiffs.

SECOND COUNT


Defendant Joseph R. DuBois, an individual trading as Defendant Colonial Septic and Cesspool Cleaning, makes claim against the Co-Defendants in this action for indemnification for any judgment against them. Any judgment entered against Defendants Joseph R. DuBois and/or Colonial Septic and Cesspool Cleaning is the sole responsibility of the Co-Defendants and arises because of a breach of duty by Co-Defendants to Defendants Joseph R. DuBois and Colonial Septic and Cesspool Cleaning, a breach of warranty, express or implied, and/or a breach of an agreement, express or implied.

ANSWER TO ALL CROSSCLAIMS

Defendants Joseph R. DuBois and Colonial Septic and Cesspool Cleaning deny each and every allegation of any crossclaim asserted against them by the Co-Defendants in this action.

O'MALLEY, LOUGHRAN AND SURMAN
Attorneys for Defendant Joseph R. DuBois,
Individually and Trading as Defendant
Colonial Septic and Cesspool Cleaning

Dated: September 11, 1985

By 
SUZANNE M. JORGENSEN
For the Firm

O'MALLEY, LOUGHRAN & SURMAN

ATTORNEYS AT LAW

LIONSHEAD PROFESSIONAL BUILDING

17 BEAVERSON BOULEVARD

P.O. BOX 220

BRICK, NEW JERSEY 08723-0220

EDWIN J. O'MALLEY, JR.
DAVID P. LOUGHRAN
GREGORY A. SURMAN
SUZANNE M. JORGENSEN*
*ALSO ADMITTED IN NEW YORK

WHITING OFFICE
WHITING SHOPPING CENTER
P.O. BOX 176
WHITING, N.J. 08759

(201) 350-7210

COUNSEL
RODERICK L. PERKINS

REC'D. & FILED (201) 477-4200
SUPERIOR COURT,
OF NEW JERSEY,

SEP 13 1985

M.V. 3
JOHN M. MAYSON
CLERK

September 11, 1985

838-7-L

Superior Court of New Jersey
Law Division
Richard J. Hughes Justice Complex
CN 971
Trenton, New Jersey 08625

Attention: John M. Mayson, Clerk


Re: Joseph V. Lore, et al. vs.
Lone Pine Corporation, et al.
Docket No. L-033606-85

Dear Mr. Mayson:

Enclosed please find original and two copies of Crossclaim and Answer to all Crossclaims in connection with the above entitled matter. Kindly file same and return one copy to this office in the self-addressed, stamped envelope provided herewith with the date and fact of filing stamped thereon.

Very truly yours,

O'MALLEY, LOUGHRAN AND SURMAN


SUZANNE M. JORGENSEN
For the Firm

SMJ/emr
Enclosures
cc: All Counsel on Attached List (w/encl.)

JOSEPH V. LORE, ET AL.

VS.

LONE PINE CORPORATION, ET AL.

Richard Amdur, Esq.
Attorney for Defendant Freehold Borough
Post Office Box 190
Oakhurst, New Jersey 07755

John Paul Dizzia, Esq.
Dizzia and Mulin, Esqs.
Attorney for Defendant Borough of Allentown
86 Hudson Street
Hoboken, New Jersey 07030

William J. Friedman, Esq.
Piteny, Hardin, Kipp and Szuch, Esqs.
Attorney for Defendant Union Carbide, American Cyanamid, CIBA-GEIGY, and
Diamond Shamrock
163 Madison Avenue
CN 1945
Morristown, New Jersey 07960

Vincent E. Halleran, Jr., Esq.
Attorney for Defendant Halo
56 West Main Street
Freehold, New Jersey 07728

Robert A. Sachs, Esq.
Sachs and Sachs, Esqs.
Attorney for Defendants Melody, Rash, Shaw, Truncer, Monmouth County Bridge
Highway and Port Department, and Monmouth County Shade Tree Commission
45 East Main Street
Post Office Box 394
Holmdel, New Jersey 07733

Peter R. LaFrance, Esq.
Mehr and LaFrance, Esqs.
Attorney for Defendant Frank Auto Repair
10 East Main Street
Post Office Box 680
Freehold, New Jersey 07728

John L. Slimm, Esq.
Slimm, Dash and Goldberg, Esqs.
Attorney for Defendant Englishtown Auction Sales
216 Haddon Avenue
Post Office Box 2222
Westmont, New Jersey 08108

