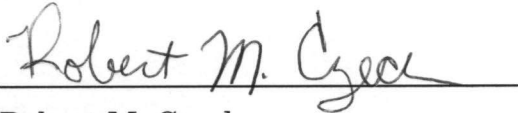


Re: David Skoblar

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
DECEMBER 16, 2015

A handwritten signature in cursive script that reads "Robert M. Czech". The signature is written in black ink and is positioned above a horizontal line.

Robert M. Czech
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Unit H
P. O. Box 312
Trenton, New Jersey 08625-0312

attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT NO. CSR 15341-14

2015-1035

**IN THE MATTER OF DAVID SKOBLAR,
VILLAGE OF RIDGEWOOD.**

Robert A. Skoblar, Esq., for appellant David Skoblar (Robert A. Skoblar, Esq., attorneys)

Beth Hinsdale-Piller, Esq., for respondent Village of Ridgewood (Wilentz, Goldman & Spitzer, attorneys)

Record closed: September 8, 2015

Decided: November 18, 2015

BEFORE **LELAND S. MCGEE, ALJ**:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Appellant David Skoblar (appellant), a fire fighter and certified emergency medical technician (EMT) for the Village of Ridgewood (respondent or Ridgewood), was terminated from his employment on September 24, 2014, after being charged with incompetency, inefficiency, or failure to perform duties N.J.A.C. 4A:2-2.3(a)(1); conduct unbecoming a public employee N.J.A.C. 4A:2-2.3(a)(6); neglect of duty N.J.A.C. 4A:2-2.3(a)(7); misuse of public property N.J.A.C. 4A:2-2.3(a)(8); and other sufficient cause N.J.A.C. 4A:2-2.3(a)(12).

Respondent alleged appellant used his cell phone during prohibited hours, sent inappropriate text messages and photographs, disclosed a restricted password to a member of the general public, and used his cell phone to improperly take and send a photograph taken from the scene of an emergency medical service (EMS) call. Respondent alleged further the appellant gave conflicting and misleading answers during a subsequent investigation.

Appellant denied using his cell phone during prohibited hours, and claimed his cell phone use occurred during breaks, lunch, or after the prohibited hours. Appellant denied sending inappropriate text and photographs, claiming his ex-girlfriend hacked into his phone and probably sent the photographs as part of a vendetta to discredit and destroy appellant, and to cause him to be fired from his job. Appellant argued that a photograph of a swastika at the scene of an EMS call was taken inadvertently while using the flashlight feature of his phone, and that another alleged improper photograph was not taken in the firehouse bathroom. Appellant admits giving his then girlfriend the password to access fire fighter work schedules, claiming that he was unaware that disclosure of the password was prohibited, and that nevertheless, information protected by the password was publicly displayed in the firehouse and accessible to public visitors.

The appellant appealed the decision to terminate him to the Office of Administrative Law. Hearings were held on April 20, 21, 30, and May 5, 2015. Post-hearing submissions were filed on August 13 and September 8, 2015, respectively.

FINDINGS OF FACT

Based upon the evidence presented, both testimonial and documentary, and having assessed the demeanor and credibility of the witnesses, I **FIND** the following to be the facts of the case:

Respondent discharged appellant after an investigation revealed he repeatedly misused his cell phone while on duty in contravention of Village policy. The investigation also revealed that appellant used his cell phone both while on and off duty

to send inappropriate photographs and texts, including photographs of his torso and offensive comments placing Ridgewood's Fire Department in disrepute. Respondent also claimed appellant sent a text describing choking children and other emergency events as "some of my favorite things" one day after the fire company had responded to a call of a two-year-old child choking on a toy. Respondent alleged that appellant took his cell phone into a home of a patient while responding to an EMS call in violation of Village policy. Further that appellant used his cell phone to communicate with his girlfriend via text messages during that EMS call. Respondent alleged appellant forwarded a photograph to his girlfriend taken within the patient's home and engaged in jokes about the scene. These text messages revealed that appellant gave his girlfriend information about the patient's medical condition, violating the patient's confidentiality and Village policy. Respondent alleged further that appellant gave his girlfriend, Melissa Ulto (Ms. Ulto), the passcode to the Fire Department's When to Work website in violation of Village policy. This improperly gave Ms. Ulto access to human resource information about each firefighter in the department. Respondent indicated appellant's disciplinary record reflected a history of being disciplined for similar infractions constituting carelessness and neglect, reflecting poor judgment, and a failure to focus appropriately upon his work.

