

Pagliara Law Group, P.A.
500 Paterson Plank Rd.
Union City, NJ 07087
Attorney for Plaintiff
By: Nicholas Anthony Pagliara
Attorney ID No. 054712014
office@pagliaralawgroup.com
(201) 470-4181

<p>JOSEPH BROWN</p> <p>Plaintiff</p> <p>v.</p> <p>TARGET CORPORATION, and JOHN DOE</p> <p>Defendant</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION PASSAIC COUNTY</p> <p>DOCKET NO: PAS-L-003847-25</p> <p>Civil Action</p> <p>COMPLAINT, JURY DEMAND, DESIGNATION OF TRIAL COUNSEL and CERTIFICATION</p>
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Plaintiff, JOSEPH BROWN (“**Mr. Brown**”) by and through his undersigned counsel, PAGLIARA LAW GROUP, P.A, hereby complains of Defendants, Target Corporation (“**Target**”) and John Doe, the name being unknown to Plaintiffs (collectively, “**Defendants**”) as follows:

NATURE OF THE CASE

1. Plaintiff asserts claims for discrimination based on race and national origin in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. (“LAD”), including discrimination in places of public accommodation; defamation; unlawful detention; negligent

retention, training, and supervision; intrusion upon seclusion, false light and intentional infliction of emotional distress.

2. Plaintiff, a black man of African American national origin, was at Target in Clifton, New Jersey as a paying customer on May 28, 2025.

3. Target racially profiled and defamed Plaintiff by falsely inferring and essentially accusing him of having stolen something from the store and detaining him unlawfully and insisting to illegally search his bag.

4. Despite having made no effort whatsoever to conduct a genuine investigation, Target's employee falsely, discriminatorily, and maliciously inferred, accused, unlawfully detained and illegally searched Plaintiff based on racial stereotypes.

5. As a proximate result of Target's malicious, outrageous, and racist rush to profile and judge Plaintiff was guilty of a possible crime without having reasonable suspicion/probable cause or seeing him put something in his personal bookbag and detaining him while the cashier employee misrepresented and stated it was corporate policy to look in the bag or he would be written up. Of which Target made an admission to Plaintiff that only Loss prevention team members have the ability to stop and search.

6. Plaintiff lost his good name by being accused of theft based on his race and he has suffered the indignities of discrimination and egregious emotional trauma that will plague him for his entire life, all on the basis of Plaintiff's race.

7. Prior to bringing this lawsuit, Plaintiffs pleaded with Target to investigate and they kept telling him they would escalate it and a regional manager would contact him and no one ever reached out to him.

8. Target not only callously ignored these entreaties, but as also declined to provide any information, which only adds further, compelling reasons to conclude that Target singled Plaintiff out for unfavorable treatment, and stereotyped Plaintiff, based on his race.

JURISDICTION AND VENUE

9. This Court has jurisdiction for this case and venue is proper because the Defendant operates a Target location in Passaic County and the events described herein occurred at the same location.

PARTIES

10. Plaintiff Joseph Brown, is an individual who, at all relevant times herein, has been a resident of the City of Newark, Essex County, State of New Jersey with full address on file with counsel.

11. At all relevant times, Plaintiff was on the property in a lawful capacity as a paying guest doing business at the store location at 30 Kingsland Rd, Clifton, NJ 07014.

12. Defendant Target Corporation is a Minnesota corporation located at 1000 Nicollet Mall, Minneapolis, Minnesota, 55403 that maintains retail stores in Clifton, New Jersey and locations throughout the State of New Jersey. Defendants are liable for the acts and omissions

of their agents, servants, contractors, employees and/or representatives through the doctrines of vicarious liability and respondeat superior. At all times relevant and material hereto, Defendants owned, occupied, controlled, leased, rented, managed, operated, maintained and/or possessed the premises located at 30 Kingsland Rd. Clifton, New Jersey 07014.

13. Upon information and belief Target have corporate offices in Maple Shade and/or Jersey City, New Jersey.

14. Target's retail stores in Clifton New Jersey, Passaic County are places of public accommodation in that, inter alia, they provide services to the public and are open to members of the public during business hours.

15. Upon information and belief, Target Corporation is duly authorized to conduct business in the State of New Jersey.

16. Upon information and belief, defendant John Doe is an individual whose actual name is unconfirmed, who, upon information and belief, is a natural person residing in New Jersey, and engaged in a communication, actions and representations on behalf of Target, in which John Doe unlawfully detained and illegally searched Plaintiff.

