

Ryan Linder, Esq.  
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East Orange, New Jersey 07018  
(973)673-0001  
Attorney Id: 037222001  
Attorney for Plaintiff:  
Mustafa El-Amin

SUPERIOR COURT OF NJ  
ESSEX COUNTY  
MAY 12 2014  
10:59 AM

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MUSTAFA EL-AMIN

Plaintiff

v.

SHEILA LAURENCEU, RAS BARAKA, CAMI  
ANDERSON, THE NEWARK BOARD OF  
EDUCATION

Defendants.

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Superior Court of New Jersey

Law Division: Essex County

Docket No.:

L-2969-14

CIVIL ACTION

COMPLAINT

Plaintiff, Mustafa El-Amin, residing at 2031 Gless Avenue, Union, New Jersey 07083, and complaining of the Defendants alleges as follows:

**GENERAL AVERMENTS & ALLEGATIONS**

1. Plaintiff was employed as special Education Teacher by the Newark Board of Education, until he was forced to retire in December of 2012.
2. Upon information and belief the Newark Board of Education is an independent autonomous entity that is charged with supervising all public schools within the City of Newark. Its principal place of business is located at 2 Cedar Street, Newark, New Jersey 07102.
3. At all relevant times Defendant, Sheila Laurenceu, was the chair of Newark's Central High School's Special Education department and the Plaintiff's front line supervisor.
4. At all relevant times Sheila Laurenceu was an employee of the Newark Board of Education maintaining a business address at 246 18<sup>th</sup> Avenue, Newark, New Jersey.

5. At all relevant times Ras J. Baraka was the Principal of Central High School in Newark, New Jersey, an employee of the Newark board Education and the Plaintiff's supervisor.
6. At all relevant times Ras J. Baraka maintained a business address at 246 18<sup>th</sup> Avenue, Newark, New Jersey.
7. At all relevant times Defendant, Cami Anderson, was the acting superintendent of Newark's Public School System maintaining an office address at 2 Cedar Street, Newark, New Jersey.

#### FIRST COUNT

8. Plaintiff repeats the allegations contained in the previous sections of this complaint.
9. Plaintiff, is an African American Male who is the Iman of Masjid Ibrahim, one of New Jersey's largest mosques, located at 392 Chancellor Avenue, Newark, New Jersey.
10. Masjid Ibrahim was targeted with an unwarranted and wide ranging spying campaign wherein congregants were photographed and characterized along racial and ethnic lines by New York Police Department detectives. The spying campaign was tacitly endorsed by the Newark Police Department.
11. In addition to being an Iman, the Plaintiff, who has a bachelors and master's degree, became employed by the Newark Board of Education in its grants department in 1983.
12. In 1987 the Plaintiff became a special education teacher at Newark's Camden Street elementary school.
13. In 1990 the Plaintiff was granted tenure and transferred to the Montgomery Street School where he was assigned to work with children with special needs.
14. In 2010 the Plaintiff was transferred to Newark's Central High School and was tasked with working with autistic students.
15. Prior to arriving at Central High School, the Plaintiff received stellar employment evaluations on an annual basis and was never given a subpar evaluation.

