

2. Upon information and belief, defendant Deborah Sgro is a New Jersey resident with an address of 53 Kaufman Drive, Westwood, New Jersey.

FACTS

3. On July 24, 2002, Stephen B. Schor loaned \$43,200.00 (the "Loan") to the defendant so she could make a down payment on a house she was purchasing.

4. Over the course of the next two years, defendant made payments totaling approximately \$5,200.00 to Mr. Schor.

5. On August 31, 2004, Mr. Schor assigned the Loan to plaintiff.

6. At the time of the assignment, the balance of the Loan was \$38,000.00.

7. On October 13, 2004, plaintiff, via counsel, wrote a letter to defendant in an attempt to collect on the debt.

8. Defendant responded to the letter with a refusal to pay, and with the statement that because the parties to the original loan did not specify the term of the loan, she could repay it whenever she chose.

9. Defendant has continued to refuse to pay the balance of the monies owed.

COUNT I

10. Plaintiff Irwin Peters repeats and realleges the foregoing allegations as if set forth fully herein.

11. Defendant borrowed money and has refused to pay it back upon demand.

12. Defendant's refusal to pay the money owing and due constitutes a material breach of contract by defendant.

WHEREFORE, plaintiff Irwin Peters requests that judgment be entered ordering defendant to pay plaintiff \$38,000 and awarding reasonable costs and expenses, including attorneys' fees, and such other relief as shall be determined to be just.

COUNT II

13. Plaintiff Irwin Peters repeats and realleges the foregoing allegations as if set forth fully herein.

14. Defendant borrowed money and has refused to pay it back upon demand.

15. Defendant's refusal to pay money owing has resulted in unjust enrichment of defendant.

WHEREFORE, plaintiff Irwin Peters requests that judgment be entered ordering defendant to pay plaintiff \$38,000 and awarding reasonable costs and expenses,

including attorneys' fees, and such other relief as shall
be determined to be just.

Dated: December 27, 2004

_____/s/_____
David Marc Nieporent
Ronald D. Coleman
COLEMAN LAW FIRM
A Professional Corporation
Attorneys for Plaintiff
Irwin Peters

881 Allwood Road
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(973) 471-4010

DESIGNATION OF TRIAL COUNSEL

In accordance with R. 4:25-4, Ronald Coleman is hereby
designated as trial counsel for the plaintiff, Irwin
Peters, in the above matter.

Dated: December 27, 2004

_____/s/_____
David Marc Nieporent
Ronald D. Coleman
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881 Allwood Road
Clifton, New Jersey 07012
(973) 471-4010

CERTIFICATION PURSUANT TO R. 4:5-1

I certify that the matter in controversy is not the subject of any other court action or arbitration proceeding, and that no other parties should be joined in this action.

Dated: December 27, 2004

_____/S/_____
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