

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SHORE MEDIA & MARKETING LTD
LIABILITY CO. d/b/a SHORE NEWS
NETWORK,

Plaintiff,

v.

TOWNSHIP OF TOMS RIVER, and
THOMAS NIVISON and DAVID
CICCOZZI, in their personal capacities,
Defendants.

Civil Action No. 3:26-cv-06206-RK-RLS

PLAINTIFF’S REQUEST FOR ENTRY OF DEFAULT

TO THE CLERK OF THE COURT:

Pursuant to Fed. R. Civ. P. 55(a), Plaintiff, Shore Media & Marketing LTD Liability Co. d/b/a Shore News Network (“Plaintiff”) hereby requests that the Clerk enter default in this matter against Defendants Township of Toms River, Thomas Nivison, and David Ciccozzi (“Defendants”), on the grounds that Defendants have failed to plead or otherwise respond to Plaintiff’s Complaint within the time prescribed by Rule 55 of the Federal Rules of Civil Procedure.

Plaintiff filed its Complaint on May 28, 2026 (ECF No. 1). On June 10, 2026, Defendants were served with process consistent with Rule 4. *See* ECF Nos. 6-8 (attached hereto as **Exhibits 1-3**); Declaration of Cassidy S. Flavin (“CSF Decl”) at ¶¶ 4-6.

Under Rule 12, Defendants’ response to Plaintiff’s Complaint was due on July 1, 2026. To date, Defendants have failed to plead or otherwise defend.

The natural person Defendants, Thomas Nivison and David Ciccozzi, are not known to be minors or incompetent persons, nor are they known to be on active duty. *See* **Exhibits 4-5**; CSF Decl. at ¶¶ 7-8.

For the reasons set forth herein, Plaintiff respectfully requests that the Clerk enter Default against all Defendants in the above-captioned proceedings.

Dated: July 8, 2026

/s/ Vincent S. Verdiramo

Vincent S. Verdiramo, 024691986

vincent@verdiramolaw.com

Verdiramo & Verdiramo Esqs. PA

3163 Kennedy Boulevard

Jersey City, New Jersey 07306

Tel: 201-798-7082

Respectfully Submitted,

Marc J. Randazza (*Pro Hac Vice* pending)

ecf@randazza.com

RANDAZZA LEGAL GROUP, PLLC

30 Western Avenue

Gloucester, MA 01930

(978) 801-1776

Counsel for Plaintiff

RANDAZZA | LEGAL GROUP

**UNITED STATES DISTRICT COURT
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DECLARATION OF CASSIDY S. FLAVIN

I, Cassidy S. Flavin, declare as follows:

1. I am a paralegal at Randazza Legal Group, PLLC (“RLG”), counsel for Plaintiff in the above-captioned matter.
2. I have first-hand knowledge of the facts set forth herein, and if called as a witness, could and would testify competently thereto.
3. This declaration is submitted in support of Plaintiff’s Request for Entry of Default.
4. Defendant Thomas Nivison was served with process on June 10, 2026. A true and correct copy of the Return of Service is attached herewith as **Exhibit 1**.
5. Defendant David Ciccozzi was served with process on June 10, 2026. A true and correct copy of the Return of Service is attached herewith as **Exhibit 2**.
6. Defendant Township of Toms River was served with process on June 10, 2026. A true and correct copy of the Return of Service is attached herewith as **Exhibit 3**.
7. Defendant Thomas Nivison is not known to be a minor or incompetent person, nor is he known to be on active duty. A true and correct copy of the Department of Defense Manpower

Data Center Status Report Pursuant to Servicemembers Civil Relief Act is attached herewith as **Exhibit 4.**

8. Defendant David Ciccozzi is not known to be a minor or incompetent person, nor is he known to be on active duty. A true and correct copy of the Department of Defense Manpower Data Center Status Report Pursuant to Servicemembers Civil Relief Act is attached herewith as **Exhibit 5.**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: July 8, 2026.

Cassidy S. Flavin
Cassidy S. Flavin

Exhibit 1

Return of Service
Thomas Nivison



20260609160309

AO 440 (Rev. 06/12) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF:
EFFECTED (1) BY ME:
TITLE:

SUMMONS AND COMPLAINT, EXHIBITS
JAMES DONNELLY
PROCESS SERVER

DATE: 6/10/2026 8:17:47 PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant

THOMAS NIVISON C/O CLERK OF TOMS RIVER

Place where served:

TOMS RIVER TOWNSHIP, HIRSCHBLOND CONFERENCE ROOM, TOWN HALL 33 WASHINGTON STREET TOMS RIVER NJ 08753

☐ Left copies thereof at the defendant's dwelling house or place of business with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

THOMAS NIVISON C/O CLERK OF TOMS RIVER

Relationship to defendant SELF

Description of Person Accepting Service:

SEX: M AGE: 65+ HEIGHT: 5'9"-6'0" WEIGHT: 161-200 LBS. SKIN: WHITE HAIR: GRAY OTHER:

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVELS \$ SERVICES \$ TOTAL \$

