

THE HON. MICHAEL V. CRESITELLO, JR., J.S.C.

MOTION LIST

April 13, 2017

Prepared by the Judge's Law Clerk, Christopher Shanahan, (732) 519-3598

Caption	Docket No.	Motion No.	Motion Type	Disposition
A Plus Quality Contractors v. O'Calls General Contractors, Inc., et al.	L-951-16	414	P's NOM for Attorney's Fees and Expenses	Denied
A Plus Quality Contractors v. O'Calls General Contractors, Inc., et al.	L-951-16	415	P's NOM to Strike with Prejudice	Withdrawn
Allen v. Proximo Spirits, Inc., et al.	L-5045-14	132	D's NOM for Summary Judgment	ADJ to 4/28/17
Avis Rent a Car System v. Stanley, et al.	L-2056-16	109	P's NOM to Enforce Litigant's Rights	Granted
Banegas-Suazo v. Carhuayano, et al.	L-6951-15	137	D's NOM for Summary Judgment	Granted
Banegas-Suazo v. Carhuayano, et al.	L-6951-15	117	D's NOM for Summary Judgment	Denied
Barritta v. Matheson, et al.	L-1146-16	769	P's NOM to Extend DED	Granted
Brown v. Foley, et al.	L-7442-16	275	D's for Summary Judgment	Adjourned to 4/28/17
Calderone v. Shah, et al.	L-1251-16	644	D's NOM to Compel	Withdrawn
Camara v. ABM Janitorial Services, et al.	L-5746-15	531	P's NOM to Bar	Granted
Caraballo, et al. v. Woodbridge Center Property, LLC, et al.	L-6152-16	293	P's NOM to Strike and Suppress	Withdrawn
Clark v. Seamans, et al.	L-4944-16	273	P's NOM to Suppress for failure to provide discovery	Withdrawn
Cook v. Marte, et al.	L-3945-16	170	D's NOM to Compel	Granted

Corporan v. Fegan, et al.	L-3542-16	504	D's NOM to Dismiss with Prejudice	Withdrawn
Davis v. Bajnath, et al.	L-3145-16	344	D's NOM to Strike	Granted
DeLaurnetis v. Motorcycle Rider Training & New Jersey Motor Vehicle Comission	L-6849-15	232	D's NOM to Compel	Granted
Diaz-Montero v. Cleveland III	L-3342-16	821	D's NOM to Compel	Denied
Gruskowski v. Roosevelt Care Center at Edison, et al.	L-2851-16	355	P's NOM to Enter Default	Withdrawn
Genao-Urena v. DLC Transportation Services, LLC	L-5347-16	215	D's NOM to dismiss w/o prejudice for failure to provide discovery	Withdrawn
Healey v. Retained Realty, Inc.	L-7247-15	213	D's NOM for Summary Judgment	Granted
Hurley v. Wysocki, et al.	L-5852-16	307	D's NOM to Dismiss, or Compel	Withdrawn
Jackson v. Davda, et al.	L-4249-16	554	P's NOM to Reinstate Complaint	Granted
John Doe, et al. v. Evangelical Lutheran Church, et al.	L-551-17	228	D's NOM to Dismiss	ADJ to 4/28/17
John Doe, et al. v. Evangelical Lutheran Church, et al.	L-551-17	356	D's NOM for Protective Order	ADJ to 4/28/17
John Doe, et al. v. Evangelical Lutheran Church, et al.	L-551-17	92	D's NOM to Dismiss	ADJ to 4/28/17
Kalthoff v. New Jersey Manufacturers Insurance Company	L-2844-16	564	D's NOM to Compel	Granted
Kamara v. Greco, et al.	L-5650-16	529	D's NOM to Dismiss w/o prejudice	Granted
Kaur v. Mangeri, et al.	L-149-16	779	D's NOM to Dismiss with prejudice for failure to Comply with a Court Order	ADJ to 4/28/17
Keles v. Lampley	L-6048-15	290	D's NOM to Compel Deposition	Granted

Kodak v. Lewis; et al.	L-6847-15	817	D's NOM to Dismiss for failure to comply with a Court Order	Denied
Malvin v. Barnes & Noble, et al.	L-4250-15	116	D's NOM for Summary Judgment	Granted
Mejia v. Lavric, et al.	L-6351-14	299	P's NOM to Reinstate Complaint	Denied
Mizell v. Allstate Insurance Company, et al.	L-248-16	455	D's NOM to Extend DED	Denied
MSW Capital, LLC v. Rullo, et al.	DJ-203743-11	578	P's NOM to Enforce Litigant's Rights	Granted
Mucinaf, LLC v. NJ Conf Assoc 7th Day Adventists; et al.	L-1548-16	202	P's NOM for Summary Judgment	Granted
New Jersey Casualty v. All State Home Improvements	L-4251-16	294	D's NOM to Strike for failure to provide discovery.	Withdrawn
New Jersey Higher Education Student Assistance Authority v. Diaz	L-50-13	543	P's NOM to Amend Judgment	Granted
Osorio v. Potok, et al.	L-7038-15	628	D's NOM for Summary Judgment	Denied
Pelaez-Lopez v. Torres, et al.	L-3045-15	368	D's NOM to dismiss w/o prejudice for failure to provide discovery	Withdrawn
Pereira v. New Jersey Manufacturers Company	L-1644-16	567	D's NOM to Extend DED	Granted
Pereira v. Robbins, et al.	L-6851-15	702	P's NOM to Suppress for failure to provide discovery	Granted

Perez v. Papadakos, et al.	L-4342-16	330	P's NOM to Serve Defendant's Insurance Carrier	Granted
Perpignan v. Liberty Mutual Insurance, et al.	L-7044-16	447	D's NOM to Dismiss w/o Prejudice	Withdrawn
Portuhondo v. Shen; et al.	L-1043-15	699	D's NOM to Compel & Extend DED.	Granted
Raritan Bay Federal Credit Union v. Harper	DJ-8452-17	462	P's NOM to Enforce Litigant's Rights	Granted
Ribeiro v. Delgado, et al.	L-5044-16	303	D's NOM to dismiss w/o prejudice for failure to provide discovery	Withdrawn
Robeson v. Calcado, et al.	L-1049-16	427	P's NOM to Restore and Enter Default	Granted
Rodriguez v. City of Perth Amboy, et al.	L-3143-16	598	D's NOM to Vacate Default & Reinstate Complaint	Granted
Ruiz-Perez v. Choubey, et al.	L-3052-16	699	D's NOM to Compel Deposition	Granted
Saini v. Rock Associates, LLC, et al.	L-2644-16	799	D's NOM to Compel	Withdrawn
Singh v. Mangeri	L-933-16	779	P's NOM to Dismiss with prejudice for failure to provide discovery	ADJ to 4/28/17
Spillman v. Aziz, et al.	L-3850-16	585	P's NOM to Reinstate Complaint	Granted

Tavathia v. Akbar Restaurant, INC., et al.	L-1851-16	507	D's NOM to dismiss with prejudice for failure to provide discovery.	Withdrawn
Tavathia v. Akbar Restaurant, INC., et al.	L-1851-16	897	P's Cross-Motion to Restore Complaint	Granted in part
Trinidad v. New Jersey Manufacturers Insurance Company	L-1451-16	677	D's NOM to Stay Proceedings, and for Leave to Amend	Granted
Vasquez v. Sarath, et al.	L-4642-16	466	P's NOM to Compel	Withdrawn
Weir & Partners LLP v. City Line Insurance, INC.	DJ-224649-16	487	D's NOM to Enforce Litigant's Rights	Withdrawn
Yang v. Gonzalez, et al.	L-3551-16	549	D's NOM to Dismiss with Prejudice	Granted
Zadok v. Shotyk, et al.	L-4743-16	598	P's NOM to Suppress for failure to provide discovery	Withdrawn
Zavala v. Ellis, et al.	L-3152-16	359	P's NOM to Suppress for failure to provide discovery	Granted

#414
4-13-17

Maria Del Gaizo Noto, Esq.
Law Office of Maria D. Noto, P.C.
746 Highway 34, Suite 8
Matawan, New Jersey 07747
Attorney for Plaintiff, A Plus Quality
Contractors
Attorney I.D.: 029831980

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

A Plus Quality Contractors,

vs.

O'Cals General Contractors, Inc. also known
as CGT Construction, Inc. and CGT Triple
Star Construction Inc.; John O'
Connell, individually and in his capacity as
owner of O'Cals General Contractors, Inc.
also known as CGT Construction, Inc. and
CGT Triple Star Construction Inc.; Tom O'
Connell, individually and in his capacity as
owner of O'Cals General Contractors, Inc.
also known as CGT Construction, Inc. and
CGT Triple Star Construction Inc.,

Plaintiff,

Defendant.

