Respondent's Answer

FILED
APR 1 2 2010
A. C. J. C.

1. Admit
2. Admit
3. Denied. Respondent was then and remains without sufficient information to respond to this allegation. Respondent reserves the right to amend or modify this answer as discovery may reveal.
4. Denied. Respondent had no knowledge of the alleged relationship or subject matter, but I have since learned that my husband was the defense attorney for two (2) defendants in the previous investigation and Monroe was fully familiar with the location of our law office.
5. Admit, in fact we were asleep in our bed on the second floor of our home in a state of complete undress.
6. Denied. Rita F. Muller, now deceased, provided a statement that contradicts this allegation and maintained until her death that Monroe pushed past her and she said to him, "You can't go up there; I don't go up there." Monroe had a competent adult and resident of the house at the door and at arm's length and did not serve or offer to serve anything to her. The statement that the intruder "called out for Respondent's husband by name" is not true and for that reason I do not know how long he was snooping around on the second floor of our home; until there were bangs on the door of our bedroom which awakened us, caused me to scream in fear and call 9-1-1.
7. Admit; I was terrified after the intruder had pounded on our bedroom door, awakened us from a sound sleep, and did not identify himself in any way.
8. Denied. Respondent was without knowledge of any purpose for the intrusion and certainly unaware of any legitimate purpose for the intruder to venture to our second floor bedroom.

My husband advises me that he was never shown a printed ID, but saw a badge on the intruder's belt.

9. Denied. Respondent was not present and without knowledge of any conversation; I was on the phone with the 9-1-1 operator. However, since that time I learned that a folded piece of paper was handed to my husband, who was unaware of what it was or its contents until the intruder had long left our home. After the intruder, showed my husband a badge clipped to his belt and said he was "Officer Monroe" my husband tells me that then he realized who the person was. The folded paper was a photocopy of a subpoena to provide testimony and when my husband presented himself in Trenton relevant to that subpoena he was told he not going to be asked to testify and was dismissed.
10. Admit.
11. Denied. Respondent was advised of same by the Police, but had no independent knowledge of the intruder's whereabouts.
12. Denied. Respondent was then and remains without sufficient information to respond to this allegation. Respondent reserves the right to amend or modify this answer as discovery may reveal.
13. Admit.
14. Admitted in part; denied in part. It is true that we told Officer Savage that the then unknown intruder entered our home uninvited and knocked on the upstairs bedroom door where we were sleeping. Respondent is without sufficient information to respond to the remainder of the allegation.
15. Denied. Respondent's mother-in-law, Rita F. Muller, now deceased, did live with us. She was present when the intruder came into the house. She never, in any of her statements on

May 27, 2008 or thereafter stated that the intruder identified himself in any way. She stated, that the intruder asked for "Steve" knowing then that no one who knows him, refers to her son, Steven, in that way. She stated that the intruder pushed past her and up the stairs. The intruder never asked permission and she never granted permission. She said to him, "You can't go up there; I don't go up there."

16. Denied. Respondent is without sufficient information to know the whereabouts of Sergeant Maggi prior to his entering our home. Officers Savage and Ramos were in our home.
17. Admit. Respondent advised Sergeant Maggi that the intruder's version was simply not what happened.
18. Admit in part; denied in part. I did become upset but never "yelled.", I was shaken; felt violated and had never experienced any unwelcome person coming into my home, with the exception of a robbery some years prior and advised the Officers that I felt that same fear. I was seated at the kitchen counter; Sergeant Maggi stood opposite me on the other side of the counter and walked back and forth from the kitchen to hallway at the foot of the stairs and back again, as if confused. He and the other officers were offered soft drinks, which they declined. Mr. Muller, paced in and out of the kitchen and in his upset, said that the intruder should be arrested. When Sergeant Maggi argued with him, he yelled at the Sergeant. Respondent denies ever making such a statement. The allegations of yelling and requests for arrest and commentary about the police were made by my husband and have been falsely attributed to me.

    I told Sergeant Maggi that I could not believe he didn't understand my upset and asked him how he would feel if he and his wife were asleep in their bed and had a stranger enter the home, came upstairs to the bedroom and banged on the door. I asked him if protection

against such intrusions weren't part of the reason we both went to work every day; meaning my law practice. I have no recollection of Sergeant Maggi ever appearing before me when I was the Municipal Judge. I don't know how he would know what if anything the Court Officers did or didn't do. I have never complained about their service; nor had reason to.

19. Denied. Respondent had no knowledge of any matter, private or otherwise, affecting my husband, my home or any reason for the intruder to enter my home on a Saturday afternoon.
20. Denied. The only time the issue of my being judge was raised was related to the training I had received from the New Jersey State Police. I was instructed that if anything ever happened to err on the side of caution and report events to a dedicated office and telephone number. I asked Sergeant Maggi whether I should make the call or if he would be doing that, as I was unclear on procedure when the police were involved. I provided him with the number, although my recollection is that Officer Ramos actually wrote it down. When I had heard nothing from the State Police, I made the call and found out that no one from the Bergenfield Police Department had made a call to the State Police.
21. Denied.

I hereby certify that the foregoing statements made by me are true to the best of my knowledge. I understand that if any of the foregoing statement made by me are willfully false, I am subject to punishment.

Dated: April 1, 2010

Lynn S. Muller

Robert E. Ramsey
Attorney for the Respondent