

**Parles Rekem, LLP**

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Judith Weinstock, Esq. I.D. #024051999

Attorneys for Plaintiffs: N.J. & F.J.,  
individually and on behalf of A.J., a minor child.

N.J. and F.J., individually and on behalf  
of A.J., a minor child,

Plaintiffs,

v.

HOBOKEN BOARD OF EDUCATION,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUDSON COUNTY

Docket No.

Civil Action

**COMPLAINT TO APPROVE  
INFANT SETTLEMENT**

Plaintiffs, N.J. and F.J., individually and as Guardians ad Litem of minor plaintiff, A.J.,  
an infant, residing at 710 Bloomfield Street, Apartment 1, City of Hoboken, County of Hudson  
and State of New Jersey, say:

1. The plaintiffs, N.J and F.J., are the parents and guardians of the minor plaintiff  
A.J., an infant under the age of 18 years old, and have no interest adverse or hostile to those of  
the infant plaintiff and consent to act as her Guardians ad Litem.

2. On or about December 10, 2019, if not before, and continuing on January 2, 2020  
and February 24, 2020, the minor plaintiff was a legal invitee at the Wallace Elementary School  
located at 1100 Willow Avenue, Hoboken, Hudson County New Jersey.

3. During the aforementioned times and place, the minor plaintiff who is autistic was subjected to the unlawful and improper use of physical restraints by several employees of the defendant Hoboken Board of Education.

4. During the aforementioned times and place, defendant Hoboken Board of Education failed to provide a free appropriate education and discriminated against the minor plaintiff based on her disability.

5. These failures include, but are not limited to: unlawful and improper use of physical restraints; failure to implement less restrictive alternatives; failure to provide a proper Behavioral Intervention Plan and/or Functional Behavior Analysis; failure to provide for properly trained staff and aides; and failure to take proper data and provide appropriate monitoring and supervision.

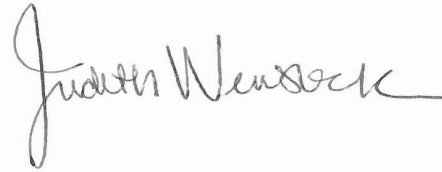
6. The minor plaintiff was subjected to discrimination and chronic, unabated harm and abuse resulting in psychological and emotional injury and other residuals due to the defendant's pattern and practice of physically restraining her.

7. Due to the negligence, gross negligence, reckless conduct, and deliberate indifference to the psychological condition of the minor plaintiff, the defendant Hoboken Board of Education created an environment that was unstable and harmful to the minor plaintiff, causing the minor plaintiff increased agitation, behavioral regression, school avoidance and emotional and psychological trauma.

7. The defendant Hoboken Board of Education has agreed to settle the claims of the Plaintiffs for the present value in the sum of \$25,000.

8. This action is brought pursuant to Rule 4:44-1 for this Court's approval of the aforesaid settlement.

WHEREFORE, the minor plaintiff, A.J., demands judgment against the defendant in the amount of \$25,000.

A handwritten signature in black ink that reads "Judith Weinstock". The signature is written in a cursive style with a long, sweeping underline.

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Judith Weinstock  
Attorney for Plaintiffs

Dated: 12/23/20

**CERTIFICATION**

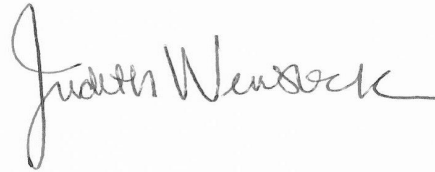
JUDITH WEINSTOCK, of full age, certifies:

1. PARLES REKEM, LLP, has been retained to represent plaintiffs N.J. and F.J. as Guardians ad Litem of A.J., in connection of the within matter.

2. We have no knowledge of any other pending actions or proceedings concerning the subject matter of this action.

3. There are no other parties who should be joined in this action.

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 willfully false, I am subject to punishment.



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Judith Weinstock  
Attorney for Plaintiffs

Dated: 12/23/20