SUPERIOR COURT OF NEW JERSEY
CIVIL DIVISION

MIDDLESEX COUNTY

DOCKET NO. L-951-16

**CIVIL ACTION
ORDER**

THIS MATTER having been presented to the Court by Maria D. Noto, Esq., of the Law Firm of Maria D. Noto, P.C., attorney for Plaintiff, on notice to Christopher D. Ferrera, Esq., counsel for all Defendants, for an Order, pursuant to Rule 4:23-1(c) and Rule 4:23-2(b), for attorney's fees and expenses, in the within cause of action, and the Court having considered the moving papers and any responses thereto, and having heard oral argument, and for good cause shown:

IT IS on this 13th day of April, 2017

ORDERED that Plaintiff's Motion for Attorney's Fees and Expenses pursuant to Rule 4:23-1(c) is hereby GRANTED, in the amount of \$2,760.00 for attorney's fees and \$58.55 for expenses; it is further

DENIED

ORDERED that Plaintiff's Motion for Attorney's Fees pursuant to Rule 4:23-2(b) is hereby **GRANTED**, in the amount \$1410.00 for attorney's fees and \$100.00 for expenses; and

DENIED

IT IS FURTHER ORDERED that a copy of this Order be served on all parties within seven (7) days of the receipt of this Order.

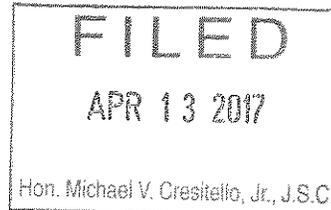


HON. MICHAEL V. CRESITELLO, JR., J.S.C.

Opposed
 Unopposed

No basis for relief sought on motion record presented. Underlying relief sought to strike pleadings of defendants and enter default was withdrawn.

NJ Attorney ID No. 009351973
ALAN E. WELCH, ESQ.
4 East Cliff Street, P.O. Box 895
Somerville, New Jersey 08876-0895
(908) 722-5151
Attorneys for Plaintiff



AVIS RENT A CAR SYSTEM, t/a CAR RENTALS, INC., a Corporation of the State of New Jersey,	:	SUPERIOR COURT OF NEW JERSEY LAW DIVISION MIDDLESEX COUNTY
	:	
Plaintiff(s),	:	DOCKET NO. MID-L-2056-16
	:	
vs.	:	Civil Action #589
	:	
JIMMY STANLEY & NOELLE BOYNTON,	:	ORDER FOR VIOLATION OF LITIGANT'S RIGHTS
Defendant(s),	:	

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN YOUR ARREST

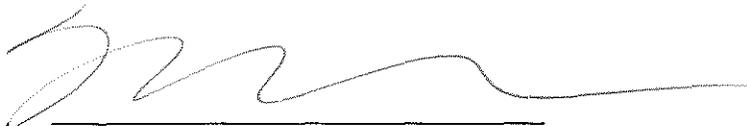
This matter being opened to the Court by Alan E. Welch, Esq., on Plaintiff's Motion for an Order enforcing Litigant's Rights and the Defendant having failed to appear on the return date and having failed to comply with the (a) Order to Discovery previously entered in this case and (b) Information Subpoena;

IT IS on this 13th day of April, 2017, ORDERED AND ADJUDGED

1. The Defendant, JIMMY STANLEY, has violated Plaintiff's rights as a litigant;
2. The Defendant, JIMMY STANLEY, shall immediately furnish answers as required by the (a) Order for Discovery and (b) Information Subpoena.
3. If Defendant, JIMMY STANLEY, fails to comply with the (a) Order for Discovery or (b) Information Subpoena within ten (10) days of the certified date of personal service or mailing of this Order, a Warrant for the Defendant's Arrest shall issue out of this Court without further notice;

4. Defendant shall pay Plaintiff's attorney fees in connection with this Motion in the amount of \$ _____.

All parties are to be served within seven (7) days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

UNOPPOSED

PROOF OF SERVICE

On _____, 2017, I served a true copy of this Order on Defendant, JIMMY STANLEY by sending it simultaneously by regular and certified mail, RRR to 11 McCarthy Court, South Plainfield, New Jersey 07080.

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

ALAN E. WELCH, ESQ.

Dated: 3/8/17

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

LEVINSON AXELROD, P.A.
124 Route 31
Flemington, NJ 08822
(908) 782-6766
Attorney for Plaintiff

ANTONIO BARRITTA,

Plaintiff,

v.

**CRAIG MATHESON, LEASE PLAN USA INC.,
ECOLAB INC., JOHN DOES 1-10 and ABC
CORPORATIONS 1-10,**

Defendants

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-HUNTERDON COUNTY
Docket No.: HNT-L-544-15**

m 10 L 1146-16
Civil Action

ORDER

This matter being brought before the Court on Notice of Motion by Levinson, Axelrod, attorneys for plaintiff, and the Court having considered the pleadings filed herein, and good cause having been shown;

IT IS on this 13th day of April, 2017

ORDERED that discovery is hereby extended for a period of 120 days, until August 27, 2017, and it is further;

ORDERED that all paper discovery be completed by June 27, 2017, and it is further;

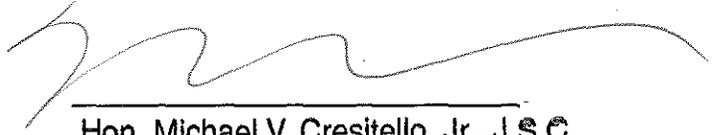
ORDERED that all depositions be completed by July 27, 2017, and it is further;

ORDERED that all plaintiff expert reports be served by July 27, 2017, and it is further;

ORDERED that all defense expert reports be served by August 27, 2017, and it is further;

**ORDERED THAT ARBITRATION
SHALL BE SCHEDULED FOR
October 4, 2017**

ORDERED that a copy of this order shall be served upon the attorneys for the defendants
within 7 days from the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

PAPERS CONSIDERED:

Moving Papers

Responding Papers

UNOPPOSED

#53L

04/13/17

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Brian P. McElroy, Esq. - 036492006
LEVINSON AXELROD
302 Route 206 South
Hillsborough, NJ 08844
(908) 359-0110
Attorney for Plaintiff

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
COUNTY
DOCKET NO.: MID-L-005746-15

SHEILA CAMARA,

Plaintiff,

v.

ABM JANITORIAL SERVICES i/s/h/a
ABM, JOHNSON CONTROLS, and JOHN
DOES 1-10 (representing presently
unknown: businesses,
partnerships,
and/or corporations who own,
operate, supervise, control
and/or maintain the premises in
question)

Defendant (s)

CIVIL ACTION

ORDER

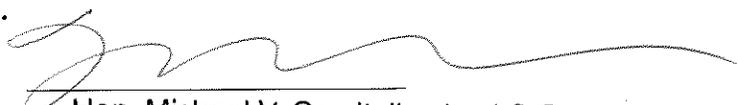
This matter being brought before the Court on Notice of Motion by Levinson Axelrod, attorneys for plaintiff, to bar the testimony of Ney Estrella, Edwin Rosario, and Torres Zacarias, and the Court having considered the pleadings filed herein; and good cause having been shown;

IT IS on this 13th day of April, 2017;

ORDERED that Ney Estrella, Edwin Rosario, and Torres Zacarias', testimony be barred at the time of trial for any purpose; and it is further

ORDERED that a copy of this Order be forwarded to all counsel herein within 7 days hereof.

UNOPPOSED


Hon. Michael V. Cresitello, Jr., J.S.C.

GOLDBERG SEGALLA LLP
By: Asher Brooks Chancey (NJ ID 004232007)
Paul J. Nordeman (NJ ID 081582013)
1700 Market Street, Suite 1418
Philadelphia, PA 19103
(267) 519-6800
(267) 519-6801 (fax)
achancey@goldbergsegalla.com
pnordeman@goldbergsegalla.com

Attorneys for Defendants, Santos Marte and Pedro Diaz

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

HENRY COOK, : SUPERIOR COURT OF NEW JERSEY
 : LAW DIVISION – MIDDLESEX COUNTY
Plaintiff, :
 : DOCKET NO.: MID-L-3945-16
v. :
 : **ORDER**
SANTOS MARTE and PEDRO DIAZ, et al., :
 :
Defendants. :

This matter having been opened to the Court by Goldberg Segalla LLP, attorneys for Defendants, Santos Marte and Pedro Diaz, seeking an Order Compelling the deposition of the plaintiff, Henry Cook, pursuant to R. 4:23-4, and the Court having considered the papers submitted in support of and in opposition to the Motion, if any; and good cause appearing;

IT IS on this 13th day of April, 2017

ORDERED that the plaintiff, Henry Cook, shall appear for his deposition on April 17, 2017 at 2 p.m. at the Law Offices of Karim Arzadi; and it is further

ORDERED that failure of the plaintiff to comply with this Order may result in the dismissal of the plaintiff's Complaint, without prejudice, upon further application to this Court; and it is further

ORDERED that the defendants shall serve a copy of this Order upon all counsel within seven (7) days of receipt.



Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed Unopposed

#344
04/13/17

Nicholas J. Lombardi, Esq.
Attorney I.D. No. 034121987

Harrington and Lombardi, LLP
508 Hamburg Turnpike, Suite 207
Wayne, NJ 07470
(973) 790-8900
Attorneys for Defendant, MetLife Insurance Company
Our File No. KL-3581

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

ANDRE DAVIS, MARY DAVIS,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
Plaintiffs,	:	DOCKET NO. MID-L-3145-16
v.	:	CIVIL ACTION
RABINDRAN BAJNATH, CONNOR	:	ORDER
GOAD, JOYELL GOAD, METLIFE	:	
INSURANCE COMPANY, JOHN	:	
DOE 1-4, JANE DOE 1-4, ABC	:	
CORP. 1-10, XYZ CO. 1-10	:	
(said names being fictitious),	:	
Defendants.	:	

This matter having been opened to the Court by Harrington and Lombardi, LLP, attorneys for defendant, MetLife Insurance Company, and the Court having reviewed the moving papers and for other good and sufficient reason appearing;

It is on this 13th day of April, 2017

ORDERED that the defenses of defendant, Rabindran Bajnath, are hereby suppressed and his Answer is hereby stricken for failure to provide certified answers to interrogatories; and it is further

ORDERED that a conformed copy of the within Order be served upon all parties within days of its entry.



