



GRC Use Only

New Jersey Government Records Council Denial of Access Complaint

Please read these instructions before completing this form:

- This form is to be used only for claims of denial of access to government records that you want the Government Records Council (GRC) to decide. Your request must have been made on or after July 8, 2002 under "OPRA," the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).
- Please print or type your responses, and provide ALL information requested. Incomplete forms will delay processing. This form is available in downloadable format from the GRC web site at www.nj.gov/grc.
- Only one complaint is required for each OPRA request form, regardless of the number of documents sought in the request.
- *The GRC recommends that you keep a copy of this complaint for your own files.*
- **MAIL, FAX, OR E-MAIL THIS COMPLAINT AND ALL SUPPORTING DOCUMENTATION TO:**

Government Records Council
PO Box 819
Trenton, NJ 08625-0819

Fax: (609) 633-6337
E-mail: grc@dca.state.nj.us

1. About the Requester of the Records:

Full Name: Thomas Caggiano

Mailing Address: 7086 Arcadia Glen Court

City: North Las Vegas State: NV ZIP 89084

Please provide a phone number at which GRC staff can contact you between 8 A.M.-5 P.M., Monday-Friday: 702-586-6768

Fax Number: 973-215-2538

E-Mail Address: thomas_caggiano@yahoo.com

If you are represented by an attorney in this matter, please provide: N/A

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____

If you are an attorney who requested records and are filing this complaint **on behalf of a client**, please state the client's name:

2. About the Custodian of Records:

Name of the public agency from which records were requested: Government Record Council

Name of custodian on whom records request was submitted: Catherine Starghill, Esq.

Telephone Number: 866-850-0511 E-Mail address (if used): grc@dca.state.nj.us

Name of custodian who denied records request (if different from above): _____

Telephone Number: _____ E-Mail address (if used): _____

Fax Number: _____

3. About the Record Request:

Date your records request was provided to the custodian: Mar 21, 2010 _____

Did you receive a reply to your request? Yes No

If so, state the date your request was denied: _____ Apr 7, 2010 _____

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes No

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____ Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes Date: _____ No

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No Yes If Yes, Docket Number: _____

4. Offer of Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation? Yes No

5. Documents to submit with this Form:

- Complete** the attached **Records Denied List** to describe the records to which you were denied access.
- Attach** a copy of the OPRA Records Request form you filed with the public agency and any correspondence between you and the record custodian(s) or custodial agency staff that concern the portion of your OPRA request that was denied. Be sure to include any e-mail, memoranda, phone messages, or any other documents such as affidavits, or certifications related to the request and the denial.
- Summarize** the facts of this complaint by writing the content, time and date of any interaction you had with the custodian regarding the OPRA records request that is the subject of this complaint. Use the attached **Detail Summary** for this purpose.
- Provide** any legal arguments, allegations or other information you would like the GRC to consider in deciding this complaint. Use the attached **Detail Summary** for this purpose.
- Sign** the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm that:

- I am the person who submitted the OPRA request for records which is the subject of this Complaint;
- The information I have provided is true to the best of my knowledge and belief;
- The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
- I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
- I am simultaneously providing a copy of this complaint to the Custodian of Records.

Signature (required)

Date

New Jersey Government Records Council Denial of Access Complaint - Detail Summary

Use this form to summarize the content, time and date of any conversations regarding this complaint, along with the names of the participants and any witnesses.

