

**THE HONORABLE JAMIE D. HAPPAS, P.J.Cv.**  
**MOTION LIST**  
**May 12, 2017**

Prepared by the Judge's Law Clerk, Kay Gonzalez, (732) 519-3629

<b>Case Name</b>	<b>Docket</b>	<b>Motion #</b>	<b>Type of Motion</b>	<b>Notes</b>	<b>Disposition</b>
A&S Russo Real Estate LLC v. Shain, Schaffer & Rafanello PC	L-647-17	432	Consolidate		Transferred to Judge Cresitello
Acabou v. Chiarello	L-6587-15	729	Extend Discovery		GRANTED
Adams v. Concordia Homeowners Association	L-6287-15	147	Extend Discovery		GRANTED
Adams v. Concordia Homeowners Association	L-6287-15	310	Compel Discovery		GRANTED
Agnew v. South Plainfield Board of Education	L-3941-15	431	Extend Discovery		WITHDRAWN
Alston v. Vedutis	L-1918-15	662	Compel & Extend Discovery		GRANTED
Alston v. Vedutis	L-1918-15	986	Extend Discovery		GRANTED
Arango v. McDonough	L-7059-15	455	Extend Discovery		GRANTED
Aulert v. Jean	L-4907-15	734	Extend Discovery		GRANTED
Ayala v. Cartisano	L-731-16	369	Consolidate		GRANTED
Bastedo v. Urbanski	L-5064-16	148	Strike Answer		WITHDRAWN
Bennani v. Raghunadan	L-3064-16	127	Vacate Dismissal; Reinstate Complaint; Enter Default		GRANTED
Blum-Crawford v. Big Lots Stores	L-2299-15	825	Object to Amend of Discovery; OR Extend Discovery		GRANTED IN PART

Boodhoo v. Taberna	L-4844-15	509	Extend Discovery		GRANTED
Botello v. Gibson	L-2266-16	528	Extend Discovery		GRANTED
Bowles v. Bagen	L-5735-15	728	Extend Discovery		GRANTED
Brady v. Loc Phuoc Nguyen	L-2234-15	770	Extend Discovery		GRANTED
Carman v. Whitehorse Executive Center	L-6098-15	765	Extend Discovery		GRANTED
Chen v. Blenderman	L-128-17	413	Consolidate	Hoagland Conflict	Transferred to Judge Paley
Chunga v. Cablevision Oakland	L-4861-16	522	Consolidate		GRANTED
Colmont v. Childs	L-6185-15	726	Extend Discovery		GRANTED
Concar v. NJM	L-7455-15	389	Extend Discovery	NJM Conflict	Transferred to Judge Paley
Correa v. J&J Auto Body	L-6222-15	796	Re-Open & Extend Discovery; Compel Auths.		GRANTED
Cotton v. Kingswood Station Community Association	L-196-15	1052	Extend Discovery		Transferred to Judge Hyland
Cunalata v. Korzukowski	L-3060-15	686	Extend Discovery	Per Judge Happas	Transferred to Judge Paley
Del Rosso v. Plymouth Rock Assurance	L-2866-16	205	Extend Discovery		GRANTED
Depichardo v. BJ's Wholesale Club	L-4419-15	538	Extend Discovery		GRANTED
Diaz-Castro v. Vasquez	L-3918-15	660	Extend Discovery	Conflict Hoagland	Transferred to Judge Vignuolo
Direct Coast to Coast v. Liberty Gifts	L-2866-15	377	Strike Answer; Dismiss Counterclaim		GRANTED
Dmytryshyn v. Price	L-5511-16	426	Consolidate		GRANTED
Dunn v. Peterpank Diner	L-6964-15	75	Partial Summary Judgment on Issue of Good Samaritan		DENIED

Dunn v. Peterpank Diner	L-6964-15	316	Summary Judgment		DENIED
Duran v. Jaime	L-1425-14	542	Dismiss Complaint		WITHDRAWN
Duran v. Jaime	L-1425-14	757	Extend Discovery		GRANTED
Elder-Donaldson v. Peck	L-6813-15	541	Extend & Compel Discovery		GRANTED
Ensaldo v. Pagliaro	L-6416-15	682	Extend Discovery		GRANTED
Esquilin v. Ortega	L-4586-15	679	Extend Discovery		DENIED
Farag v. Martinez	L-7027-15	346	Dismiss Complaint; OR Extend and Compel Discovery		GRANTED IN PART
Ferris v. Clearbrook Community Association	L-7177-15	742	Extend Discovery		WITHDRAWN
Gaballa v. Ultra Clean	L-7481-15	571	Extend Discovery		GRANTED
Ghanem v. Saggar	L-7498-15	616	Extend Discovery		WITHDRAWN
Ghanem v. Saggar	L-7498-15	670	Extend Discovery		WITHDRAWN
Giordano v. Bed Bath & Beyond	L-5065-16	886	Dismiss Complaint		GRANTED
Heckelman v. AMC Entertainment	L-5417-16	658	Consolidate L-5440-16		GRANTED
Hezzini v. Romain	L-3466-16	264	Vacate Dismissals, Reinstate Complaint; Substituted Service		GRANTED
High Point Property & Casualty Insurance Co. v. RMP Transport, Inc.	L-6248-16	454	Consolidate		DENIED
Jones v. Manco	L-11470-14	799	Extend Discovery		GRANTED
Jurkiewicz v. Sayrebrook Veterinary Hospital	L-5361-15	768	Dismiss Compliant or Compel &		GRANTED

			Extend Discovery		
Keller v. Beiter	L-992-16	362	Extend Discovery	Hoagland Conflict	Transferred to Judge
Khanna v. Cooke	L-221-16	488	Extend Discovery		GRANTED
Labell v. RWJUH	L-369-14	271	Extend Discovery		GRANTED
Labruzzo v. Jedrzejewski	L-1382-15	666	Extend Discovery	Conflict Hoagland Longo	Transferred to Judge Gelade
LaTorre v. Calderon	L-5137-16	372	Consolidate		GRANTED
Loffredo v. Cline	L-2064-16	185	Pro Hac Vice Admission		GRANTED
Lovis v. Fischman	L-11355- 14	811	Extend Discovery		DENIED
Lupardi v. Tamburri	L-5438-16	409	Consolidate		DENIED
Maisonave v. Glogocheski	L-7482-15	773	Extend Discovery		GRANTED
Martinez v. Dubshinski	L-6731-15	544	Reconsideratio n; Extend Discovery		GRANTED
Mecane v. Arthur Murray Dance Studio	L-542-16	311	Extend Discovery		GRANTED
Medina v. Hall	L-5828-15	507	Extend Discovery		GRANTED
Meyers v. Federal Business Centers	L-7496-15	780	Extend Discovery		GRANTED
Meyers v. Federal Business Centers	L-7496-15	949	Compel Discovery		GRANTED
Morales v. Rivera	L-1573-16	636	Reopen & Extend Discovery		GRANTED
Morales v. Rivera	L-1573-16	756	Reopen Discovery		GRANTED
Morales-Monterroso v. Naji's Warehouse	L-1384-16	816	Extend Discovery		GRANTED
Moreno v. Wal-Mart Stores	L-5568-15	866	Extend Discovery		GRANTED
Moronta v. Pena	L-1206-15	371	Extend Discovery		GRANTED

Mousa v. Golden	L-6111-15	688	Extend Discovery		GRANTED
Nam v. DJN Raritan Crossing	L-7523-15	716	Strike Answer & Suppress Defenses; or Compel & Extend Discovery		DENIED
Negovetti v. Wong	L-3067-16	33	Summary Judgment	County of Middlesex Conflict	Transferred to Judge Gelade
Negovetti v. Wong	L-3067-16	654	Dismiss Answer & Suppress Defenses	County of Middlesex Conflict	Transferred to Judge Gelade
Negovetti v. Wong	L-3067-16	1016	Compel Discovery	County of Middlesex Conflict	Transferred to Judge Gelade
Negron v. Lis	L-866-16	1140	Dismiss Complaint	Adjourned from 4.28	WITHDRAWN
New Jersey First Realty v. Antipin	L-4764-15	298	Summary Judgment	Adjourned from 4.28.17	DENIED
New Jersey Higher Education Student Assistance Authority v. Gabriel	L-3765-13	572	Litigant's Rights		GRANTED
Patel v. Allstate Insurance Co.	L-4067-16	132	Summary Judgment		DENIED
Pelczar v. Torisello Organization	L-5153-15	665	Extend Discovery		GRANTED
Petroski v. NJM	L-6877-15	554	Extend Discovery	Conflict NJM	Transferred to Judge Bergman
Picerno-Giodano Construction v. All Seasons Sports Academy	L-6746-16	137	Consolidate; Amend Answer		GRANTED
Pitts v. NJM	L-3906-15	382	Extend Discovery	NJM Conflict	Transferred to Judge Toto
Pocono Springs Civic Association v. Leger	L-7167-16	312	Enter Default Judgment		GRANTED
Pribila-Bisset	L-2542-15	745	Dismiss Complaint or Extend Discovery		GRANTED