Granville D. MaGee
MaGee and Graham, Esqs.
Attorney for Defendant Freehold Township and Water Department
Route 35 at Allaire Road
Post Office Box 1200
Wall Township, New Jersey 07719

Sanford D. Brown, Esq.
Dawes and Brown, Esqs.
Attorney for Defendant Hendrickson Excavating and Charles Hendrickson, Sr.
64 West Main Street
Post Office Box 391
Freehold, New Jersey 07728

Joseph Buttafuoco, Esq.
Attorney for Defendant Paul Kovalski
64-72 Schuyler Avenue
Kearny, New Jersey
Harrison Post Office 07029

Lane M. Ferdinand, Esq.
Rachmiel and Ferdinand, Esqs.
Attorney for Defendant Timmerman
99 Morris Avenue
Springfield, New Jersey 07081

Abraham M. Bielory, Esq.
VanSickle and Bielory, Esqs.
Attorney for Defendant Colonial Poultry Farms
Yorktowne Plaza
2110 Hooper Avenue
Toms River, New Jersey 08753

H. Frank Carpentier, Esq.
Carton, Nary, Witt and Arvanitis, Esqs.
Attorney for Defendant Freehold Raceway
Route 66 at Garden State Parkway
Post Office Box 1229
Asbury Park, New Jersey 07712

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Ocean, New Jersey 07712

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Belleville, New Jersey 07109

C. Edward Speidel, Esq.
Busch and Busch, Esqs.
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99 Bayard Street
Post Office Box 33
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REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

SEP. 26 1985

M.V. 10
JOHN M. MAYSON
CLERK

RECEIVED
MONMOUTH COUNTY
SEP 16 1985
JAMES W. GUYTON
County Clerk

FILED

SEP 18 1985

PETER W. THOMAS, J.S.C.

DIZZIA & MULLIN, P.C.
86 Hudson Street
Hoboken, New Jersey 07030
(201) 656-1000
Attorneys for Defendant,
BOROUGH OF ALLENTOWN

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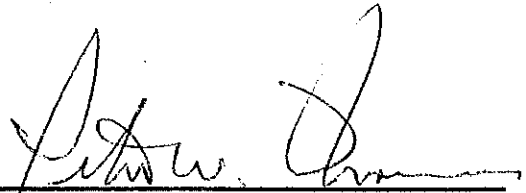
SECTION

JOSEPH V. LORE, et als, : SUPERIOR COURT OF NEW JERSEY
Plaintiffs, : LAW DIVISION: MONMOUTH COUNTY
v. : Docket No. L-033606-85
LONE PINE CORPORATION, et als, : Civil Action
Defendants. : ORDER DISMISSING PLAINTIFFS
COMPLAINT AGAINST THE BOROUGH
OF ALLENTOWN

This matter being opened to the Court by Dizzia & Mullin, P.C., attorneys for defendant Borough of Allentown, for an order dismissing plaintiffs' complaint against the Borough of Allentown for failure to comply with the provisions of the New Jersey Tort Claims Act, and the Court having read and considered the moving papers, and any opposition filed thereto, and for good cause,

It is on this 13th day of September, 1985,
ORDERED, that plaintiffs' complaint against the Borough of Allentown is dismissed in its entirety for failure to comply with the provisions of the New Jersey Tort Claims Act,

and it is further ORDERED that a copy of this Order be served upon all counsel of record, within 7 days of the date hereof.



PETER W. THOMAS, J.S.C.
J.S.C.

CHECKLIST PURSUANT TO R. 1:6-2

____ Notice of Motion
____ Movant's Affidavits
____ Movant's Brief
____ Answering Brief
____ Cross-Motion
____ Movant's Reply
____ Other

\$40

ACCT. CHGD.
SUPERIOR COURT OF N.J.
PAID
OCT 10 1985
LAW UNIT

JURY

CARTON, NARY, WITT & ARVANITIS
Route 66 at the Garden State Parkway
P.O. Box 1229
Asbury Park, N.J. 07712
(201) 922-9500

Attorneys for defendant Freehold Electric Company

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

OCT 1 1985

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JOHN M. MAXSON
CLERK

NEW JERSEY SUPERIOR COURT
LAW DIVISION
MONMOUTH COUNTY
DOCKET NO. L 033606-85

JOSEPH V. LORE, et al	:	Civil Action
Plaintiffs,	:	ANSWER, DEMAND FOR STATEMENT OF DAMAGES,
vs.	:	CROSSCLAIMS FOR CONTRIBUTION AND
LONE PINE CORPORATION, et als,	:	INDEMNIFICATION, ANSWER TO CROSSCLAIMS
Defendants.	:	AND JURY DEMAND.

