

# SELECTED CIVIL TRIALS, VERDICTS AND SETTLEMENTS OF THOMAS S. FERGUSON

1. Rhodes v. Deborah Heart and Lung Center, et al
2. State of New Jersey by Commissioner of Transportation v. Town of Phillipsburg
3. Thompson v. Easton Hospital
4. Charles Gerrity v. Niper
5. Reese v. Pacifico
6. Warren County v. Manzo Contracting Co., et al
7. Hammer v. Scales
8. Cherry, Weber and Associates v. Lakeland Savings, et al
9. Phillipsburg v. Garden State Water Company
10. State of New Jersey Department of Transportation v. Lester Bommenino
11. Estate of Joe Lalesa
12. Smith v. XYZ Hospital, et al
13. Smith v. Bushkill Park Amusement Park
14. The Estate of George Fotopolous



CAPTION: STATE OF NEW JERSEY BY THE COMMISSIONER OF TRANSPORTATION v. TOWN OF PHILLIPSBURG

DOCKET NUMBER: L-63053-84

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Alice S. Thiele, Deputy Attorney General of New Jersey, Richard J. Hughes Complex, Market & New Warren Sts., CN 114, Trenton NJ 08625

Represented defendant: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865  
Designated Trial Counsel for Town of Phillipsburg, NJ

THIS MATTER WAS:

DATE

X  TRIED TO A CONCLUSION

6/16/88, 6/7/88, 6/8/88,

6/9/88, 6/13/88, 6/14/88,

6/15/88, 6/16/88, 6/20/88

SETTLED PRIOR TO TRIAL

CONCLUDED ON MOTION

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED  9

NAME OF JUDGE: Honorable John C. Stritehoff, Jr.

OUTCOME: **Verdict for property owner, Town of Phillipsburg.**

NARRATIVE

This was a condemnation action in which I represented the condemnee (defendant) the Town of Phillipsburg. The Town owned property in Pohatcong Township that was to be used for the construction of Route 78. The State offered \$30,000.00; the jury awarded \$186,415.88.

CAPTION: THOMPSON v. EASTON HOSPITAL

COURT & COUNTY OF VICINAGE: Court of Common Pleas, Northampton County, PA

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg, NJ 08865

Represented defendant:

THIS MATTER WAS:	<u>DATE</u>
<input type="checkbox"/> TRIED TO A CONCLUSION	_____
<input checked="" type="checkbox"/> SETTLED DURING TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: **SETTLEMENT OF \$1,200,000.00.**

NARRATIVE

Female complained of nausea, vomiting over multiple years. She was misdiagnosed, an MRI was misread that showed a brain tumor. She suffered for more than a year. Finally diagnosed correctly by her eye doctor. After removal of tumor, left with multiple disabilities. After four days of trial settled for \$1,200,000.00.

CAPTION: CHARLES E. GERRITY and CHERYL GERRITY v. MARJORIE J. NIPER and JANET T. NIPER

DOCKET NUMNER: L-111-98

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: Michael D. Blythe, 58 South Street, PO Box 270, Morristown, NJ 07963

THIS MATTER WAS:

DATE

TRIED TO A CONCLUSION 5/31/00, 6/1/00, 6/2/00,

6/5/00

PARTIALLY TRIED \_\_\_\_\_

SETTLED PRIOR TO TRIAL \_\_\_\_\_

CONCLUDED ON MOTION \_\_\_\_\_

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED 4

NAME OF JUDGE: Honorable Harry K. Seybolt

OUTCOME: **Plaintiff verdict – Charles Gerrity \$40,000.00 and Cheryl Gerrity \$2,500.00.**

NARRATIVE

Mr. Gerrity had been involved in a motor vehicle collision, which had caused him serious back problems, which at the time of trial were still persisting. The key issue in the case was whether or not the injuries had resulted in a herniated disc or were soft tissue injuries. The other key issue in the case was what the jury instructions would be relative to the verbal threshold charge. However, due to the fact that the defendant's insurance company was not doing business in the State of New Jersey, (N.J.S.A. 39:6s-8), the law in that instance does not permit the verbal threshold charge. Accordingly, it is important for the plaintiff to ascertain if the defendant's insurance company does business in the State of New Jersey. Otherwise, a plaintiff may receive a verbal threshold chare where same is not applicable.