16. Prior to arriving at Central High School, the Plaintiff requested and was granted a religious accommodation that allowed him to attend Al Jumu'ah – a weekly Muslim religious service - every Friday afternoon for approximately one hour during his lunch break.
17. After his arrival at Central High School, the plaintiff complained about inadequate staffing levels for his autistic students. The Plaintiff specifically noted that he lacked a sufficient amount of aids based on the amount of students under his charge.
18. The Plaintiff also requested a religious accommodation. As in years past, the Plaintiff was permitted to attend religious services during his lunch break on Friday afternoon for approximately one hour.
19. Not only was the Plaintiff's request for a religious accommodation denied by Defendant, Sheila Laurenceu, but the Plaintiff was also told that he would not be permitted to take a lunch break at all. Instead she insisted that the Plaintiff eat his lunch with and at the same time his students ate their lunch.
20. After the Plaintiff registered his complaints, the Defendants began to retaliate against the Plaintiff and subject him to a pattern of harassment that stemmed from his complaints regarding inadequate staffing levels and his repeated request for a religious accommodation.
21. The Defendant's first mode of retaliation was to give the Plaintiff his first unsatisfactory employment evaluations during the course of his tenure with the Newark Board of Education.
22. The Defendants also sought to besmirch the Plaintiff's reputation amongst his colleagues. For instance, on or about October 26, 2011 Defendant, Ms. Laurenceau, approached two teachers aides who worked with the Plaintiff – Ms. Wally and Mr. Green – and told them that the Plaintiff did not want to do any work because he was solely concerned with that "Muslim stuff".
23. On or about October 26, 2011, the Plaintiff reported his complaints to his school's principal – Defendant Ras J. Baraka. During the conversation he relayed the mistreatment he had received

from his front line supervisor, asked that his unfavorable evaluations be changed and repeated his request for a reasonable accommodation so that he would be able to attend Friday Prayer Services.

24. Defendant, Ras J. Baraka and his superiors, not only denied plaintiff's request for a reasonable religious accommodation, he continued to bar the Plaintiff from taking a lunch break, refused to alter his unfavorable evaluations and instead approved disciplinary charges against the Plaintiff.
25. Confronted with the Hobson's choice of missing Al Jumu'ah or forfeiting his employment, the Plaintiff was forced to retire.
26. Based on the foregoing, and in violation of both state and federal law, the Plaintiff has been subjected to hostile work environment based on his religion, retaliation and religious based disparate treatment
27. As a direct and proximate result of the foregoing, the plaintiff has suffered and continues to suffer lost income, humiliation, mental pain and anguish.

WHEREFORE, the Plaintiff demands judgment against Defendants for compensatory and punitive damages, attorneys' fees and the costs of the suit, together with such other relief as he may be entitled to at law or equity.

#### **Second Count**

28. Plaintiff repeats the allegations contained in the previous sections of this complaint.
29. In committing the above described acts, Defendants intended to and did inflict severe emotional distress on Plaintiff and/or acted with a reckless disregard of the probability of causing plaintiff emotional distress.
30. As a direct and proximate result of the defendants' outrageous acts and omissions, plaintiff became physically distraught, sustained shock to his nervous system and suffered severe emotional distress .

WHEREFORE, the Plaintiff demands judgment against Defendants for compensatory and punitive damages, attorneys' fees and the costs of the suit, together with such other relief as he may be entitled to at law or equity.

#### **Third Count**

31. Plaintiff repeats the allegations contained in the previous counts of this complaint.
32. Defendants intentionally intruded upon Plaintiff's solitude, seclusion or private affairs and concerns and placed him in a false light before the public, when they mocked his request for a religious accommodation and instead told his colleagues that he no interest in his students but only cared about that Muslim stuff.
33. Defendants actions violated Plaintiff's common law right to privacy and her rights to privacy guaranteed under the New Jersey Constitution.
34. Defendant's unwarranted and unreasonable intrusions would be highly offensive to a reasonable person.
35. Defendants actions have caused severe physical, mental and emotional distress to the Plaintiff.
36. Defendants actions caused the Plaintiff to suffer a pecuniary injury.

WHEREFORE, the Plaintiff demands judgment against Defendants for compensatory and punitive damages, attorneys' fees and the costs of the suit, together with such other relief as he may be entitled to at law or equity.

#### **Fourth Count**

37. Plaintiff repeats the allegations contained in the previous sections of this complaint.
38. Plaintiff, is a two time cancer survivor and a highly spiritual individual.
39. Throughout his surgeries, treatment and therapy, he attended Al Jumu'ah every Friday.
40. Plaintiff utilized Al Jumu'ah not only as religious services but also as a form of mental health counseling.

