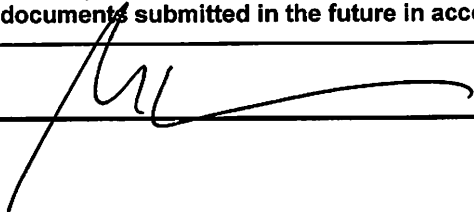
	<h2 style="margin: 0;">Civil Case Information Statement</h2> <h3 style="margin: 0;">(CIS)</h3> <p style="margin: 0;">Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</p>		For Use by Clerk's Office Only Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca Chg/Ck Number: Amount: Overpayment: Batch Number:
	Attorney/Pro Se Name Marc A. Weinberg, Esquire	Telephone Number 215-576-0100	County of Venue Monmouth
Firm Name (if applicable) Saffren & Weinberg		Docket Number (when available)	
Office Address 815 Greenwood Avenue, Ste. 22 Jenkintown, PA 19046		Document Type Civil Action Complaint	
		Jury Demand <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Party (e.g., John Doe, Plaintiff) Denise Tatler, Plaintiff		Caption Denise Tatler v. Estee Lauder a/k/a/ and/or d/b/a Estee Lauder Companies, Inc., John Does #1-5 and XYZ Corporations #1-5	
Case Type Number (See reverse side for listing) 618	Are sexual abuse claims alleged? <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:53A-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 checked="" type="checkbox"/> No		Name of defendant's primary insurance company (if known) <input type="checkbox"/> None <input checked="" type="checkbox"/> Unknown	
The Information Provided on This Form Cannot be Introduced into Evidence.			
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 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 <i>Rule 1:38-7(b)</i> .			
Attorney Signature: 			

Side 2



Civil Case Information Statement (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1***CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)**Track I - 150 days discovery**

151 Name Change	506 PIP Coverage
175 Forfeiture	510 UM or UIM Claim (coverage issues only)
302 Tenancy	511 Action on Negotiable Instrument
399 Real Property (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)	512 Lemon Law
502 Book Account (debt collection matters only)	801 Summary Action
505 Other Insurance Claim (including declaratory judgment actions)	802 Open Public Records Act (summary action)
	999 Other (briefly describe nature of action)

Track II - 300 days discovery

305 Construction	603Y Auto Negligence – Personal Injury (verbal threshold)
509 Employment (other than Conscientious Employees Protection Act (CEPA) or Law Against Discrimination (LAD))	605 Personal Injury
599 Contract/Commercial Transaction	610 Auto Negligence – Property Damage
603N Auto Negligence – Personal Injury (non-verbal threshold)	621 UM or UIM Claim (includes bodily injury)
	699 Tort – Other

Track III - 450 days discovery

005 Civil Rights	608 Toxic Tort
301 Condemnation	609 Defamation
602 Assault and Battery	616 Whistleblower / Conscientious Employee Protection Act (CEPA) Cases
604 Medical Malpractice	617 Inverse Condemnation
606 Product Liability	618 Law Against Discrimination (LAD) Cases
607 Professional Malpractice	

Track IV - Active Case Management by Individual Judge / 450 days discovery

156 Environmental/Environmental Coverage Litigation	514 Insurance Fraud
303 Mt. Laurel	620 False Claims Act
508 Complex Commercial	701 Actions in Lieu of Prerogative Writs
513 Complex Construction	

Multicounty Litigation (Track IV)

271 Accutane/Isotretinoin	601 Asbestos
274 Risperdal/Seroquel/Zyprexa	623 Propecia
281 Bristol-Myers Squibb Environmental	624 Stryker LFIT CoCr V40 Femoral Heads
282 Fosamax	625 Firefighter Hearing Loss Litigation
285 Stryker Trident Hip Implants	626 Abilify
286 Levaquin	627 Physiomesh Flexible Composite Mesh
289 Reglan	628 Taxotere/Docetaxel
291 Pelvic Mesh/Gynecare	629 Zostavax
292 Pelvic Mesh/Bard	630 Proceed Mesh/Patch
293 DePuy ASR Hip Implant Litigation	631 Proton-Pump Inhibitors
295 AlloDerm Regenerative Tissue Matrix	632 HealthPlus Surgery Center
296 Stryker Rejuvenate/ABG II Modular Hip Stem Components	633 Prolene Hernia System Mesh
297 Mirena Contraceptive Device	634 Allergan Biocell Textured Breast Implants
299 Olmesartan Medoxomil Medications/Benicar	
300 Talc-Based Body Powders	

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59 Consumer Fraud

SAFFREN & WEINBERG
By: Marc A. Weinberg, Esquire
N.J. Atty. I.D. No.: 039291990
815 Greenwood Avenue, Suite 22
Jenkintown, PA 19046
(215) 576-0100

