

SENATOR SCUTARI SUES MAYOR OF LINDEN FOR LIBEL AND SLANDER

The following statement was released today by Geoffrey C. Arlen, Esq. attorney for Sen. Nicholas P. Scutari

“Today Senator Nicholas P. Scutari served City of Linden Mayor Derek Armstead, members of counsel, and the City Attorney, with notice of claim for their slanderous speech and conduct against the Senator. Even elected officials can be sued for libel when the statements they make are outright lies and are slanderous. The notice lists the Mayor personally, and in his official capacity. This is in response to what occurred last week when the Mayor of Linden leaked a letter and report, created at taxpayer’s expense, attacking Senator Scutari based on complete fabrications and lies that Mayor Armstead knows to be untrue. These actions resulted in false news reports that the Senator somehow received money from the City of Linden to which he was not entitled.

This report is completely inaccurate and false and was based solely on hearsay and non-factual assumptions. This bogus report was not based on the City's own written Ordinances and policies. A simple review of these documents and statements from any parties familiar with the Law Department, would prove that this report was a pre-ordained political hit job by the Mayor against his political rival. The report fails to do the very basic research of reviewing the terms and responsibilities of the employment. It even gets the job title wrong. It is completely clear that these are inaccurate statements and complete fabrications utilized only to slander the Senator and produce news stories based on complete lies which the Mayor hopes will increase his chances in the next election against Senator Scutari.

Mayor Armstead has repeatedly wasted City of Linden taxpayer dollars for his own political gain and this slanderous conduct continues his pattern of abuse. This type of act, and these continuing acts exhibited by Mayor Armstead, have continued to cost the taxpayers monies. Earlier this year the Mayor illegally denied Mr. Paul Coates the 8th Ward council seat, who was the rightfully chosen individual. The matter was decided by a court of law and Mr. Coates was seated. This brazen action by Mayor Armstead cost the City of Linden hundreds of thousands of dollars in legal fees. Unfortunately, Mayor Armstead’s actions continues to waste money and resources of the taxpayers of Linden even more.

Senator Scutari has worked tirelessly over his 25-year career, establishing a reputation and character that is above reproach in Union County, in Trenton, and as a local lawyer in Linden. We will not allow Mayor Armstead to destroy it with this character assassination.”

ARLEN LAW FIRM LLC

Geoffrey C. Arlen

Member NJ & NY Bars

CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY

October 30, 2019

Clerk, City of Linden
301 North Wood Avenue
Linden, New Jersey 07036

Re: Nicholas P. Scutari, Esq.

Dear Sir/Madam:

I have attached 3 original Notices of Tort Claim pursuant to Title 59. Please acknowledge receipt of this claim.

I thank you for your attention to the within matter.

Very truly yours,
ARLEN LAW FIRM LLC



GEOFFREY C. ARLEN

GCA/ak

Receipt is acknowledged of 3 original Tort Claim Notices pursuant to Tile 59 this
30^h day of October 2019.

Signature

Print Name

**NOTICE OF CLAIM PURSUANT TO
TITLE 59 CLAIMS AGAINST PUBLIC ENTITIES**

Pursuant to N.J.S.A. 59:8-4, the within claim is presented to the following:

1. Derek Armstead (Individually)

Office of the Mayor (In his official capacity)
301 North Wood Avenue
Linden, NJ 07036

Peter Brown (Individually and his in official capacity)
Councilman and Chairman of the "Linden Investigative Committee"
301 North Wood Avenue
Linden, NJ 07036

Ralph Strano (Individually and his in official capacity)
Councilman and member of the "Linden Investigative Committee"
301 North Wood Avenue
Linden, NJ 07036

Alfred Muhammed (Individually and in his official capacity)
Councilman and member of the "Linden Investigative Committee"
301 North Wood Avenue
Linden, NJ 07036

Daniel Antonelli, Esq. (Individually and in his official capacity)
City Attorney and Law Director City of Linden
301 North Wood Avenue
Linden, NJ 07036

Members of the "Linden Investigative Committee"
City Hall
301 North Wood Avenue
Linden, NJ07036

All Members of Linden City Council (Individually and in their official capacity)
City Hall
301 North Wood Avenue
Linden, NJ 07036

