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Attorneys for Plaintiff

DEBORAH UGARA;  
  
Plaintiff,

vs.

JOHN F. PFLEGER FUNERAL HOME,  
INC.; MOUNT OLIVET CEMETERY; ST.  
JAMES R.C. CHURCH; JOHN DOES 1-5  
(fictitious names); ABC CORPORATIONS  
1-5 (fictitious names);

Defendants.

SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY  
LAW DIVISION  
DOCKET NO.: UNN-L-

CIVIL ACTION

**COMPLAINT AND JURY DEMAND**

The Plaintiff, Deborah Uraga, who brings this action for damages by way of Complaint against the Defendants, says:

**PARTIES**

1. That, at the time of the commencement of this action and at all times relevant to this Complaint, the Plaintiff, Deborah Uraga resided in the Borough of Garwood, County of Union, State of New Jersey.

2. That at the time of the commencement of this action and at all times relevant to this Complaint, the Plaintiff is the next of kin to her beloved father, George Jonas, deceased.

3. That, at all times hereinafter alleged, the Defendant, John F. Pfleger Funeral Home, Inc., is a corporation organized under and by virtue of the laws of the State of New Jersey, with its

principal place of business at 115 Tindall Road, Township of Middletown, County of Monmouth, State of New Jersey.

4. That, at all times hereinafter alleged, and upon information and belief, the Defendant, Mount Olivet Cemetery, is a corporation organized under and by virtue of the laws of the State of New Jersey, with its principal place of business at 94 Broad Street, Borough of Red Bank, County of Monmouth, State of New Jersey and located at 100 Chapel Hill Road, Middletown, New Jersey.

5. That, at all times hereinafter alleged, and upon information and belief, the Defendant, St. James R.C. Church is a corporation organized under and by virtue of the laws of the State of New Jersey, with its principal place of business at 94 Broad Street, Borough of Red Bank, County of Monmouth, State of New Jersey.

6. Upon information and belief, Defendant, John Does 1-5 (fictitious names) are fictitious names intended to represent parties whose identities are presently unknown, and were the owners, operators, managers, directors, agents, servants, and/or employees of Defendants.

7. Upon information and belief, ABC Corporations 1-5 (fictitious names) are fictitious names intended to represent party entities whose identities are presently unknown.

#### **FACTUAL BACKGROUND**

8. Plaintiff is the next of kin to her beloved late father, George Jonas (hereinafter referred to as the “Decedent”), who passed away on May 16, 1993. Decedent was a United States Military Veteran serving our Country in the Army.

9. The Plaintiff made arrangements with Defendant John F. Pflieger Funeral Home, Inc. (hereinafter “Pflieger Funeral Home” and/or “Defendant”) for the Decedent’s funeral services which included a Catholic viewing in the morning, followed by cremation at Monmouth Memorial Park Crematory.

10. Following the scheduled cremation, Decedent's cremains were then to be interred in the family plot at Defendant Mount Olivet Cemetery's (hereinafter referred to as "Mt. Olivet") and/or Defendant St. James R.C. Church (hereinafter referred to as "St. James) grounds next to the remains of Decedent's wife, son, and one daughter.

11. Plaintiff and her family completed the viewing service without incident. Plaintiff's late father was purportedly cremated on May 18, 1993. There was no ceremony held at Mt. Olivet for the Decedent's burial. Neither Plaintiff nor her family was present for the interment of Decedent's cremains.

12. At all times relevant herein, Pflieger Funeral Home, Mt. Olivet, and/or St. James represented to Plaintiff and her family that Decedent's cremains were interred in the family plot at Mt. Olivet and/or St. James. Plaintiff had no reason to question this representation. Defendants even placed a headstone with Decedent's name at the gravesite, along with a small placard reading "Veterans of Foreign Wars of the United States."

13. As such, every year since May of 1993, Plaintiff has visited the site and paid respect to her father's purported interment location for his birthday and all holidays, including the most recent Father's Day, June 16, 2024, which was just two days before receiving the heartbreaking news about the real location of her father's cremains.

14. On June 18, 2024, Plaintiff received a Facebook message from a United States Air Force Veteran<sup>1</sup> regarding her late father. The Veteran was reaching out in his capacity as Cremains Chair for a Veterans initiative looking for unclaimed human remains of United States Military Veterans to provide full military burials.

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<sup>1</sup> Veteran unnamed for privacy purposes.

15. The message read: “If your dad was George S Jonas and died on 5/16/1993 in Middletown, Vietnam Veterans of America is trying to locate family for permission to inter his unclaimed cremains at BG William C Doyle Veterans Cemetery with full military honors.” The Plaintiff was immediately overcome with unimaginable sadness.

16. Defendants confirmed that they were still in possession of Decedent’s cremains after thirty-one (31) years, and after making the representation that Decedent had been interred in the family plot at Mt. Olivet and/or St. James.

17. After three decades of visiting what she thought was her late father’s cremains, the Plaintiff was finally provided with Decedent’s cremated remains on June 19, 2024.

18. As a result of the above, Plaintiff has been forced to endure severe emotional distress and mental anguish. The Plaintiff has been denied her right to grieve the death of her late father for over thirty-one (31) years and is now forced to relive the loss of her beloved father.

