

**LAW OFFICE OF MARLO J. HITTMAN**

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ATTORNEY ID#044391991

ATTORNEYS FOR PLAINTIFFS

NAOMY DE PENA AND MICHAEL  
MELHAM,

PLAINTIFF(S),

V.

CONCERNED CITIZENS OF  
BELLEVILLE, A FICTITIOUS NAME  
(THE IDENTITY OF WHICH IS  
UNKNOWN), THOMAS  
GROLIMOND, RAYMOND KIMBLE,  
MICHAEL SHELDON AND  
CORPORATE DEFENDANTS A  
THROUGH Z (CORPORATIONS OR  
COMPANIES WHOSE IDENTITIES  
ARE NOT YET KNOWN) AND  
FICTITIOUS DEFENDANTS, JANE  
DOE, JOHN DOE, JAMES ROE AND  
RICHARD ROE, AND OTHERS  
WHOSE IDENTITIES ARE NOT YET  
KNOWN,

DEFENDANT(S).

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ESSEX COUNTY**

Docket No. ESX- L-003772-18

*Civil Action*

**FIRST AMENDED COMPLAINT**

Plaintiffs, Naomi DePena and Michael Melham by and through  
their attorney, by way of complaint against the defendants, say:

**FACTS COMMON TO ALL COUNTS**

1. Plaintiff Naomy DePena (“DePena”) is an individual residing at 26 Charles Street, Belleville, County of Essex, NJ.
2. At all times hereinafter mentioned, DePena is an individual who ran for election for the office of Council Person at Large for the Township of Belleville.
3. The Election was conducted on May 8, 2018 and DePena won. She is the Council Person Elect, and due to be sworn in to that office on July 1, 2018.
4. Plaintiff Michael Melham (“Melham”) is an individual maintaining an address at 24 Bernice Road, Belleville, Essex County, New Jersey
5. At all times hereinafter mentioned, Melham is an individual who ran for election for the office of Mayor of the Township of Belleville.
6. The Election was conducted on May 8, 2018 and Melham won. He is the Mayor-Elect, and is due to be sworn in to that office on July 1, 2018.
7. At all times hereinafter mentioned, Defendant Concerned Citizens of Belleville (“CCB”) is the fictitious name of one or more individuals who purport to be a political action committee or some other form of organization engaged in the political and electoral process. The identity of the members of CCB and the place of business of CCB is unknown despite diligent effort to ascertain the identity or identities of the principals and members thereof.
8. At all times hereinafter mentioned and based upon information and belief, CCB is the publisher of certain printed materials that were

circulated via the United States Mail to voters of the Township of Belleville. CCB purports to be a not-for-profit organization.

9. Subsequent to filing this initial lawsuit, Plaintiffs learned that the persons controlling and directing CCD in the actions described herein were Raymond Kimble, Thomas Grolimond and Michaeld Sheldon.
10. Defendant Raymond Kimble ("Kimble") is an individual residing at 5 Lloyd Place, Belleviulle, NJ 07109.
11. Defendant Thomas Grolimond ("Grolimond") is an individual residing at 163 Valley Street, Belleville, NJ 07109.
12. At all times relevant hereto, Grolimond was an employee of the Township of Belleville.
13. Michael Sheldon ("Sheldon") is an individual residing at 47 Floyd Stret, Belleville, NJ 07109.
14. At all times relevant hereto, Sheldon was an employee of the Township of Belleville.
15. John Doe, Jane Doe, and Corporate Defendants A through Z are such individuals or entities who acted in concert with CCB, or individually performed or participated in the wrongful events described herein whose identities are not yet known. They shall be named with more particularity once they are ultimately identified.
16. Beginning in or around April of 2018 and ongoing and continuing through sometime May 2, 2018, CCB, in concert with, or directed by Kimble, Grolimond, and Sheldon mailed a series of written statements ("Publications") to citizens and voters of the Township of Belleville.
17. Said Publications contained disparaging and defamatory statements designed to libel, slander, defame and place plaintiff in a false light, and were intended to do so.

18. All Publications were authored, overseen or otherwise compiled by defendants CCB, Kimble, Grolimond, and Sheldon, who thereafter circulated and published same to the general public with the intention of defaming and harming the reputation of plaintiff. The publications were made by these defendants and others whose identities are unknown at this time and which shall be revealed in discovery.
19. The publications complained of and that are known to the plaintiff at the time contain libelous, slanderous and defamatory statements and are annexed hereto as Exhibits "A" & "B".
20. Without limitation, the false and defamatory statements contained in the publication accused Plaintiffs of committing a crime.
21. The statements made by the defendants were false and known to be false at the time they were made. The defendants made the statements with the intention of injuring the plaintiff, placing the plaintiff in a false light and otherwise were designed to defame the plaintiff in connection with her business or trade.
22. The statements made were libelous, and defamatory per se.