F. E. C

The defendant Freehold Electric Company, by way of answer to the complaint filed herein says:

It denies all the allegations contained in the complaint which apply to this defendant and leaves the plaintiffs to their proofs.

FIRST SEPARATE DEFENSE

The complaint fails to set forth a claim as to which relief can be granted against this defendant.

SECOND SEPARATE DEFENSE

The claims for relief set forth in the complaint as to this defendant are barred by the applicable statute of limitations.

THIRD SEPARATE DEFENSE

Plaintiffs were guilty of contributory negligence at all times, places and circumstances referred to in the complaint.

FOURTH SEPARATE DEFENSE

Plaintiffs were guilty of comparative negligence at all times, places and circumstances referred to in the complaint.

FIFTH SEPARATE DEFENSE

Any injuries or damages allegedly sustained by plaintiffs were caused by the acts, omissions, or negligence of a third person or persons, instrumentality or agency, over which this defendant had no control and for whose acts or omissions this defendant is not liable.

SIXTH SEPARATE DEFENSE

This defendant expressly denies that it breached any expressed or implied warranties or merchantability, fitness for use or otherwise.

SEVENTH SEPARATE DEFENSE

In the event plaintiffs came into contact with or were exposed to or used this defendant's product or products, plaintiffs failed and neglected to use said product or products in a proper manner and misused said product or products in manners not intended by this defendant.

EIGHTH SEPARATE DEFENSE

Plaintiffs' claims are barred by the doctrine of assumption of risk.

NINTH SEPARATE DEFENSE

Plaintiffs have waived the relief requested.

TENTH SEPARATE DEFENSE

Plaintiffs are estopped from seeking the relief requested.

ELEVENTH SEPARATE DEFENSE

Plaintiffs are barred from proceeding in this action by virtue of the improper joinder of parties plaintiff and parties defendant.

TWELFTH SEPARATE DEFENSE

Plaintiffs have failed to join parties without whom this action cannot proceed, and the interests of this defendant are such that no final judgment can be entered in this action which will do justice to the parties without injuriously affecting this defendant's rights.

THIRTEENTH SEPARATE DEFENSE

This defendant owed no duty to plaintiffs.

FOURTEENTH SEPARATE DEFENSE

This defendant denies the applicability of the doctrine of strict liability in tort in this matter.

CROSSCLAIM FOR CONTRIBUTION

This defendant demands judgment of negligence against all co-defendants except those represented by the firm of Carton, Nary, Witt & Arvanitis, for a proportionate share of any sums that may be adjudged against this defendant and this by virtue of the Joint Tortfeasors Contribution Act N.J.S. 2A:53A, et seq., and the Comparative Negligence Act N.J.S.2A:15-5.1, et seq.

CROSSCLAIM FOR INDEMNIFICATION

While denying any liability to the plaintiffs for the accident, injuries and damages alleged, if judgment is recovered against this defendant, it is hereby asserted that its negligence was not morally culpable, but were merely constructive, technical, imputed or vicarious and that plaintiffs' accident, injuries and damages arose through the direct and primary negligence of co-defendants except those represented by the firm of Carton, Nary, Witt & Arvanitis for all such sums as may be found due against it, together with costs of suit and counsel fees.

ANSWER TO ALL CROSSCLAIMS

This defendant, Freehold Electric Company, by way of answer to any and all crossclaims and/or counterclaims filed against it states that it denies each and every allegation of said crossclaim or counterclaim alleged against it or to be alleged against it.

REQUEST FOR STATEMENT OF DAMAGES CLAIMED

The defendant, Freehold Electric Company requests that the plaintiffs furnish, within five days, a written statement of the amount of damages claimed.

JURY DEMAND

The defendant, Freehold Electric Company, demands a trial by a jury of twelve on all the issues of the within cause of action.

We hereby certify that the within pleading was served within the period of time allowed under the Rules.

CARTON, NARY, WITT & ARVANITIS
Attorneys for defendant, Freehold Electric Co.