Village policy prohibits firefighters from using their cell phones between the hours of 8 a.m. and 5 p.m. Monday through Friday except during allotted lunch and coffee break time. This is commonly referred to as the "prohibited hours." During these prohibited hours, firefighters are required to store their cell phones in their lockers except during the lunch and coffee breaks. Although firefighters are permitted to carry their personal cell phones while on duty after the prohibited hours on weekdays, and all day on weekends, they are required to leave their cell phones in the fire truck or ambulance while operating at the scene of a call, regardless of the time or day of the week.

Respondent's investigation revealed appellant regularly used his cell phone to make calls and send text messages during the prohibited hours. A sample review of some of the dates appellant worked in 2013 revealed that appellant sent twenty (20) text messages and made nine (9) cell phone calls on Wednesday, February 27, 2013.

(Ex. R-62, Ridgewood 01275-1276, and 01266.) Appellant worked and sent seventeen (17) text messages and made ten (10) cell phone calls on Friday, March 8, 2013. (Ex. R-62, Ridgewood 01282-1283, and 01268.) Appellant also worked and sent thirteen (13) text messages and made one (1) cell phone call on Monday, July 1, 2013. (Ex. R-62, Ridgewood 01433-1434.) On Wednesday, July 10, 2013, appellant worked and sent nine (9) text messages and made two (2) cell phone calls. (Ex. R-62, Ridgewood 01437, and 1428.) Appellant also worked on Tuesday, December 17, 2013, and sent seventeen (17) text messages and made five (5) cell phone calls. (Ex. R-62, Ridgewood 01521, and 1510.) Appellant also worked and sent text messages on Thursday, December 3 and 26, 2013. Appellant testified that since lunch and coffee breaks were taken at different times depending on the company's response to service calls, he could not determine if his cell phone use was improper because no records were kept of exactly when lunch or coffee breaks were taken. However, the timing and number of text messages and cell phone calls indicate they could not have all been made during permitted lunch and coffee break times because they extend beyond the allowable times. Thus appellant sent text messages and made cell phone calls during non-break or lunch times, when his cell phone should have been in his locker. In fact, appellant admitted in Court that he did not always keep his cell phone in his locker when not using it during breaks in violation of Village policy.

Respondent charged appellant with using his cell phone while responding to an EMS call and sending a photograph taken at the scene, and information about the patient to Ms. Ulto. On October 21, 2011, appellant was dispatched to a residence on an EMS call involving a man who was allegedly mentally unstable and needed assistance. The investigation revealed that while at the scene, appellant responded to a text from Ms. Ulto stating that he was "in the Silence of the Lamb's house," and sent her a photograph of a Nazi flag or swastika displayed within the home. Appellant denied taking or sending this photograph, claiming it was taken inadvertently. Appellant testified when he entered the house it was dark, without electricity, and since his service flashlight provided insufficient lighting, he used his cell phone flashlight feature. Accordingly, if he depressed the photograph button halfway, the flash would stay on without taking a photograph, but it went off several times. Respondent also discovered

that Appellant sent several text messages to Ms. Ulto revealing that the patient had been involuntarily committed.

Respondent's investigation also revealed that appellant used his cell phone to send several photographs and text messages to Ms. Ulto from work detail sites while working, and "selfie" photographs of his torso. (Exs. R-29, R-31, R-32 and R-33.) At least one of the torso photographs appears to have been taken in the firehouse locker room while Appellant was working. Respondent concedes that the torso photograph was sent while appellant was on duty, but during a time when he was allowed to use his cell phone. Appellant argues the torso photograph was not taken in the firehouse locker room but rather in his home bathroom because the tile pattern matches his bathroom. There were some work detail photographs depicting other firefighters outside near firefighter apparatus and apparently at work. Appellant argues that these photographs are unclear as to what activities are taking place, and difficult to discern whether the other firefighters are actually working.

Respondent discovered that on December 10, 2011, appellant sent the following text to Ms. Ulto: "Crashes and shoveling and infants who are choking . . . schizos who think their tables are laughing . . . wires burning and the Dark Lord can't sing . . . these are a few of my favorite things." (Ex. R-25.) Respondent argued appellant used the misfortune of patients requiring assistance as a source of amusement by sending an offensive/inappropriate text, an action which served to discredit Ridgewood and the Fire Department. Appellant argues that the text message was a parody not intended to discredit the Fire Department, and otherwise protected free speech as a private message sent to his girlfriend.