Quijano v. Elite	L-2317-15	614	Extend Discovery		GRANTED
Ramseur v. Walgreen Company	L-3403-16	519	Consolidate		GRANTED
Reid-Snell v. Pump it Up Holdings LLC	L-5061-15	329	Extend Discovery		GRANTED
Reid-John v. Spring- Sternig	L-4158-15	738	Extend Discovery		GRANTED
Reyes v. Crincoli	L-7488-15	733	Extend Discovery		GRANTED
Roll v. Accent Construction, Inc.	L-1962-15	1042	Extend Discovery	Hoagland Conflict	Transferred to Judge Paley
Russo v. Paul	L-6627-13	575	Extend Discovery	Conflict NJM	Transferred to Judge Leblon
Sanchez v. Herrera Jr.	L-5087-14	798	Adj. Trial; Reopen Discovery; De- Consolidate		DENIED
Shah v. Cornerstone Associates	L-2198-16	1050	Extend Discovery		Transferred to Judge Hyland
Smith v. Moore	L-1464-16	810	Strike Answer		WITHDRAWN
Snyder v. The Netherlands Insurance	L-4115-15	735	Extend Discovery		WITHDRAWN
Solis-Trujillo v. Price	L-5833-16	347	Consolidate		GRANTED
State Farm Fire and Casualty v. Nabi	L-688-17	388	Consolidate	Hoagland Conflict	Transferred to Judge Paley
Stukes v. Patel	L-3487-15	624	Compel Discovery; Extend Discovery		GRANTED
Szczepanik v. Pereira	L-166-17	170	Intervene as Defendant; File Answer	NJM Conflict	Transferred to Judge Gelade
Szulczynski v. Sung	L-6702-15	257	Extend Discovery		WITHDRAWN
Tajeda-Suero v. Fidcher	L-1248-16	623	Extend Discovery		GRANTED
Tellado v. Gul	L-4061-16	320	Consolidate		GRANTED
Tower National Insurance v. Espinosa Inc.	L-5249-15	564	Extend Discovery		DENIED

Toyen-Fuentes v. Frayne	L-247-16	755	Extend Discovery		GRANTED
Trouche v. Prospect Pointe	L-803-16	845	Reinstate Complaint; Extend Discovery		Transferred to Judge Toto
Underwood v. Tobia & Giuseppe	L-4789-15	545	Extend Discovery		GRANTED
Valdez v. Onikashvili	L-6578-15	420	Extend Discovery		GRANTED
Verdugo v. Novellino	L-522-16	418	Extend Discovery		GRANTED
Weiner v. Castillo	L-5467-14	56	Reinstate and Amend Complaint		DENIED
Whitener v. Welsh	L-7526-15	711	Extend Discovery		GRANTED
Williams v. City of South Amboy	L-10752-14	133	Amend Complaint; Compel Discovery		Transferred to Judge Cresitello
Williams v. Mehta	L-7552-15	450	Extend Discovery		GRANTED
Wojtasik v. Kostue	L-4866-15	664	Extend Discovery	Conflict Hoagland Longo	Transferred to Judge Gelade
Wyndmoor at Woodbridge Condominium Association v. McGunn	L-4666-15	475	Reinstate; Enter Judgment		GRANTED

**CAMPBELL, FOLEY, DELANO & ADAMS, L.L.C.**

STEPHEN CZESLOWSKI - 040081999  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendant, Chiarello  
Our File No. 1-38, 335-SCZ

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**FILED**

**MAY 12 2017**

*VNB*

Jamie D. Happas, P.J.Cv.

Plaintiff

HENRIQUE ACABOU AND NICOLE ACABOU,  
HIS WIFE

vs.

Defendants

PATRICIA CHIARELLO, XYZ CORP. 1-10 AND  
JOHN AND JANE DOES 1-10

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-6587-15

Civil Action

ORDER TO EXTEND DISCOVERY  
FOR EXCEPTIONAL CIRCUMSTANCES

The above entitled matter having been opened to the Court on May 12, 2017, by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendant, Patricia Chiarello, on motion to extend discovery until August 28, 2017 and to adjourn the arbitration date of June 6, 2017 and the trial date of July 24, 2017 for exceptional circumstances, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this *12* day of *May*, 2017, that the discovery be and is hereby extended until August 28, 2017 for exceptional circumstances; and it is further

ORDERED that the following items of discovery are to be completed on or before the dates listed below:

<u>Items</u>	<u>Dates</u>
a. Plaintiff to appear for defense medical examination no later than	7/20/17
b. Plaintiff's expert medical report are to be served by	6/30/17
c. Defendant's expert medical reports to be served by	7/30/17
d. The new discovery end date	8/28/17

and it is further

FURTHER ORDERED that a copy of this Order shall be served within 7 days upon all attorneys of record in this action and upon parties appearing pro se *of the online posting* of this order.

J.S.C.

JAMIE D. HAPPAS, P.J.Cv.

**PAPERS CONSIDERED**

Notice of Motion  
 Movant's Affidavits  
 Movant's Brief  
 Answering Brief  
 Answering Affidavits  
 Cross Motion  
 Movant's Reply  
 Other \_\_\_\_\_

Dated: April 25, 2017

Discovery End Date Extended to 8/22/17  
Arbitration Shall Be 9/8/17  
Trial Shall Be 10/23/17

**SWEENEY & SHEEHAN**  
Sentry Office Plaza, Suite 500  
216 Haddon Avenue  
Westmont, New Jersey 08108  
(856) 869-5600 Telephone  
(856) 869-5605 Facsimile

**Christopher J. O'Connell, Esquire**  
Identification No. 023141994  
[Chris.oconnell@sweeneyfirm.com](mailto:Chris.oconnell@sweeneyfirm.com)

Attorney for Defendant/Third Party Defendant, Monroe Irrigation LLC

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*NAB*

DAVID ADAMS and ANN ADAMS, his wife Plaintiffs, v. CONCORDIA HOMEOWNERS ASSOCIATION, et al Defendants, And CONCORDIA HOMEOWNERS ASSOCIATION Defendant/Third Party Plaintiff, v. MONROE IRRIGATION LLC Third Party Defendant.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION – MIDDLESEX COUNTY  DOCKET NO.: L-6287-15  CIVIL ACTION # 147  <b>ORDER</b>
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**THIS MATTER** having been presented to the Court on the application of Sweeney & Sheehan, attorneys for Defendant/Third Party Defendant, Monroe Irrigation LLC, requesting an Order to extend time for discovery, adjourn the Arbitration and Trial with consent from adverse parties;

**AND** the Court having reviewed the moving papers and for other good cause shown;

**IT IS**, on this *12* day of *May*, 2017, **ORDERED** that the time to conduct discovery has been extended for 60 days to allow Defendant/Third Party Defendant, Monroe Irrigation LLC, additional time to conduct discovery pursuant to Rule 4:24-1 as follows:

1. Depositions of parties are compelled to be completed on April 11, 2017;

2. Conduct or obtain additional discovery identified at the depositions of all parties by July 9, 2017;

3. All subpoenaed records and studies will be secured on or before July 9, 2017;

4. Defense expert reports will be served on or before July 9, 2017;

5. Discovery in this matter is extended until July 9, 2017;

6. The Arbitration is rescheduled for 7/13, 2017;

7. The Trial is rescheduled for 8/22, 2017;

IT IS FURTHER ORDERED that a copy of this Order shall be provided to all counsel within 7 days of its posting online.

BY THE COURT:

  
JAMIE D. HAPPAS, P.J.Cv.

Motion Unopposed  
 Motion Opposed

A SETTLEMENT CONFERENCE TO BE  
SCHEDULED BY THE ASSIGNMENT  
OFFICE ON 8/22/17

SEE RELATED ORDER  
ENTERED ON THIS DATE.