Attorneys for Plaintiff

DENISE TATLER	:	SUPERIOR COURT OF NEW JERSEY
12 Pamona Drive	:	LAW DIVISION
Barnegat, NJ 08005	:	MONMOUTH COUNTY
Plaintiff,	:	
	:	
v.	:	DOCKET NO:
	:	
ESTEE LAUDER a/k/a and/or	:	
d/b/a ESTEE LAUDER	:	
COMPANIES, INC.	:	
1 Premium Outlet Boulevard	:	
Tinton Falls, NJ 07753	:	
and	:	
767 5 th Avenue	:	
New York, NY 10153	:	
and	:	
JOHN DOES #1 -5	:	
and	:	
XYZ CORPORATIONS 1-5	:	
Defendants.	:	

Plaintiff, Denise Tatler, by and through her attorneys, Saffren & Weinberg hereby complains against Defendants, Estee Lauder a/k/a and/or d/b/a Estee Lauder Companies, Inc., John Does #1-5 and XYZ Corporations #1-5, and in support thereof aver as follows:

THE PARTIES

1. Plaintiff, Denise Tatler (hereinafter “Plaintiff” and/or “Tatler”), is an adult individual residing at the above-captioned address.

2. Upon information and belief, Defendant, Estee Lauder a/k/a and/or d/b/a Estee Lauder Companies, Inc., (hereinafter referred to as “Defendant” and/or “Estee

Lauder”), is a corporation, partnership, association or similar business entity with a principal place of business captioned above and doing business in the State of New Jersey.

3. Defendants, John Does #1-5 and XYZ Corporations #1-5 are fictitious names for companies and/or individuals responsible for the hiring, termination, and accommodation, or lack thereof, of the Plaintiff.

JURISDICTION

4. This Court has jurisdiction pursuant to N.J.S.A. 10:5-13.

VENUE

5. Venue is proper in this Court pursuant to N.J.S.A. 10:5-13.

FACTUAL ALLEGATIONS

6. Plaintiff was employed by Estee Lauder, as a store manager, at the Estee Lauder location in Tinton Falls, New Jersey.

7. Prior to her termination, Plaintiff had worked as a store manager for Estee Lauder for a period of thirteen (13) years.

8. Plaintiff was responsible for overseeing staff, scheduling and rescheduling, building clientele, processing shipments and filling orders for the Defendant.

9. Plaintiff suffers from asthma, a recognized disability or infirmity protected under the New Jersey Law Against Discrimination (“NJLAD”).

10. At all times relevant hereto, Defendant was aware of Plaintiff’s recognized disability.

11. Plaintiff regularly worked eight (8) hours per day, and forty (40) hours per week for the Defendant.

12. Plaintiff was subject to a furlough due to the COVID-19 pandemic.

13. Plaintiff was not permitted to return from the COVID-19 pandemic furlough, although other similar managers were afforded to return.

14. During the course of the COVID-19 pandemic, Plaintiff was required to wear a face mask while at work.

15. As a result of her asthma, Plaintiff had difficulty wearing the face mask during the entirety of her eight (8) hour shift.

16. While Plaintiff could wear her mask for shorter periods of time, her asthma prevented the Plaintiff from wearing her mask for the entire duration of her working hours.

17. Plaintiff requested an accommodation from the Defendant, wherein Plaintiff requested to be able to perform her store manager duties from the “back” of the store, away from customers and staff, or perform the managerial duties from home.

18. Plaintiff requested this accommodation based on her disability.

19. Plaintiff offered to provide the Defendant with doctor’s not(s), regarding her asthma, but Defendant refused to receive the doctor’s note(s).

20. Upon information and belief, the Defendant provided accommodations to other managers, and other employees, permitting the other employees to work and/or perform managerial tasks from home.

21. Plaintiff was not provided her requested accommodation, and was not permitted to work from the “back” of the store, or from home.

22. Despite requesting an accommodation, Plaintiff was not afforded an accommodation by the Defendant.

23. Plaintiff's reasonable accommodation request did not cause undue hardship to the Defendant, as Defendant had provided the same accommodation Plaintiff was seeking to other, similarly situated employees.

24. Rather, Plaintiff was furloughed by the Defendant.

25. Plaintiff was then subject to retaliation in the form of termination after she requested an accommodation.

26. On or about September 30, 2020, Defendant terminated the Plaintiff.

27. Defendants violated the Plaintiff's rights under the New Jersey Law Against Discrimination.

28. As a result of said termination, the Plaintiff has suffered losses in the form of lost wages, lost health care benefits, lost retirement benefits, lost seniority, humiliation, and mental anguish all of which she is entitled to receive compensation.