Respondent charges appellant with revealing a passcode to the When to Work website to Ms. Ulto in violation of Village policy. The Fire Department's When to Work website lists each firefighter's past and future work schedule, and related payroll attendance information. Appellant testified he gave the password to Ms. Ulto because she had repeatedly asked for it "to the point of distraction." Appellant asserts neither the Village of Ridgewood nor the Fire Department had a written or oral policy preventing firefighters from sharing the password with third parties, or at least with one's wife or

girlfriend. Appellant alleges further that the names, telephone numbers, and work schedules of the firefighters were posted in two places in the firehouse where members of the public could view them during various public functions.

Respondent also charges appellant with providing conflicting and misleading explanations about the relevant events, claiming he gave evasive answers in response to questioning. During counsel's opening statement, he argued that the evidence would show that appellant had not communicated with Ms. Ulto regarding an EMS call on the night of October 21, 2011, until appellant had returned to the firehouse. Appellant repeated this version of events during his initial testimony. Appellant's report states he returned to the firehouse at 7:59 p.m. However, the majority of text messages sent to Ms. Ulto on that night occurred prior to that time. Then again, appellant first testified that he entered the house with his cell phone, and remembered having it with him and taking it out when he reached the second floor. However, appellant's counsel proffered to offer testimony that appellant did not enter the house with his cell phone, but retrieved it after arriving and determining that his flash light provided inadequate lighting. Appellant asserts that the EMS call came after 5:00 p.m. when he was allowed to carry his cell phone, and that he carried his cell phone into the house when he first entered.

Respondent brings attention to appellant's prior disciplinary record, which reveals eight (8) disciplinary actions or reprimands from 2008 to 2014. The most serious reprimand, for carelessness and neglect, occurred on November 15, 2011, and resulted in docking of two (2) days' vacation pay for operating a fire engine in an unsafe manner and causing damage to the firehouse garage when backing up the fire engine. Appellant was again reprimanded for carelessness and neglect on February 25, 2014, and docked one (1) days' vacation pay for filling up a diesel apparatus with regular gasoline, causing delay and damage. Along with receiving reprimands, appellant had been counseled that further instances of carelessness or neglect would result in more severe disciplinary action. Additionally, on at least two occasions, Appellant had been banned from using his cell phone altogether by Captain Albano.

ANALYSIS AND CONCLUSIONS OF LAW

Applicable Standards

The Civil Service Act and the implementing regulations govern the rights and duties of public employees. N.J.S.A. 11A:1-1 to 12-6; N.J.A.C. 4A:1-1.1 to 4A:10-3.2. An employee who commits a wrongful act related to his or her duties or who gives other just cause may be subject to major discipline. N.J.S.A. 11A:2-6, 11A:2-20; N.J.A.C. 4A:2-2.2, -2.3(a). In a civil service disciplinary case, the employer bears the burden of sufficient, competent and credible evidence of facts essential to the charge. N.J.S.A. 11A:2-6(a)(2), -21; N.J.S.A. 52:14B-10(c); N.J.A.C. 1:1-2.1, “burden of proof”; N.J.A.C. 4A:2-1.4. That burden is to establish by a preponderance of the competent, relevant, and credible evidence that the employee is guilty as charged. Atkinson v. Parsekian, 37 N.J. 143 (1962); In re Polk, 90 N.J. 550 (1982).

An appointing authority may discipline an employee on various grounds, including conduct unbecoming a public employee, neglect of duty, and other sufficient cause. N.J.A.C. 4A:2-2.3(a). Such action is subject to review by the Civil Service Commission, which after a de novo hearing makes an independent determination as to both guilt and the “propriety of the penalty imposed below.” W. New York v. Bock, 38 N.J. 500, 519 (1962). In an administrative proceeding concerning a major disciplinary action, the appointing authority must prove its case by a “fair preponderance of the believable evidence.” Polk, supra, 90 N.J. at 560 (citation omitted); N.J.A.C. 4A:2-1.4(a); Atkinson, supra, 37 N.J. at 149.