# 310

05/12/17

File No. 73957-D8

Timothy E. Haggerty, Esq. - Attorney I.D. Number: 003981975

**LAW OFFICES OF STEPHEN E. GERTLER**

A Professional Corporation

Monmouth Shores Corporate Park

1340 Campus Parkway, Suite B4

P.O. Box 1447

Wall Township, New Jersey 07719

(732) 919-1110

Attorneys for Defendant/Third-party Plaintiff, Concordia Homeowners Association

**FILED** ✓NB

MAY 12 2017

Jamie D. Haggas, P.J.Cv.

DAVID ADAMS and ANN ADAMS,  
his wife,

Plaintiffs,

vs.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-6287-15

Civil Action

CONCORDIA HOMEOWNERS  
ASSOCIATION, MONROE  
IRRIGATION, LLC, et als,

Defendants

and

CONCORDIA HOMEOWNERS  
ASSOCIATION,

Defendant/Third-Party Plaintiff,

vs.

ORDER COMPELLING  
MORE SPECIFIC ANSWERS TO  
INTERROGATORIES FROM  
PLAINTIFF PURSUANT TO R. 4:17-5(c)

MONROE IRRIGATION, LLC,

Third-Party Defendant.

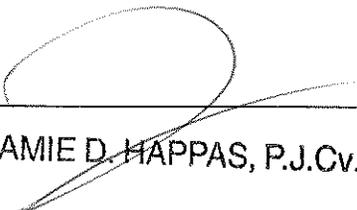
This matter having been brought before the Court on Motion of The Law Offices of Stephen E. Gertler, attorneys for the Defendant/Third-party Plaintiff, Concordia Homeowners Association, for an Order compelling discovery from plaintiff, and said Motion being made and served in accordance with Rule 1:6-2 and the matter having been consider on the papers submitted and for good cause shown;

IT IS on this 12 day of May, 2017; ORDERED that

1. Plaintiff be and is hereby compelled to provide more specific answers to interrogatories as follows within the next ~~30~~<sup>30</sup> days:

- a) With regard to Form A question 6, provide a more specific response as mandated by the clear language of the question. Confirm that your office or Mr. Adams is possession of all pertinent x-rays and will make same available for review by Defendant's examining physicians;
- b) With regard to question 7, provide a more specific response as to dates of treatment and dates of last treatment. Also, provide records from UMCP. ....;
- c) With regard to question 10, supply responses to subparts d and e. Pursuant to Court Rule and pertinent case law, provide Mr. Adams' net weekly wages on the date of the accident. State the address where Mr. Adams is employed. With regard to subpart e, advise whether or not Mr. Adams applied for or receive State or private plan disability payments;
- d) With regard to question 13, provide a more specific response as to all expenses incurred, etc.;
- e) Respond to Supplemental question 2 in conjunction with question 13 in terms of Medicare, private plan benefits, etc. If Mr. Adams held a policy of medical insurance other than Medicare Parts A and B at the time of the accident provide complete details;
- f) With regard to question 14, provide a more specific response ~~within sixty days,~~
- g) With regard to question 17, provide the names and addresses of any and all lay witnesses, other than Ann Adams, Plaintiffs intend to call upon at the time of trial:
- h) With regard to question 18, provide a more specific response ~~within sixty days,~~
- i) With regard to Supplemental Interrogatory number 2, provide a more specific response.
- j) With regard to Plaintiffs' response to Defendant's Notice to Produce, provide responses to paragraph 2, 3, 6, 7, 9, 10 and 14; and IT IS FURTHER ORDERED that

2. A copy of this Order shall be served upon all parties within 7 days of the date of its posting online.

  
JAMIE D. HAPPAS, P.J.Cv.

Opposed  
 Unopposed

\* If plaintiff does not have possession of records  
he shall provide exacted medical authorization  
to Movant

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

Eric Kuper Esq. - NJ Attorney ID #028001987  
**Martin Kane & Kuper**  
ATTORNEYS AT LAW  
180 Tices Lane - Bldg B, Suite 200  
East Brunswick, New Jersey 08816  
(732) 214-1800 - Phone  
(732) 214-0307 - Fax  
Attorneys for Defendants

#662  
05/12/17

**FILED**  
MAY 12 2017

JNB

Jamie D. Happas, P.J.Cv.

**LASHON ALSTON,**

**Plaintiff,**

**vs.**

**ANDREA VEDUTIS, DEBORAH A.  
VEDUTIS, WILLIAM VEDUTIS,  
GARDEN STATE INSURANCE  
COMPANY, RICHARD ROES 1-10  
(fictitious names), JOHN DOES 1-10  
(fictitious names) and ABC  
COMPANIES 1-10 (fictitious names),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
Docket No. L-01918-15  
Civil Action**

**ORDER**

**THIS MATTER** being opened to the Court on **Friday, May 12, 2017**, by Eric Kuper, Esq., of Martin Kane & Kuper, attorneys for defendants, on a Notice of Motion to compel discovery, extend discovery and adjourn the July 6, 2017 arbitration, and it appearing to the Court that due notice of this Motion has been given to all counsel, and the Court having considered the matter and for good cause shown,

**IT IS** on this 12 day of May, 2017,

**ORDERED** that discovery be and hereby is extended for 90 days to August 13, 2017; and it is further

**ORDERED** that the discovery schedule is as follows:

Plaintiff to provide the completed Request for Records Inspection along with the executed HIPAA authorization within 7 days from the date of this order;

Plaintiff to provide a copy of the litigation files for the 2003 workers' compensation case and 2010 accident within 7 days for the date of this order;

Plaintiff to advise if a claim is being pursued for the 9/11/16 accident and, if so, to provide all documents within 7 days for the date of this order;

The redeposition of plaintiff to be conducted on May 24, 2017 or no later than June 30, 2017;

Plaintiff to attend the reexamination on July 27, 2017 with Dr. Bercik;

Allow defendants' time to obtain all outstanding medical records and films;

Allow defendants' time to obtain all updated medical records;

Forward all medical records and films received to our expert for review and comment;

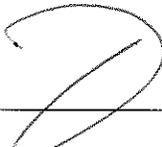
Defendant to provide any supplemental reports no later than August 13, 2017;

Defendant to serve all documentation received no later than August 13, 2017;

Discovery be extended to August 13, 2017.

**ORDERED** that the July 6, 2017 arbitration is hereby adjourned to 8/23/17; and  
it is further reul 10/10/17

**ORDERED** that a true and correct copy of this Order be served upon all counsel within seven (7) days of the ~~date~~ hereof. online posting of this order.

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

Opposed ( ) Unopposed  ( )

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

# 986  
05/12/17  
JWB

Karim Arzadi, Esq. - NJ Attorney ID No. 012581987  
**LAW OFFICES OF KARIM ARZADI**  
163 Market Street  
Perth Amboy, New Jersey 08861  
732-442-5900  
Attorney for Plaintiff(s)

\_\_\_\_\_  
LASHON A. ALSTON,  
:  
Plaintiff(s) :  
:  
vs. :  
:  
ANDREA VEDUTIS, DEBORAH A. :  
VEDUTIS, WILLIAM VEDUTIS, :  
PROGRESSIVE GARDEN STATE :  
INSURANCE COMPANY, RICHARD ROES :  
1-10 (fictitious names), JOHN :  
DOES 1-10 (fictitious names) :  
and ABC COMPANIES, INC. 1-10 :  
(fictitious names), :  
:  
Defendant(s). :  
\_\_\_\_\_  
x

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
Docket No. MID-L-1918-15

**CIVIL ACTION**

**ORDER**

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

**THIS MATTER** being opened to the Court upon the motion of the Defendants, Andrea Vedutis and Deborah Vedutis, for an order compelling discovery, extending the discovery end date and adjourning arbitration; and the Court having read all of the papers submitted in connection with the motion and the cross-motion and good cause appearing;

**IT IS on this 12 day of MAY, 2017, ORDERED that:**

1. Discovery be and hereby is extended until August 13, 2017, during which time the parties shall engage in the following discovery:
  - a. Plaintiff to provide authorization for a prior workers' compensation accident by 5/19/17;
  - b. Plaintiff to provide a copy of the litigation file as to a prior 2011 accident by 5/19/17;
  - c. Re-deposition of Plaintiff to be completed by 6/30/17;
  - d. Plaintiff to attend the re-examination on 7/27/17 with Dr. Bercik;

e. Plaintiff to provide expert reports by 7/13/17;  
f. Defense expert supplemental reports by 8/13/17;  
g. Defense expert, Dr. Bercik's, to submit to deposition after submission of the supplemental report and/or before commencement of Trial;

h. Arbitration date: 8-23-17;

I. Trial date: 10/10/17; and

**IT IS FURTHER ORDERED** that a true copy of this Order be served upon all counsel of record within 7 days of ~~the entry hereof.~~ *its pasting online.*

  
\_\_\_\_\_, J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

**FILED**

**MAY 12 2017**

#455  
5-12-17  
VNB

Michelle Tullio, Esq.  
Attorney ID No.: 001221994  
Garces, Grabler & LeBrocq, P.C.  
502 Amboy Avenue  
Perth Amboy, NJ 08861  
(732)317-0711  
Attorney for Plaintiff

Jamie D. Happas, P.J.Cv.

