

FOJ# 13020

**FRANCIS X. DORRITY ♦\***

◆ Certified by the Supreme Court of New Jersey and the National Board of Trial Advocacy as a Civil Trial Attorney

**TRACEY A. DORRITY \***

*Francis X. Dorrity*

**Law Offices**

www.dorritylaw.com

**JUSTICE BUILDING**  
408 Summit Avenue  
Jersey City, New Jersey  
07306

**Phone: 201-798-1900**

**(Toll Free 877-588-0185)**  
**Fax: 201-798-9171**

\*Admitted at NJ & NY Bars

January 24, 2012

Via fax no. 212-435-3569 & ordinary mail

**CATHY SMITH – CLAIMS DEPARTMENT**  
THE PORT AUTHORITY OF NY & NJ  
225 PARK AVENUE SOUTH  
13<sup>TH</sup> FLOOR  
NEW YORK, NY 10003

CC-1A-12 P15:25 RCVD

LAW DEPARTMENT  
PORT AUTHORITY CLAIMS  
2012 FEB 10 A 10:37

Re: **LAURA TRAMUTOLO**  
**Date of Injury: 08/19/2011 - approx. 1:30am**  
**Newark Liberty International Airport**  
**My File No. 6277**

Dear Ms. Smith:

This office represents LAURA TRAMUTOLO, a passenger who was severely injured on Port Authority of NY & NJ property at approximately 1:30am on August 19, 2011. **Enclosed is an authorization permitting the release of the following information.** You are hereby requested to provide a copy of the complete file pertaining to the incident that caused injury to LAURA TRAMUTOLO on August 19, 2011, including but not limited to:

1. Names and addresses of all Port Authority Police Department personnel on duty at Terminal A on August 19, 2011;
2. Names and addresses of all security personnel on duty at Newark Liberty International Airport, Terminal A on August 19, 2011;
3. Newark Liberty International Airport and Port Authority Police Department CAD reports for August 19, 2011;

4. Names and addresses of all maintenance personnel on duty at Newark Liberty International Airport, Terminal A on August 19, 2011; and
5. Incident reports, administrative reviews, investigation reports, police and security reports, personnel statements, witness statements, notes and memoranda, photographs and diagrams, video and surveillance recordings maintained by any officer, claims department, risk management office and/or investigator of the Port Authority of NY & NJ and/or Newark Liberty International Airport regarding injuries sustained by LAURA TRAMUTOLO on August 19, 2011.

By transmittal of this letter, you, your insurance carrier, your affiliated corporate offices as well as claims management companies which service the NEWARK LIBERTY INTERNATIONAL AIRPORT are on notice of the contents addressed herein.

This letter serves to inform you of your legal obligations under New Jersey law with respect to negligent or intentional acts of spoliation of evidence. Spoliation is the negligent or intentional concealment of evidence or other wrongful acts that would threaten my clients' ability to pursue their legal rights in this matter. Please be on notice of the decisions in Callahan v. Stanley, 306 N.J. Super. 488 (App. Div. 1997) and Allis-Chalmers Corp. v. Liberty Mutual Insurance Company, 305 N.J. Super. 550 (App. Div. 1997), which establish that any action on your part, or that of your agents, management or employees to negligently or intentionally interfere with my clients' cause of action, would subject you to a separate cause of action.

**ANTI-SPOLIATION/FRAUDULENT CONCEALMENT NOTICE:**

It is hereby demanded that all agents, employees (management and staff in all departments), corporate officers, claims management companies and/or affiliates of the NEWARK LIBERTY INTERNATIONAL AIRPORT and PORT AUTHORITY OF NY & NJ preserve any and all documents that may be relevant to LAURA TRAMUTOLO's referenced claim, including but not limited to her injury of August 19, 2011.

It is further demanded that all agents, employees (management and staff in all departments), corporate officers, claims management companies and/or affiliates of the NEWARK LIBERTY INTERNATIONAL AIRPORT and PORT AUTHORITY OF NY & NJ preserve:

1. Any and all documents or computer records relevant to my client's allegations;

2. Any and all documents or computer records reflecting my client's incident and injury;
3. Any electronic mail messages referencing my client;
4. **All video and surveillance tapes maintained by any department or corporate office for NEWARK LIBERTY INTERNATIONAL AIRPORT and PORT AUTHORITY OF NY & NJ;**
5. Any records, documents, or computer records reflecting any investigation into my client's claims;
6. Any witness statements or recordings pertaining to my client, and
7. NEWARK LIBERTY INTERNATIONAL AIRPORT and PORT AUTHORITY OF NY & NJ policies pertaining to the injury of August 19, 2011, including but not limited to investigation policies.