Hon. Michael V. Cresitello, Jr., J.S.C.

OPPOSED
 UNOPPOSED

See Page 2

Davis v. Bajnath, et als
Docket No.: MID-L3145-16

ORDERED that counsel for the delinquent party shall serve upon his or her client in accordance with R. 4:23-5(a)(1) a copy of this Order and the notice set forth in Appendix II-A of the Court Rules

#232
04/13/17

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY
R.J. Hughes Justice Complex
PO Box 116
Trenton, New Jersey 08625
Attorney for Defendant,
New Jersey Motor Vehicle Commission

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

By: Benjamin E. Bryant (2882-2011)
Deputy Attorney General
609-292-7922

CHRISOULA DeLAURNETIS & JOHN
DELAURNETIS, her husband,

Plaintiffs,

v. MOTORCYCLE RIDER TRAINING &
NEW JERSEY MOTOR VEHICLE
COMMISSION,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION MIDDLESEX COUNTY

Docket No. MID-L-6849-15

CIVIL ACTION

**ORDER COMPELLING CO-DEFENDANT
MOTORCYCLE RIDER TRAINING,
INC., TO PROVIDE DEFENSE AND
INDEMNIFICATION TO NJ MOTOR
VEHICLE COMMISSION**

This matter having been opened to the Court on application of Christopher S. Porrino, Attorney General of New Jersey, Benjamin E. Bryant, Deputy Attorney General, appearing on behalf of Defendant New Jersey Motor Vehicle Commission for an Order compelling defense and indemnification, and the Court having considered the moving papers and for good cause shown,

It is on this 13th day of April, 2017

ORDERED that Motorcycle Rider Training, Inc. is hereby **COMPELLED** to immediately assume the defense of Defendant New Jersey Motor Vehicle Commission and to indemnify it and any of the its

employees from any judgment that may be rendered against it; and it is further

ORDERED that a copy of this Order shall be served upon all counsel of record within 7 days of receipt hereof.



Honorable Michael V. Cresitello, J.S.C.

____ Opposed

X Unopposed

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."

Law Office of Robert A. Raskas
371 Hoes Lane, Suite 105
Piscataway, NJ 08854
(732) 981-1649 (Telephone)
(732) 981-1657 (Fax)
By: Cormac Egenton, Esq. / 02092-2009
Attorney for Defendant, Robert Cleveland

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

<p>NELLY DIAZ-MONTERO, Plaintiff, -vs- ROBERT CLEVELAND III Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO. MID-L-3342-16 Civil Action #1821 ORDER</p>
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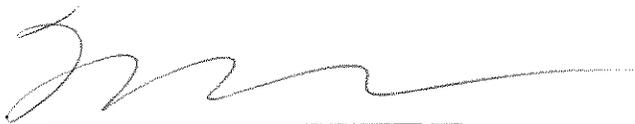
This matter having been opened to the Court on Motion of Cormac Egenton, Esq., attorney for defendant, Robert Cleveland, for an Order compelling plaintiff to appear for a deposition on or before May 10, 2017, and the Court having read and considered the moving papers, and for good cause appearing;

IT IS on this 13th day of April, 2017:

ORDERED that plaintiff is hereby compelled to appear for a deposition on or before May 10, 2017; and it is further

DENIED

ORDERED that a copy of the within Order be served on all counsel within 7 days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed
 Unopposed

Denied. Pursuant to the opposition received by the Court, the subject deposition was adjourned by Defendant, not the Plaintiff.
No Reply received.

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

#213

EDWARD HEALEY,

Plaintiff,

v.

RETAINED REALTY, INC.,
EUGENE DELUSANT, BARBARA DELUSANT,
ABC CORPORATION 1-3 and
JOHN DOE 1-3

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION:
MIDDLESEX COUNTY

DOCKET NO.: MID-L-7247-15

Civil Action

ORDER

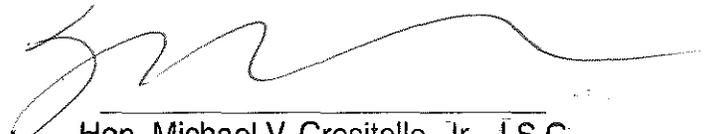
THIS MATTER having been opened to the Court upon the application of counsel for defendant, Retained Realty, Inc, for Summary Judgment dismissing plaintiffs' complaint with prejudice, and the Court having considered the moving papers and opposition thereto, if any, and for good cause shown;

IT IS on this 13th day of April, 2017,

ORDERED that the motion be and is hereby GRANTED; and it is further

ORDERED that the Complaint against Retained Realty, Inc. be dismissed with prejudice; and it is further

ORDERED that a copy of this Order shall be served upon counsel for all parties within 7 days of receipt by counsel.


Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed
Unopposed []

FOR THE REASONS SET FORTH
ON THE RECORD ON 04-13-17

LORD, KOBRIN, ALVAREZ & FATTELL, LLC
EDWIN CINTRON II, ESQ. Atty I.D. 0257 6-2010
1283 ROUTE 22 EAST
MOUNTAINSIDE, NJ 07092
(908)232-7666

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

#554
04/13/17

Attorney(s) for Plaintiff

AHTAEVEUS JACKSON

Plaintiff(s),

vs.

TEJAS A. DAVDA, ROBERT A. GREEN,
JOHN DOES 1 – 5, and ABC CORP 1 – 5
(said names being fictitious as true identities
are unknown at this time)

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO.: MID-L-4249-16

CIVIL ACTION

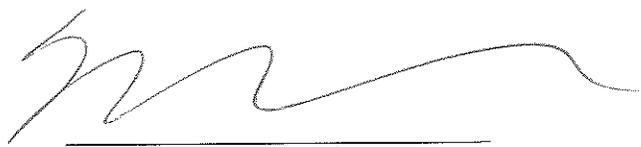
ORDER

THIS MATTER having been opened to the Court by Jeffrey S. Fattell, Esq., attorney for plaintiff, Ahtaeveus Jackson, and good cause having been shown;

It is on this 13th day of April, 2017;

ORDERED that Plaintiffs, Ahtaeveus Jackson, Complaint be and hereby is Reinstated back to the active trial calendar; and it is further

ORDERED that a copy of this Order shall be served upon the defendant within 7 days of the signing of the Order.



Hon. Michael V. Cresitello, Jr., J.S.C.

Unopposed
 Opposed

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Michael J. McCaffrey, Esq.
Attorney ID #019831982
PURCELL, MULCAHY, HAWKINS & FLANAGAN, LLC
One Pluckemin Way
P.O. Box 754
Bedminster, New Jersey 07921
(908) 658-3800
Attorneys for defendant, New Jersey Manufacturers Insurance Company
Our File No. (637) 23872-A

MARY KALTHOFF,

Plaintiff,

v.

NEW JERSEY MANUFACTURERS
INSURANCE COMPANY,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-2844-16

H-564

**ORDER COMPELLING DEPOSITION
OF DR. DENNIS AND SETTING A FEE**

THIS MATTER's having been opened to the court by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendant, New Jersey Manufacturers Insurance Company, for an order compelling plaintiff to produce her proposed medical expert, Dr. Robert Dennis, for deposition on a date certain and setting a fee for deposition; and the court's having considered the moving papers of the parties, and for good cause shown;

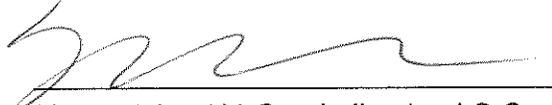
IT IS on this *13th* day of *April*, 2017;

~~ORDERED~~ that plaintiff shall make available for deposition Dr. Robert Dennis, at Dr. Dennis' offices on April 28, 2017, at 9:00 a.m.; and it is further

~~ORDERED~~ that defendant need pay plaintiff's proposed medical expert for his deposition the fee of ^{#400}~~\$350~~ an hour prorated, and need not pay "preparation time," ~~and~~ ^{the retainer fee or} for plaintiff's expert is free to make whatever arrangement he wishes, with plaintiff, for other payment; and it is further

~~ORDERED~~ that should Dr. Dennis fail to give deposition testimony as indicated ^{below} above, he shall not be permitted to testify at trial; and it is further

~~ORDERED~~ that a copy of the within order be served upon all counsel within ten days of counsel's receipt hereof.


Hon. Michael V. Cresitello, Jr., J.S.C.

- opposed
- unopposed

PAPERS CONSIDERED:

- Answering Papers
- (Affidavit, Brief)
- Notice of Motion
- Movant's Brief
- Reply Papers
- Movant's Affidavit
- Cross-motion
- Order

By consent the deposition of Dr. Dennis shall take place on May 22, 2017 at 9:00 AM in his office. The deposition shall be concluded by 1:00 P.M.

\$400 per hour is deemed reasonable by the court. The requested fee of \$750 per hour is excessive.

#529
4-B-17

JOHN A. CAMASSA, ESQ., #025361989

CAMASSA LAW FIRM, P.C.