CESAR A. ARANGO and JHON TAMAYO- ARIAS,	) Superior Court of New Jersey ) Law Division Middlesex County
	) Case No.: MID-L-7059-15
Plaintiffs,	) Civil Action
vs.	) <b>ORDER</b>
PATRICK J. MCDONOUGH, CINTAS CORPORATION NO. 2, et al	)
Defendants	)

**THIS MATTER** having been opened to the Court upon application of Michelle M. Tullio, Esq. attorney for plaintiff, for a motion to extend the time period for the completion of discovery and the Court having read the moving papers; and for good cause appearing;

**IT IS** on this 12 day of May, 2017;

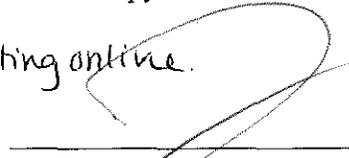
**ORDERED** that the discovery end date is hereby extended to August 20, 2017;

**IT IS FURTHER ORDERED** that plaintiff's medical expert's reports be served by July 14, 2017; and

**IT IS FURTHER ORDERED** that defendant's expert's report be served by July 28, 2017; and

**IT IS FURTHER ORDERED** that a true copy of this order be served upon all counsel within seven (7) days. *of its posting online.*

[ ] Opposed [✓] Unopposed

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Discovery End Date Extended to 8/20/17  
Arbitration Shall Be 8/25/17  
Trial Shall Be 10/2/17

CAMPBELL, FOLEY, DELANO & ADAMS, LLC.  
STEPHEN CZESLOWSKI-040081999  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendants, Jean  
Our File No. 1-38,077-SCZ

**FILED**  
**MAY 12 2017**

*VNB*

Jamie D. Happas, P.J.Cv.

Plaintiff  
JOHN J. AULERT

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

vs.

DOCKET NO. MID-L-4907-15

Defendants  
PAUL B. JEAN, ANN M. REGAN-JEAN,  
JOHN DOES 1-10(fictitious names, true  
names presently unknown), ABC-XYZ  
CORPS. (fictitious names, true names  
presently unknown)

Civil Action

ORDER TO EXTEND DISCOVERY  
FOR EXCEPTIONAL CIRCUMSTANCES  
AND ADJOURN ARBITRATION AND TRIAL  
DATES

The above entitled matter having been opened to the Court on May 12, 2017, by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendants, Paul B. Jean and Ann M. Regan-Jean, on motion to extend discovery until July 25, 2017 for exceptional circumstances and Adjourn Arbitration hearing of June 13, 2017 and trial date of August 14, 2017, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this *12* day of *May*, 2017, that the discovery be and is hereby extended until *6/8/17* ~~July 25, 2017~~; and it is further

ORDERED that the following items of discovery are to be completed on or before the dates listed below:

Items

Dates

a. Defendant's *surrendered* expert medical reports are to be served by

~~6/30/17~~

*6/8/17*\*

b. New Discovery End Date

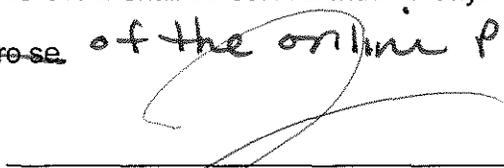
~~7/25/17~~

and it is further

*+ For the reasons set forth in the order*

ORDERED that the Arbitration scheduled for June 13, 2017 and the trial date scheduled for August 14, 2017 be adjourned until after the New Discovery End date of July 25, 2017; and it is

FURTHER ORDERED that a copy of this Order shall be served within 7 days ~~upon all attorneys of record in this action and upon parties appearing pro se~~ *of the online posting of this order.*

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

**PAPERS CONSIDERED**

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

Dated: April 25, 2017

This shall not delay arbitration or trial.

**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 Defendant, Abelardo Perez  
Our File: 1C.7441JAC

VNB

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J. Ct.

MARIA AYALA,  Plaintiff(s),  v.  GAIL CARTISANO, ABELARDO PEREZ,  Defendant(s), <hr/> GAIL CARTISANO,  Plaintiff(s),  v.  ABELARDO PEREZ, MARIA AYALA, AND CHANTELLE J. MARTE,  Defendant(s),
---

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-00731-16

Civil Action

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-00700-17

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 for good cause having been shown;

IT IS, on this 12 day of May, 2017;

ORDERED that defendant Abelardo Perez's motion for reconsideration is GRANTED;

and it is further

ORDERED that the March 31, 2017 Order is hereby vacated; and it is further

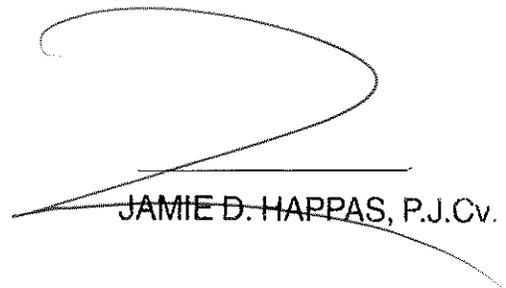
ORDERED, that there being common questions of law and fact, Maria Ayala v. Gail

Cartisano, Abelardo Perez, bearing Docket No.: MID-L-00731-16 and Gail Cartisano v. Abelardo

Perez, Maria Ayala, and Chantelle J. Marte, bearing Docket No.: MID-L-00700-17 are hereby

consolidated in the Law Division, Middlesex County; and it is further

ORDERED, that a copy of this Order be served within seven (7) days of *its posting online*

  
JAMIE D. HAPPAS, P.J.Cv.

Opposed  
 Unopposed

*DED*

DED - 10/10/17

Liability trial - 11/6/17

Therefore, if plaintiff necessitates further  
discovery, ~~as~~ counsel to request a  
CME within 10 days of the  
liability trial verdict

FILED

MAY 12 2017

Jamie D. Happs, P.J.Cv.

JNB

KARIM ARZADI, ESQ. - NJ ATTORNEY ID NO. 012581987  
LAW OFFICES OF KARIM ARZADI  
163 Market Street  
Perth Amboy, New Jersey 08861  
732-442-5900  
Attorney for Plaintiff

HICHAM A. BENNANI,  
:  
:  
Plaintiff,  
:  
:  
vs.  
:  
:  
ANDRIA P. RAGHUNADAN, OLD  
:  
REPUBLIC INSURANCE COMPANY,  
:  
21<sup>ST</sup> CENTURY INSURANCE COMPANY,  
:  
RICHARD ROES 1-10 (fictitious  
:  
names), JOHN DOES 1-10  
:  
(fictitious names) and ABC  
:  
COMPANIES, INC. 1-10  
:  
(fictitious names),  
:  
:  
Defendants.  
:  
:  
x

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No.: MID-L-3064-16

#127

CIVIL ACTION

ORDER

**THIS MATTER** having been opened to the Court by Motion of the Plaintiff seeking to vacate dismissal, reinstate Plaintiff's Complaint and to enter Default as to Defendant, Old Republic Insurance Company; and notice having been served on the Defendants as required by R. 4:43-1; and there being no opposition to the relief requested; and for good cause shown;

IT IS ON THIS 12 DAY OF MAY, 2017; ORDERED as follows:

1. The administrative dismissal of February 10, 2017 is hereby **VACATED** and Plaintiff's Complaint is hereby **REINSTATED** pursuant to R. 1:13-7(a) as to Defendant, Old Republic Insurance Company;
2. **DEFAULT** is hereby **ENTERED** pursuant to R. 4:43-1 as to Defendant, **OLD REPUBLIC INSURANCE COMPANY**;
3. A copy of this Order shall be served on Defendant, **OLD**

REPUBLIC INSURANCE COMPANY within 7 days of its posting online.