By H. Frank Carpentier
H. Frank Carpentier

Dated: September 26, 1985

ACCT. CHGD.
SUPERIOR COURT OF N.J.
PAID

OCT 11 1985

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REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

OCT 4 1985

M.V. 22 SR
JOHN M. MAYSON
CLERK

JURY

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LAW OFFICES
SCHRAGGER & MASSAR
P. O. BOX 225
PRINCETON JUNCTION, NJ 08550-0225
(609) 448-2500

ATTORNEYS FOR Defendants: Intra City Waste
Materials, Inc. & Marlene J. Mozer

Superior Court of New Jersey
Law Division
Monmouth County
Docket No. L 033606-85

JOSEPH V. LORE, ET ALS.,

Plaintiff

vs.

LONE PINE CORPORATION, ET ALS.,

Defendant

09

CIVIL ACTION

ANSWER, CROSSCLAIMS, DEMAND
FOR SPECIFICATION OF DAMAGES,
AND DEMAND FOR JURY TRIAL

J. C. W. M. J. + M. J. M.

Defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, by way of Answer to the Complaint, allege and say:

1. These defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, only in response to the paragraphs alleging improper action on their behalf, deny each and every allegation of the claims set forth in the Complaint.

WHEREFORE, these defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, demand judgment dismissing the Complaint, with attorneys' fees and costs.

FIRST AFFIRMATIVE DEFENSE

Plaintiffs have failed to state a cause of action upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs are guilty of comparative negligence.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs are guilty of laches

FOURTH AFFIRMATIVE DEFENSE

Plaintiffs are guilty of equitable estoppel.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' claim is barred by the doctrine of unclean hands.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' claim is barred by the Statute of Limitations.

SEVENTH AFFIRMATIVE DEFENSE

Any and all damages sustained were the result of the third parties' actions, over whom these defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, had no control.

EIGHTH AFFIRMATIVE DEFENSE

There was no privity of contract between the plaintiffs and these defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer.

NINTH AFFIRMATIVE DEFENSE

This claim is barred by the doctrine of assumption of the risk.

TENTH AFFIRMATIVE DEFENSE

No conduct on the part of these defendants was the proximate cause of any injury or damage which plaintiffs allegedly suffered.

ELEVENTH AFFIRMATIVE DEFENSE

The defendant, Marlene J. Mozer, is not a proper party, having not acted in her individual capacity.

DEMAND FOR SPECIFICATION OF DAMAGES

Pursuant to Rule 4:5-2, the defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, hereby demand that you serve upon them, within five (5) days from the date of service hereof upon you, a written specification of the amount of money damages claimed in the within cause of action.

CROSSCLAIM FOR CONTRIBUTION

The defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, hereby crossclaim for contribution against all other co-defendants with respect to the subject landfill, Lone Pine Landfill, therein, under the Joint Tortfeasor Contribution Act, N.J.S.A. 2A:53A-1, et seq.

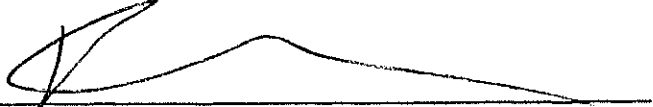
CROSSCLAIM FOR INDEMNIFICATION

Under the facts existing in this case, the defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, are entitled to indemnification from all other co-defendants with respect to the subject landfill, Lone Pine Landfill, therein, for any and all sums of money which these defendants may be required to pay to the plaintiffs, plus costs and counsel fees.

SCHRAGGER & MASSAR

Dated: October 2, 1985

By:


FREDERIC J. SCHRAGGER

Attorneys for Defendants: Intra City
Waste Materials, Inc. and Marlene
J. Mozer


DEMAND FOR JURY TRIAL

The defendants, Intra City Waste Materials, Inc. and Marlene J. Mozer, hereby demand trial by jury as to all issues.

SCHRAGGER & MASSAR

Dated: October 2, 1985

By:


FREDERIC J. SCHRAGGER

Attorneys for Defendants: Intra City
Waste Materials, Inc. and Marlene
J. Mozer

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SUPERIOR COURT
OF NEW JERSEY

OCT 11 1985

SUPERIOR COURT OF N.J.
PAID

OCT 3 1985

M.V. 16
JOHN M. MAYSON
CLERK

JURY

JOSEPH L. GARRUBBO, ESQ., P.A.
144 St. Paul Street - P. O. Box 638
Westfield, New Jersey 07091
(201) 233-7400
Attorney for Defendant, GARLOCK, INC.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO. L-33606-85

9

JOSEPH V. LORE, et al.,
Plaintiff(s),

Asbestos Litigation

Civil Action

= VS =

LONE PINE CORPORATION, et al.
Defendants.