1800 Route 34

Building 3, Suite 303

Wall, New Jersey 07719

(732) 749-3313

Attorney for Defendants, Kellie M. Greco and Marc J. Greco

Our File: 1C.7558JAC

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

HAWA KAMARA,

Plaintiff(s),

v.

KELLIE M. GRECO, MARC. J. GRECO, JOHN
DOE (name being fictitious) and ABC
CORPORATION (name being fictitious),

Defendant(s),

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-005650-16

Civil Action

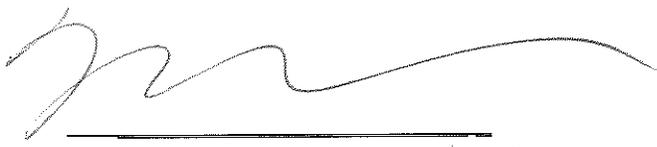
ORDER

THIS MATTER, having been open to the Court by Camassa Law Firm, P.C. and the Court having reviewed the moving papers, and the opposition, if any, and good cause shown,

It is this 13th day of April, 2017,

ORDERED that the Complaint of plaintiff, Hawa Kamara, should be and is hereby dismissed, *without prejudice* for failure of the plaintiff to supply certified answers to Interrogatories within the time prescribed by the Rules of Court; and it is further

ORDERED that a copy of this Order be served within seven (7) days of receipt of the executed Order of the Court.



Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed

Unopposed

See Page 2

ORDERED that counsel for the delinquent party shall serve upon his or her client in accordance with R. 4:23-5(a)(1) a copy of this Order and the notice set forth in Appendix II-A of the Court Rules

#137
03/17/17

FILED
APR 13 2017
Hon. Michael V. Crestallo, Jr., J.S.C.

Donald A. Mahoney - ID # 015101975
SWEET PASQUARELLI, P.C.
17A Joyce Kilmer Avenue North
P.O. Box 674
New Brunswick, NJ 08903
(732) 249-7180
Attorneys for Defendants, Raul Carhuayano and Rocio Ruiz
Our File No. 03574 DAM

LESLY KAROLINA BANEGAS-SUAZO,
an individual,

Plaintiff,

vs.

RAUL CARHUAYANO, an individual,
ROCIO RUIZ, an individual, CASTOR
GAGO, an individual; CATALINA GAGO,
an individual; JOHN DOES 3-20,
fictitiously named individuals, and
ABC COS 1-20, fictitiously named
business
entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-L-6951-15

CIVIL ACTION

ORDER FOR SUMMARY JUDGMENT

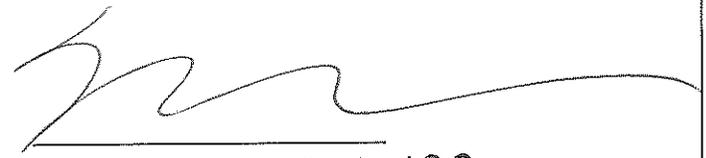
THIS MATTER having been brought before the Court on the Motion of Sweet Pasquarelli, P.C., attorneys for defendants, Raul Carhuayano and Rocio Ruiz, and the Court having considered this matter and for good cause shown;

IT IS on this 13th day of April, 2017;

ORDERED that summary judgment be and is hereby granted dismissing the Complaint and any and all crossclaims with prejudice as against defendants, Raul Carhuayano and Rocio Ruiz; and it is further

ORDERED that a copy of this Order be served on all counsel within

7 days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

OPPOSED

FOR THE REASONS SET FORTH
ON THE RECORD ON 4/13/17

#117
4-13-17

Joseph M. Powell, Esq. – 027011992
POWELL & ROMAN, LLC
131 White Oak Lane
Old Bridge, New Jersey 08857
(732) 679-3777
Attorneys for Defendants, Castor Gago and Catalina Gago

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Plaintiff,

LESLY KAROLINA BANEGAS-SUAZO, an individual,

v.

Defendants,

RAUL CARHUAYANO, an individual;
ROCIO RUIZ, an individual; CASTOR GAGO, an individual; CATALINA GAGO, an individual; JOHN DOES 3-20, fictitiously named individuals; and, ABC COS 1-20, fictitiously named business entities.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO.: MID-L-6951-15

Civil Action

ORDER

THIS MATTER having been opened to the Court by Powell & Roman, L.L.C., attorneys for defendants, Castor Gago and Catalina Gago, for an Order granting Summary Judgment, on notice to all counsel of record, and the Court having considered the papers submitted by the parties, and having heard oral argument, and good cause appearing,

IT IS on this 13th day of April, 2017,

ORDERED as follows:

1. Summary judgment is hereby granted in favor of defendants, Castor Gago and Catalina Gago.

2. Plaintiff's Complaint and all Cross-Claims as to Castor Gago and Catalina Gago, are hereby dismissed with prejudice.

DENIED

DENIED

3. A copy of this Order shall be served on all parties within seven days (7) of the date received by counsel.



Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed
 Unopposed

FOR THE REASONS SET FORTH
ON THE RECORD ON 4/13/17

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Law Offices of Pamela D. Hargrove
MARY LOU DENNIS-SUCKOW, ESQ.
Identification No. 25871990
65 Jackson Drive, Suite 302
PO Box 2000
Cranford, NJ 07016-0200
Telephone: (908) 653-2188
Attorneys for Defendant(s):
CHRISTOPHER A. LEWIS and HEATHER A. LEWIS

MAYYA KODAK and OLEKSANDR
KODAK, her husband

Plaintiffs

vs.

CHRISTOPHER A. LEWIS;
HEATHER A. LEWIS, JOHN DOES 1-
10 (Fictitiously named) JANE DOES 1-
10, (Fictitiously named) ABC
CORPORATIONS, (Fictitiously named)
and XYZ PARTNERSHIPS,
(Fictitiously named) jointly, severally
and alternatively

Defendants

LESYA GRABOVSKA and ANDREIY
REZNIK, her husband

Plaintiffs

vs.

CHRISTOPHER A. LEWIS;
HEATHER A. LEWIS, JOHN DOES 1-
10, (Fictitiously named) JANE DOES 1-
10, (Fictitiously named) ABC

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
COUNTY

DOCKET NO. MID-L-6847-15

CIVIL ACTION

#817

**ORDER TO DISMISS PLAINTIFF(S)
COMPLAINT FOR FAILURE TO
COMPLY WITH A COURT ORDER**

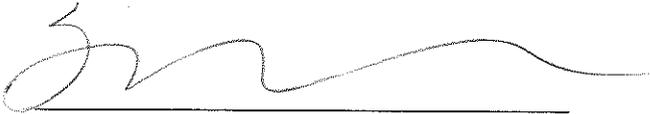
CORPORATIONS, (Fictitiously named)
and XYZ PARTNERSHIPS,
(Fictitiously named) jointly, severally
and alternatively

Defendants

This matter being opened to the Court, on April 13, 2017, pursuant to Rule 1:6-2 and Rule 1:6-3, and having been submitted for ruling on the papers by Mary Lou Dennis-Suckow, Esq., of the Law Offices of Pamela D. Hargrove attorney for the Defendant(s), CHRISTOPHER A. LEWIS and HEATHER A. LEWIS, for an Order to dismiss Plaintiff's complaint for failure to comply with a court order and there having been no opposition and good cause appearing;

It is on this 13th day of April, 2017, ORDERED that the Plaintiff(s), MAYYA KODAK and OLEKSANDR KODAK, complaint be and hereby is dismissed for failure to comply with a Court Order. **DENIED**

IT IS FURTHER ORDERED that a copy of this Order be served on the attorney(s) for all parties within seven (7) days after the date it was signed.



Hon. Michael V. Cresitello, Jr., J.S.C.

MOTION WAS:

OPPOSED
 NOT OPPOSED

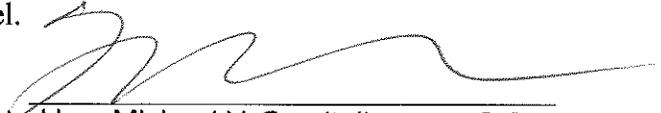
Based upon review of opposition received by Court, Plaintiff has complied with the February 17, 2017 Order.

No reply received.

IT IS FURTHER ORDERED that the Plaintiff's Complaint as well as any and all claims and crossclaims are hereby dismissed with prejudice as to defendants Barnes & Noble, Inc. and National Retail Properties, Inc.; and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties within 7 days of its receipt by moving counsel.

OPPOSED



Hon. Michael V. Cresitello, Jr., J.S.C.