CAPTION: LINDA B. REESE and EDWARD REESE v. MICHAEL PACIFICO, DMD

DOCKET NUMNER: 1989-C-296

COURT & COUNTY OF VICINAGE: Court of Common Pleas, Northampton County, Pennsylvania

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: Rudolph Zieger, Jr., 123 North Fifth St., Allentown, PA 18102

THIS MATTER WAS:

DATE

TRIED TO A CONCLUSION 5/13, 5/14 & 5/15/1991

PARTIALLY TRIED \_\_\_\_\_

SETTLED PRIOR TO TRIAL \_\_\_\_\_

CONCLUDED ON MOTION \_\_\_\_\_

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED 3

NAME OF JUDGE: Robert E. Simpson, Jr.

OUTCOME: **Verdict for plaintiff, award \$175,000.00.**

NARRATIVE

Oral surgery by treating dentist resulted in severance of inferior alveolar nerve resulting in paresthesia and loss of taste sensation.

CAPTION: WARREN COUNTY v. MANZO CONTRACTING COMPANY, et al

DOCKET NUMBER: W-009209-86 and L-95199-86

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Special litigation counsel for Warren County

Represented defendant: Peter H. Wegener, 1 Airport Rd., Lakewood, NJ 08701

THIS MATTER WAS:

DATE

       TRIED TO A CONCLUSION

\_\_\_\_\_

  X   PARTIALLY TRIED

3/8/93, 3/9/93, 3/10/93 and

3/11/93

       SETTLED PRIOR TO TRIAL

\_\_\_\_\_

       CONCLUDED ON MOTION

\_\_\_\_\_

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED       4      

NAME OF JUDGE: Honorable William R. Albrecht

OUTCOME: **Settled during jury deliberation for \$50,000.00 opposed to demand of \$3,000,000.00.**

NARRATIVE

This office had represented the County of Warren in the State of New Jersey relative to a condemnation action involving property located in Oxford Township owned by Manzo Contracting Company. In this particular case, the County had initially appraised the property at \$350,000.00. The appraisal of the commissioners was \$2,250,000.00. Thereafter, the new appraisals were obtained by the property owner was a value of \$5,250,000.00.

In this particular case the landowner argued that the value of the property was significantly more than the comparable sales had indicated for the reason that the property was in the area of a quarry and that the price should consider the business opportunity that would in the future had the lands been utilized for the removal of rock, topsoil and other quarry purposes. The landowners built those future profits into the appraisal and came up with a value in excess of \$5 million dollars for the value of the property.

The County represented by myself maintained the position that, that was an improper appraisal, and that such an appraisal that deals with future business profits is illegal as a matter of law. As a result, there was a Rule 8 hearing relative to the value of the land. The matter was settled after four days of hearings and trial time, while the jury was deliberating the claim for a total of \$50,000, which was significantly less than the 3 million dollars claim over and above the commissioners' award.

In this case the landowner was creative in the sense that he attempted to adjust the comparable sales upward to accommodate a future business profit. The County of Warren decided to challenge the theory of the landowner at trial, which ultimately resulted in a settlement of \$50,000.00 as opposed to the additional \$3,000,000.00 demand.



CAPTION: HAMMER v. SCALES, et al

DOCKET NUMBER: W-025395-89

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: Carol A. Scheneck, One Indian Rd., Denville NJ 07834

THIS MATTER WAS:	DATE
<input checked="" type="checkbox"/> TRIED TO A CONCLUSION	<u>3/11/91, 3/13/91, 3/14/91</u>
<input type="checkbox"/> PARTIALLY TRIED	<u>3/21/91</u>
<input type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED 4

NAME OF JUDGE: Honorable John F. Kingfield

OUTCOME: **Plaintiff's verdict – Damages awarded \$52,280.00.**

NARRATIVE

This was a motor vehicle collision in which I represented the plaintiff. My client suffered an acute cervical sprain, acute right C6 radiculopathy, right shoulder and elbow sprain. My client prevailed obtaining a verdict of \$52,280.00. The verdict was significant in amount in light of the fact that there were no significant lost wages. The offer from the insurance company was \$5,000.00.

CAPTION: CHERRY, WEBER AND ASSOCIATES, PA v. LAKELAND SAVINGS AND LOAN AND OAK VALLEY PROPERTIES INC.

DOCKET NUMBER: L-669-91

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: Lakeland Savings – George Johnson, 33 East Blackwell St., Dover, NJ 07801 and Oakland Valley Properties, Inc. – William Edleston, 235 Frost Ave., Phillipsburg NJ 08865

THIS MATTER WAS:	DATE
<input checked="" type="checkbox"/> TRIED TO A CONCLUSION	<u>3/24/93 – 3/29/93</u>
<input type="checkbox"/> PARTIALLY TRIED	_____
<input type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED 4