### **FIRST COUNT**

23. Plaintiffs repeat and reallege all of the foregoing paragraphs as if set forth herein at length.
24. The statements set forth above were false and defamatory.
25. As a direct and proximate result of the statements set forth in the mailings described above, Plaintiffs have been damaged and will continue to suffer damage. The plaintiffs have suffered irreparable harm to their businesses and their reputations for which the defendants should be held liable.

WHEREFORE, Plaintiffs demand judgment against the defendant(s) for special damages, consequential, incidental and punitive damages, together with lawful interest, costs of suit and reasonable attorneys' fees.

### **SECOND COUNT**

26. Plaintiffs repeat and reallege all of the foregoing paragraphs as if set forth herein at length.

27. The defendants intended to deprive the plaintiffs of the opportunity to serve as Counsel-Person and Mayor of the Township of Belleville, and therefore deprived them of the prospective advantage of pursuing their public calling. As a result of the actions of the defendants, the plaintiffs have been injured.

28. As a direct and proximate result of the actions of the defendant, the plaintiff has been and will continue to be damaged.

WHEREFORE, Plaintiffs demand judgment against the defendant(s) for special damages, consequential, incidental and punitive damages, together with lawful interest, costs of suit and reasonable attorneys' fees.

### **THIRD COUNT**

29. Plaintiffs repeat and reallege all of the foregoing paragraphs as if set forth herein at length.

30. The defendants, individually and each of them together have conspired with each other to injure the plaintiff.

31. The defendants are guilty of civil conspiracy designed and implemented to injure the plaintiffs and to cause irreparable harm to the plaintiffs and their businesses and trade.

32. As a direct and proximate cause of the civil conspiracy committed by the defendants, the plaintiff has been damaged.

WHEREFORE, Plaintiffs demand judgment against the defendant(s) for special damages, consequential, incidental and punitive damages, together with lawful interest, costs of suit and reasonable attorneys' fees.

LAW OFFICE OF MARLO J. HITTMAN  
Attorneys for Plaintiffs

By: /s/ Marlo J. Hittman  
MARLO J. HITTMAN, ESQ.

DATED: November 1, 2018

RULE 4:5-1 CERTIFICATION

I hereby certify that there are no other pending actions, suits or arbitration proceedings involving the same parties or matters in controversy. I further certify I am not aware that the matter in controversy is the subject of any other action pending in any court of any arbitration proceeding or is any such motion or proceeding contemplated to join this action. I know of no other persons who should be joined as parties of this action.

/s/ Marlo J. Hittman  
MARLO J. HITTMAN, ESQ.

DATED: November 1, 2018

# Exhibit “A”



# NEW BELLEVILLE EMPLOYMENT AGENCY?

**MELHAM** - FLED BELLEVILLE AFTER HE PULLED OUT OF A PREVIOUS COUNCIL RACE IN EXCHANGE FOR A JOB AND SUED THE TOWN WITH A BOGUS LAWSUIT COSTING THE TAXPAYERS **\$100,000 PLUS.**

**GRAZIANO** - TURNED HIS BACK ON OUR CHILDREN BY FAILING TO SERVE OUT HIS TERM AS A BOARD MEMBER IN ORDER TO RUN FOR COUNCIL. WIFE, DAUGHTER, SISTER AND BROTHER-IN-LAW ALL HAVE JOBS ON THE BACKS OF THE BELLEVILLE TAXPAYERS.

**NAOMI DEPENA** - **FIRE**D FROM BELLEVILLE FOR BEING AN UNQUALIFIED TEACHER AND IS OUT FOR **REVENGE.**

Wait until I  
cut taxpayer  
services again.

...and stuff  
our pockets!

WE DON'T WANT THE FUTURE OF  
BELLEVILLE RUN FROM A PLAYGROUND!

Paid for by Concerned Citizens of Belleville



REC'D 4/28/18

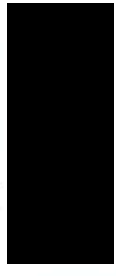
Soon my friends  
from Newark will take  
over Belleville.