FOR THE REASONS SET FORTH
ON THE RECORD ON 4/13/17

LAW OFFICES OF HECTOR I. RODRIGUEZ
Attorney At Law
Attorney ID: 020851982
353 Livingston Avenue
New Brunswick, New Jersey 08901
(732) 828-1333
Attorney for Plaintiff Maria Mejia

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

#299
04/13/17

MARIA MEJIA
Plaintiff(s),
v.
ADRIAN A. LAVRIC, JOHN DOES 1-10 (names being fictitious and unknown) and ABC CORP. (names being factious and unknown),
Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

DOCKET NO.: MID-L-6351-14
Civil Action

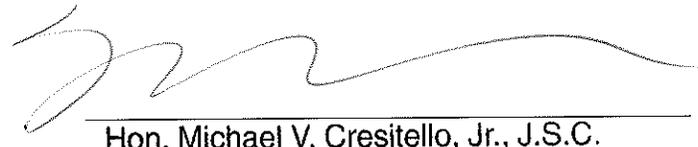
ORDER

The within matter having been opened before the Court upon a Notice of Motion by Hector I. Rodriguez, Esq., attorney for the plaintiff and the Court having considered the Certification of counsel, together with argument thereto, if any, and good cause having been shown for the making and entry of the within Order:

IT IS ON this 13th day of April, 2017:

ORDERED that plaintiff, Maria Mejia's Complaint ~~is~~ **DENIED** granted to the active trial calendar; and it is further

ORDERED that a copy of this Order be served upon all parties herein within five (5) days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

Motion Opposed
 Motion Unopposed

*Denied without prejudice.
Failure to establish, or even
address, exceptional circumstance
standard as required by R. 1:13-7(a).*

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

#455
4-13-17

Law Offices of Pamela D. Hargrove
MARY LOU DENNIS-SUCKOW, ESQ.
Identification No. 25871990
65 Jackson Drive, Suite 302
PO Box 2000
Cranford, NJ 07016-0200
Telephone: (908) 653-2188
Attorneys for Defendant(s):
ALLSTATE NEW JERSEY INSURANCE COMPANY

EUGENE MIZELL

Plaintiff

vs.

ALLSTATE INSURANCE COMPANY
JOHN/JANE DOE(S) 1-10 and ABC
CORP(S) 1-10 (Fictitious names jointly,
severally and/or in the alternative

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
COUNTY

DOCKET NO. MID-L-248-16

CIVIL ACTION

**ORDER TO EXTEND DISCOVERY
TIME AND TO COMPEL
DISCOVERY**

This matter being opened to the Court, on April 13, 2017, pursuant to Rule 1:6-2 and Rule 1:6-3, and having been submitted for ruling on the papers by, Mary Lou Dennis-Suckow, Esq., of the Law Offices of Pamela D. Hargrove attorney for the Defendant(s), ALLSTATE NEW JERSEY INSURANCE COMPANY, for an Order to extend discovery time and to compel discovery in accordance with Rule 4:24-1(c), and there having been no opposition and good cause appearing;

It is on this 13th day of April, 2017, ORDERED that discovery time be and hereby is extended to July 22, 2017 to allow time for the completion of the independent medical examination and deposition of the plaintiff, and any further discovery that may be necessary;

IT IS FURTHER ORDERED that in the event that the independent medical examination of the plaintiff is not completed as scheduled on April 11, 2017 with Dr. Michael J. Bercik, the plaintiff is hereby compelled to appear for independent medical examination prior by June 1, 2017;

IT IS FURTHER ORDERED that the plaintiff is hereby compelled to appear for re-deposition on May 11, 2017 at 2:00 p.m. at the offices of Jean Dolan & Associates, 3 Parlin Drive, Suite C, Parlin, NJ 08859;

IT IS FURTHER ORDERED that a copy of this Order be served on the attorney(s) for all parties within seven (7) days after the date it was signed.



Hon. Michael V. Cresitello, Jr., J.S.C.

MOTION WAS:

OPPOSED

NOT OPPOSED

No basis for portion of motion that seeks to compel discovery. Motion record presented fails to support need to compel. Plaintiff has not failed to appear for his IME and the re-deposition was canceled due to the weather.

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

Daniel E. Schlossberg - 015102010

File # R171513
PRESSLER and PRESSLER, LLP
Attorneys At Law
7 Entin Rd.
Parsippany, NJ 07054-5020
1-973-753-5100

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN YOUR ARREST

MSW CAPITAL, LLC

Plaintiff

vs.

MICHAEL RULLO

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX County
DOCKET NO. DJ-203743-11
CIVIL ACTION

ORDER TO ENFORCE LITIGANT'S RIGHTS

This matter having been opened to the Court by Pressler and Pressler, LLP on plaintiff's motion for an order enforcing litigant's rights and the defendant having failed to appear on the return date and having failed to comply with the information subpoena;

It is on the 13th day of April 2017, ORDERED and adjudged:

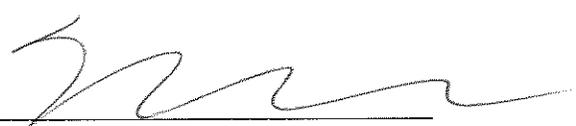
- 1) Defendant(s) MICHAEL RULLO has violated plaintiff's rights as a litigant;
- 2) Defendant(s) MICHAEL RULLO shall immediately furnish answers as required by the information subpoena;

3) If defendant(s) MICHAEL RULLO fails to comply with the information subpoena within ten (10) days of the certified date of mailing of this order, a warrant for the defendant's arrest may issue out of this Court without further notice;

~~4) Defendant shall pay plaintiff's attorney fees in connection with this motion in the amount of \$ _____.~~

UNOPPOSED

All parties are to be served within seven (7) days of the date hereof.


Hon. Michael V. Cresitello, Jr., J.S.C.

PROOF OF SERVICE

On _____, 2017, I served a true copy of this Order on Defendant(s) MICHAEL RULLO by sending it simultaneously by regular and certified mail, return receipt requested to: 53 SUMMERFIELD AVE SOUTH AMBOY, NJ 088792725

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.

Dated: _____

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Justin P. Kolbenschlag
030882007
GREENBAUM, ROWE, SMITH & DAVIS LLP
Metro Corporate Campus One
99 Wood Avenue South
Iselin, New Jersey 08830
(732)549-5600
Attorneys for Plaintiff

MUCINAF, LLC,

Plaintiff,

v.

NJ CONF ASSOC 7th DAY
ADVENTISTS; MAYDAY RENOVATIONS
AND CUSTOM DESIGNS LLC; RISING
SUN CONSTRUCTION L.L.C.;
BERKLEY INSURANCE COMPANY,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-01548-16 #202

CIVIL ACTION

ORDER GRANTING SUMMARY JUDGMENT

THIS MATTER having been opened to the Court by Greenbaum, Rowe, Smith & Davis LLP, attorneys for plaintiff Mucinaf, LLC ("Plaintiff"), for an Order for Summary Judgment pursuant to R. 4:46-1 against Defendant Mayday Renovations and Custom Designs LLC ("Mayday"); and the Court having considered the submissions and arguments of counsel, and good cause having been shown;

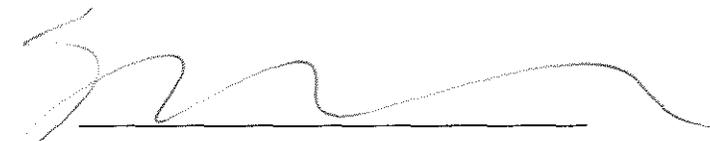
IT IS on this 13 day of April, 2017,

ORDERED, ADJUDGED AND DECREED as follows:

1. Plaintiff's motion for Summary Judgment be and the same hereby is GRANTED;

2. Judgment be and the same is hereby entered in favor of Plaintiff, and against Mayday in the sum of \$17,318.11, ~~plus interest in the sum of \$ _____ and attorneys' fees in the amount of \$ _____ for a total of \$ _____ with interest to accrue thereafter until the date of satisfaction of this Judgment at the rate of prime plus one percent (1%); and~~

3. Plaintiff shall serve a true of this Order on counsel for Mayday within five (5) days of receipt of this Order.



Hon. Michael V. Cresitello, Jr., J.S.C.

This Motion was:

Opposed

Unopposed

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."

Movant may file additional motion regarding an amended judgment to include interest and fees, with the proper support and interest calculations.

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

RUSSELL P. GOLDMAN, P.C.
121 Highway 36 Suite 130
West Long Branch, NJ 07764
(732) 263-9700
Attorney for Plaintiff
ID# 011851979

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

NEW JERSEY HIGHER EDUCATION
STUDENT ASSISTANCE AUTHORITY

Plaintiff

DOCKET NO. L-50-13

547

CIVIL ACTION

vs.

ORDER TO AMEND JUDGMENT

ROSALY DIAZ
SANTIA DIAZ

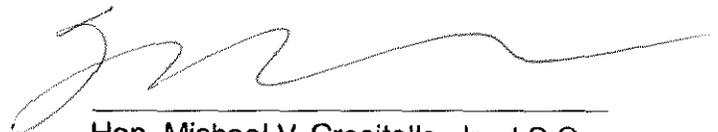
Defendant(s)

This matter having been opened to the Court by Russell P Goldman, attorney for Plaintiff, on notice to defendants, the Court having considered the papers filed and arguments presented, and for good cause shown,

It is, on this 13th day of April, 2017

ORDERED that the judgment entered March 10, 2017 is vacated; and it is further

ORDERED that judgment is entered in favor of Plaintiff and against defendants, ROSALY DIAZ and SANTIA DIAZ, for \$88,436.22 plus costs.



Hon. Michael V. Cresitello, Jr., J.S.C.