ANSWER, SEPARATE DEFENSES,
CROSSCLAIMS, JURY DEMAND,
DEMAND FOR DAMAGES, NOTICE
OF DESIGNATION OF TRIAL
COUNSEL

J.W.

The defendant, GILBERT WINSTON, by way of Answer to
the Complaint of the plaintiffs, says:

1) He has no knowledge or information sufficient to
form a belief as to the truth of the allegations of paragraphs
1 through 6 of the First Count.

2) He denies the remaining allegations of the
Complaint insofar as same pertain to him.

FIRST SEPARATE DEFENSE

Plaintiff's Complaint fails to state a cause of
action upon which relief can be granted.

SECOND SEPARATE DEFENSE

Plaintiffs' claims are barred by the applicable Statute of Limitations.

THIRD SEPARATE DEFENSE

Plaintiff's Complaint is barred by the doctrine of estoppel.

FOURTH SEPARATE DEFENSE

Plaintiffs' Complaint is barred by the doctrine of laches.

FIFTH SEPARATE DEFENSE

Plaintiffs' Complaint is barred by the doctrine of waiver.

SIXTH SEPARATE DEFENSE

Plaintiffs' claims for equitable relief are barred under the "unclean hands" doctrine.

SEVENTH SEPARATE DEFENSE

The Complaint should be dismissed for plaintiffs' failure to join indispensable parties.

EIGHTH SEPARATE DEFENSE

This defendant owed no contractual obligation or duty, either express or implied, to plaintiffs.

NINTH SEPARATE DEFENSE

Plaintiffs lack standing to assert the claims alleged against this defendant.

TENTH SEPARATE DEFENSE

This defendant denies being guilty of any negligence whatsoever.

ELEVENTH SEPARATE DEFENSE

Plaintiffs were guilty of negligence and/or contributory negligence which negligence was greater than any alleged negligence of this defendant and therefore are barred from recovery.

TWELFTH SEPARATE DEFENSE

This defendant denies that any of its actions were willful, wanton, malicious or reckless.

THIRTEENTH SEPARATE DEFENSE

Plaintiffs were cognizant and aware of all the facts, circumstances and conditions existing, and consented to, permitted, acquiesced, actively encouraged and/or voluntarily assumed the risks arising therefrom and attendant thereto.

FOURTEENTH SEPARATE DEFENSE

This defendant denies the existence of any duty to plaintiffs; in any event, it denies violating any duty owed to the plaintiffs if any duty is found to have existed.

FIFTEENTH SEPARATE DEFENSE

This defendant could not and did not foresee the risks of the damages or injuries plaintiffs allege.

SIXTEENTH SEPARATE DEFENSE

The theory of failure to warn is not applicable to this defendant under the facts of this litigation, but, nevertheless, if such a duty is found to have existed, then this defendant asserts that it provided all applicable warnings.

SEVENTEENTH SEPARATE DEFENSE

The injuries and damages complained of were the proximate result of the negligence of third parties over whom this defendant had no control.

EIGHTEENTH SEPARATE DEFENSE

Plaintiffs' injuries and damages were caused by superseding and intervening acts and/or negligence of other parties over whom this defendant had no control and for whose actions this defendant is not liable.

NINETEENTH SEPARATE DEFENSE

The conditions and damages complained of by the plaintiffs resulted from natural causes and this defendant is not liable for any injuries and damages sustained by the plaintiffs on account of said natural causes.

TWENTIETH SEPARATE DEFENSE

The conditions and damages complained of by plaintiffs resulted from an Act of God.

TWENTY-FIRST SEPARATE DEFENSE

The alleged injuries and damages complained of were due to unavoidable circumstances and causes beyond the control or fault of this defendant.

TWENTY-SECOND SEPARATE DEFENSE

This defendant relied upon and had a right to rely upon authorized haulers to carry defendants' materials to the landfill at issue, relied upon and had a right to rely upon the duty of the said authorized haulers to conduct their business carefully, safely, and without injury to plaintiffs, and relied upon and had a right to rely upon the licenses that the said haulers received from governmental entities.

TWENTY-THIRD SEPARATE DEFENSE

This defendant relied upon and had a right to rely upon the authority of the landfill at issue to accept materials from authorized haulers, relied upon and had a right to rely upon the duty of the said landfill to conduct its business carefully, safely, and without injury or damage to plaintiffs, and relied upon and had a right to rely upon the licenses that the said landfill received from governmental entities.

TWENTY-FOURTH SEPARATE DEFENSE

Plaintiffs' claims against this defendant are barred because the State of New Jersey and/or local authorities directed, supervised, ratified, and otherwise regulated all actions of this defendant which are the subject of the Complaint.