The evidence must “be such as to lead a reasonably cautious mind to the given conclusion.” Bornstein v. Metro. Bottling Co., 26 N.J. 263, 275 (1958). The greater weight of credible evidence in the case—the preponderance—depends not only on the number of witnesses, but “the greater convincing power to our minds.” State v. Lewis, 67 N.J. 47, 49 (1975). Similarly, credible testimony “must not only proceed from the mouth of a credible witness, but it must be credible in itself.” In re Estate of Perrone, 5 N.J. 514, 522 (1950).

In the instant case, the relevant facts reveal appellant has engaged in a pattern of behavior consistently disregarding the rules and regulations of the Village of Ridgewood and its Fire Department. Respondent has presented overwhelming evidence sufficient to lead a reasonably cautious minded person to the conclusion that appellant has repeatedly violated Village policy and the Fire Department regulations as charged.

Regarding the charge of incompetency, inefficiency, or failure to perform duties pursuant to N.J.A.C. 4A:2-2.3(a)(1), I **CONCLUDE** that respondent has proven, by a preponderance of the competent, credible evidence, that appellant shared confidential password-protected information with a member of the public by revealing to Ms. Ulto the password to the When to Work website. Further, appellant texted and sent a photo to Ms. Ulto from the scene of an EMS location, while on duty, placing his coworkers and patients in jeopardy.

Appellant, as a municipal firefighter, is subject to discipline for conduct unbecoming a public employee. N.J.A.C. 4A:2-2.3(a)(6). Conduct unbecoming a public employee has been defined as “any conduct which adversely affects the morale or efficiency of the bureau . . . [or] which has a tendency to destroy public respect for municipal employees and confidence in the operation of municipal services.” Karins v. City of Atl. City, 152 N.J. 532, 554 (1998). Unbecoming conduct need not “be predicated upon the violation of any particular rule or regulation, but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct.” Hartmann v. Ridgewood Police Dep’t, 258 N.J. 32, 40 (App. Div. 1992); In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). The Court found that conduct is sufficient to support disciplinary action if “its attending circumstances be such as to offend publicly accepted standards of decency.” Karins, supra, 152 N.J. at 555. As a firefighter, appellant is a trusted public employee, expected to behave responsibly and is held to a higher standard of conduct than other public employees. In re Andrade, CSR 13260-13, Initial Decision (November 10, 2014), <http://njlaw.rutgers.edu/collections/oal/>. Although not defined in the regulations, neglect

generally means failure to conform to the expectations of a job by not performing the required duties, or performing them deficiently. Ibid.

Regarding the charge of conduct unbecoming a public employee pursuant to N.J.A.C. 4A:2-2.3(a)(6), I **CONCLUDE** that respondent has proven, by a preponderance of the competent, credible evidence, that appellant sent a text describing choking children and other emergency events as “some of my favorite things,” sent Ms. Ulto a photograph taken within a patient’s home during an EMS call, engaged in distasteful jokes about the scene, sent offensive and inappropriate text messages, used the misfortune of patients as amusement, and revealed confidential information about a patient’s medical condition.

“Neglect of duty” generally means that a person is not performing his or her job. The person may have failed to perform an act that the job requires or may have been negligent in the discharge of a duty. The duty may arise by specific statute or from the very nature of the job itself.

Regarding the charge of neglect of duty pursuant to N.J.A.C. 4A: 2-2.3(a)(7), I **CONCLUDE** that respondent has proven, by a preponderance of the competent, credible evidence, that appellant used his cell phone during the prohibited hours on numerous occasions and at different times. Appellant’s proffered explanation that his cell phone use occurred during lunch or break times is inconsistent with the records of calls which span all hours of the day, on many days. Repeated and sustained use of a cell phone while on duty in violation of departmental regulations has been held to justify termination. In re Chin, 231 N.J. CSC LEXIS 1180 OAL DKT. No. CSR 01209-13 (December 4, 2013).

Regarding the charge of misuse of public property pursuant to N.J.A.C. 4A:2-2.3(a)(8), I **CONCLUDE** that respondent has proven, by a preponderance of the competent, credible evidence, that appellant was reprimanded for carelessness and neglect for operating a fire engine in an unsafe manner and causing damage to a garage and the apparatus. On other occasions, appellant was disciplined for

misplacing/failing to report a missing portable radio and for filling a diesel apparatus with regular gasoline.