Unopposed

Opposed

#1028

03/17/17

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Law Office of Robert Raskas
371 Hoes Lane, Suite 105
Piscataway, NJ 08854
By: Georgette Maciejewski, Esq./ 046802013
Attorney for Counter-Defendant, Selvin Osorio

SELVIN A. OSORIO AND ALEX OSORIO,

Plaintiff,

-vs-

MARIA E. POTOK, JOZEF W. POTOK,
and JOHN/JANE DOES 1-5(fictitious
defendants),

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: Middlesex County Superior
DOCKET NO. MID-L-7038-15

Civil Action

MARIA E. POTOK,

Counter-Plaintiff,

-vs-

SELVIN OSORIO,

Counter-Defendant

**ORDER TO GRANTING SUMMARY
JUDGMENT AS TO COUNTER-
DEFENDANT, SELVIN OSORIO**

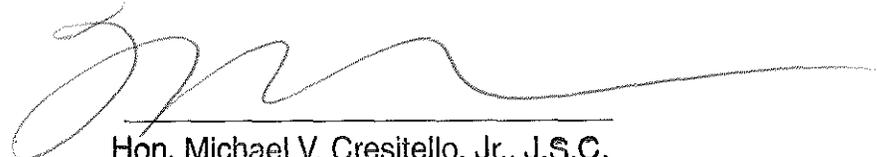
THIS MATTER being opened to the court by the Law Offices of Robert Raskas, attorneys for counter-defendant, Selvin Osorio, and the court having considered the moving papers, such papers as may have been filed in opposition, and the oral argument of counsel, if any, and with good cause being shown;

IT IS on this 13th day of April, 2017, hereby

ORDERED that the defendant/counter-plaintiff's Counter-Claim and all crossclaims, if any, against this counter-defendant, Selvin Osorio, is hereby dismissed with prejudice.

DENIED

ORDERED that a copy of the within order shall be served upon all parties within 7 days of the date hereof.



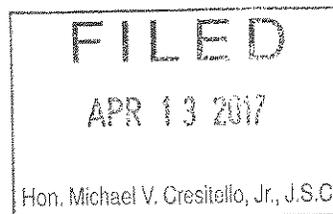
Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed

Unopposed

FOR THE REASONS SET FORTH
ON THE RECORD ON 04-13-17

#567
04/13/17



JOHN A. CAMASSA, ESQ., #025361989
CAMASSA LAW FIRM, P.C.
1800 Route 34
Building 3; Suite 303
Wall, New Jersey 07719
Telephone No. (732) 749-3313
Fax No. (732) 749-3317
Attorney for Defendant, New Jersey Manufacturers Insurance Company
Our File No. 1C.7280-1JAC

BRIAN PEREIRA,

Plaintiff,

v.

NEW JERSEY MANUFACTURERS
INSURANCE COMPANY,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY
DOCKET NO. MID-L-001644-16

Civil Action

ORDER EXTENDING DISCOVERY

THIS MATTER, having been brought to the Court on motion by the Camassa Law Firm, P.C., attorneys for defendant; and, the Court having considered the moving papers, and any opposition thereto, and for other good cause shown;

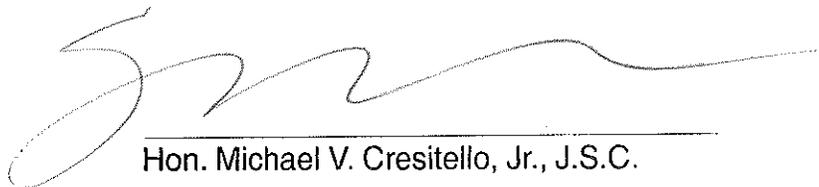
It is this 13th day of April, 2017;

ORDERED that the Discovery End Date be and is hereby extended for 90 days from April 27, 2017 to July 27, 2017; and, it is

FURTHER ORDERED that the parties are to complete the following discovery matters within the following time periods:

<u>Item</u>	<u>Completion Date</u>
Receipt of plaintiff's wedding reception video	May 1, 2017
Receipt of medicals records from medical providers	June 1, 2017
Receipt of plaintiff's worker's compensation file	June 1, 2017
Service of Supplemental IME Reports	July 15, 2017

FURTHER ORDERED that a copy of the within Order be served upon counsel within seven (7) days of the receipt of the Court's online posting of this Order.



Hon. Michael V. Cresitello, Jr., J.S.C.

____ OPPOSED

UNOPPOSED

#702
04/13/17

COHN LIFLAND PEARLMAN
HERRMANN & KNOPF LLP
Charles R. Cohen, Esq.
(NJ Atty ID 030371982)
250 Pehle Avenue, Suite 401
Park 80 Plaza West One
Saddle Brook, New Jersey 07663
(201) 845-9600
Attorneys for Plaintiffs
David Pereira and Manuel Pereira
Our File: 37,010-40

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

DAVID PEREIRA
and MANUEL PEREIRA,

Plaintiffs,

v.

SPENCER B. ROBBINS and
ROBBINS AND ROBBINS LLP,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO.: MID-L-6851-15

CIVIL ACTION

ORDER UNDER R. 4:23-5(a)(1)
SUPPRESSING THE PLEADINGS OF
DEFENDANTS FOR FAILURE TO MAKE
DISCOVERY WITHOUT PREJUDICE
FOR FAILURE TO RESPOND TO
DISCOVERY REQUESTS

This matter having come before the Court by Charles R. Cohen, Esq., an attorney with Cohn Lifland Pearlman Herrmann & Knopf LLP, attorneys for Plaintiffs David Pereira and Manuel Pereira; upon notice to Patrick J. Cosgrove, Esq., an attorney with Pillinger Miller Tarallo, LLP, attorneys for Defendants Spencer B. Robbins and Robbins and Robbins LLP; and the Court having read the papers submitted and having considered argument, if any, and for good cause shown;

It is on this 13th day of April, 2017, ORDERED:

1. The Answer, Defenses and Appearance of Defendants Spencer B. Robbins and Robbins and Robbins LLP are hereby stricken and

suppressed without prejudice pursuant to R. 4:23-5(a)(1) for failure to respond to Plaintiffs' Second Interrogatories.

2. Upon being served with this Order of Dismissal, counsel for Defendants shall forthwith serve a copy of this Order on Defendants, in compliance with R. 4:23-5(a)(1).

3. A copy of this Order shall be served on all counsel within 7 days of the date received by counsel for plaintiff.



Michael V. Cresitello, J.S.C.

Opposed X

Unopposed _____

Answers provided by defendants to plaintiffs' Second Interrogatories are insufficient pursuant to R. 4:23-5(a)(1). Several of the questions were not answered. Others referred to privilege without providing the required privilege log. And, "communication" is not limited to written communication as agreed by Motion granted. Dismissal is without prejudice.

Defendants may move to restore pursuant to the Rules of Court.

FILED
APR 13 2017
Hon. Michael V. Crestello, Jr., J.S.C.

PAUL J. NEMERGUT, III - 001151984
NEMERGUT & DUFF
217 Main Street
P.O. Box 1227
Woodbridge, NJ 07095
(732) 636-3400
Attorneys for Plaintiff

RAFAEL A. PEREZ,
Plaintiffs,

vs.

EVANGELOS PAPADAKOS and
JOHN DOES (1-5),
Defendants.

:
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION : MIDDLESEX COUNTY
:
:
: DOCKET NO. MID-L-4342-16 *337*
:
: Civil Action
:
: **ORDER**
:
:

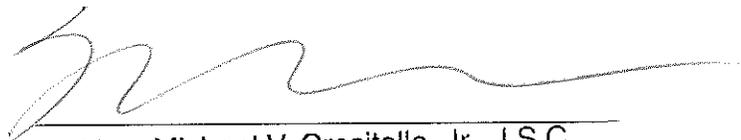
THIS MATTER, having come before the court on the application of Nemergut & Duff, Esqs., (Paul J. Nemergut, III, Esq.), attorneys for plaintiff, Rafael A. Perez, for an Order permitting service of Summons and Complaint on Geico Insurance Company, carrier for the defendant, Evangelos Papadacos, and the Court having considered the moving papers, and for good cause shown

IT IS on this 13th th day of April, 2017,

ORDERED that plaintiff is permitted to serve the Summons and Complaint on Geico Insurance Company; and

It is further

ORDERED that a copy of the within Order be served upon all
counsel of record within 7 days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

UNOPPOSED

#699
3-31-17

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

David M. Hawkins, Esq.
Attorney ID No. 276821972
PURCELL, MULCAHY, HAWKINS, & FLANAGAN, LLC
One Pluckemin Way
P.O. Box 754
Bedminster, NJ 07921
T: (908) 658-3800
Attorneys for Defendants, Fan Shen and Zong J. Tang
Our File No: (637) 23740-KWL

RAFAEL PORTUHONDO and JOSE
MANZUL,

Plaintiffs,

v.

FAN SHEN, ZONG J. TANG and
JOHN DOES 1-10 (fictitious names),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO: MID-L-1043-15

CIVIL ACTION
ORDER

THIS MATTER's having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins, & Flanagan, LLC, attorneys for defendants, Fan Shen and Zong J. Tang, for an order, pursuant to R. 4:23-1(a), compelling plaintiff to produce specific discovery by a date certain, and for an order, pursuant to R. 4:24-1(c), extending the discovery period an additional sixty (60) days for exceptional circumstances; and the court's having considered the moving papers of the parties, and for good cause shown;

IT IS on this 13th day of April, 2017;

ORDERED THAT the discovery period be and hereby is extended an additional sixty ~~(60) days to June 15, 2017,~~ ^{6/1/17} to complete discovery that is the subject of this motion as follows:

- a. Plaintiff shall provide to defendant duly executed HIPAA compliant authorizations for the release of Jose Manzul's pharmacy records from Cedeno's Pharmacy and Walgreens on or before **April 10, 2017**;
- b. Plaintiff shall provide to defendant duly executed HIPAA compliant authorizations for the release of Rafael Portuhondo's records from Raritan Bay Medical Center on or before **April 10, 2017**;
- c. Defendant shall serve any and all expert reports on or before **June 10, 2017**;

ORDERED THAT the trial date be and is hereby adjourned and rescheduled for

June 12, 2017; and it is further

ORDERED THAT a copy of the within order be served upon all counsel within 7

days of its posting online.