Accordingly, please accept this letter as an **anti-spoilation/fraudulent concealment notice**. It is further requested that you share this notice with anyone in possession of the demanded documentation, such as members of your Medical/Nursing Department, Legal Department, Risk Management Office, Loss/Prevention Department and/or Intellectual/Informational Technology Department. Thank you for your attention to this matter.

Yours very truly,



FRANCIS X. DORRITY  
[fxdorrity@dorritylaw.com](mailto:fxdorrity@dorritylaw.com)

FXD/mik  
Encl.

TO: CLAIMS DEPARTMENT  
THE PORT AUTHORITY OF NY & NJ  
225 PARK AVENUE SOUTH  
13<sup>TH</sup> FLOOR  
NEW YORK, NY 10003

RE: LAURA TRAMUTOLO  
41 MAGNOLIA AVENUE  
SECOND FLOOR  
KEARNY, NJ 07032  
DOB: 02/24/1957

You are hereby authorized to disclose, make available and furnish to:

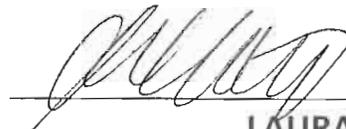
FRANCIS X. DORRITY LAW OFFICES  
JUSTICE BUILDING  
408 SUMMIT AVENUE  
JERSEY CITY, NJ 07306  
Tel: 201-798-1900 / Fax: 201-798-9171  
[fxdorrity@dorritylaw.com](mailto:fxdorrity@dorritylaw.com)

a copy of your records, including all accident reports including addendums, investigation reports, witness statements, audio recordings, video recordings, photographs, sketches or diagrams, medical records or bills for services received, and all other pertinent information therefrom, concerning the following incident:

DATE: August 19, 2011

LOCATION: Newark Liberty International Airport  
Terminal A

OCCURRENCE: Fall



LAURA TRAMUTOLO

Dated: Sept 14, 2011

**THE PORT AUTHORITY OF NY & NJ**

Daniel D. Duffy  
*FOI Administrator*

August 21, 2012

Francis X. Dorrity, Esq.  
Justice Bulding, 408 Summit Avenue  
Jersey City, NJ 07306

Re: Freedom of Information Reference No. 13020

Dear Mr. Dorrity:

This is a response to your January 24, 2012 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code") for copies of records related to Laura Tramutolo's incident on August 19, 2011 at EWR.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/13020-O.pdf>. Paper copies of the available records are available upon request.

Material responsive to your request for the names and addresses of all Port Authority Police Department personnel and all security personnel on duty at Terminal A on August 19, 2011 is exempt from disclosure pursuant to Exemption (4) of the Code.

We have searched our files and found no records responsive to your requests for the names and addresses of all maintenance personnel on duty at terminal A on August 19, 2011 and for incident reports related to your client's injuries.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy  
FOI Administrator

225 Park Avenue South  
New York, NY 10003  
T: 212 435 3642 F: 212 435 7555

CADCH -- Police

JURISDICTION: Newark Airport

SEARCH PARAMETERS

FROM : 08/19/11 00:00  
TO : 08/19/11 03:00  
REC TYPE : Police

\*\*\*\* INCIDENT HISTORY -- DETAILED \*\*\*\*

INCIDENT NUMBER : EWR11019174  
CASE NUMBER(S) : \$EWR1109836

ENTERED: 08/19/11 00:06:06 BY ER01/44383  
DISPATCHED: 08/19/11 00:06:06 BY ER01/44383  
ENROUTE: 08/19/11 00:06:06  
ONSCENE: 08/19/11 00:06:06  
CLOSED: 08/19/11 00:22:38

INITIAL TYPE: N860

FINAL TYPE: N860 (CAR STOP)

PRIORITY: 4 DISPOSITION: SUM

Police BLK:

MAP PAGE: GROUP: EWR BEAT:

LOCATION: B PARK LOT ROAD

--

NAME: ADDRESS: PHONE:

/0006 (44383) ONVIEW ,NO MORE INFORMATIONL  
/0006 DISPOS N81A #38425 MORALES JR,RAUL 1608L,NO MORE INFORMATIONL  
/0021 ASNCAS N81A \$EWR1109836  
/0022 CLEAR N81A D/SUM L  
/0022 CLOSE N81A D/SUM L

CADCH -- Police

JURISDICTION: Newark Airport

INCIDENT NUMBER : EWR11019175

ENTERED: 08/19/11 00:14:12 BY ER01/44383  
DISPATCHED: 08/19/11 00:14:12 BY ER01/44383  
ENROUTE: 08/19/11 00:14:12  
ONSCENE: 08/19/11 00:14:12  
CLOSED: 08/19/11 00:23:10

INITIAL TYPE: N860

FINAL TYPE: N860 (CAR STOP)

PRIORITY: 4 DISPOSITION: SUM

Police BLK:

MAP PAGE: GROUP: EWR BEAT:

LOCATION: C ARR NY/T459012C

NAME: ADDRESS: PHONE:

/0014 (44383) ONVIEW ,NO MORE INFORMATIONL  
/0014 DISPOS N34 #45418 RAFAEL,DANNY 2977L,NO MORE INFORMATIONL  
/0023 CLEAR N34 D/SUM L  
/0023 CLOSE N34 D/SUM L

CADCH -- Police

JURISDICTION: Newark Airport

INCIDENT NUMBER : EWR11019176

CASE NUMBER(S) : \$EWR1109837

ENTERED: 08/19/11 00:29:09 BY ER01/44383

DISPATCHED: 08/19/11 00:29:21 BY ER01/44383

ENROUTE: 08/19/11 00:29:21

CLOSED: 08/19/11 03:58:31

INITIAL TYPE: N866

FINAL TYPE: N866 (SECURITY CHECK)

PRIORITY: 5 DISPOSITION: ARR

Police BLK: NN022

MAP PAGE: 202 GROUP: EWR BEAT: N22

LOCATION: B ARVL INS CTR ,EWR

NAME:

ADDRESS:

PHONE:

/0029 (44383) ENTRY CUSTOMS, MALE PASSENGER ENTERING U.S. W/POSSIBLE WARRANTS

/0029 DISPER N32 #44668 CERNA,JAVIER 2792L

/0029 ASSTER NRH #44963 PETRUZZELLI,SABINO 1866L

/0040 ASSTER N89 [B ARVL INS CTR ,EWR] L #42998 CHARLOT,JEAN 2258L

/0049 MISC N89 ,TRANSPORT 1 MALE 816 FROM TERM B MILES 63785 L

/0053 MISC N89 , OFF BLDG1 ENDING MILES 63787 L

/0053 GDISPO N32 D/ARR L

/0122 ASNCAS N32 \$EWR1109837

/0358 CLEAR N89

/0358 CLEAR NRH

/0358 CLEAR N32 D/ARR L

/0358 CLOSE N32 D/ARR L

CADCH -- Police

JURISDICTION: Newark Airport

INCIDENT NUMBER : EWR11019177

CASE NUMBER(S) : \$EWR1109838

ENTERED: 08/19/11 01:09:51 BY ER03/43016

DISPATCHED: 08/19/11 01:12:10 BY ER01/44383

ENROUTE: 08/19/11 01:12:10

CLOSED: 08/19/11 01:44:58

INITIAL TYPE: N820

FINAL TYPE: N820 (AIDED)

PRIORITY: 4 DISPOSITION: RPT

Police BLK: NE012

MAP PAGE: 107 GROUP: EWR BEAT: N12

LOCATION: BAGGAGE AREA A ,EWR

NAME: PA

ADDRESS:

PHONE:

/0109 (43016) ENTRY NEAR CAROUSEL #2/ SLIP & FALL / MALE W/INJURIES

/0112 (44383) DISPER NRG #44907 COMO,PAUL 2808L

/0144 ASNCAS NRG \$EWR1109838

/0144 GDISPO NRG D/RPT L

/0144 MISC NRG , TRANSPORT TO TRINITAS L

/0144 CLEAR NRG

/0144 CLOSE NRG D/RPT L

YOU HAVE CHOSEN TO LIMIT YOUR REPORT TO THE FOLLOWING JURISDICTION : EWR