17. The identity, actual name, address, and telephone number of John Doe is unconfirmed or presently unknown to Plaintiff, and has been made a defendant to this action by virtue of possible claims against John Doe as the individual who voiced and/or transmitted the defamatory, discriminatory and/or negligent communications and actions regarding Plaintiffs.

However, by virtue of the circumstances set forth herein, Target is believed to have information regarding the identity of John Doe.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

18. At all times relevant, Mr. Brown was legally present as a business invitee/patron at the above mentioned location.

19. The cashier did not objectively see Mr. Brown take any items or even open his personal bag and therefore had no reasonable suspicion/ probable cause to detain and search his bag.

20. John Doe, employee was not trained in loss prevention procedures yet he purported he was and following Target policies and procedures or he would get written up or terminated.

21. Mr. Brown was belittled, humiliated in front of other patrons in the store and felt he was not allowed to leave the store while he was questioned and told he had to open up his own personal bookbag that was never opened and remained in the shopping cart at all times.

POST INCIDENT COMMUNICATIONS WITH TARGET

22. On June 3rd, 2025 Mr. Brown received an email from Sheryl from Target Human Resources Department.

23. On June 4, 2025 Plaintiff replied through email the next day.

24. Sheryl did not respond.

25. On June 11, 2025 Plaintiff sent a follow up email.

26. On June 20, 2025 Plaintiff was eventually able to reach Sheryl by phone, at which time

she confirmed that, under Target's policy, only members of the Loss Prevention team have the authority and ability to perform the actions that the John Doe employee carried out.

27. In July 2025, Plaintiff sent Target two letters; one to corporate and one to the Clifton store.

28. On July 11th, 2025 Mr. Brown received a follow up letter referencing case number (272636759).

29. Plaintiff never received a follow up as it seemed to be a boilerplate typical corporate response.

30. Around August 2025 Plaintiff sent another letter that was ignored.

31. On September 18, 2025, he spoke to a representative from Target that assured him that he would be contacted within 72 hours to escalate his complaint and assigned him a different case number (280473893).

32. Target has never reached out to Plaintiff since.

33. No upper management or executive contacted him.

34. It seems that there was no investigation

CAUSES OF ACTION

FIRST COUNT

PUBLIC ACCOMMODATION DISCRIMINATION BASED ON (RACE)

As to all Defendants

35. Plaintiff repeats, realleges and incorporates by reference each and every allegation

as above.

36. At all times relevant, Defendant Target operated as a public accommodation under N.J.S.A. 10:5-5(1), providing goods to the general public.

37. Plaintiff is a member of a protected class as a Black man of African American national origin.

38. Plaintiff was present as a customer (or patron) and entitled to equal treatment in the full accommodations, advantages, facilities, and privileges afforded by Target, without discrimination on account of race/national origin.

39. Part of the motivation for the above-described conduct by Target's non African American employees was Mr. Brown's race/national origin and the employee not objectively seeing Mr. Brown taking any items and instead accused him of theft based on her subjective stereotype and even quoted that shrinkage was high in the store. The cashier did not detain similarly-situated non-Black or non-African-American customers under similar circumstances. Upon information and belief, only customers of African-American descent were subjected to such treatment. The employee's reference to 'shrinkage being high in the store' was understood by Plaintiff, and reasonably would be understood by an objective observer, as a racially coded statement implying that Black customers were more likely to steal.

40. Without objective factual basis (i.e. Plaintiff was not observed taking or concealing any merchandise), an employee of Target accused Plaintiff of theft, detained him and illegally

searched his personal bag basing suspicion on race/stereotype.

41. John Doe employee explicitly referenced “shrinkage” as a rationale, evidencing reliance on racial stereotyping rather than individualized suspicion.

42. Such conduct amounts to discrimination in the furnishing of accommodations/privileges/advantages under NJLAD § 10:5-12(f)(1), in that Plaintiff was denied equal treatment based on race/national origin.

43. Under New Jersey law (N.J.S.A. § 2C:20-11(e)), a merchant’s privilege to detain a suspected shoplifter requires *probable cause* that the person hidden *un-purchased merchandise* (concealment) and the possibility to recover said merchandise.

44. Plaintiff was never observed concealing merchandise or otherwise engaging in conduct triggering statutory privilege: there was no *concealment or willful concealment* of “unpurchased merchandise,” as defined under the statute; thus the statutory privilege to detain does not apply.