Regarding the charge of other sufficient cause pursuant to N.J.A.C. 4A:2-2.3(a)(12), I **CONCLUDE** that respondent has proven, by a preponderance of the competent, credible evidence, that appellant provided misleading and conflicting answers and explanations to the events in question, and has a history of disciplinary actions involving carelessness, neglect, and poor judgment. Appellant's disciplinary history includes eight (8) disciplinary actions or reprimands from 2008 to 2014, and counseling that further instances of carelessness or neglect would result in more severe disciplinary action. Although progressive discipline may be appropriate as a preliminary response to initial misbehavior, it is not required when dealing with egregious violations. New Jersey courts have long recognized that disciplinary history may be considered in determining the appropriate penalty. W. New York v. Bock, 38 N.J. 500, 523 (1962).

Appropriateness of Penalty

It is well-established that the employee's past record and any mitigating circumstances may be reviewed in assessing a penalty. See Bock, supra, 38 N.J. 500. The severity of the infractions must also be balanced against "whether removal or something less is appropriate under the circumstances." In re Figueroa, CSV 3819-01, Initial Decision (October 10, 2003), remanded, Merit Sys. Bd. (December 3, 2003), <<http://njlaw.rutgers.edu/collections/oal/>>; see Henry v. Rahway State Prison, 81 N.J. 571, 580 (1980). Progressive discipline may be "bypassed when an employee engages in severe misconduct," especially where the offense involves "public safety" and risks "harm to persons or property." In re Herrmann, 192 N.J. 19, 33-34 (2007). In assessing penalties, "[t]he overriding concern" is the "public good." George v. N. Princeton Developmental Ctr., 96 N.J.A.R.2d (CSV) 463, 465.

"[W]here the underlying conduct is of an egregious nature," an individual may be removed regardless of disciplinary history. In re Glenn, CSV 5051-03, Initial Decision (February 25, 2005), adopted as modified, Merit Sys. Bd. (May 23, 2005), <<http://njlaw.rutgers.edu/collections/oal/>>; see Henry, supra, 81 N.J. 571. Counseling,

warnings, meetings, etc., do not constitute discipline under Civil Service rules. See N.J.A.C. 4A:2-2.2; N.J.A.C. 4A:2-3.1.

I **CONCLUDE** that appellant has engaged in a pattern of behavior evincing conduct unbecoming a public employee, and specifically in violation of the Village of Ridgewood policy and its Fire Department regulations. I **CONCLUDE** that respondent has proved by a preponderance of the competent, credible evidence that appellant failed to perform his duties, engaged in conduct unbecoming a public employee, neglected his duties, misused public property, and provided other sufficient cause to justify his termination.

ORDER

Accordingly, I **ORDER** that the action of the respondent, Village of Ridgewood, of removing the appellant, David Skoblar, as a firefighter is **AFFIRMED**, and that this appeal is **DISMISSED**.

I hereby **FILE** my Initial Decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 40A:14-204.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, P.O. Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.



November 18, 2015
DATE

LELAND S. MCGEE, ALJ

Date Received at Agency:

November 18, 2015

Date Mailed to Parties:

November 18, 2015

lr

WITNESSES AND DOCUMENTS IN EVIDENCE

Witnesses

For Appellant:

David Skoblar

For Respondent:

David Skoblar

James Van Goor

Roberta Sonenfeld

Exhibits

For Appellant:

- A-1 Withdrawn
- A-2 Employment Evaluations
- A-3 Commendations for David Skoblar
- A-4 Work Schedule
- A-5 Same as J-1
- A-6 Offered but not admitted
- A-15 Contained in R-3
- A-16 Contained in R-3
- A-17 Contained in R-3
- A-24 Emails dated December 14, 2013
- A-32 Work Schedule

For Respondent:

- R-3 Ridgewood Fire Department Rules and Regulations (RIDGEWOOD 01739-01782)
- R-4 Ridgewood Fire Department Procedure Guide (RIDGEWOOD 01783-01784)