Hon. Michael V. Cresitello, Jr., J.S.C.

opposed
 unopposed

FURTHER ORDERED that no further extensions to the discovery end date will be granted without a showing of exceptional and heretofore unforeseen circumstances.

This matter has had 688 days of discovery, 5 extensions

FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN YOUR ARREST

LOUIS MELLINGER, ESQ.
ATTORNEY ID: 002841977
MELLINGER, SANDERS & KARTZMAN, LLC
101 Gibraltar Drive, Suite 2F
Morris Plains, New Jersey 0795
(973) 267-0220
Attorneys for Plaintiff

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

RARITAN BAY FEDERAL CREDIT UNION,
Plaintiff,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: SPECIAL CIVIL PART
MIDDLESEX COUNTY

VS.

DOCKET NO.: MID-DC-006363-16
DJ-008452-17

TAHASIA HARPER,

CIVIL ACTION

Defendant.

ORDER ENFORCING
LITIGANT'S RIGHTS
(R. 1:-5, 4:23-2(a))

THIS MATTER being opened to the court by LOUIS MELLINGER, ESQ., of Mellinger, Sanders & Kartzman, LLC, plaintiff's motion for an Order Enforcing Litigant's Rights and the defendant having failed to appear on the return date and having failed to comply with the Order for Discovery previously entered in this case;

IT IS on this 13 day of April, 2017 **ORDERED AND ADJUDGED**;

1. Defendant **TAHASIA HARPER** has violated plaintiff's rights as a litigant;
2. Defendant **TAHASIA HARPER** shall immediately furnish answers as required by the Order for Discovery.
3. If defendant **TAHASIA HARPER** fails to comply with the Order for Discovery within ten (10) days of the certified date of personal service or mailing of this Order, a warrant for the said defendant's arrest shall issue out of this Court without further notice.

UNOPPOSED


Hon. Michael V. Cresitello, Jr., J.S.C.

PROOF OF SERVICE

On _____, I served a true copy of this Order on **defendant TAHASIA HARPER**, by sending it simultaneously by regular and certified mail, return receipt requested to said defendant's last known address of

1377 Luke Street, North Brunswick, New Jersey 08902

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.

MELLINGER, SANDERS & KARTZMAN, LLC
Attorneys for Plaintiff

BY: _____

LOUIS MELLINGER, ESQ.

Dated:

#409
4-13-17

Filing Attorney – Stephen F. Lombardi, Esq.
Filing Attorney I.D. #018381980
LOMBARDI & LOMBARDI, P.A.
1862 Oak Tree Road
P.O. Box 2065
Edison, New Jersey 08818
732-906-1500
Attorneys for Plaintiff
File No.: 16-26957SFL

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

	:	SUPERIOR COURT OF NEW JERSEY
CRYSTAL G. ROBESON, an	:	LAW DIVISION
individual,	:	MIDDLESEX COUNTY
	:	
	:	DOCKET NO.: L-1049-16
	:	
Plaintiff	:	<u>CIVIL ACTION</u>
	:	
vs.	:	ORDER VACATING DISMISSAL,
	:	RESTORING COMPLAINT, AND
STANLEY J. CALCADO,	:	ENTERING DEFAULT OF DEFENDANT,
an individual;	:	STANLEY J. CALCADO
JOHN DOE, a fictitiously named:	:	
individual and ABC CO., a	:	
fictitiously named business entity, :	:	
	:	
Defendants	:	

THIS MATTER, having been the subject of an Order of the Honorable Michael V. Cresitello, J.S.C. dated September 2, 2016, dismissing the plaintiff's Complaint for Lack of Prosecution; and having been opened to the Court by Lombardi & Lombardi, P.A., attorneys for plaintiff, Crystal G. Robeson, seeking an Order vacating the Order of Dismissal, restoring the captioned matter to the active trial list and entering the default of the defendant, Stanley J. Calcado, and the Court having read and considered the moving papers and for good cause being shown;

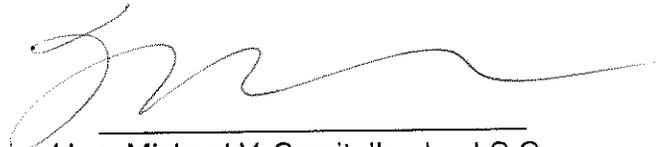
IT IS ON THIS 13th DAY OF APRIL, 2017;

ORDERED that the Order of Dismissal entered herein on September 2, 2016, be and is hereby vacated; and it is further

ORDERED that the captioned matter be and is hereby restored to the active trial list; and it is further

ORDERED that the default of the defendant, Stanley J. Calcado be and is hereby entered.

UNOPPOSED


Hon. Michael V. Cresitello, Jr., J.S.C.

PAPERS CONSIDERED:

- Notice of Motion
- Movant's Affidavits
- Movant's Brief
- Answering Affidavits
- Answering Brief
- Cross-Motion
- Movant's Reply
- Other _____

All parties are to be served within seven (7) days of the date hereof.

R.1:6-2(f):

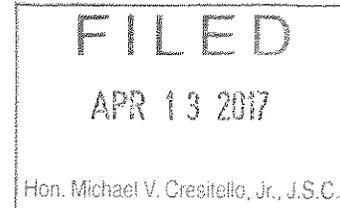
_____ The Court made _____ oral _____ written findings of fact and conclusions of law explaining its disposition of the Motion on _____, 2017.

_____ If no such findings have been made by the Court, appended hereto is a statement of reasons for the disposition of the Motion on _____, 2017.

_____ The Court concludes that explanation is not necessary or appropriate.

#588
04/13/17

Alex J. Keoskey, Esq. – (#040981996)
DeCOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard
Suite 31, 5th Floor
Teaneck, New Jersey 07666
Phone: (201) 928-1100
Attorneys for Defendant City of Perth Amboy



DARLENY RODRIQUEZ, an infant by her
Guardian Ad Litem, G/A/L, MODESTA M.
RODRIQUEZ and MODESTA M.
RODRIQUEZ, individually,

Plaintiff,

vs.

CITY OF PERTH AMBOY, PERTH AMBOY
BOARD OF EDUCATION, NATIONAL
FENCE SYSTEMS, INC., MALOTT
PETERSON RENNER, INC., LE RENNER
SPORTS SURFACES and JOHN DOES 1-10,

Defendants.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY: LAW DIVISION

DOCKET NO.: MID-L-3143-16

CIVIL ACTION

ORDER

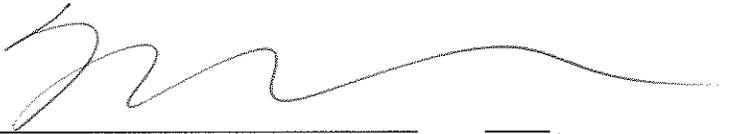
THIS MATTER having been opened to the Court upon the application of DeCotiis, Fitzpatrick, Cole & Giblin, LLP, by Alex Keoskey, Esq., attorneys for Defendant, City of Perth Amboy, on notice to Ronald M. Spevack, Esq., attorneys for Plaintiff, and the Court having considered the moving papers and noted the consent of counsel and finding good cause;

IT IS on this 13th day of April, 2017;

ORDERED that:

1. Defendant, City of Perth Amboy's motion is hereby granted;
2. The Complaint is hereby reinstated;
3. Default, if entered, is hereby vacated;

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties within seven (7) days of receipt thereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

OPPOSITION
 NO OPPOSITION

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

MACNEILL, O'NEILL & RIVELES, LLC

ETHAN J. LILLIANTHAL (162462015)
240 CEDAR KNOLLS ROAD, SUITE 104
CEDAR KNOLLS, NJ 07927
973-409-6600

ATTORNEYS FOR DEFENDANTS, SHEELA CHOUBEY, M.D. AND PISCATAWAY SOMERSET OB/GYN
OUR FILE NO. 9060.04813

**NATHAN ABISAI RUIZ-PEREZ, A
MINOR BY AND THROUGH HIS
PARENTS AND NATUARAL GUARDIANS
MARTA PEREZ AND CARLOS RUIZ,**

Plaintiffs,

vs.