45. Even assuming Defendant attempts to invoke the merchant’s privilege, the statute limits such detention to a “reasonable manner” and for a “reasonable time” under the circumstances. A cashier acting outside of the scope with no authority is not reasonable without having any probable cause.

46. The facts, as alleged, demonstrate that the detention and/or interrogation exceeded the boundary of “reasonable manner/time” (for example: Plaintiff was held without justification, interrogated despite lack of evidence or receipt, and denied exit before his bag was searched), constituting unlawful detention/false imprisonment.

47. The restraint did not have a statutory basis and/or exceeded reasonable scope/factual

basis and therefore Defendants lose immunity and the facts support Plaintiff's unlawful detention/false imprisonment claim.

48. Moreover, any alleged “search” or questioning by non-law-enforcement employees lacked color of state authority: private employees do not automatically act under color of law merely by detaining someone, absent a pre-arranged plan or delegation of authority by police to substitute private judgment for official judgment.

49. Thus, Defendant’s actions represent an *unlawful seizure/search* exceeding the limited merchant’s privilege under N.J. law, especially given the absence of probable cause or observed concealment.

50. Plaintiff’s treatment constitutes discrimination in a public accommodation in violation of: N.J.S.A. 10:5-4, which prohibits discrimination in places of public accommodation based on race or national origin and N.J.S.A. 10:5-12(e) and (f), which make it unlawful for an owner, lessee, or employee of a public accommodation to deny, withhold, or refuse any accommodations, advantages, facilities, or privileges on account of race or national origin; and

51. The above-described conduct violates NJ § 10:5-12(f)(1), which prohibits discrimination in places of public accommodation on account of race/national origin and Plaintiff was treated differently because of his race/national origin.

52. As a direct and proximate result of Defendant’s actions, Plaintiff suffered humiliation, emotional distress, and deprivation of his full and equal enjoyment of a place of public accommodation, entitling her to compensatory damages, injunctive relief, attorney’s fees, and other remedies available under the New Jersey LAD (N.J.S.A. 10:5-13).

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

SECOND COUNT
PUBLIC ACCOMMODATION DISCRIMINATION BASED ON
(NATIONAL ORIGIN)

As to all Defendants

53. Plaintiff repeats, realleges and incorporates by reference each and every allegation as above.

54. At all times relevant, Defendant Target operated as a public accommodation under N.J.S.A. 10:5-5(1), providing goods to the general public.

55. Plaintiff is a member of a protected class as African American national origin.

56. Plaintiff was present as a customer (or patron) and entitled to equal treatment in the full accommodations, advantages, facilities, and privileges afforded by Target, without discrimination on account of his actual or perceived national origin.

57. Part of the motivation for the above-described conduct by Target's non African American employees was Mr. Brown's national origin and the employee not objectively seeing Mr. Brown taking any items and instead accused him of theft based on her subjective stereotype and even quoted that shrinkage was high in the store. The cashier did not detain similarly-situated non-Black or non-African-American customers under similar circumstances. Upon information and belief, only customers of African-American descent were subjected to

such treatment. The employee's reference to 'shrinkage being high in the store' was understood by Plaintiff, and reasonably would be understood by an objective observer, as a racially coded statement implying that Black customers were more likely to steal

58. Without objective factual basis (i.e. Plaintiff was not observed taking or concealing any merchandise), an employee of Target accused Plaintiff of theft, detained him and illegally searched his personal bag basing suspicion on race/stereotype.

59. John Doe employee explicitly referenced "shrinkage" as a rationale, evidencing reliance on racial stereotyping rather than individualized suspicion.

60. Such conduct amounts to discrimination in the furnishing of accommodations/privileges/advantages under NJLAD § 10:5-12(f)(1), in that Plaintiff was denied equal treatment based on his national origin.

61. Under New Jersey law (N.J.S.A. § 2C:20-11(e)), a merchant's privilege to detain a suspected shoplifter requires *probable cause* that the person hidden *un-purchased merchandise* (concealment) and the possibility to recover said merchandise.

62. Plaintiff was never observed concealing merchandise or otherwise engaging in conduct triggering statutory privilege: there was no *concealment or willful concealment* of "unpurchased merchandise," as defined under the statute; thus the statutory privilege to detain does not apply.

