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Alan L. Krumholz

Michael J. Dillon

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Re: Doris Green v Jersey City Board of Education

Dear Sir/Madam:

A former Jersey City school teacher, Doris Green, who alleged that retaliatory conduct against her by her former principal for opposing, and then disclosing an alleged attempt to defraud the school system, was awarded compensatory damages by a jury in Hudson County of \$265,000.00 on Wednesday, February 23, 2000, and punitive damages of \$300,000.00 on Thursday, February 24, 2000.

Plaintiff had alleged that she was asked to receive a check of \$523.63 net, and then return the net cash amount of the check to the principal, who had allegedly stated that she would turn the money over to another teacher who had allegedly participated in an after school course under the plaintiff's name.

At trial, plaintiff's attorney, Alan L. Krumholz, Esq., told the jury that the other teacher was apparently innocent of any knowledge of the scheme or of any other wrongdoing.

Plaintiff alleged that she had attempted to refund the full amount of the check to the Board of Education. Instead, on the next pay period, the Board deducted a portion of the check amount from plaintiff's pay, claiming the remainder was actually due to the plaintiff as the remainder due for plaintiff's participation in another program.

At the end of discovery, the disclosure of additional documents led plaintiff to believe that the remainder portion may also not have been earned by her.

Plaintiff claimed that her principal, upon learning of plaintiff's disclosure to the Board of Education, retaliated against plaintiff and against her students.

This took the form of removing plaintiff from a mediation program and an educational program in which she had been

involved, changing her classroom, writing down her evaluations, humiliating her in front of her students, and denying her students privileges allowed other students in other classes.

Plaintiff alleged that the course conducted by defendants resulted in plaintiff having to seek medical care for depression, and to retire from teaching at an age younger than her normal retirement date of sixty-five or planned retirement date of seventy.

At issue was the application of C.E.P.A. and the connection, if any, between C.E.P.A. and the New Jersey Tort Claims Act, as well as the question as to whether punitive damages might be awarded against a public entity under C.E.P.A.

Dr. D. Kurani, Psychiatrist, and Dr. Peter Crain, Psychiatrist, testified for plaintiff. Dr. Frank Riccioli, testified for defendant by videotape.

Howard Mankoff, of the law firm of Marshall Dennehy, tried the case for the Jersey City Board of Education before the Honorable Seymour Margulies. Post trial motions are pending.



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