**Felipe Reyes** supported by big Newark  
political machine hoping to take over Belleville.

PRST STD  
U.S. Postage  
**PAID**  
Permit No. 625  
Newark, NJ

T3 P1 \*\*\*\*\*ECRWSH\*\*C065



Belleville NJ 07109-1920



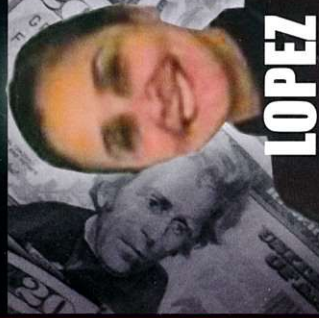
# Exhibit “B”



WHEN SOME  
ONE LIES SO  
MUCH THEY  
BELIEVE THEIR  
OWN LIES

# REPORT CARD

Pictured with best friend convicted felon Richard Yanuzzi  
(Google Richard Yanuzzi)



LOPEZ



MELHAM



GRAZIANO

## COMMITMENT

**FAIL**

- Turned her back on our children by failing to serve out her term as Board of Education Trustee, in order to run for mayor

**FAIL**

- Fled Belleville 12 years ago after pulling out of council race in exchange for a job

**FAIL**

- Turned his back on our children by failing to serve out his term as a Board of Education Trustee, in order to run for council

## HONESTY

**FAIL**

- Claims to be a member of our community, but did not vote in any Belleville Municipal elections until she ran for office in 2016

**FAIL**

- Will not admit his political ties with Richard Yanuzzi, who caused state takeover of our schools costing Belleville residents *millions*

**FAIL**

- Will not be honest about his past *Owner and manager of Wiggles Go-Go Bar*

## INTEGRITY

**FAIL**

- Supported by big Newark political machine hoping to take over Belleville
- Next stop State Senate to only benefit her and her friends

**FAIL**

- Lost bogus lawsuit against Belleville and cost taxpayers over *\$100,000* in legal fees
- Voted in Belleville multiple times while living in Lyndhurst *(Voter Fraud)*

**FAIL**

- VOTED YES to award *\$300,000* to his cousin
- Wife, daughter, sister and brother in-law all have JOBS on the backs of Belleville taxpayers *(Next a Job for his Son)*

# STOP THE CORRUPTION !!!



PRST STD  
U.S. Postage  
PAID  
Permit No. 625  
Newark, NJ

S12 P1 \*\*\*\*\*ECRWSH\*\*C065

Belleville NJ 07109-1920

# REPORTE DE CALIFICACIONES

FOTO TOMADA CON UNO DE SUS MEJORES AMIGOS QUE FUE CONVICTO DE CANGO DE FRAUDE RICHARD YANUZZI.  
(GOOGLE RICHARD YANUZZI)



LOPEZ



MELHAM



GRAZIANO

<p><b>COMPROMISO</b></p>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Le dio la espalda a nuestros hijos al renunciar para cumplir su período como miembro de la Junta, con el fin de postularse para alcalde</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Se fue de Belleville hace 12 anos tirando la Carrera del consejal por cambiar a otro trabajo</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Dio la espalda a nuestros hijos al no efectuar su servicio como miembro de la junta, con el fin de postularse para consejal</li> </ul>
<p><b>HONESTIDAD</b></p>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Reclamos por ser miembro de nuestra comunidad, pero no voto en ninguna elección de la Municipalidad de Belleville, hasta que corrió para oficina en 2016</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>No admitirá sus lazos políticos con Richard Yanuzzi, que causo la adquisición estatal de nuestras escuelas que cuesta a los residentes de Belleville millones</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>No sera honesto sobre su pasado dueno y gerente de <i>Wiggles Go-Go Bar</i></li> </ul>
<p><b>INTEGRIDAD</b></p>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Aoyada por la maquina politica grande de Newark que esperaba superar a Belleville</li> <li>El proximo paro del senado estatal para beneficiarse ella y sus amigos</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Perdio una falsa demanda contra Belleville y que costo a los contribuyentes sobre \$100,000 por gastos legales</li> <li>Voto en Belleville multiples veces mientras vivia en Lyndhurst</li> </ul>	<p><b>FALLO</b></p> <ul style="list-style-type: none"> <li>Voto si a otorgar \$300,000 a su primo</li> <li>Esposa, hija, hermana y cunado todos tienen trabajos en el resplado Belleville Taxpayers</li> </ul>

PARA LA CORRUPCION



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**SUPERIOR COURT OF NEW JERSEY**  
**LAW DIVISION: ESSEX COUNTY**

Docket No. ESX- L-003772-18

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**SUMMONS**

The State of New Jersey To:

**THOMAS GROLIMOND**



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

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

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

DATED: November 1, 2018

Name of Defendant to Be Served: Thomas Grolimond

Address of Defendant to Be Served:

163 Valley St  
Belleville, NJ 07109

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DATED: November 1, 2018

Name of Defendant to Be Served: Michael Sheldon

Address of Defendant to Be Served:

47 Floyd Street  
Belleville, NJ 07109