63. Even assuming Defendant attempts to invoke the merchant's privilege, the statute limits such detention to a "reasonable manner" and for a "reasonable time" under the

circumstances. A cashier acting outside of the scope with no authority is not reasonable without having any probable cause.

64. . The facts, as alleged, demonstrate that the detention and/or interrogation exceeded the boundary of “reasonable manner/time” (for example: Plaintiff was held without justification, interrogated despite lack of evidence or receipt, and denied exit before his bag was searched), constituting unlawful detention/false imprisonment.

65. The restraint did not have a statutory basis and/or exceeded reasonable scope/factual basis and therefore Defendants lose immunity and the facts support Plaintiff's unlawful detention/false imprisonment claim.

66. Moreover, any alleged “search” or questioning by non-law-enforcement employees lacked color of state authority: private employees do not automatically act under color of law merely by detaining someone, absent a pre-arranged plan or delegation of authority by police to substitute private judgment for official judgment.

67. Thus, Defendant’s actions represent an *unlawful seizure/search* exceeding the limited merchant’s privilege under N.J. law, especially given the absence of probable cause or observed concealment.

68. Plaintiff’s treatment constitutes discrimination in a public accommodation in violation of: N.J.S.A. 10:5-4, which prohibits discrimination in places of public accommodation based on national origin and N.J.S.A. 10:5-12(e) and (f), which make it unlawful for an owner, lessee, or employee of a public accommodation to deny, withhold, or refuse any accommodations, advantages, facilities, or privileges on account of national origin; and

69. The above-described conduct violates NJ § 10:5-12(f)(1), which prohibits discrimination in places of public accommodation on account of national origin and

Plaintiff was treated differently because of his national origin.

70. As a direct and proximate result of Defendant's actions, Plaintiff suffered humiliation, emotional distress, and deprivation of his full and equal enjoyment of a place of public accommodation, entitling her to compensatory damages, injunctive relief, attorney's fees, and other remedies available under the New Jersey LAD (N.J.S.A. 10:5-13).

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

THIRD COUNT
NEGLIGENT TRAINING

71. Plaintiff repeats and realleges each and every prior paragraph of this complaint as if set forth herein.

72. At all relevant times, Plaintiff was lawfully present on Target's property located at 30 Kingsland Rd, Clifton, NJ as a business invitee/patron.

73. Defendant John Doe, an employee of Target, detained and searched Plaintiff's personal belongings without any reasonable suspicion or probable cause, and acted outside the scope of Target's loss prevention policies.

74. Upon information and belief, John Doe had not been adequately trained by Target in proper loss prevention procedures, including the proper standards for detaining, questioning, or

searching patrons' personal property.

75. Target, knew or should have known that failing to train employees like John Doe in proper loss prevention procedures created an unreasonable risk of harm to patrons, including false detention, humiliation, and invasion of privacy.

76. As a direct and proximate result of Target's negligent training of John Doe, Plaintiff was unlawfully detained, humiliated, and subjected to an illegal search, causing emotional distress, embarrassment, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

FOURTH COUNT
NEGLIGENT SUPERVISION

77. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

78. Target had a duty to supervise its employees, including John Doe, to ensure that they followed corporate policies, procedures, and applicable law while interacting with Customers.

79. Target failed to reasonably supervise John Doe, allowing him to detain, question, and to search Plaintiff's personal property without proper authority or oversight, despite

having knowledge of its employees' lack of adequate training and the potential for harm to Customers.

80. Target's negligent supervision created an unreasonable risk that patrons, including Plaintiff, would be wrongfully detained, humiliated, or illegally searched.

81. As a direct and proximate result of Target's negligent supervision, Plaintiff suffered humiliation, emotional distress, loss of privacy, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

FIFTH COUNT
NEGLIGENT RETENTION

82. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

83. At all relevant times, John Doe was an employee of Target whose conduct demonstrated incompetence, lack of proper training, or disregard for Target's policies regarding loss prevention and treatment of patrons.

84. Target, despite knowledge or constructive knowledge of John Doe's lack of competency or prior misconduct, retained John Doe in a position where he interacted with customers, creating an unreasonable risk of harm to patrons. Upon information and belief Target had prior incidents and complaints involving employee misconduct, false detentions, or

racial profiling at its Clifton and other New Jersey locations, which put it on notice of the need for better supervision and training.

85. By retaining John Doe under these circumstances, Target breached its duty to protect patrons from harm caused by employees acting without proper knowledge, authority, or discretion.