TWENTY-FIFTH SEPARATE DEFENSE

This defendant has never owned, exercised or asserted any control over the Lone Pine landfill at any time.

TWENTY-SIXTH SEPARATE DEFENSE

This defendant denies the applicability of the doctrine of strict liability in tort, and in any event denies being liable under the doctrine of strict liability in tort.

TWENTY-SEVENTH SEPARATE DEFENSE

This defendant denies the existence, as well as the applicability, of the doctrines of absolute, enterprise, market share or alternate liability under New Jersey law and the facts of this case, and in any event denies that it is so liable under any of said theories.

TWENTY-EIGHTH SEPARATE DEFENSE

The incident and injuries complained of were caused by unauthorized, unintended and improper use of the material.

TWENTY-NINTH SEPARATE DEFENSE

This defendant denies the applicability of "stream of commerce" theories under the facts of this litigation.

THIRTIETH SEPARATE DEFENSE

This defendant denies being liable under the doctrine of nuisance.

THIRTY-FIRST SEPARATE DEFENSE

This defendant denies being liable under the doctrine of trespass.

THIRTY-SECOND SEPARATE DEFENSE

Although this defendant denies that it at any time interfered in any way whatsoever with plaintiffs' use of their property(s), nevertheless, if such interference is found, it is immaterial and reasonable.

THIRTY-THIRD SEPARATE DEFENSE

The business of this defendant is in the public interest, convenience, and necessity, and it is operated and conducted in compliance with the law.

THIRTY-FOURTH SEPARATE DEFENSE

Plaintiffs' claims based on nuisance theories are barred or limited under the doctrine of "coming to the nuisance."

THIRTY-FIFTH SEPARATE DEFENSE

This defendant denies performing any and all acts requisite to the intentional tort of battery.

THIRTY-SIXTH SEPARATE DEFENSE

This defendant specifically denies any intentional misrepresentation.

THIRTY-SEVENTH SEPARATE DEFENSE

This defendant denies the existence of any warranties, express or implied, with respect to material sent to the Lone Pine landfill.

THIRTY-EIGHTH SEPARATE DEFENSE

This defendant denies the sale of any goods to the plaintiffs, and contends that the alleged actions by this defendant, as referred to in the Complaint, are not subject to the warranty acts as embodied in the New Jersey Uniform Commercial Code.

THIRTY-NINTH SEPARATE DEFENSE

This defendant denies that plaintiffs have suffered any losses or damages; in any event, any losses or damages sustained by plaintiffs are de minimis, remote, speculative, and/or transient and hence are not cognizable at law.

FORTIETH SEPARATE DEFENSE

This defendant denies the applicability of punitive damage theories under the facts of this litigation and, in any event, denies it is so liable under said theories.

FORTY-FIRST SEPARATE DEFENSE

In the event that this defendant is held responsible for any of the alleged harm or endangerment as pled in the Complaint and any affirmative relief is granted against this defendant, then this defendant's liability should be proportionate to its contribution to the alleged harm or endangerment, taking into account the contribution of its codefendants and/or other persons, including plaintiffs, who were responsible for the placing of hazardous wastes at the Lone Pine landfill or who otherwise contributed to the alleged harm or endangerment.

FORTY-SECOND SEPARATE DEFENSE

Plaintiffs failed to mitigate any damages allegedly sustained by them.

FORTY-THIRD SEPARATE DEFENSE

At all times relevant, this defendant complied with all applicable laws, regulations and standards.

FORTY-FOURTH SEPARATE DEFENSE

This defendant denies that any state or federal environmental statute bestows upon the plaintiffs the right to pursue a private cause of action for personal injuries.

FORTY-FIFTH SEPARATE DEFENSE

Plaintiffs have failed to plead with specificity their allegations of statutory violations against this defendant, as required by the Rules of Court.

FORTY-SIXTH SEPARATE DEFENSE

No materials from this defendant which found their way to the landfill, if any, were hazardous, dangerous, injurious or damaging in any way to any plaintiff.

FORTY-SEVENTH SEPARATE DEFENSE

The amount of waste material generated by this defendant, if any, which may have been deposited at the Lone Pine landfill was so insignificant as to the de minimis.

FORTY-EIGHTH SEPARATE DEFENSE

To the extent that a plaintiff was employed by this defendant, then that plaintiff's complaint is barred by the Exclusive Remedy Provisions of the New Jersey Workers' Compensation Act, N.J.S.A. 34:1-1 et seq. and the Workers' Compensation Acts of any other applicable state.