41. Plaintiff attributes his recovery in part to his strict religious obedience and devotion. In fact plaintiff became depressed after being forced to miss Al Jumu'ah on a few occasions.
42. As a direct and proximate result of the defendants' outrageous acts and omissions, plaintiff became physically distraught, sustained shock to his nervous system and suffered severe emotional distress .

WHEREFORE, the Plaintiff demands judgment against Defendants for compensatory and punitive damages, attorneys' fees and the costs of the suit, together with such other relief as he may be entitled to at law or equity.


#### **Fifth Count**

43. On or about October 26, 2011 Plaintiff, was called into a meeting by defendant Ras J. Baraka. The meeting was to discuss the issues complained about by his supervisor Defendant, Ms. Laurenceau.
44. During the discussion, the allegations were minimized by defendant Baraka when he stated " this is what she said....I just don't want any problems". Defendant Baraka acknowledged that he knew why plaintiff was absent on Fridays. At no time did defendant Baraka act as if he was putting any validity into the allegations lodged by defendant Ms. Laurenceau.
45. Plaintiff subsequently received notification of a hearing by defendant Baraka , indicating that he could be subject to monetary penalty, suspension or both.

WHEREFORE, the Plaintiff demands judgment against Defendants for compensatory and punitive damages, attorneys' fees and the costs of the suit, together with such other relief as he may be entitled to at law or equity.

**CERTIFICATION PURSUANT TO R. 4:5-1**

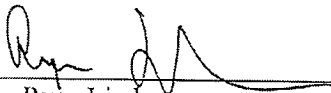
Pursuant to Rule 4:5-1, the matter in controversy is not the subject of any other action pending in any court, nor is it the subject of any other pending arbitration proceeding. In addition, the undersigned hereby certifies that he is unaware of the identity of any other parties or entities that should be named as defendant in this Complaint at the current time.

By:   
Ryan Linder

Dated: April 25, 2014

**JURY DEMAND**


Plaintiff hereby demands a trial by jury on all of the triable issues in this matter.

By:   
Ryan Linder

Dated: April 25, 2014

**DESIGNATION OF TRIAL COUNSEL**

Ryan Linder is designated as trial counsel in this matter.

By:   
Ryan Linder

Dated: April 25, 2014

ESSEX COUNTY - CIVIL DIVISION  
SUPERIOR COURT OF NJ  
465 MARTIN LUTHER KING JR BLVD  
NEWARK NJ 07102

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO.: (973) 693-5529  
COURT HOURS 8:30 AM - 4:30 PM

DATE: APRIL 28, 2014  
RE: EL-AMIN VS LAURENCEU  
DOCKET: ESX L - 002969 14

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON GARRY J. FURRARI

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002  
AT: (973) 693-6443 EXT 6431.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.



ATTENTION:

RYAN  
LINDER  
134 EVERGREEN PLACE STE 301  
EAST ORANGE NJ 07018-2010

JUGK113



Appendix XII-B1

	<b>CIVIL CASE INFORMATION STATEMENT (CIS)</b>		<b>FOR USE BY CLERK'S OFFICE ONLY</b>		
			PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA		
			CHG/CK NO.		
			AMOUNT:		
			OVERPAYMENT:		
		BATCH NUMBER:			
ATTORNEY / PRO SE NAME Ryan Linder, Esq.		TELEPHONE NUMBER (973) 673-0001	COUNTY OF VENUE Essex		
FIRM NAME (if applicable)			DOCKET NUMBER (when available)		
OFFICE ADDRESS 134 Evergreen Place, Suite 301 East Orange, New Jersey 07018			DOCUMENT TYPE Complaint		
			JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
NAME OF PARTY (e.g., John Doe, Plaintiff) Mustafa El-Amin		CAPTION Mustafa El-Amin v. Sheila Laurenceu, et al.			
CASE TYPE NUMBER (See reverse side for listing) 618	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN			
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input checked="" type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION					
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).					
ATTORNEY SIGNATURE: 