Unopposed

Opposed by:

  
JAMIE D. HAPPAS, P.J.Cv.

"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."

# 825

05/12/17

✓ NB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

Thomas A. Zammatore, Esq., AIN 001201983  
CASIO & CAPOTORTO  
Morris Corporate Center I  
300 Interpace Parkway, Atrium B/C  
Parsippany, New Jersey 07054  
Phone: 973-541-6300  
File No.: 417613

Attorneys for Defendants/Third Party Plaintiffs, Dowell Woodbridge, LLC, Quality Way Operator, LLC i/p/a Quality Way Operations and Onyx Management Group, LLC i/p/a Onyx Equalities a/k/a Onyx Equities

JUDITH BLUM-CRAWFORD

Plaintiff,

vs.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
DOCKET NO.: MID-L-2299-15

CIVIL ACTION

BIG LOTS STORES, INC. NUMBER 5295,  
DOWELLWOODBRIDGE, LLC c/o METRO  
COMMERCIAL, QUALITY WAY  
OPERATIONS c/o ONYX EQUALITIES,  
JOHN DOE, fictitious name and ABC  
CORPORATION, fictitious name,

Defendants.

**ORDER BARRING PLAINTIFF'S  
LIABILITY EXPERT OR,  
ALTERNATIVELY, EXTENDING  
DISCOVERY, SETTING NEW  
DISCOVERY END DATE AND  
ADJOURNING THE TRIAL DATE**

and

DOWELL WOODBRIDGE, LLC, QUALITY  
WAY OPERATOR, LLC AND ONYX  
MANAGEMENT GROUP, LLC,

Defendants/Third Party Plaintiffs,

vs.

THE COVELLI GROUP, INC,

Third Party Defendant.

**GRANTED IN PART**

This matter came before the court on application of counsel Cascio & Capotorto Esqs., by Thomas A. Zammatore, Esq., attorney for defendants/third party plaintiffs, Dowell Woodbridge, LLC, Quality Way Operator, LLC i/p/a Quality Way Operations and Onyx Management Group, LLC i/p/a Onyx Equalities a/k/a Onyx Equities, objecting

to plaintiff's amendment of discovery pursuant to Rule 4:17-7 or, alternatively, adjourning the trial and for an Order extending discovery and setting a new discovery end date.

FOR GOOD CAUSE SHOWN it is on this 12<sup>th</sup> day of May, 2017;

ORDERED, that plaintiff's expert report from Wayne F. Nolte, Ph.D., P.E., dated April 4, 2017, be and is hereby are barred as being submitted beyond the discovery end date of March 30, 2017; and it is further

It is ALTERNATIVELY ORDERED that:

- (a) the time for the completion of discovery is hereby extended for ~~ninety (90)~~ days from the ~~previous end of discovery date~~;
- (b) the new discovery end date is June ~~30, 2017~~ 12, 2017;
- (d) trial presently scheduled for May 1, 2017 is adjourned and shall be ~~rescheduled pursuant to the rules of the court.~~ to 6/19/17

IT IS FURTHER ORDERED that the parties are to complete all outstanding discovery as listed below no later than the date specifically indicated below.

Outstanding Discovery	Discovery Shall Be Completed By Date Listed Below
Service of defendant's liability expert report	June 15, 2017

IT IS FURTHER ORDERED that a copy of this order be served on all parties within 7 days of the ~~date hereof.~~ online posting of this order.

Party/Parties Requesting Discovery Extension JAMIE D. HAPPAS, P.J.Cv. J.S.C.

Cascio & Capotorto

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.**

✓WB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**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 Defendants, Pablo A. Taberna and Lilian L. Taberna**  
**Our File No. (637) 24030-A**

FABIAN BOODHOO,  
  
Plaintiffs,

v.

LILIAN L. TABERNA, and/or JOHN  
DOES 1-10 (being fictitious persons  
unknown at this time), PABLO A.  
TABERNA, and/or JANE DOES 1-10  
(being fictitious persons unknown at  
this time) and/or ABC COMPANY 1-  
10 (being fictitious and unknown at this  
time), ASHWINI I. POOLA and/or  
JANE DOES 1-10 (being fictitious  
persons unknown at this time),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-4844-15

509

Civil Action

**ORDER EXTENDING THE PERIOD  
FOR DISCOVERY, FOR GOOD CAUSE,  
PURSUANT TO R. 4:24-1(c)**

**THIS MATTER's** having been opened to the court by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendants, Pablo A. Taberna and Lilian L. Taberna, for an order extending the period for discovery, for good cause, pursuant to R. 4:24-1(c); and the parties having not consented to an extension of the period for

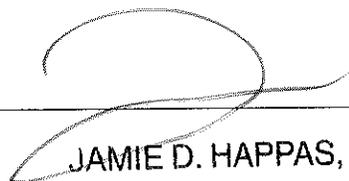
discovery; and the court's having considered the moving papers of the parties, and for good cause shown;

IT IS on this 12 day of May, 2017;

**ORDERED** that the period for discovery be and hereby is extended ninety (90) days to August 16, 2017, for plaintiff to attend an examination with Dr. Eric Fremed on July 11, 2017, for deposition of Melissa Chouloutte, for defendants to obtain records and films of Twin Boro Physical Therapy, Dynamic Medical Imaging, Dr. Chidi Anukweum, and Dr. Oscar Pizarro, for defendants to forward the additional records and films to their experts for their review and for defendants to receive their experts' reports and amend answers to interrogatories, all of which shall be completed by August 16, 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.

( ) opposed  
() unopposed

  
JAMIE D. HAPPAS, P.J.Cv.

Discovery End Date Extended to 8/16/17  
Arbitration Shall Be 8/23/17  
Trial Shall Be 10/2/17

*JNB*

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

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

DALILA BOTELLO

Plaintiff

vs.

MICHAEL GIBSON, GWENDOLYN  
GIBSON, ALLSTATE INSURANCE  
COMPANY, JOHN DOE (1-100)  
(Fictitious names) and ABC  
COMPANIES (1-100) (Fictitious  
entities)

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY

DOCKET NO. MID-L-2266-16 #528

CIVIL ACTION

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

This matter being opened to the Court, on May 12, 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 12 day of May, 2017, ORDERED that discovery time be and hereby is extended to ~~August 15, 2017~~ 7/13/17 to allow time for the obtainment and review of diagnostic films of the plaintiff by defense counsel and to allow plaintiff to provide more specific documentation and any further discovery that may be necessary;

~~IT IS FURTHER ORDERED that the plaintiff is hereby compelled to provide defense counsel with copies of any conditional payment documents from plaintiff's medical providers by June 1, 2017;~~

IT IS FURTHER ORDERED that a copy of this Order be served on the attorney(s) for all parties within seven (7) days after *its posting online.*

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

MOTION WAS:

           OPPOSED *partial*  
            NOT OPPOSED

Discovery End Date Extended to            *7/15/17*  
Arbitration Shall Be            *7/20/17*  
Trial Shall Be            *9/5/17*

CAMPBELL, FOLEY, DELANO & ADAMS, L.L.C.  
Stephen Czeslowski - 040081999

601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-8520  
Attorneys for Defendant, Bagen  
Our File No. 1-38, 118-SCZ

**FILED**

**MAY 12 2017**

*JNB*

Jamie D. Happas, P.J.Cv.

Plaintiff

SAMUEL BOWLES

vs.

Defendants

ALAN BAGEN, JOHN DOE 1-10 AND ABC  
CORP. 1-10

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-5735-15

Civil Action

ORDER TO EXTEND DISCOVERY  
FOR EXCEPTIONAL CIRCUMSTANCES

The above entitled matter having been opened to the Court on May 12, 2017, by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendant, Alan Bagen, on motion to extend discovery until July 29, 2017 for exceptional circumstances, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this *12* day of *May*, 2017, that the discovery be and is hereby extended until July 29, 2017 for exceptional circumstances; and it is further

ORDERED that the following items of discovery are to be completed on or before the dates listed below:

<u>Items</u>	<u>Dates</u>
Defendant's expert medical reports to be served by	7/7/17
The New Discovery End Date	7/29/17

and It is

FURTHER ORDERED that a copy of this Order shall be served within 7 days upon all attorneys of

record in this action and upon parties appearing pro se *of the online posting of*  
*this order.*

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

**PAPERS CONSIDERED**

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

Dated: April 25, 2017

Discovery End Date Extended to 7/29/17  
Arbitration Shall Be 8/14/17  
Trial Shall Be 9/25/17

**CHRISTOPHER M. BRADY, ESQ., #032922009**  
**CAMASSA LAW FIRM, P.C.**

1800 Route 34  
Building 3, Suite 303  
Wall, New Jersey 07719  
(732) 749-3313

Attorney for Defendants, Loc Phuoc Nguyen and Bachmai T. Truong  
Our File: 1C.7233J

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*✓NB*

MARGIE G. BRADY,

Plaintiff(s),

v.

