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MANASQUAN BOARD OF EDUCATION

Plaintiff(s),

vs.

Defendant(s)

**SUPERIOR COURT OF NEW JERSEY
CHANCERY COURT- OCEAN COUNTY**

DOCKET NO.: OCN-C-

Civil Action

**NEW JERSEY STATE
INTERSCHOLASTIC ATHLETIC
ASSOCIATION (“NJSIAA”); COLLEEN
MAGUIRE; CAMDEN CITY BOARD OF
EDUCATION; ABC CORPORATIONS 1-10;
JOHN DOES 1-10;**

VERIFIED COMPLAINT

Plaintiff, Manasquan Board of Education, Monmouth County, by and through their attorneys, Clark Law Firm, P.C., by way of Verified Complaint says upon information and belief as follows:

PARTIES, VENUE, AND NATURE OF THE ACTION

1. Plaintiff Manasquan Board of Education (Manasquan) is a body corporate and politic, charged with responsibility for the education of all students within the Borough of Manasquan, Monmouth County.

2. Camden City Board of Education is a body corporate and politic, charged with responsibility for the education of all students within the City of Camden, Camden County and is named only as an interested party.

3. Defendant New Jersey State Interscholastic Athletic Association (“NJSIAA”) is an independent voluntary association of the boards of education of local school districts as well as private schools who have elected to join the association for the coordination and regulation of athletic programs in conjunction with other school districts.

STATEMENT FACTS RELEVANT TO ALL COUNTS

4. Manasquan is a K-12 school district located in Monmouth County, New Jersey. As part of its athletics program, Manasquan offers a Varsity Boys Basketball team, among others.

5. Camden is a K-12 school district located in Camden County, New Jersey. As part of its athletics program, Camden offers a Varsity Boys Basketball team, among others.

6. By virtue of their overall win/loss records, Manasquan and Camden played a basketball game in the Group 2 boys basketball semifinal at Central Regional High School, Ocean County, on Tuesday March 5, 2024. This game was sanctioned by the NJSIAA, and the Referees were appointed and assigned by NJSIAA.

7. At very near to the conclusion of the game, Camden led Manasquan by a score of 46 to 45.

8. Within the final second of the game, Manasquan player Griffin Linstra shot the basketball and scored on Camden's basket, prior to the final buzzer and prior to time expiring in the game. The score at that time was reflected as 47-46, in favor of Manasquan.

9. Video evidence of Manasquan's game-winning basket, is present, irrefutable, and conclusive. NJSIAA and game officials issued written statements after the game acknowledging the initial call was correct and that Manasquan in fact won the game.

10. Game official Jerome Starr called the basket "good" and acknowledged the score.

11. Following the game-winning basket, understandable chaos ensued on the court as Manasquan celebrated their incredible, last second win. Upon information and belief all officials left the visual playing area with a final score in favor of Manasquan. (*Exhibit F: Photograph of Officials Offcourt*).

12. What followed next, however, was an absolute travesty. During the celebration, the match's referees, Jerome Starr, Kevin Torres and David Niven (the "Officials") moved back onto the court and huddled together with NJSIAA representative Derrick Sellers, to discuss Manasquan's game-winning basket.

13. Inexplicably, the Officials, together with the NJSIAA representative who was without jurisdiction or justification to interfere in the call, waived off the basket and incorrectly declared Camden the winning team.

14. Manasquan protested this determination to the NJSIAA on March 5, 2024. Manasquan indicated that as aforesaid, Referee Jerome Starr called the basket good, and further presented still photo and video evidence to NJSIAA Colleen Maguire, Executive Director.

15. At 10:03PM, Ms. Maguire issued a decision, summarily denying Manasquan's appeal despite overwhelming evidence to the contrary and the complete impropriety of Mr.

Sellers injecting himself into the determination. Ms. Maguire's tone deaf, absurd decision, in full, reads as follows:

Don,

I have received your request to appeal the officials' decision to disallow the Manasquan's game ending shot. The officials ruled that the basket did not count because time had expired. You point out that video appears to indicate otherwise.

NJSIAA Program Regulations Section 14 governs the use of video. The regulation states, "No video or audio recording may be used to review or challenge the decision of a sports official." In addition, NJSIAA Bylaws Article VII Section 1 prohibit protests "based upon an officials' judgment or misinterpretation (misapplication) of the playing rules."

I understand your concerns and frustration and will be reviewing this matter with the officials; however, I regret to inform you that your appeal is denied.

(Exhibit G: Appeal Denial Email Chain).

16. NJSIAA has since released a statement admitting that the determination of the Officials was completely and totally wrong.*(Exhibit A: Press Release).*

17. Further, as stated in the attached Officials' reports following the Game, both Kevin Torres and Jerome Starr admit that the game-winning basket should have counted and that their decision was wrong. *(Exhibit C: Torres Statement)(Exhibit D: Starr Statement).*

18. Torres, the original Official who stated the shot was not good has since recanted his statements and states the basket should have counted. *(Exhibit C: Torres Statement).*

COUNT ONE

19. Plaintiff repeats and realleges all allegations heretofore made as if set forth at length herein.

20. As an administrative body, the NJSIAA has a legal obligation to fairly and impartially oversee the athletic competitions which it manages, and binds itself through its Constitution. *(See generally Exhibit E: NJSIAA Constitution and Bylaws).*

21. As stated above, during the Referees huddle after the game-winning basket was scored, NJSIAA representative Derrick Sellers joined the huddle. Despite at least one on-court official having acknowledged the basket as “good”, Mr. Sellers improperly inserted himself into the huddle and impacted the outcome of game, resulting in a determination of “no basket” and declaring Camden to be the winner. This is a violation of the very rules NJSIAA swears to uphold. (*Exhibit H: NFHS Rulebook*).

22. Further, despite having been advised and provided clear, undeniable and indisputable video evidence (which was televised by NJSIAA’s own broadcast via NFHS) that Manasquan’s game-winning basket was in fact scored prior to the conclusion of the game, NJSIAA Executive Director Colleen Maguire refused to consider same in the most summary fashion. (*Exhibit B: Video and Photographic Evidence*).

23 Ms. Maguire’s refusal to consider evidence that is directly pertinent to Manasquan’s appeal, and indeed, conclusive of the matter, is per se arbitrary, capricious and unreasonable.

24. The Referees determination to overrule the call made by Referee Jerome Starr was similarly arbitrary, capricious and unreasonable, and patently erroneous.

WHEREFORE, Plaintiffs demand injunctive relief against all defendants to prevent further irreparable harm from occurring to Plaintiff and compel NJSIAA to honor its agreement and properly enforce the NFHS Rules, jointly and/or severally, for damages, interest, attorney fees, punitive damages and costs of suit and such further relief as the Court may deem appropriate.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R 4:25-4, **Gerlad H. Clark, Esq.** is hereby designated trial counsel.

CERTIFICATION

Pursuant to R 4:5-1 the undersigned certifies that the matter in controversy is not the subject of any other action pending in any other court of a pending arbitration proceeding nor is any other action or arbitration proceeding contemplated and all known, necessary parties have been joined in this action.

Clark Law Firm P.C.
Attorneys for Plaintiff

By: 

GERALD H. CLARK, ESQ.

Date: March 6, 2024

VERIFICATION

I have fully reviewed the Complaint to which this verification is annexed and certify that the allegations are true to the best of my personal knowledge and belief. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: 

GERALD H. CLARK, ESQ.

Dated: March 6, 2024