FORTY-NINTH SEPARATE DEFENSE

Since the plaintiffs are unable to identify the material, and/or generator of the material, which allegedly caused the injuries and damages which plaintiffs allege,

plaintiffs fail to state a claim upon which relief can be granted since, if such relief was granted, it would contravene this defendant's constitutional rights to substantive and procedural due process of law and equal protection under the law as preserved by the Fourteenth Amendment of the United States Constitution and the applicable provisions of the Constitution of the State of New Jersey, and would contravene this defendant's constitutional rights to protection against the taking of private property for public use without just compensation as preserved by the Fourteenth Amendment of the United States Constitution and by Article I, Section 12, of the Constitution of the State of New Jersey.

FIFTIETH SEPARATE DEFENSE

This defendant has at all times been engaged in the reasonable operation of its business.

FIFTY-FIRST SEPARATE DEFENSE

The claims asserted in the Complaint against this defendant on the basis of alleged joint and several liability are barred since the acts and omissions of all other defendants were separate and distinct from those of this defendant and neither the common law nor any federal or state statute renders this defendant jointly and severally liable for the acts or omissions of other defendants.

FIFTY-SECOND SEPARATE DEFENSE

This defendant denies the applicability of 42 U.S.C. Section 1983 to the within action.

FIFTY-THIRD SEPARATE DEFENSE

This defendant denies the applicability of Article I of the New Jersey Constitution to the plaintiffs' claims in the within action.

FIFTY-FOURTH SEPARATE DEFENSE

This defendant denies the applicability of the Fifth and Fourteenth Amendments of the United States Constitution to the plaintiffs' claims in the within action.

FIFTY-FIFTH SEPARATE DEFENSE

The injuries and damages complained of the plaintiffs were caused in whole or in part by their acts in generating wastes and causing them to be disposed in or near the Lone Pine landfill.

FIFTY-SIXTH SEPARATE DEFENSE

This defendant was entitled to utilize and rely upon a system of waste disposal authorized and regulated by federal and state laws and has in fact complied with all relevant statutory and administrative regulations applicable thereto.

FIFTY-SEVENTH SEPARATE DEFENSE

Plaintiffs have failed to plead with specificity their allegation of fraud against this defendant as required by New Jersey Court Rule R. 4:5-8.

FIFTY-EIGHTH SEPARATE DEFENSE

Plaintiffs have failed to exhaust their administrative remedies.

FIFTY-NINTH SEPARATE DEFENSE

This defendant adopts by reference all Separate Defenses heretofore or hereafter pled by the other defendants except such Separate Defenses as may make any allegations against this defendant.

FIRST COUNT

Defendant, GILBERT WINSTON, seeks contribution against all codefendants, pursuant to the Joint Tortfeasors Contribution Act.

SECOND COUNT

While denying liability to the plaintiff, it is hereby asserted that in the event judgment is recovered against this defendant, any negligence found against this defendant will be imputed, vicarious and secondary to the primary negligence of the codefendants and as such, this defendant demands judgment for indemnification from the codefendant for all sums as may be found due against it, together with costs of suit and counsel fees.

ANSWERS TO CROSSCLAIMS

Defendant, GILBERT WINSTON, by way of Answer to all Crossclaims filed by the codefendants in this action, says:

1) This defendant denies all material allegations of the Crossclaims asserted against it by the codefendants.

JURY DEMAND

This defendant hereby demands trial by jury as to all issues.

DEMAND FOR DAMAGES

Pursuant to the Rules of Court, this defendant hereby demands a Statement of Damages claimed by the plaintiffs herein.

CERTIFICATION

It is hereby certified that a copy of the within Answer was served within the time prescribed by R. 4:6 et seq.

JOSEPH L. GARRUBBO, ESQ., P.A.
Attorney for Defendant

BY: 
JOSEPH L. GARRUBBO

DATED: September 25, 1985

SUPERIOR COURT OF N. J.

FILED

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SEP 20 1985

OCT 4 1985

SUPERIOR COURT OF N. J.

WILLIAM T. WICHMANN, J.S.C.