LOC PHUOC NGUYEN, BACHMAI T. TRUONG  
and JOHN DOES 1-25, unknown entities responsible  
for maintenance, control, repair, supervision and/or  
snow/ice removal on the subject premises,

Defendant(s),

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-2234-15

Civil Action

ORDER ADJOURNING TRIAL AND,  
EXTENDING DISCOVERY

This matter having been opened to the Court by counsel for defendants, Loc Phuoc Nguyen and Bachmai T. Truong, for an extension of the discovery period and exceptional circumstances having been found,

It is on this 12 day of May, 2017, ORDERED as follows:

1. The scheduled date of June 12, 2017 for trial is adjourned. *to Sept ~ 18, 2017*
2. The time for completion of discovery be and is hereby extended to August 26, 2017.
3. Parties are to complete the following discovery matters within the following time periods:

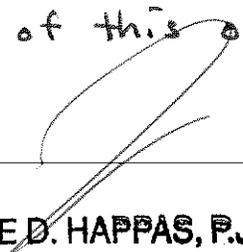
Item	Completion Date
A. <u>Defendant to obtain plaintiff's employment file by</u>	<u>July 30, 2017</u>
B. <u>Defendant to obtain plaintiff's federal Workers Compensation file by</u>	<u>August 15, 2017</u>
C. <u>Final report of defense experts</u>	<u>August 26, 2017</u>

It is FURTHER ORDERED that a copy of the within order be served upon all parties of

record within 7 days of the ~~date hereof~~ *online posting of this order.*

OPPOSED

UNOPPOSED

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

#765  
05/12/17

File No. 74324-D5

Mark S. Hochman, Esq. – Attorney ID No. 014311982  
**LAW OFFICES OF STEPHEN E. GERTLER**

A Professional Corporation  
Monmouth Shores Corporate Park  
1340 Campus Parkway, Suite B4  
P.O. Box 1447  
Wall Township, New Jersey 07719  
(732) 919-1110

Attorneys for Defendant, Longford Landscapes & Excavation, Inc.

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**Plaintiff**

QUSHONA CARMAN,

vs.

**Defendants**

WHITEHORSE EXECUTIVE CENTER, LLC,  
143 ENTERPRISES, LLC, LONGFORD  
LANDSCAPES & EXCAVATION, INC.,  
NEUMAN MANAGEMENT ASSOCIATES,  
LLC, JOHN DOES 1-10 (said names being  
fictitious) and XYZ CORPORATIONS 1-10  
(said names being fictitious)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID L-6098-15  
Civil Action

**ORDER EXTENDING DISCOVERY AND  
ADJOURNING ARBITRATION AND TRIAL  
BASED ON EXCEPTIONAL  
CIRCUMSTANCES**

This matter having been brought before the Court on Motion of The Law Offices of Stephen E. Gertler, attorneys for Defendant, Longford Landscapes & Excavation, Inc., for an Order extending the time for discovery and adjourning Arbitration and Trial; and the Court having considered the matter and exceptional circumstances appearing;

IT IS on this 12 day of May 2017;

ORDERED that the time for discovery is hereby extended to August 28, 2017; and  
it is further

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

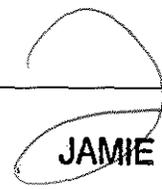
1. Plaintiff's expert reports to be submitted by July 28, 2017;
2. Defense expert reports to be submitted by August 28, 2017;

IT IS FURTHER ORDERED that Arbitration scheduled for June 2, 2017 is hereby adjourned to Sept 6, 2017; and it is further

IT IS FURTHER ORDERED that Trial scheduled for July 24, 2017 is hereby adjourned to Oct. 30, 2017; and it is further

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties within seven (7) days from the date hereof. *of the online posting of this order.*

OPPOSED  
 UNOPPOSED

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

Stephen J. Spudic, Esq. #014131983  
18306SL  
**BRIIT, RIEHL & SPUDIC**  
A PROFESSIONAL CORPORATION  
58 WEST MAIN STREET  
P.O. BOX 1149  
FREEHOLD, NJ 07728  
(732) 462-9700

ATTORNEYS FOR Defendants, Nathan C. Williams and Cablevision Systems Corp.

**FILED**

**MAY 12 2017**

JMB  
Jamie D. Happas, P.J.Cv.

**Plaintiffs,**

EDY CHUNGA and  
JULIO GALLARDO

vs.

**Defendants,**

CABLEVISION OAKLAND, LL,  
NATHAN C. WILLIAMS,  
JOSH ROBERTS TRUCKING,  
ROBERT McFARLAND,  
CELSO VASQUEZ,  
JOHN DOES (1-50);  
ABC CORPS (1-50); (fictitious  
entities and fictitious names)

**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION: MIDDLESEX COUNTY**

**DOCKET NO. MID-L-4861-16** + 522

*Civil Action*

**Plaintiff,**

CARMEN CRUZ-CONTRERAS

vs.

**Defendants,**

NATHAN C. WILLIAMS,  
CABLEVISION OAKLAND, LLC,  
JOHN DOES 1-10 (these names being  
fictitious, true names presently unknown) and  
ABC-XYZ CORPS., (these names being  
fictitious, true names presently unknown).

**SUPERIOR COURT OF NEW JERSEY**

**LAW DIVISION: MIDDLESEX COUNTY**

**DOCKET NO. MID-L-5346-16**

*Civil Action*

**ORDER OF CONSOLIDATION**

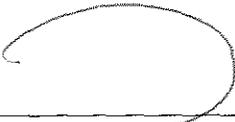
*This matter having been brought before the Court on motion of the above named attorney(s) for an Order consolidating the two (2) above entitled causes of action, for the return date of MAY 12, 2017, and the Court having considered the matter and good cause appearing,*

IT IS on this 12 day of May, 2017

**ORDERED**, that the two (2) above entitled matters are hereby consolidated for ~~trial~~ <sup>discovery and</sup> <sup>trial</sup> <sup>in</sup> <sup>the</sup> <sup>SUPERIOR COURT OF NEW JERSEY, MIDDLESEX COUNTY, DOCKET NO. MID-L-4861-16; and it is further</sup>

trial  
discovery and  
trial  
in  
the  
SUPERIOR COURT OF NEW JERSEY,  
MIDDLESEX COUNTY,  
DOCKET NO.  
MID-L-4861-16;  
and it is further  
only

**ORDERED**, that a copy of this Order be served upon all counsel within 7  
days of its posting online.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

opposed *partial*  
 unopposed

DCD-11/5/17

CAMPBELL, FOLEY, DELANO & ADAMS, LLC.  
STEPHEN CZESLOWSKI-040081999  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendants, Childs/Sirois  
Our File No. 1-38,126-SCZ

---

**FILED**

**MAY 12 2017**

*JNB*

Jamie D. Happas, P.J.Cv.

Plaintiff

CARLOS D. COLMONT

vs.