86. As a direct and proximate result of Target's negligent retention of John Doe, Plaintiff suffered unlawful detention, public humiliation, emotional distress, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a). Compensatory and punitive damages;
- b). Injunctive relief requiring Defendant to cease discriminatory practices;
- c). Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

SIXTH COUNT
UNLAWFUL DETENTION/FALSE IMPRISONMENT

As to all Defendants

87. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

88. At all relevant times, Plaintiff was lawfully present on Defendant Target Corporation's property located at 30 Kingsland Rd, Clifton, New Jersey, as a paying patron and business invitee.

89. Defendant John Doe, an employee of Target, intentionally restrained Plaintiff's

freedom of movement by preventing Plaintiff from leaving the store, demanding that Plaintiff submit to a search of personal property (including Plaintiff's personal bag), and otherwise holding Plaintiff in the store against Plaintiff's will. John Doe's *coercive circumstances* showed no reasonable perception of freedom to leave by speaking in an accusatory tone, and demanded that Plaintiff open his bag in front of other customers, such that a reasonable person would not feel free to leave. He also used guilt and manipulative tactics stating he would be reprimanded and could get fired if Plaintiff did not show inside his personal bag.

90. Plaintiff did not consent to this detention and felt he was not free to leave until he allowed his bag to be searched.

91. Defendant John Doe had no reasonable suspicion or probable cause to believe Plaintiff had taken or attempted to take any items, and did not observe Plaintiff commit any act of theft.

92. Upon information and belief, John Doe was not trained in loss prevention procedures and acted outside the scope of any authority granted by Target's corporate policies, thereby exceeding any limited shopkeeper's privilege recognized under New Jersey law.

93. Target, knew or should have known that failing to properly train, supervise, or restrict employees like John Doe would create an unreasonable risk of unlawful detention of patrons, including Plaintiff.

94. The detention was therefore unlawful and intentional, constituting false imprisonment

under New Jersey common law.

95. As a direct and proximate result of Target's negligent retention of John Doe, Plaintiff suffered unlawful detention, public humiliation, emotional distress, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

SEVENTH COUNT
INTRUSION UPON SECLUSION
As to all Defendants

96. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

97. At all relevant times, Plaintiff was lawfully present on Defendant Target's property as a paying patron and business invitee.

98. Defendant John Doe, acting within the scope of his employment or apparent authority for Target, intentionally intruded, physically and otherwise, upon Plaintiff's private affairs and personal property, including demanding access to Plaintiff's personal bag and demanding to search it, despite Plaintiff having no obligation to submit to such conduct.

99. The intrusion was highly offensive to a reasonable person, as it involved: Detaining Plaintiff against his will; Attempting to access private personal property; and Publicly

humiliating Plaintiff in front of other patrons.

100. The intrusion was without lawful justification, as John Doe had no reasonable suspicion or probable cause to believe Plaintiff had engaged in theft or wrongdoing. Plaintiff maintained a reasonable expectation of privacy in the contents of his personal bag, which contained private effects. The forced demand to open it in a public setting constituted a severe and unjustified intrusion into his private affairs

101. Upon information and belief, Target failed to train or supervise its employees, contributing to the unlawful intrusion.

102. As a direct and proximate result of this intrusion, Plaintiff suffered humiliation, emotional distress, anxiety, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

EIGHTH COUNT

FALSE LIGHT

As to all Defendants

103. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

104. Defendant John Doe, acting on behalf of Target, publicly portrayed Plaintiff in a

false light by: Wrongfully detaining Plaintiff; Suggesting or implying that Plaintiff had committed or attempted theft; Communicating this misinformation to other employees, patrons, and possibly via internal reporting channels.

105. The portrayal was highly offensive to a reasonable person, particularly because Plaintiff was lawfully on the premises and did not engage in any wrongdoing.

106. The portrayal was made with knowledge of its falsity or reckless disregard for the truth.

107. As a direct and proximate result, Plaintiff suffered humiliation, damage to reputation, emotional distress, and other compensable harms.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27; and
- d) Any other relief deemed just and proper.

NINTH COUNT
DEFAMATION PER SE

As to all Defendants

108. Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

109. Defendant John Doe, acting as an employee of Target, detained Plaintiff against

his will and demanded a search of his personal bag without probable cause.