**SHEELA CHOUBEY, M.D., PISCATAWAY
SOMERSET OB/GYN GROUP, JOHN
DOES 1-5, MARY DOES 1-5, AND DOE
CORPORATION 1-5,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX
COUNTY
CIVIL PART**

DOCKET NO.: MID-L-3052-16

CIVIL ACTION

**ORDER COMPELLING
DEPOSITIONS**

#1699

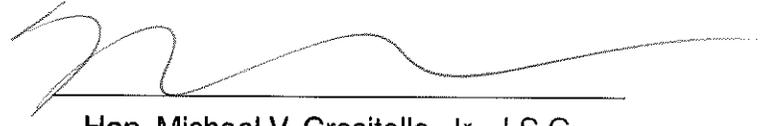
THIS MATTER having been brought before this Court on application of MacNeill, O'Neill & Riveles, LLC, attorneys for Defendants, Sheela Choubey, M.D. and Piscataway Somerset OB/GYN, and on Notice to James C. DeZao, Esq., James DeZao, Esq., counsel for Plaintiff, Nathan Abisai Ruiz-Perez, Marta Perez, Carlos Ruiz for entry of an Order compelling Marta Perez and Carlos Ruiz to appear for a deposition in connection with the captioned matter; and the Court having considered the moving papers, heard the arguments of counsel, and good cause having been shown;

IT IS on this 13th day of April, 2017;

ORDERED that Martha Perez and Carlos Ruiz shall appear for deposition on or before

~~and it is further~~ *May 12, 2017; and it is*

ORDERED that an executed copy of this Order shall be served upon all parties within 7 days of receipt of this Order by MacNeill, O'Neill & Riveles, LLC



Hon. Michael V. Cresitello, Jr., J.S.C

This Motion was:

 Opposed

 X Unopposed

MIKITA & ROCCANOVA, LLC
BY: WILLIAM P. MIKITA, ESQ.
I.D. Number - 021921994
1301 HIGHWAY 36
BLDG. 1, SUITE 105
HAZLET, NJ 07730
Telephone No.: (732)705-3363

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

Attorneys for Plaintiff(s): JANINE SPILLMAN

JANINE SPILLMAN,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
	:	
Plaintiff,	:	DOCKET NO.: MID-L-3850-16
v.	:	
	:	
	:	<u>Civil Action</u>
USAMA AZIZ, et al.,	:	
	:	
	:	ORDER
	:	
Defendants.	:	

THIS MATTER having been opened to the Court on application of William P. Mikita, Jr., Esq.; counsel for the Plaintiff(s), JANINE SPILLMAN, and the Court having considered the documents submitted and the arguments of counsel, if any, and for other just and good cause having been shown

IT IS ON THIS 13th DAY OF April, 2017;

ORDERED that the plaintiff's Complaint against Defendants, USAMA AZIZ and AMJAD AZIZ, be and is hereby reinstated; it is further

ORDERED that a copy of this Order be served upon all counsel within 7 days of the date hereof.


Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed
 Unopposed

297
04/13/17

BRIAN W. KINCAID, ESQ. – ATTY ID# 006321989
FEIN, SUCH, KAHN & SHEPARD, P.C.
7 Century Drive, Suite 201
Parsippany, New Jersey 07054
Phone: (973) 538-4700
Fax: (973) 397-2976
Attorney for Plaintiffs, **VIRENDRA TAVATHIA AND SUNITA TAVATHIA**

File No.: T353-1

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

VIRENDRA TAVATHIA AND SUNITA TAVATHIA

Plaintiffs.

vs.

AKBAR RESTAURANT, INC.; MEENAKSHI MARHOTRA; JOHN DOE (1-5) (FICTITIOUS NAMES) AND ABC CORPORATIONS (1-10) (FICTITIOUS NAMES)

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY

DOCKET No.: MID-L-1851-16

Civil Action

ORDER TO RESTORE COMPLAINT

THIS MATTER having been brought before the Court on Motion to Dismiss with Prejudice, the Complaint of the Plaintiffs, **VIRENDRA TAVATHIA AND SUNITA TAVATHIA**, Kelley Leyon, Esq. of the Law Offices of Styliades and Jackson on behalf of the Defendants, **AKBAR RESTAURANT, INC.**, and the presence of Brian W. Kincaid of Fein, Such, Kahn & Shepard, P.C., attorney for Plaintiffs, **VIRENDRA TAVATHIA AND SUNITA TAVATHIA**, on Cross Motion to Restore the Plaintiffs' Complaint as discovery has been provided and a restoration fee of \$300.00 has been paid:

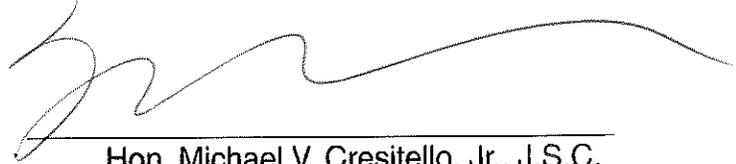
IT IS ON this 13th day of April, 2017:

~~1. **ORDERED** that the Defendants' Motion to Dismiss the Plaintiffs' Complaint with Prejudice is hereby denied; and it is further~~

2. **ORDERED** that the Plaintiffs' Complaint in ~~the matter~~¹⁵ bars hereby restored; and it is further

3. **ORDERED** three (3) copies of this Order shall be submitted to all Counsel of 7 days of receipt by Plaintiffs' counsel.

UNOPPOSED



Hon. Michael V. Cresitello, Jr., J.S.C.

Defendants motion to dismiss with prejudice was withdrawn.

DYER & PETERSON P.C.
GLENN T. DYER, ESQ. #027451989
322 U.S. Highway 46, Suite 220E
Parsippany, New Jersey 07054
(973) 928-8208

Attorneys for Defendant/Counterclaim Plaintiff, New Jersey Manufacturers Insurance Company ("NJM")

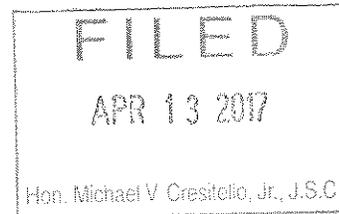
ANA TRINIDAD and JULIO AGUILAR

PLAINTIFF

vs.

NEW JERSEY MANUFACTURERS
INSURANCE COMPANY

DEFENDANTS



SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
Docket No.: MID-L-1451-16

CIVIL ACTION

ORDER GRANTING LEAVE TO AMEND AND
STAYING ARBITRATION MATTERS

THIS MATTER having come before the Court by Dyer & Peterson, P.C., attorneys for defendant, New Jersey Manufacturers Insurance Company, on a Motion seeking leave to amend and to stay arbitration proceedings, and for good cause having been shown,

IT IS on this 13th day of APRIL, 2017;

ORDERED that NJM is granted leave to file a Counterclaim within ten (10) days of the date of this Order; and it is further

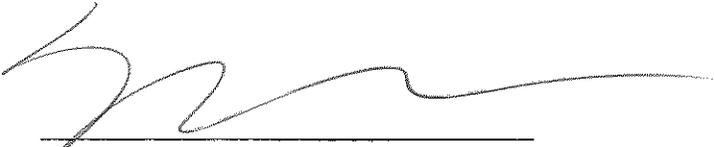
ORDERED that the following arbitration matters, and any later filed arbitration matters, by or on behalf of Ana Trinidad related to an accident of June 13 2014, are hereby ~~stayed~~ ^{held in abeyance} pending final resolution of the counterclaim complaint of New Jersey Manufacturers Insurance Company, in the above matter, including:

Nicholas Fano, Esq. (1696167 Neurological Surgery Spine Specialists
A/S/O Ana Trinidad v. NJM)

Howard Gordon, Esq. (1714860 American Diagnostic Imaging a/s/o Ana
Trinidad v. NJM)

and it is further

ORDERED that a copy of this Order be served on all parties within
7 days of the date hereof.



Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed _____
4826-4192-7749, v. 1

Unopposed ~~_____~~

Having reviewed the above motion, I find it
to be meritorious on its face and is
unopposed. Pursuant to R.1:6-2, it
therefore will be granted essentially for the
reasons set forth in the moving papers."

#549
4-13-17

Shoshana C. Hyman, Esq. AIN 013612004
CASCI0 & CAPOTORTO, ESQS.
300 Interpace Parkway
Parsippany, New Jersey 07054
(973) 541-6300
File No. 434856
Attorneys for Defendant: Prestine Auto Group,
Inc.

FILED
APR 13 2017
Hon. Michael V. Cresitello, Jr., J.S.C.

GENE YANG AND DAVID PARK
Plaintiffs,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO.: MID-L-3551-16

vs.

CIVIL ACTION

ERIC WILLIAM GONZALEZ AND PRESTINE
AUTO GROUP, INC.,

ORDER FOR DISMISSAL

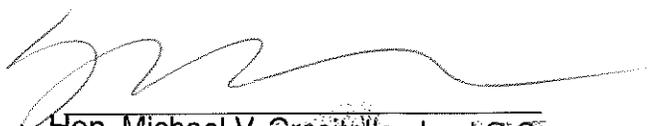
Defendants.

THIS MATTER having been opened to the Court by, CASCI0 & CAPOTORTO, ESQS., attorneys for Defendant PRESTINE AUTO GROUP, INC., by Shoshana C. Hyman, Esq., on application for motion pursuant to N.J.S.A. Rule 4:6-2(d) to dismiss Plaintiff's Complaint for failure to serve the Complaint and R. 4:46-2(c), and the Court having considered the moving papers and any opposition filed thereto and for good cause shown;

IT IS on this 13th **day of** April, 2017

ORDERED that Defendant PRESTINE AUTO GROUP, INC.'s motion is hereby GRANTED and Plaintiff's Complaint is dismissed ~~WITH~~ PREJUDICE as against Defendant PRESTINE AUTO GROUP, INC., and *without*

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon all parties within 9 days of the date of execution of the within Order.


Hon. Michael V. Cresitello, Jr., J.S.C.

Opposed
 Unopposed

The Court did not base it's decision upon the latey opposition received from plaintiff. The Court, sua sponte, determined that a dismissal without prejudice is appropriate.