**COUNT I**  
**NEGLIGENCE – MISHANDLING HUMAN REMAINS**

19. The allegations set forth in the preceding paragraphs are incorporated by reference as if set forth fully herein.

20. The Defendants, John F. Pflieger Funeral Home, Inc., Mount Olivet Cemetery, and St. James R.C. Church owed to the Plaintiff a duty to use reasonable care and skill in providing their professional services, including, but not limited to, adhering to the final wishes of the Plaintiff, the Decedent, and the Decedent’s family; handling Decedent’s human remains and cremains in accordance with New Jersey law, rules, regulations, and code; maintaining and controlling a proper chain of custody for human remains; to turnover human remains to the family of a loved one in a timely manner; and properly carrying out final disposition.

21. The Defendants breached the aforementioned duties by failing to implement the accepted degree of professional skill and care as others in the same profession(s) and communities, constituting negligence.

22. The Defendants are responsible for the negligent actions of their employees, servants, agents, representatives, contractors, subcontractors, John Does 1-5 (fictitious names), and ABC Corporations 1-5 (fictitious names), under the doctrine of *respondeat superior*.

23. As a direct and foreseeable result of the Defendants' negligent acts and omissions, and breach of the aforementioned duty of care, the Plaintiff has suffered and continues to suffer severe emotional distress and damages.

**WHEREFORE**, the Plaintiff, Deborah Uraga, demands judgment against Defendants, Defendants, John F. Pfleger Funeral Home, Inc., Mount Olivet Cemetery, and St. James R.C. Church, John Does 1-5 (fictitious names), ABC Corporations 1-5 (fictitious names), herein for compensatory damages, together with interest, costs of suit, counsel fees, punitive damages, and for such sums as would reasonably and properly compensate her in accordance with the laws of the State of New Jersey.

**COUNT II**  
**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

24. The allegations set forth in the preceding paragraphs are incorporated by reference as if set forth fully herein.

25. The Defendants, John F. Pfleger Funeral Home, Inc., Mount Olivet Cemetery, and St. James R.C. Church owed to the Plaintiff a duty to use reasonable care and skill in providing their professional services, including, but not limited to, adhering to the final wishes of the Plaintiff, the Decedent, and the Decedent's family; handling Decedent's human remains and cremains in accordance with New Jersey law, rules, regulations, and code; maintaining and controlling a proper

chain of custody for human remains; to turnover human remains to the family of a loved one in a timely manner; and properly carrying out final disposition.

26. The Defendants breached the aforementioned duties by failing to implement and adhere to the accepted degree of professional skill and care as others in the same profession(s) and communities, constituting negligence

27. As a direct and foreseeable result of the Defendants' negligent acts and omissions, and breach of the aforementioned duty of care, the Plaintiff has suffered and continues to suffer severe emotional distress and damages.

**WHEREFORE**, the Plaintiff, Deborah Uruga, demands judgment against Defendants, Defendants, John F. Pflieger Funeral Home, Inc., Mount Olivet Cemetery, and St. James R.C. Church, John Does 1-5 (fictitious names), ABC Corporations 1-5 (fictitious names), herein for compensatory damages, together with interest, costs of suit, counsel fees, punitive damages, and for such sums as would reasonably and properly compensate her in accordance with the laws of the State of New Jersey

**COUNT III**  
**TORT OF OUTRAGE**

28. The allegations set forth in the preceding paragraphs are incorporated by reference as if set forth fully herein.

29. The Defendants' intentional acts and/or omissions pertaining to the mishandling of Decedent's remains and failing to provide same to Plaintiff for over three decades constitutes intentional, extreme, reckless, and outrageous behavior, as to go beyond all possible bounds of decency.

30. As a result of the Defendants' intentional, extreme, reckless, and outrageous behavior, it was foreseeable that the Plaintiff would sustain injuries and damages, including severe emotional distress.

31. As a direct and foreseeable result of the Defendants' intentional, extreme, reckless, and outrageous conduct, the Plaintiff has suffered and continues to suffer severe emotional distress.

**WHEREFORE**, Deborah Uruga, demands judgment against Defendants, Defendants, John F. Pflieger Funeral Home, Inc., Mount Olivet Cemetery, and St. James R.C. Church, John Does 1-5 (fictitious names), ABC Corporations 1-5 (fictitious names), herein for compensatory damages, punitive damages, together with interest, costs of suit, counsel fees, and for such sums as would reasonably and properly compensate her in accordance with the laws of the State of New Jersey.

#### **JURY DEMAND**

The Plaintiff hereby demands a trial by jury as to all issues contained herein.

#### **DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, Michael B. Shaw, Esq. is hereby designated as Trial Counsel for Plaintiff in the above captioned matter.

#### **NOTICE OF OTHER ACTIONS**

The matter in controversy is not the subject of a pending action or arbitration, no other action or arbitration proceeding is at this time contemplated and to the knowledge of the undersigned no other parties should be joined in their action.

I certify that the within 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.

**EICHEN CRUTCHLOW ZASLOW, LLP**

A handwritten signature in black ink, appearing to read 'MSH', written over a horizontal line.

By: \_\_\_\_\_  
MICHAEL B. SHAW, ESQ.

Dated: July 3, 2024