This is a VERIFIED CERTIFIED AFFIDAVIT based upon my personal knowledge and contains per NJ court rules adopted exhibits by reference and are included in the Affidavit. The adopted reference include the attached motion with exhibits and additional adopted exhibits by reference. My May 1, 2010 moving papers and motions to the Hon. Mitchel Ostrer, JSC concerning my municipal appeal conviction of a petty disorder charge made against me by the corrupt Catherine Starghill, Esq. who committed perjury during that kangaroo court. The corrupt Trenton municipal court has refused to provide me despite payments for a copy of the transcript of the kangaroo court trial as documented in Criminal Tip line reports to the N.J. Attorney General and my filed Affidavits of Probable Cause with signed and witnessed CDRs for perjury and other indictable State crimes and federal crimes such as conspiracy, official misconduct, complicity, perjury. The corrupt Trenton municipal court administrator also refused to provide me copies of my own signed Affidavits of Probable Cause and CDRs. The municipal court was ordered and is being monitored by Superior Court Judge Ostrer, JSC to assure a full transcript is provided and I have paid sums to have copies provided the Mercer County Prosecutor's Office, U.S. Attorney, FBI and NJ Attorney General for prosecution of massive federal and state crimes which were noted in six exhibits I presented the GRC over 3 years ago. I do NOT have these exhibits nor was I even allowed to state what the exhibits were by the corrupt GRC chair. A recording of the corrupt Superior Court of Judge Shuster was not made in his pre-hearing. No witness and no cross examination of any affiant was permitted by the corrupt Superior court Judge Sypke who issued court orders violating the OPRA, OPMA and United States Constitution and NJ Constitution. My wife Kathryn and I have been witnesses to the State of NJ Official Corruption Bureau and provided audio recordings of the corrupt Superior Court Chancery Division when my wife Kathryn a witness and I met two State troopers in the Hughes Justice Complex. All records provided the GRC by me and all records provided the Department of Law and Public Safety and the Division of Law are made part of this affidavit. The Appellate court found that the Superior Courts order requiring a format was in violation of the INTENT of OPRA and also that a any person could submit an OPRA request by email. There is NO prohibition of my knowing email address of my own Case Manager or others in the Department of Community Affairs as I have contacted the incoming new Deputy Commissioner of Community Affairs, the municipal clerk in Roxbury as I was a member of the Roxbury Historical Society and created and developed the web site CanalSocietyNJ.org which focus on the inclined plane in Ledgewood a part of Roxbury. Whereas Catherine Starghill used the case before Judge Sancinito as a reason to recuse herself, she forgot the trial continued and then forgot about her perjury and the State attempted to rescind its own State Exhibit S-2. All records in the Superior court Chancery Division Docket No. MER-C-102-07 and before my trial in Trenton Municipal court and all the exhibits I introduced as part of the court record are adopted into this Affidavit to prove a willful denial of access was made by Catherine Starghill, Esq. to prevent the exposure of her knowledge and that of other corrupt GRC panel members, excluding the former GRC Vince Maltese, Esq. who left the room to allow the corruption of the GRC panel and its lawyers to be exposed on the GRC own web site. As known in my three meetings with the Mercer County Prosecutor's Office, I have been a witness to them and filed complaints against the GRC for violation of the Open Public Meeting Act as the GRC has refused to provide me copies of agendas and therefore ALL such meetings are illegal and fines for each meeting are set in OPMA. The transcript record of Jul 25, 2007 provides evidence of the GRC of massive corruption for which the Department of Community Affairs has over 12,000 pages of evidence and emails to its prior Commissioners including copies of tip line reports provided the DCA. The court transcripts of the Docket that was changed by the corrupt GRC in ex-parte discussions wherein the corrupt Judge Bozonelis, AJSC was told by the felon Borough Attorney Richard Stein that I submitted 800 OPRA requests ALL on Zoning is false. The transcript record is included on a dismissed criminal indictment of me by corrupt Stanhope officials and includes the transcript record of the Case Borough of Stanhope v. GRC and Thomas Caggiano. That transcript record and all court records of Judge Dana who refused to provide me the transcript record on a CD ROM and committed other illegal acts are presented on my complaint to the corrupt ACJC noted on my filed web site ThomasCaggiano.com on State Exhibit S-1 in the corrupt Trenton Municipal Court and was filed in Sussex County Superior Court AND the corrupt Sussex County Prosecutor's Office.

There is NOTHING in any court order that prevents me from knowing the email address of various panel members as my wife and others may desired to contact them. The GRC “presumes” I have copies of records from three years ago and the records are ONLY six exhibits which the GRC prevented me from even stating what they were as noted in the transcript as I was NOT giving testimony as stated by the corrupt GRC chair as I was NOT under oath and in Open Public Session is where the Bill of Rights allows persons Freedom of Speech, Freedom of Assembly and Freedom of Presenting grievances. Whereas the motives of Catherine Starghill in an arranged course of conduct for years, not performing interlocatory reviews of corurpt Office of Administrative Law decision in violation of court rules. I plead that the appropriate review conduct and extensive review of ALL the adopted exhibits and a finding of Willful denial of access be made against Catherine Starghill who has engaged in a conspiracy for years for in over 50 denial of access by me and Mary Pawar NOT one allowed any testimony or any cross examination. The reasons are obvious based upon the court records themselves and the actions of others in a willful planned conspiracy with complicity of those responsible for her actions. The web site <http://ThomasCaggiano.com> and its links on <http://ThomasCaggiano.com/page400.htm> are included as referenced exhibits to this Affidavit.

I do NOT agree to mediation of this Complaint against the GRC executive director Catherine Starghill, Esq and demand she recuse herself from administrative actions on this formal Complaint.