NAME OF JUDGE: Honorable William R. Albrecht

OUTCOME: **Plaintiff's verdict – Damages awarded \$20,904.73 plus interest.**

NARRATIVE

This office represented Cherry, Weber & Associates, PA, which was a professional engineering organization that was located in Phillipsburg, New Jersey. The Complaint had alleged that Cherry Weber had done an extensive amount of engineering work in regard to a failed development and that the work was done pursuant to the directive of Lakeland Savings and Loan Association, which was the mortgagee for property owned by Oak Valley Properties, Inc. Lakeland defended on the basis that it never ordered the work and that the other defendant, developer/owner Oak Valley Properties, Inc. was responsible for the bill. Oak Valley Properties, Inc. argued that it was a defunct development and that they never requested any further engineering work and that the request was made by the banking institution. The jury agreed and ordered a verdict against Lakeland Savings and Loan for the entire bill, to the penny, for the plaintiffs in full.

CAPTION: PHILLIPSBURG v. GARDEN STATE WATER CO.

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865  
Special litigation counsel for the Town of Phillipsburg

Represented defendant:

THIS MATTER WAS:	DATE
<input checked="" type="checkbox"/> TRIED TO A CONCLUSION	_____
<input type="checkbox"/> PARTIALLY TRIED	_____
<input type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED 6

NAME OF JUDGE: Honorable Robert Guterl

OUTCOME: **Offer – Zero – Verdict \$180,000.00**

NARRATIVE

This matter involved a ruptured water main causing significant damage to Thomas Street in Phillipsburg. I was named special litigation counsel for the Town of Phillipsburg. Jury for Phillipsburg that town water main ruptured casing the damage. Garden State argued that there was a sinkhole that caused water main to break. NOT TRUE period.

CAPTION: STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION v. LESTER BOMMENINO

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: State of New Jersey

Represented defendant: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

THIS MATTER WAS:

DATE

_____ TRIED TO A CONCLUSION	_____
_____ PARTIALLY TRIED	_____
_____ SETTLED PRIOR TO TRIAL	_____
_____ CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: **\$300,000.00** \_\_\_\_\_

NARRATIVE

This is similar to Phillipsburg where state condemns valuable property for the extension of Route 78 in Pohatcong, NJ. Four days of pre-trial hearings on expert reports. State then agreed to pay approximately \$300,000 more than offered. One of many Route 78 condemnation cases I tried for public and private entities.

CAPTION: ESTATE OF JOE LALESA

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: \_\_\_\_\_

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: Attorneys were for multiple defendants

THIS MATTER WAS:	<u>DATE</u>
<input type="checkbox"/> TRIED TO A CONCLUSION	_____
<input type="checkbox"/> PARTIALLY TRIED	_____
<input checked="" type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: **\$350,000.00** \_\_\_\_\_

NARRATIVE

This was a highway construction area where my client was headed north on Route 31 and drove into the southbound lane. I sent a Private Investigator to take photos with local law enforcement. I noticed a photo that the point of impact was where the former yellow line had not been "obliterated" by State standards. My argument was failure to obliterate the line lead my deceased into oncoming traffic in the south bound lane, killing him.

CAPTION: SMITH v. XYZ HOSPITAL, et al and DR. JOHN DOES, et al

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: \_\_\_\_\_

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant:

THIS MATTER WAS:

DATE

<input type="checkbox"/> TRIED TO A CONCLUSION	_____
<input type="checkbox"/> PARTIALLY TRIED	_____
<input checked="" type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: \_\_\_\_\_

NARRATIVE

A confidential settlement for a young woman who went to the hospital for a minor procedure and left-brain dead. The most important aspect of this case is to provide a Life Care Plan outlining all future expenses associated with such an individual. The amount of the settlement was **3.6 million dollars**.

CAPTION: SMITH v. BUSHKILL PARK AMUSEMENT PARK

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: \_\_\_\_\_

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant:

THIS MATTER WAS:

DATE

<input type="checkbox"/> TRIED TO A CONCLUSION	_____
<input checked="" type="checkbox"/> PARTIALLY TRIED	_____
<input type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: \_\_\_\_\_

NARRATIVE

My original contact with Ms. Smith the above injured party when she was struck in the eye while on a ride at the amusement park. She was struck with a thrown object and developed a cataract which was safely removed. The trial only lasted one day once the insurance company realized we were serious.

One day trial when the insurance company paid \$35,000.00 in a Northampton County case where the injured party received \$35,000.00 due to a cataract that was caused by a thrown object at the park. Same your woman who was the victim of medical malpractice in Smith v. XYZ Hospital.