City of Linden
City Hall
301 North Wood Avenue
Linden, NJ 07036

Clerk, City of Linden (Receiver of Title 59 notice)
301 North Wood Avenue
Linden, NJ 07036

A. Claimant: Nicholas P. Scutari, Esq., 1508 E. St. Georges Avenue
Linden, New Jersey 07036

B. The post office address to which the person presenting the claim desires notice to be sent to is:

Geoffrey C. Arlen, Esq.
The Arlen Law Firm, LLC
204 Towne Centre Drive
Hillsborough, New Jersey 08804

C. The claim arises out of the libel, slander, defamation and malicious abuse of process of Mr. Nicholas P. Scutari and his personal and professional reputation by Derek Armstead individually and in his official capacity as the Mayor of the City of Linden, for repeatedly and intentionally disseminating known false information, in order to damage, libel and slander the personal and professional reputation of Mr. Scutari, a long standing member of the Bar. Misusing the "Linden Municipal Council Investigative committee" for a political vendetta, providing and directing the committee to produce a report known to be false in order to disseminate it publicly and repeatedly in order to damage the political and legal reputation of Mr. Scutari. This illegal conduct is part of a pattern of threats and intimidation carried out by Mayor Armstead as evidenced by his statements made in public forums, reported on internet news outlets and social media.

The libel, slander, defamation and malicious abuse of process by Councilman Peter Brown, individually and in his role as city councilman and as the chairman of the City of "Linden municipal investigative committee." In carrying out a sham investigation, without conducting necessary interviews, without reviewing necessary documents, without performing due diligence and carrying out on his previous oral and written threats that he would fire Mr. Scutari in retaliation for Mr. Scutari's positions on matters involving politics and unrelated to his professional position in the City's Law Department. Disseminating this report and other statements known by him to be false. More particularly intentionally misleading other members of council and the committee by mischaracterizing the actual job title of Mr. Scutari as well as simply inventing job duties, failing to disclose necessary documentation to other members of the committee and council and potentially removing documents from city files. Failing to even attend meetings of the committee and providing conclusions in advance and attempting to maliciously use the "committee" to substantiate known falsehoods to damage the reputation of Mr. Scutari for political retribution. This behavior is part of a pattern of threats and intimidation carried out by Councilman Brown as evidenced by internet news outlets, text messages and social media.

The libel, slander, defamation and malicious abuse of process by Councilman Ralph Strano, individually and in his role as city councilman and a member of the City of "Linden municipal investigative Committee." In carrying out a sham investigation, without conducting necessary interviews, without reviewing necessary documents and Ordinances, without performing due diligence before adopting and disseminating information known to be false.

The libel, slander, defamation and malicious abuse of process by Councilman Alfred Muhammed, individually and in his role as city councilman and a member of the City of "Linden municipal investigative Committee." In carrying out a sham investigation, without conducting necessary interviews, without reviewing necessary documents and Ordinances, without performing due diligence before adopting and disseminating information known to be


Members of the city council of the City of Linden, individually and in their official capacity, and all members of the municipal investigation committee as it relates to the reputation and employment of Mr. Nicholas P. Scutari and his employment as Assistant City Attorney for the City of Linden which occurred on or about October 15, 2019.

On, about and before said date, the above individuals endeavored to misuse City of Linden resources and engage in an abuse of process, in a scheme to create a fictitious investigation and to produce a fictitious report based on falsehoods and lies, and purposely disregarded facts, documents, City of Linden ordinances, files, vacation, sick and administrative leave policies, past practices as well intentionally misrepresent Mr. Scutari's official job title and job duties as to create the appearance of impropriety. Said committee did not interview involved parties and endeavored to falsify a report and disseminate said report and to cause these accusations to be repeated in news accounts which they knew and know to be untrue, to damage the reputation of Nicholas P. Scutari without regard for or knowingly disregarding the facts and knowingly and intentionally misrepresenting the truth.

D. Claimant, Nicholas P. Scutari, Esq. makes this claim for the damages, economic loss, pecuniary loss, libel, slander, damage to reputation, and injury sustained by him and were a direct result of the above intentional acts of the above noticed individuals

F. Plaintiff's statement of damages is \$10,000,000.00 (ten million dollars).

Dated: October 30, 2019



GEOFFREY C. ARLEN, ESQ.