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

Served Data:
Subscribed and Sworn to me this
10th day of June, 2026

Notary Signature
Rosemary Ramos
Name of Notary

September 25th, 2028
My Commission Expires

I, JAMES DONNELLY,
was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

06/10/2026
Date

ATTORNEY: VINCENT S. VERDIRAMO, ESQ.
PLAINTIFF: SHORE MEDIA & MARKETING LTD LIABILITY CO. D/B/A SHORE NEWS NETWORK
DEFENDANT: TOWNSHIP OF TOMS RIVER, ET AL
VENUE: DISTRICT
DOCKET: 3 26 CV 06206 RK RLS
COMMENT:

Exhibit 2

Return of Service
David Ciccozzi



AO 440 (Rev. 06/12) Summons in a Civil Action		RETURN OF SERVICE	
SERVICE OF: SUMMONS AND COMPLAINT, EXHIBITS			
EFFECTED (1) BY ME: JAMES DONNELLY			
TITLE: PROCESS SERVER			
DATE: 6/10/2026 8:17:03 PM			
CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:			
☒ Served personally upon the defendant			
<u>DAVID CICCOTZI C/O CLERK OF TOMS RIVER</u>			
Place where served:			
<u>TOMS RIVER TOWNSHIP, HIRSCHBLOND CONFERENCE ROOM, TOWN HALL 33 WASHINGTON STREET TOMS RIVER NJ 08753</u>			
☐ Left copies thereof at the defendant's dwelling house or place of business with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:			
<u>DAVID CICCOTZI C/O CLERK OF TOMS RIVER</u>			
Relationship to defendant <u>SELF</u>			
Description of Person Accepting Service:			
SEX: <u>M</u> AGE: <u>65+</u> HEIGHT: <u>5'9"-6'0"</u> WEIGHT: <u>161-200 LBS.</u> SKIN: <u>WHITE</u> HAIR: <u>GRAY</u> OTHER: <u>BALDING</u>			
☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service			
STATEMENT OF SERVER			
TRAVELS _____		SERVICES \$ _____	TOTAL \$ _____
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.			
Served Data: Subscribed and Sworn to me this <u>10th day of June, 2026</u>		 Rosemary Ramos Name of Notary	
Notary Signature _____ September 25th, 2028 My Commission Expires			
		 Signature of Process Server <u>06/10/2026</u> Date	
ATTORNEY: VINCENT S. VERDIRAMO, ESQ. PLAINTIFF: SHORE MEDIA & MARKETING LTD LIABILITY CO. D/B/A SHORE NEWS NETWORK DEFENDANT: TOWNSHIP OF TOMS RIVER, ET AL VENUE: DISTRICT DOCKET: 3 26 CV 06206 RK RLS COMMENT:			

Exhibit 3

Return of Service
Township of Toms River



AO 440 (Rev. 06/12) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF:
EFFECTED (1) BY ME: SUMMONS AND COMPLAINT, EXHIBITS
TITLE: JAMES DONNELLY
PROCESS SERVER

DATE: 6/10/2026 8:18:53 PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant

TOWNSHIP OF TOMS RIVER, NJ C/O CLERK OF TOMS RIVER

Place where served:

HIRSCHBLOND CONFERENCE ROOM, TOWN HALL 33 WASHINGTON STREET TOMS RIVER NJ 08753

☒ Left copies thereof at the defendant's dwelling house or place of business with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

THOMAS NIVISON C/O CLERK OF TOMS RIVER

Relationship to defendant MANAGING AGENT

Description of Person Accepting Service:

SEX: M AGE: 65+ HEIGHT: 5'9"-6'0" WEIGHT: 161-200 LBS. SKIN: WHITE HAIR: GRAY OTHER:

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVELS

SERVICES \$

TOTAL \$

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

Served Data:

Subscribed and Sworn to me this

10th day of June, 2026

Notary Signature

Rosemary Ramos
Name of Notary

September 25th, 2028
My Commission Expires



I, JAMES DONNELLY,

was at the time of service a competent adult, over the age of 18 and not having direct interest in the litigation, I declare under penalty of perjury that the foregoing is true and correct.

Signature of Process Server

06/10/2026
Date

ATTORNEY: VINCENT S. VERDIRAMO, ESQ.
PLAINTIFF: SHORE MEDIA & MARKETING LTD LIABILITY CO. D/B/A SHORE NEWS NETWORK
DEFENDANT: TOWNSHIP OF TOMS RIVER, ET AL
VENUE: DISTRICT
DOCKET: 3 26 CV 06206 RK RLS
COMMENT:

Exhibit 4

Dept. of Defense Status Report
Thomas Nivison

Department of Defense Manpower Data Center

Results as of : Jul-06-2026 01:55:06 PM EDT

SCRA 5.29



Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:
Birth Date: Apr-XX-1960
Last Name: NIVISON
First Name: THOMAS
Middle Name:
Status As Of: Jul-06-2026
Certificate ID: J0DQZPMLRD2512T

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Space Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Exhibit 5

Dept. of Defense Status Report
David Ciccozzi



Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:
Birth Date: Oct-XX-1956
Last Name: CICOZZI
First Name: DAVID
Middle Name:
Status As Of: Jul-06-2026
Certificate ID: N7NM5M0Z1C8PDCW

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Space Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

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Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.