CAPTION: ESTATE OF GEORGE FOTOPOULOS

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

Represented defendant: \_\_\_\_\_

THIS MATTER WAS:

DATE

_____ TRIED TO A CONCLUSION	_____
_____ PARTIALLY TRIED	_____
_____ SETTLED PRIOR TO TRIAL	_____
_____ CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: \_\_\_\_\_

NARRATIVE

Mr. Fotopoulos was killed in a trailer underride in which his vehicle collided with a trailer stretched horizontally across Route 46. The accident was recreated and it was shown that you could not see the trailer in enough time to stop. Unfortunately, Mr. Fotopoulos's income was only showing \$25,000.00 a year income. My expert then calculated his economic loss at \$450,000.00. After the video reproduction the insurance company paid the entire loss. My expert, Byron Bloch, of Washington, DC, a nationally known vehicle defect expert, appeared on The Today Show with Bryant Gumble using my recreation method to show hazard of trailer underride cases.



## **SELECTED CRIMINAL DEFENSE VERDICTS**

1. State v. Duffey
2. State v. Jenkins
3. State v. German

## **SELECTED VERDICT AS WARREN COUNTY PROSECUTOR**

1. State v. Mordan

**SELECTED CRIMINAL JURY TRIALS**

CAPTION: STATE v. DUFFY – Possession of a Handgun

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Robert Ellwood, Assistant Prosecutor

Represented defendant: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

THIS MATTER WAS:		<u>DATE</u>
	<input checked="" type="checkbox"/> TRIED TO A CONCLUSION	<u>4/26, 4/27 &amp; 4/28/1982</u>
	<input type="checkbox"/> PARTIALLY TRIED	_____
	<input type="checkbox"/> SETTLED PRIOR TO TRIAL	_____
	<input type="checkbox"/> CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED      3

NAME OF JUDGE:      Honorable Martin Bry-Nildsen

OUTCOME:      Acquittal

NARRATIVE

This matter involved a driver known as Michael Duffy who had been stopped for the purposes of D.U.I. investigation. Mr. Duffy was alleged to be in possession of a handgun found in the car. The defense successfully argued that the vehicle was owned by a friend of Mr. Duffy’s and he was unaware of the handgun being in the vehicle.

CAPTION: STATE v. JENKINS – First Degree Robbery

COURT & COUNTY OF VICINAGE: Superior Court, Law Division, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Richard Hare, Assistant Prosecutor

Represented defendant: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

THIS MATTER WAS:

DATE

<u> X </u> TRIED TO A CONCLUSION	<u> 8/10, 8/11 &amp; 8/13/1983 </u>
_____ PARTIALLY TRIED	_____
_____ SETTLED PRIOR TO TRIAL	_____
_____ CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED  3

NAME OF JUDGE:  Honorable John F. Kingfield

OUTCOME:  Acquittal

NARRATIVE

This matter involved alleged activities in a retail establishment that resulted in first degree robbery charges against Mr. Jenkins. His defense included a lack of involvement in the robbery and the potential involvement of certain witnesses who testified against him.



**SELECTED TRIAL AS WARREN COUNTY PROSECUTOR**

CAPTION: STATE OF NEW JERSEY v. CHARLES MORDAN

DOCKET NUMBER: \_\_\_\_\_

COURT & COUNTY OF VICINAGE: Superior Court of New Jersey, Warren County

NAMES AND ADDRESSES OF ALL COUNSEL AND PARTY REPRESENTED

(List individual attorneys, not firm names)

Represented plaintiff: Thomas S. Ferguson, 235 Frost Ave., Phillipsburg NJ 08865

This was a case I tried as the Warren County Prosecutor

Represented defendant:

THIS MATTER WAS:

DATE

<u> X </u> TRIED TO A CONCLUSION	<u>Sept. 2007</u>
_____ PARTIALLY TRIED	_____
_____ SETTLED PRIOR TO TRIAL	_____
_____ CONCLUDED ON MOTION	_____

IF TRIED OR PARTIALLY TRIED:

NUMBER OF DAYS TRIED \_\_\_\_\_

NAME OF JUDGE: \_\_\_\_\_

OUTCOME: Guilty of 1<sup>st</sup> degree aggravated sexual assault and robbery

Following a two-and-a-half-week trial in which the state was represented by Warren County Prosecutor Thomas S. Ferguson with the assistance of Assistant Prosecutor Kelly Shelton, Charles Mordan was found guilty of 1<sup>st</sup> degree aggravated sexual assault and robbery for an attack on a young woman, unknown to him, adjacent to South Main Street in Phillipsburg, NJ. This was an unsolved crime for years until the DNA from the crime scene was reprocessed through the CODIS system resulting in a 'hit' against Charles Mordan. The trial was one of the first CODIS 'hit' cases tried in New Jersey. Mr. Mordan, who had an extensive criminal history including prior sex offense, was sentence to thirty years in New Jersey State Prison.