- R-5 Ridgewood Personnel Policies and Procedures Manual, May 2014 (RIDGEWOOD 01038-01122)
- R-6 Ridgewood Personnel Policies and Procedures Manual, April 2012 (RIDGEWOOD 01123-01222)
- R-7 Appellant David Skoblar's Signed Receipt for 2014 Human Resources Manual (RIDGEWOOD 01882)
- R-8 David Skoblar's Signed Receipt for Fire Department Procedure Guide (RIDGEWOOD 01907)
- R-9 E-mail dated April 27, 2014 from Harvey Weber to Chief Van Goor; Subject: FF Skoblar Follow Up (RIDGEWOOD 0332) ("On Sunday April 27, 2014, I spoke to Firefighter Skolbar about the following discoveries made during the investigation: 1. Photos 2. Project 195)
- R-10 Village Internal Affairs Investigation Report dated May 6, 2014 (RIDGEWOOD 01690-01693)
- R-12 Inter-Office Correspondence dated June 2, 2014, Subject: Investigation (RIDGEWOOD 01738) *I am ordering you to provide your full cell phone records from 2011-2014.*
- R-13 Correspondence from Robert Skoblar, Esq. to Beth Hinsdale-Piller, Esq. dated August 29, 2014 (RIDGEWOOD 01917-01921)
- R-14 Inter-Office Correspondence dated October 31, 2008 from Deputy Chief David H. Yaden to All Personnel, Subject: Transfers (RIDGEWOOD 01226)
- R-15 2012 Firefighter & EMS Shift Schedule (RIDGEWOOD 01229)
- R-16 2013 Firefighter & EMS Shift Schedule (RIDGEWOOD 01230)
- R-18 2014 Firefighter & EMS Shift Schedule (RIDGEWOOD 01231)
- R-19 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0189-0190) *Firefighter schedule pics*
- R-20 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0047) *Password/username*
- R-21 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0242-0243) *Silence of Lambs/Swastika*
- R-22 Village Emergency Report dated October 21, 2011 (RIDGEWOOD 01223-01225) *October 21, 2011*

- R-23 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0041) *Going to be delayed a bit. Dark lord fucking w me.*
- R-24 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0092) *I had a crappy night.. Argue/ yelled at by capt. I've been banned from laptop yet again.*
- R-25 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0107) *My favorite things*
- R-26 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0142) *On duty...*
- R-27 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0145) *I'm at work. Still hurting mightily though...*
- R-28 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0185-187, 0195) *Firefighter equipment photos*
- R-29 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0086-0087) *Photo + playing liver version of Dig Dug*
- R-30 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0205) *Wakey wakey eggs and bakey im at work*
- R-31 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0209) *Photo + filling up barriers*
- R-32 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0308) *Picture in shorts*
- R-33 Text Messages between Appellant and Third Party Melissa Ulto (RIDGEWOOD 0241, 0310) *Naked torso*
- R-38 Reprimand Record dated September 6, 2007 (RIDGEWOOD 01835-01836)
- R-41 Preliminary Notice of Disciplinary Action dated January 8, 2009 (RIDGEWOOD 01853)
- R-42 Statement of Charges dated February 5, 2010 (RIDGEWOOD 01873)
- R-44 Inter-Office correspondence dated May 4, 2010, To: Acting Chief Van Goor; From: Lt. Monton, Subject: Oral Reprimand (FF Skoblar) (RIDGEWOOD 01872)
- R-45 Reprimand Record dated June 9, 2010 (RIDGEWOOD 01870-01871)
- R-46 Notice of Minor Disciplinary Action dated October 21, 2011 (RIDGEWOOD 01868)

- R-47 Inter-Office Correspondence dated November 5, 2011, To: Chief Van Goor, From: Lt. Hillerman, Subject: Engine 31 MVA with Eng Co 31 Quarters Overhead Door (RIDGWOOD 01864-01865)
- R-51 Reprimand Record dated November 15, 2011 (RIDGWOOD 01877)
- R-52 Inter-Office Correspondence dated November 15, 2011, To: James Van Goor, Chief; From: Paul Monton, Captain Platoon "C," Subject: FF Skoblar/reprimand (RIDGWOOD 01859)
- R-54 Reprimand Record dated February 25, 2014 (RIDGWOOD 01897)
- R-62 Appellant's Cellular Phone Records (RIDGWOOD 0767-1034, 1246-1689)
- R-67 Refresh Recollection – Choking Infant Emergency Report
- R-69 SL20 Flashlight
- R-70 Orange Box Light with Strap
- R-71 Log Book Records for October 21, 2011
- R-72 Log Book Records for October 21, 2011
- R-73 When to Work Schedules (2013)
- R-74 When to Work Schedules (2014)
- R-75 When to Work Schedules (2015)
- R-76 Bathroom picture
- R-77 Bathroom picture
- R-78 Photograph of text conversation

Joint Exhibits

- J-1 Final Notice of Disciplinary Action Sept. 22, 2014 (RIDGWOOD 01244-01245)