

**New Jersey Crime Victims' Law Center  
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Attorneys for the Victim**

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<p><b>STATE OF NEW JERSEY</b></p> <p style="text-align: center;"><b>PLAINTIFF</b></p> <p style="text-align: center;">vs.</p> <p><b>DAVID BRECHT</b></p> <p style="text-align: center;"><b>DEFENDANT</b></p>		<p><b>SUPERIOR COURT OF NEW JERSEY CUMBERLAND – LAW DIVISION: CRIMINAL PART</b></p> <p><b>Indictment No. 09-03-00244-I/A</b></p> <p><b>CERTIFICATION OF JENNIFER NELSON-LODER, VICTIM ADVOCATE</b></p>
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JENNIFER NELSON-LODER certifies as follows:

1. I am employed by the New Jersey Crime Victims' Law Center (NJC VLC) as a victim advocate.
2. As part of my duties, I am required to establish a chronology of events from the facts provided by public records, the prosecutor, defense counsel, the victim and any other sources of information that will enable NJCVLC to assist the court in guaranteeing that the constitutional and statutory rights of the victim are met.
3. The information provided herein has been obtained from the prosecutor and the defense.
4. The events relevant to this motion as provided to NJCVLC include the following:
  - a. The victim, M.J. is 13 years of age.
  - b. On or about March 18, 2009 Indictment No. 09-03-00244-I/A was filed against the defendant charging him with the following:

Count One – Aggravated Criminal Sexual Contact – Third Degree;

Count Two – Aggravated Criminal Sexual Contact – Third Degree;

Count Three – Endangering Welfare of a Child – Third Degree;

The crime is alleged to have taken place on or about August 10, 2007.

5. On or about May 1, 2009, defendant’s counsel filed a motion for discovery in which he seeks an order compelling the prosecutor to provide notes from victim counseling sessions. As set forth in paragraphs 5 and 6 of defense counsel’s certification accompanying his notice of motion, he states the purpose of the motion:

*I do not know, therefore, whether M.J. gave another version of this incident to anyone else. I am trying to determine this. . . . I recognize that such communications are under certain circumstances, privileged. . . . But without knowing what the communication was, to whom it was made, and the reason it was made, I cannot determine whether it is discoverable or privileged.*

6. The victim received the following counseling related services:
  - a. M.J. was a patient of Vineland Counseling Services from January 2008 to April 2008. During this time, she met with Stephanie Benash, MFT Intern (Marriage Family Therapist.) Ms. Benash was supervised by Gerald J. Washko, LMFT, LCADC (Licensed Marriage and Family Therapist, Licensed Clinical Alcohol and Drug Counselor).
  - b. M.J. received treatment with Kimberly Brown, LPC (Licensed Professional Counselor) who is a certified sexual assault therapist. Kimberly Brown treated M.J. from May 2008 through December 2008.

I certify that the foregoing 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.

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JENNIFER NESLON-LODER

DATE: June 11, 2009