COUNT I

**DENISE TATLER V. DEFENDANT, ESTEE LAUDER a/k/a and/or d/b/a
ESTEE LAUDER COMPANIES, INC., JOHN DOES #1-5 and
XYZ CORPORATIONS #1-5
VIOLETION OF THE NEW JERSEY LAW AGAINST DISCRIMINATION**

29. Plaintiff, hereby incorporates the allegations contained in the aforementioned paragraphs, inclusive, as though set forth at length herein.

30. Defendants subjected Plaintiff to a hostile work environment and discrimination, which was severe, pervasive, and which unreasonably interfered with the terms and conditions of Plaintiff's employment, and which constituted an unlawful employment practice in violation of N.J.S.A. 10:5-12.

31. Defendants' were aware of, and/or showed reckless disregard for the fact that Plaintiff was being subjected to discrimination in violation of N.J.S.A. 10:5-12.

32. Defendants' violation of the New Jersey Law Against Discrimination included but was not limited to refusing to accommodate Plaintiff, furloughing the Plaintiff, terminating the Plaintiff, and subjecting her to severe and pervasive harassment as a result of her recognized disability.

33. As a direct result of Defendants' unlawful employment practices, Plaintiff has endured loss of income, other pecuniary loss, humiliation, and embarrassment.

WHEREFORE, Plaintiff, Denise Tatler, demands judgment against Defendants, Estee Lauder a/k/a and/or d/b/a Estee Lauder Companies, Inc., John Does #1-5 and XYZ Companies #1-5, for compensatory damages, including but not limited to front and back pay, equitable relief such as reinstatement to rightful place, retroactive relief such as seniority and entitlement, injunctive relief including but not limited barring future discriminatory conduct; punitive damages, attorneys' fees, interest, costs of suit, and such other and further relief as may be provided by statute and as this Court deems just.

COUNT II
DENISE TATLER V. DEFENDANT, ESTEE LAUDER a/k/a and/or d/b/a
ESTEE LAUDER COMPANIES, INC., JOHN DOES #1-5 and
XYZ CORPORATIONS #1-5
RETALIATION

34. Plaintiff incorporates the foregoing paragraphs as though fully set forth herein at length.

35. As detailed above, Defendants acted unlawfully and in direct contravention of laws and statutes of the NJLAD, and in retaliation against the Plaintiff for requesting an accommodation.

36. The Defendants retaliated against the Plaintiff for exercising her rights under the NJLAD, by furloughing and terminating the Plaintiff.

37. As a direct result of the actions of retaliation by Defendants discussed herein, Plaintiff was terminated seeks compensatory damages, including but not limited to front and back pay, equitable relief such as reinstatement to rightful place, retroactive relief such as seniority and entitlement, injunctive relief including but not limited barring future discriminatory conduct; punitive damages, attorneys' fees, interest, costs of suit, and such other and further relief as may be provided by statute and as this Court deems just.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues in the within matter.

SAFFREN & WEINBERG

BY:



MARC A. WEINBERG, ESQUIRE

Dated:

4/1/21

CERTIFICATION PURSUANT TO RULE 4:5-1

Pursuant to R. 4:5-1, the undersigned certifies that:

1. To the best of my knowledge, the matter in controversy is not the subject of any other action pending in any other court, administrative, or arbitration proceeding.
2. To the best of my knowledge, no other action, arbitration or administrative proceeding is contemplated; and
3. To the best of my knowledge, there are at this time no other parties who should be joined in this action.

SAFFREN & WEINBERG

BY:



MARC A. WEINBERG, ESQUIRE

Dated:

4/1/21

DESIGNATION OF TRIAL COUNSEL PURSUANT TO R. 4:25-4

PLEASE TAKE NOTICE that Marc A. Weinberg, Esquire is hereby designated as trial counsel in the within matter.

SAFFREN & WEINBERG

BY:



MARC A. WEINBERG, ESQUIRE

Dated:

4/1/21

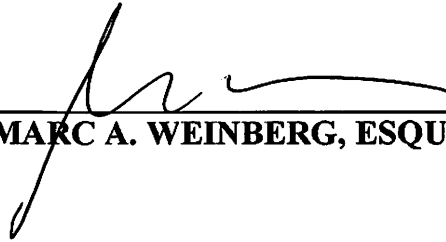
NOTICE PURUSANT TO R. 1:5-1(a) and R. 4:17-4(c)

PLEASE TAKE NOTICE that the undersigned attorney, counsel for Plaintiff, hereby demands, pursuant to R. 1:5-1(a) and Rule 4:17-4(c), that each party herein, after serving pleadings and interrogatories on the other parties, and receiving answers thereto, serve copies of all such pleadings and answers to interrogatories received from any party, including any documents, papers and other materials referred to therein upon the undersigned attorney.

PLEASE TAKE FURTHER NOTICE that this is a continuing demand.

SAFFREN & WEINBERG

BY:



MARC A. WEINBERG, ESQUIRE

Dated:

4/1/21