

LaBARBIERA & MARTINEZ

By: Richard LaBarbiera, Esq.
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Attorney for Plaintiff(s)

CHRISTINA LaBARBIERA,

Plaintiff(s),

v.

ROBERT DENNIS HARRIS,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

DOCKET NO.: BER-L-

Civil Action

COMPLAINT

Plaintiff, Christina LaBarbiera, residing at 1 Farmstead Road, Mahwah, NJ by way of Complaint against the Defendant says:

FIRST COUNT

1. Defendant is indebted to Plaintiff in the amount of \$71,640.56.
2. Payment has been demanded and, to date, not received.

WHEREFORE, Plaintiff demands judgment against the Defendant against the Defendant plus interest, costs of suit and attorney fees.

SECOND COUNT (FRAUD)

1. Plaintiff repeats and re-alleges each and every paragraph of the foregoing Counts as if set forth fully herein.

2. Plaintiff seeks to recover damages which she claims she sustained as a result of multiple misrepresentations made to her by the Defendant.
3. During the course of their relationship, Defendant made multiple false statements regarding why he needed to borrow funds from Plaintiff.
4. Defendant knew or believed said statements to be false.
5. Defendant intended to deceive Plaintiff.
6. Plaintiff believed and justifiably relied upon the statements and was induced by them to lend Defendant money such as:
 - a. Plaintiff, on August 10, 2023, sent a \$501 transmittal to Defendant via Venmo to “test if his Venmo works”. The funds were not returned to Plaintiff;
 - b. On August 21, 2023, Plaintiff sent Defendant \$1,310.00 via Venmo to pay for Defendant’s friend's entertainment while in Miami. Defendant claimed the facility wouldn't take his credit card as payment;
 - c. On multiple occasions, requesting money for an Airbnb totaling over \$20,000.00;
 - d. And such other acts that will be revealed in discovery.

7. Defendant knew that these statements, in whole or in part, were false and designed to dupe the Plaintiff into lending him money.
8. Defendant further made false and misleading statements to Plaintiff about repaying her.
9. As a result of Plaintiff's reliance upon the statement, she sustained damages.

WHEREFORE, Plaintiff demands judgment against the Defendant against the Defendant plus interest, treble damages, costs of suit and attorney fees.

THIRD COUNT (PUNITIVE DAMAGES)

1. Plaintiff repeats and re-alleges each and every paragraph of the foregoing Counts as if set forth fully herein.
2. The actions undertaken by Defendant in the Second Count of the Complaint, in addition to other misrepresentations about repayment were false and/or misleading.
3. Punitive damages are warranted to punish Defendant and to deter the Defendant from similar wrongful conduct in the future.

WHEREFORE, Plaintiff demands judgment against the Defendant for damages, plus interest, punitive damages, treble damages, costs of suit and attorney fees.

FOURTH COUNT (UNJUST ENRICHMENT)

1. Plaintiff repeats and re-alleges each and every paragraph of the foregoing

Counts as if set forth fully herein.

2. Defendant received money from the Plaintiff and now wishes to avoid responsibility.
3. Defendant received said benefits, the retention of which would be inequitable.
4. Defendant has been unjustly enriched, to the detriment of the Plaintiff.
5. Plaintiff is entitled to money damages in the amount of Defendant's unjust enrichment.

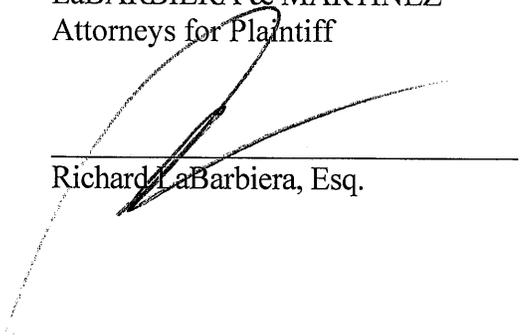
WHEREFORE, Plaintiff demands judgment against the Defendant for damages, plus interest, punitive damages, treble damages, costs of suit and attorney fees.

CERTIFICATION

Pursuant to R.4:5-1, the Plaintiffs hereby certify that the within matter of controversy is not the subject of any action pending in any other jurisdiction, nor is it the subject of any arbitration matter pending in any other jurisdiction.

LaBARBIERA & MARTINEZ
Attorneys for Plaintiff

Date: November 8, 2023



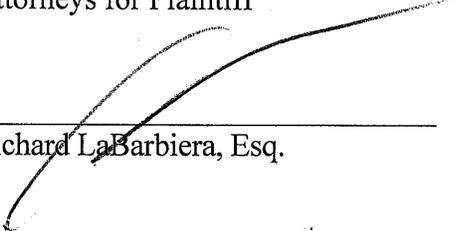
Richard LaBarbiera, Esq.

DESIGNATION OF TRIAL COUNSEL

The undersigned (Attorney ID: 028141997) is hereby designated as trial counsel herein.

LaBARBIERA & MARTINEZ
Attorneys for Plaintiff

Date: November 8, 2023



Richard LaBarbiera, Esq.

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-006046-23

Case Caption: LABARBIERA CHRISTINA VS HARRIS ROBERT

Case Initiation Date: 11/08/2023

Attorney Name: RICHARD LA BARBIERA

Firm Name: LA BARBIERA & MARTINEZ

Address: 9252 KENNEDY BLVD

NORTH BERGEN NJ 07047

Phone: 2018546444

Name of Party: PLAINTIFF : LaBARBIERA, CHRISTINA

Name of Defendant's Primary Insurance Company

(if known): None

Case Type: BOOK ACCOUNT (DEBT COLLECTION MATTERS ONLY)

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: CHRISTINA LaBARBIERA?
NO

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? YES

If yes, is that relationship: Friend/Neighbour

Does the statute governing this case provide for payment of fees by the losing party? 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? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

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)

11/08/2023

Dated

/s/ RICHARD LA BARBIERA

Signed