PM
JOHN M. MAYSON
CLERK

DOCKET

OCT 4 1985

PM
JOHN M. MAYSON
CLERK

PITNEY, HARDIN, KIPP & SZUCH
163 MADISON AVENUE
CN 1945

MORRISTOWN N J 07960-1945

(201) 267-3333

ATTORNEYS FOR Defendant
Union Carbide Corporation

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY
DOCKET NO. L-033606-85

JOSEPH LORE, et al.,

Plaintiffs,

-vs-

LONE PINE CORPORATION,
et al.,

Defendants.

:
:
: 60 Civil Action
: CASE MANAGEMENT ORDER I

: To Assign pretrial
:

This matter having been brought before the Court upon an Order to Show Cause by Pitney, Hardin, Kipp & Szuch, counsel for defendant Union Carbide Corporation, and the Court having considered the comments of all parties responding thereto and having heard the arguments of counsel, and good cause having been shown,

It is on this 20th day of Sept, 1985,

ORDERED that:

1. All pretrial proceedings in the case management of this action will be specially assigned to the Honorable
WILLIAM T. WICHMANN, J.S.C.

A. Pleadings.

2. Plaintiffs' counsel shall advise the Court within 20 days of the date of this Order as to the date and status of service of process on each named defendant in this matter, and the name of any defendants in the original Complaint that the plaintiffs do not intend to pursue. Plaintiffs' counsel shall complete service of the Complaint on all defendants by no later than November 30, 1985.

3. No defendant shall be required to file an answer in this matter until December 31, 1985. Notwithstanding the provisions of R. 4:5-3, answers may take the form of a general denial.

4. Answers may not contain cross-claims or third-party claims for indemnification or contribution, and all cross-claims or third-party claims filed prior to the entry of this Order shall be stayed until further notice. No other pleadings containing cross-claims or third-party claims may be filed until further notice. The Court recognizes that such cross-claims or third-party claims may be filed in the future and that such future claims will not be barred. It is the intention of the Court to hold a conference among representatives of the parties to discuss appropriate procedures for filing cross-claims and third--

party practice in the future.

5. Any defendant that has served an Answer prior to the entry of this Order may withdraw its Answer or may serve and file an Amended Answer, consistent with the provisions of this Order, and within the time period set forth herein.

B. List of Counsel.

6. Plaintiffs' counsel shall within 45 days of this Order provide to the Court and to each defense counsel a list of all counsel in the case (with appropriate addresses and telephone numbers) and the name of the defendant or defendants represented by each counsel.

C. Motions.

7. All motions pursuant to R. 1:4-8 (no good ground to support pleading), R. 4:46 (summary judgment) and R. 4:6-2 (motions asserting defenses) shall be filed by defendants by no later than December 31, 1985. No defendant filing such a motion shall be required to serve an answer to the Complaint until 20 days after the entry of the Order resolving said motion.

D. Discovery.

8. Interrogatories, Demands for Admissions, Demands for Discovery of Insurance Coverage and Document Production Notices shall not be propounded by plaintiffs or defendants without leave of Court, it being the Court's intention to standardize

and approve the form of such instruments. No other discovery by way of depositions or otherwise shall take place until such further order of Court. The Court will not entertain any motions in this matter pertaining to discovery issues until further notice or order issued by the Court.

9. It is the intention of the Court to have defense counsel meet and form a committee or committees for the purpose of preparing standard-form interrogatories, demands for admission, document production requests, a mechanism whereby parties may join in motions made by other parties, and for such further work as may be directed by the Court. The function of said committee shall be dealt with in a future case management order to be issued by the Court.

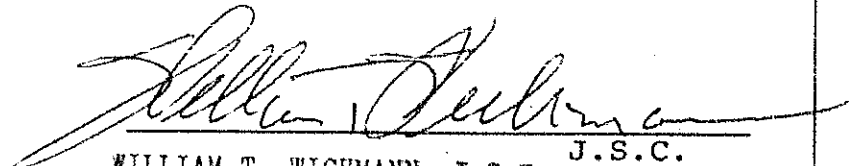
E. Service and Publication of Case Management Orders.

10. Plaintiffs' counsel shall serve a copy of this Order forthwith upon each defendant or upon counsel for each defendant herein by regular mail.

11. The Court reserves the right and intends to issue additional case management orders herein as the need arises.

12. All case management orders issued in this matter shall be published in the New Jersey Law Journal as soon after the entry of the order as possible. The party responsible for seeing that such publication is made shall be designated by the Court. Publication of future case management orders in

the New Jersey Law Journal shall be constructive notice to all parties in the litigation without the necessity of formal service upon each party.


WILLIAM T. WICHMANN, J.S.C. J.S.C.