Defendants

GUY CHILDS, GLORIA SIROIS, "JOHN DOE",  
"JANE DOE" and "XYZ CORP."(fictitious names),  
GEICO INDEMNITY COMPANY

---

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-6185-15

Civil Action

ORDER TO EXTEND DISCOVERY  
FOR EXCEPTIONAL CIRCUMSTANCES

The above entitled matter having been opened to the Court on May 12, 2017, by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendants, Guy Childs and Gloria Sirois, on motion to extend discovery until July 24, 2017, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this *12* day of *May*, 2017, that the discovery be and is hereby extended until July 24 2017; and it is further

ORDERED that the following items of discovery are to be completed on or before the dates listed below:

<u>Items</u>	<u>Dates</u>
Plaintiff shall provide a signed authorization upon Internet Medical Group/Dr. Michael Kriko within	7 days of this Order
Plaintiff shall provide additional medical records requested	
From Dr. Logothetis and Dr. Ragukonis and Dr. Deramo no later than	6/10/17
Defendant's expert medical reports to be served by	7/17/17

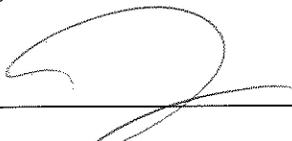
The new discovery end date

7/24/17

and it is further

ORDERED that no Trial or Arbitration shall be scheduled before the end of the New Discovery End date of July 24, 2017; and it is

FURTHER ORDERED that a copy of this Order shall be served within 7 days upon all attorneys of record in this action and upon parties appearing pro se. *of the online posting of this order.*

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

**PAPERS CONSIDERED**

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

Dated: April 25, 2017

Discovery End Date Extended to 7/24/17

Arbitration Shall Be 8/1/17

Trial Shall Be 9/18/17

# 794  
05/12/17  
JNB

LAW OFFICES OF VISCOMI & LYONS  
Christopher M. Kolb, Esq.  
Attorney ID: 046901998  
Mount Kemble Corporate Center  
360 Mt. Kemble Ave., Suite B1000  
Morristown, NJ 07960  
973-538-2930  
Attorneys for Defendant, J&J Auto Body, Inc.

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

JUANA CORREA,  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-6222-15

vs,

\*

CIVIL ACTION

J&J AUTO BODY, INC., ABC COMPANIES  
1-5 (fictitious entities), XYZ  
CORPORATIONS 1-5 (fictitious entities) and  
JOHN DOES 1-5 (fictitious names),  
Defendants

\*

**ORDER TO RE-OPEN AND EXTEND  
DISCOVERY FOR EXCEPTIONAL  
CIRCUMSTANCES (R. 4:24-1(c)),  
ADJOURN ARBITRATION AND TRIAL  
AND COMPEL PRODUCTION OF  
HIPAA AUTHORIZATIONS**

The above matter having been brought before the Court upon motion, after attempting to obtain consent of all parties, by the Law Offices of Viscomi & Lyons, Christopher M. Kolb, attorney for Defendant, J&J Auto Body, Inc., for an Order to Re-Open and Extend Discovery, adjourn the Arbitration and Trial dates for exceptional circumstances pursuant to R. 4:24-2(c), and Compel Production of HIPAA Authorizations, and the court having considered the motion papers filed by the parties, and good cause thus having been shown,

IT IS, on this 12 day of May, 2017;

**ORDERED**, that discovery be re-opened and extended sixty (60) days, until July 9, 2017 for exceptional circumstances pursuant to R. 4:24-2(c)); and, it is;

**IT IS FURTHER ORDERED** that the parties are to complete all discovery listed below:

1. Plaintiff is Compelled to Produce HIPAA Authorizations for her 2001 and 2002 Worker's Compensation injuries by May 25, 2017;
2. Defendant's expert report to be produced by July 9, 2017;
3. Arbitration is hereby scheduled for 7/12/17, 2017;
4. Trial is hereby scheduled for 8/22/17, 2017.

*to set any conf. on 6/1/17 cancelled*



#205

05/12/17

FILED

MAY 12 2017

Jamie D. Happas, P.J.Cv.

MICHAEL DEL ROSSO,  
 Plaintiff,  
 v.  
 PLYMOUTH ROCK ASSURANCE,  
 COMPANY, ABC INSURANCE COMPANIES  
 1-X (said names being fictitious, true and  
 presently unknown),  
 and  
 PLYMOUTH ROCK ASSURANCE,  
 Third Party Plaintiff,  
 v.  
 PHILADELPHIA INDEMNITY,  
 Third Party Defendant.

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION: MIDDLESEX COUNTY  
 DOCKET NO.: MID-L-3300-16

*Civil Action*

**ORDER**

THIS MATTER having come before the Court upon a Notice of Motion by Schenck, Price  
 Smith & King, LLP, attorneys for Defendants, Michael Del Rosso and Philadelphia Indemnity  
 Insurance Company, for an Order to extend the discovery end period; and the Court having  
 considered the papers filed herein; and for good cause having been shown;

IT IS on this 12 day of May, 2017

**Steven H. Daniels, Esq. 005001989**  
**SCHENCK, PRICE, SMITH & KING, LLP**  
220 Park Avenue  
P.O. Box 991  
Florham Park, New Jersey 07932-0991  
(973) 539-1000  
Attorneys for Third Party Defendant, Philadelphia Indemnity Insurance Company

ROSE DEL ROSSO,

Plaintiff,

v.

PLYMOUTH ROCK ASSURANCE,  
PHILADELPHIA INDEMNITY and  
MICHAEL DEL ROSSO,

Defendants.

PLYMOUTH ROCK ASSURANCE,

Third Party Plaintiff,

v.

PHILADELPHIA INDEMNITY,

Third Party Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-2866-16

*Civil Action*

ORDERED that the discovery end period is extended for ~~120 days from~~ July 16, 2017 to <sup>Sept 15</sup> November 13, 2017 and it is further

ORDERED that all parties provide answers to Interrogatories by June 30, 2017; and it is further

ORDERED that all examinations be completed by <sup>Sept 1</sup> ~~October 1,~~ 2017 and it is further

ORDERED that depositions of all parties be completed by <sup>Aug 1</sup> ~~October 31,~~ 2017;

ORDERED that a true copy of this Order shall be served upon all counsel of record within seven (7) days of <sup>its</sup> ~~its~~ pasting online.

---

JAMIE D. HAPPAS, P.J.Cv.

Discovery End Date Extended to

9/15/17

Arbitration Shall Be

9/21/17

Trial Shall Be

11/6/17

GARCES, GRABLER & LeBROCQ, P.C.  
MICHELLE M. TULLIO, ESQ.  
Attorney ID No.: 001221994  
502 Amboy Avenue  
Perth Amboy, New Jersey 08862  
(732)826-2300  
Attorneys for Plaintiff

**FILED**  
MAY 12 2017

JNB

Jamie D. Happas, P.J.Cv.

BIBIANA DePICHARDO,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
PLAINTIFF,	:	DOCKET NO.: MID-L-4419-15 #538
	:	
V.	:	<b><u>CIVIL ACTION</u></b>
	:	
BJ'S WHOLESALE CLUB, JOHN	:	ORDER
DOES (1-5), A.B.C.	:	
CORPORATION (1-5) (fictitious	:	
entities) and (fictitious names),	:	
	:	
DEFENDANT(S).	:	
	:	

This matter having been opened to the Court upon application of Michelle M. Tullio, Esq., attorney for plaintiff(s), for a motion to extend the time period for the completion of discovery and the Court having read the moving papers; and for good cause appearing;

IT IS on this 12<sup>th</sup> day of May, 2017;

ORDERED that the discovery end date is hereby extended to August 3, 2017;

IT IS FURTHER ORDERED that plaintiff's expert's report by July 17, 2017;

defendant's expert's report by August 1, 2017; and

IT IS FURTHER ORDERED, that the trial presently scheduled for June 26, 2017 be adjourned and rescheduled for a date after the discovery end date; to 8/21/17

IT IS FURTHER ORDERED that a true copy of this order be served upon all counsel within seven (7) days. of the online posting of this order.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv. J.S.C.

010251983  
RONALD HOROWITZ  
Attorney at Law  
PO Box 353707  
Palm Coast, FL 32137  
(386) 283-4886  
Attorney for Plaintiff  
Our File No. 2771

FILED

MAY 12 2017

Jamie D. Happas, P.J.Cv.

✓NB

DIRECT COAST TO COAST, LLC,

Plaintiff,

vs.

LIBERTY GIFTS LLC and TRADEWIND  
WHOLESALE, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-02866-15

Civil Action

#377

ORDER

**THIS MATTER** being opened to the Court by Ronald Horowitz, Esq., attorney for the plaintiff, DIRECT COAST TO COAST, LLC, upon an application to strike the Answer, Suppress the Defenses, and Dismiss the Amended Counterclaim of the defendants, LIBERTY GIFTS LLC and TRADEWIND WHOLESALE, INC, with prejudice, for failure to comply with the March 31, 2017 Order, and the Court having considered the moving, opposing and reply papers, if any, and for other good cause shown;

IT IS on this 12 day of May, 2017:

**ORDERED** that the Answer, defenses and counterclaim of the defendants, LIBERTY GIFTS LLC and TRADEWIND WHOLESALE, INC., be and are hereby stricken, suppressed, and dismissed, with prejudice, for failure to comply with the March 31, 2017 Order;

**AND IT IS FURTHER ORDERED** that a copy of this Order be served upon defendants within seven (7) days of its posting online.