110. This conduct was observed by other patrons and store employees, who reasonably could infer that Plaintiff had committed or attempted theft, despite Plaintiff's lawful presence and actions. The accusation and detention occurred in the presence of multiple other customers and employees, who heard the exchange and witnessed the demand to open Plaintiff's bag, thereby implying Plaintiff had stolen merchandise. Such accusation conveyed as a matter of fact — not opinion — that Plaintiff committed theft, a crime involving moral turpitude, constituting defamation per se

111. The conduct falsely imputed criminal wrongdoing to Plaintiff, placing him in a false and highly offensive light in the eyes of others such as other employees and patrons.

112. The conduct constitutes defamation per se because it: Imputes the commission of a crime of moral turpitude; imputes unfitness for a lawful profession or business; and/or is otherwise highly injurious to Plaintiff's reputation in the community.

113. As a direct and proximate result, Plaintiff suffered humiliation, emotional distress, reputational harm, and other damages.

WHEREFORE, Plaintiff therefore requests that the Court enter judgment against Defendant Target and John Doe for all appropriate relief, including but not limited to:

- a) Compensatory and punitive damages;
- b) Injunctive relief requiring Defendant to cease discriminatory practices;
- c) Attorney's fees and costs pursuant to N.J.S.A. 10:5-27;
- d) Any other relief deemed just and proper.

TENTH COUNT

IIED

As to all Defendants

114 Plaintiff repeats and realleges each and every prior paragraph of the Complaint as if set forth herein.

115. At all relevant times, Plaintiff was lawfully present on Defendant Target Corporation's property at 30 Kingsland Rd, Clifton, NJ as a paying patron and business invitee.

116. Defendant John Doe, acting as an employee of Target, engaged in extreme and outrageous conduct by:

- a) Detaining Plaintiff against his will without probable cause;
- b) Demanding that Plaintiff submit to a search of his personal bag which was always in the cart and never opened while in the store;
- c) Humiliating and belittling Plaintiff in front of other patrons and employees;
- d) Threatening consequences if he did not comply, including that he would get written up and could lose his job.

117. Target Corporation, through its management and human resources personnel, failed to properly train, supervise, or restrain its employees, thereby allowing or ratifying the extreme and outrageous conduct.

118. Defendants' conduct was intentional or reckless, exceeding all bounds of decency tolerated in a civilized society.

119. The experience caused Plaintiff to suffer persistent emotional distress including loss of sleep, anxiety when entering retail stores, and ongoing humiliation whenever recalling the

event. The conduct was extreme and outrageous in that Defendant publicly accused Plaintiff of theft based solely on racial bias. As a direct and proximate result of Defendants' actions, Plaintiff suffered severe ongoing emotional distress, including but not limited to:

- a) Humiliation and embarrassment in public;
- b) Anxiety, fear, and mental anguish;
- c) Loss of peace of mind and emotional well-being;
- d) Other damages as the Court deems appropriate.

120. The conduct of Defendants constitutes intentional infliction of emotional distress under New Jersey law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order providing relief against Defendant Target and John Doe jointly and severally as follows:

- (A) Compensatory damages
- (B) Statutory damages, if applicable;
- (C) Damages for humiliation, mental and emotional distress;
- (D) Punitive damages and or liquidated damages where permitted by law;
- (E) Attorneys' fees and costs of suit;
- (F) Such other, further and different relief as the Court deems fitting, just and proper; and

PAGLIARA LAW GROUP, P.A.

Attorney for Plaintiffs

/s/ Nicholas Anthony Pagliara

NICHOLAS ANTHONY PAGLIARA, ESQ.

Dated: November 13, 2025

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, the Court is advised that Nicholas Anthony Pagliara is hereby designated as trial counsel for the plaintiff.

/s/ Nicholas A. Pagliara

Nicholas A. Pagliara

Attorney for Plaintiff

R. 4:5-1 CERTIFICATION

I certify that the matter in controversy in the within action, is not, as far as I am aware, the subject of any other action pending in any court or of a pending arbitration proceeding and that no such action or arbitration proceeding is contemplated. I further certify that I am not aware of any other parties who should be joined in this action at this time. If, however, any such matter or non-party later becomes known to me, an amended certification will be filed and served upon all other parties and filed with this Court in accordance with R. 4:5-1(b)(2).

/s/ Nicholas A. Pagliara

Nicholas A. Pagliara

Attorney for Plaintiff

CERTIFICATION OF COMPLIANCE WITH RULE 1:38-7(c)

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 R. 1:38-7(b).

/s/ Nicholas A. Pagliara

Nicholas A. Pagliara

Attorney for Plaintiff