I am also a witness to the FBI having provided evidence for years. Attached is a redacted letter from the U.S. Department of Justice, FBI, Apr 2, 2010 from Unit Chief Luis A. Velez, Jr. Public Corruption Bureau. The attached letter of May 1, 2010 is in my continuing quest for JUSTICE. The criminal charges against me on 08-09-316-I were all dismissed on Sep 10, 2009. All fines, all probation and all court orders by Judge Craig U. Dana, JMC were vacated by the Superior Court on my three prepared Pro se municipal appeals of his forty four convictions of me as witnesses seated in the court room were NOT allowed to testify in my defense and his court order did NOT allow me to submit an OPRA request to the Borough of Stanhope or pay for copies of documents already requested as the OPRA custodian Ellen Horak is corrupt and has been referred to the U.S. P.S. I.S. for mail tampering. The Borough of Stanhope also refuses to provide me copies of its Open Public Meeting Agendas in advance per OPMA as does the corrupt GRC which violates OPMA and is a confederate with the felons in the Borough of Stanhope and others defined on the web site. The corrupt Department of Education GRC panel member was referred to the new Commissioner for investigation.

I certify the foregoing statements made by me are TRUE. I am aware that if any of the foregoing statements made by me are willfull false that I am subject to punishment. The web site ThomasCaggiano.com filed in courts in included as part of this certified VERIFIED Affidavit based upon my PERSONAL knowledge.

**Thomas Caggiano
May 2, 2010**

**A copy of this complaint shall be posted and publicly released and available under
FreedomNewsDigest.com or ThomasCaggiano.com as
<http://ThomasCagginao.com/100502OPRAcomplaintagainstGRC.pdf>**

**New Jersey Government Records Council
Denial of Access Complaint – Records Denied List**

Name of Complainant: _____ Thomas Caggiano _____
_____.

This is page _____ of _____.

Please fill out this form describing the record (or portion of it) to which access has been denied, the response to your request, including the reason given for denial of access. Submit additional pages if necessary.

Item #	Description of record (or portion)	Response to request
1	Provide copies of exhibits I provided the GRC three years ago in my Open Public Discussion of Jul 25, 2007	Denied on a false assumption which Catherine Starghill used to prevent the exposure of her knowledge of criminal conduct, violation of Rules of Ethics for lawyers, and N.J.S.A.2C 2-1 Omission and other criminal acts
2	Copy of Audio recording	Denied. The Audio recording is the property of the Government NOT the transcription company. NO effort was made per OPRA to obtain a copy of the record requested.
3	Copies of email address	Denied. There exists NO court order denying me the right to know the email addresses of GRC panel members nor other listed. The note by Catherine Starghill shows her complicity as the Appellate Courts have overridden Superior Court judges and made a determination that OPRA request CAN be sent by email. Also OPRA requires consultation with a Case Manager which the GRC has refused. The court recording provided to the State Police Official Corruption Bureau know by the GRC's DAG Debra Allen, Esq also proves her cooperation in an active conspiracy. The Chanery court records are all included in this response by adoption.

Using Mediation to Resolve Complaints

❖ The Mediation Option

The New Jersey Government Records Council offers the mediation services of the New Jersey State Office of Dispute Settlement to resolve disagreements arising from a request for government records. A trained, neutral mediator is available to assist the parties – the person who was allegedly denied access to a government record and the custodian who allegedly denied access -- reach a mutually acceptable resolution to their differences.

❖ What is Mediation?

Mediation is an informal, non-adversarial, voluntary problem-solving process. The purpose of the mediation is to:

- i. Promote discussion between the parties,
- ii. Assist parties to develop and exchange pertinent information and data concerning the issues in dispute, and
- iii. Assist parties to develop proposals that will enable them to arrive at a mutually acceptable outcome.

The mediator is an impartial, third party whose purpose is to help frame the issues, focus discussion, clarify points of agreement and disagreement, and assist parties in considering options to resolve the dispute. The mediator is not a judge and has no authority to determine the merits of the complaint or the outcome of the mediation, nor does a mediator act as an advocate for any party to the dispute. Ultimately, the parties control whether and how the dispute is resolved.

❖ Features of Mediation:

Voluntary - Both parties must agree to participate in mediation. Any party to the mediation may withdraw at any time by notifying the mediator and all other parties involved. The mediator can also terminate the process at any point if it appears that further mediation would be unproductive. Settlement, too, is entirely voluntary. If a settlement is reached, however, the mediator will assist the parties in putting their agreement into written form. Once all parties sign a Mediation Settlement Agreement, it becomes binding and all parties are obligated to fulfill the promises made in the Agreement.

Confidential - Information that is disclosed in the course of mediation and not otherwise obtainable is confidential, for settlement purposes only, and cannot be used in any future proceeding unless expressly agreed to by the parties. The only information that will be transmitted to the Government Records Council is a final Mediation Settlement Agreement - if the parties reach one. No record of the proceeding - stenographic, electronic or otherwise - will be made. Parties will not be bound by anything said or done in mediation unless and until there is a written Mediation Settlement Agreement.

Informal - Mediation is not a legal proceeding. There will be no testimony or witnesses, and rules of evidence do not apply. Rather, mediation is informal and aimed at reaching terms agreeable to both parties.