  
JAMIE D. HAPPAS, P.J.Cv.

SEE STATEMENT OF REASONS  
ATTACHED HERETO

**Statement of Reasons**  
**Direct Coast to Coast, LLC v. Liberty Gifts, LLC (MID-L-2866-15)**

Plaintiff certifies that Defendants have failed to comply with the orders of March 17, 2017, and March 31, 2017, requiring Defendant Corporations to retain new counsel authorized to practice in this State pursuant to R. 1:21-1(c). However, pursuant to R. 4:23-5, answers and defenses should be stricken without prejudice and counterclaims dismissed without prejudice.

#426

05/12/17

*JNB*

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

**CAMPBELL, FOLEY, DELANO & ADAMS, LLC.**  
**COURTNEY E DOWD, ESQ. 037812008**  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendants, Kaytan/Brilliant Cleaning Solutions  
Our File No. 1-38,510-CED

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-5511-16

Civil Action

Plaintiff  
VASYL DMYTRYSHYN

vs.

Defendants

ORDER TO CONSOLIDATE

JASON A. PRICE, SERHIY KAYTAN, BRILLIANT  
CLEANING SOLUTIONS, INC., STATE FARM  
GUARANTY INSURANCE COMPANY, et al.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-5618-16

Plaintiff  
NADIA KORMYLO

vs.

Defendants  
SERHIY KAYTAN, JOHN PRICE, JOHN DOE  
1-10, et al.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-5614-16

Plaintiff  
LASZLO BRACIKLUSZKI-DEMETER

vs.

Defendants  
SERHIY KAYTAN, JOHN PRICE, JOHN DOE  
1-10, et al.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-5833-16

Plaintiff  
NANCY C. SOLIS-TRUJILLO

vs.

Defendants  
JASON A. PRICE, SERHIY KAYTAN,  
BRILLIANT CLEANING SOLUTIONS, et al.

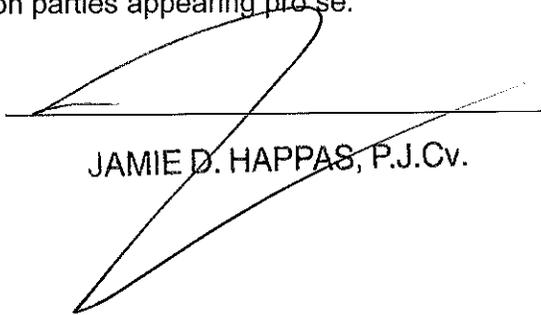
The above entitled matter having been opened to the Court on May 12, 2017 by Campbell, Foley, Delano & Adams, LLC., attorneys for the defendants, Serhiy Kaytan and Brilliant Cleaning Solutions, Inc., on motion to consolidate the above captioned matters in the Superior Court, Middlesex County, Docket No. MID-L-5511-16 and it appearing to the satisfaction of the Court that the motion may be granted, it is

hereby

ORDERED on this 12 day of May, 2017 that the above captioned matters be and are hereby consolidated for trial in Middlesex County under Docket No. MID-L-5511-16. Filing of the consolidation is not to delay trial; and it is

FURTHER ORDERED that a copy of this Order shall be served within 7 days upon all attorneys of record in this action and upon parties appearing pro se.

of its posting online



JAMIE D. HAPPAS, P.J.Cv.

**PAPERS CONSIDERED**

- Notice Of Motion
- Movant's Affidavits
- Movant's Brief
- Answering Affidavits
- Answering Brief
- Cross-Motion
- Movant's Reply
- Other \_\_\_\_\_

Dated: April 17, 2017

DED - 11/29/17

"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."

L-5 833-16

# 347  
05/12/17  
JNB

-----  
LASZLO BRACIKLUSZKI-DEMETER, :

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION/MIDDLESEX COUNTY  
DOCKET NUMBER: MID-L-5614-16

Plaintiff(s) :

v. :

Civil Action

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

SERHIY KAYTAN, JASON A. PRICE, :  
JOHN DOE (1-10) (names being fictitious ), :  
JANE DOE (-10) names being fictitious), :  
ABC CORP. (names being fictitious), :

Defendant(s) :

-----  
NADIA KORMYLO, :

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION/MIDDLESEX COUNTY  
DOCKET NUMBER: MID-L-5618-16

Plaintiff(s) :

v. :

Civil Action

SERHIY KAYTAN, JASON A. PRICE, :  
JOHN DOE (1-10) (names being fictitious ), :  
JANE DOE (-10) names being fictitious), :  
ABC CORP. (names being fictitious), :

Defendant(s) :

**ORDER**

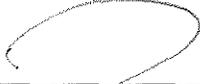
This matter having been opened to the Court upon application of Lawrence A. Lebrocq Esq., member with the law firm of Garces Grabler & Lebrocq, P.C. and attorney for plaintiff, Nancy Solis-Trujillo, for an Order consolidating the above-captioned matters, and the Court having considered the moving papers, any papers in opposition, and for good cause shown;

IT IS on this 12 day of May, 2017;

ORDERED that the above cases be and are hereby consolidated in the Middlesex County Superior Court under docket number MID-L-5833-16; and

IT IS FURTHER ORDERED that a true copy of this order be served upon all counsel within

7 days. of its posting online

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.J.S.C

JDH - 11/29/17

Attorney ID # 281751972  
PALMISANO & GOODMAN, P.A.  
171 Main Street  
P.O. Box 518  
Woodbridge, New Jersey 07095-0518  
(732) 634-6464  
Attorneys for Plaintiffs

✓WB

**FILED**

MAY 12 2017

Jamie D. Happas, P.J.Cv.

DOROTHY DUNN and ROBERT DUNN,  
Her Husband,

*Plaintiffs,*

vs.

PETERPANK DINER; and/or "ABC  
CORPS. #3-10" (names being fictitious as true  
identities are unknown); "RICHARD ROES  
#3-10" (names being fictitious, as true  
identities are unknown) and/or "John Does 1-  
10" (names being fictitious as true identities  
are unknown) and/or "DEF CORPS 1-10"  
(names being fictitious as true identities are  
unknown); MORGAN FIRST AID SQUAD,  
INC.; and/or J.S. SCANLON, and/or J. COX,  
and/or J. SIEMON; and/or "JANE DOES #1-  
5" (names being fictitious, as true identities  
are unknown) "JANE DOES #6-10" (names  
being fictitious, as true identities are  
unknown) and/or GHI CORPS #1-10 and/or  
BOROUGH OF SAYREVILLE; and/or CITY  
OF SOUTH AMBOY, ALEX PANKO; and/or  
ESTATE OF MARY PETERMAN; and/or  
HORIZONS ONE, LLC; and/or PANKO  
REALTY

*Defendants.*

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-6964-15 #075

CIVIL ACTION

**ORDER**

*oral argument waived*

This matter having been brought before the Court on motion returnable May 12, 2017 filed by the law firm Palmisano & Goodman, P.A., attorneys for plaintiffs, Dorothy Dunn and Robert Dunn, for an Order granting Summary Judgment on the issue of immunity against the defendants, Morgan First Aid Squad, Jason Siemon, John Cox, and John Scanlon, and the Court having reviewed the moving papers and any opposition submitted, having heard oral argument of counsel,



**FILED**

**MAY 12 2017**

✓ NB

File No.: 1075-1504

Christine Klimczuk - Attorney I.D.: 015531998

**Dvorak & Associates, LLC**

390 George Street, 8<sup>th</sup> Floor

New Brunswick, New Jersey 08901

(732) 317-0130; (732) 317-0140 (FAX)

Attorneys for Defendants, Borough of Sayreville, City of South Amboy, Morgan First Aid Squad, Inc., Joseph Scanlon, John Cox and Jason Siemon

Jamie D. Happas, P.J.Cv.

DOROTHY DUNN and ROBERT DUNN, her husband,

Plaintiffs,

v.

PETERPANK DINER; and/or "ABC CORPS. #3-10" (names being fictitious as true identities are unknown); "RICHARD ROES #3-10" (names being fictitious as true identities are unknown) and/or JOHN DOES 1-10" (names being fictitious as true identities are unknown) and/or "DEF CORPS 1-10" (names being fictitious as true identities are unknown); MORGAN FIRST AID SQUAD, INC.; and/or J.S. SCANLON, and/or J. COX, and/or J. SIEMON; and/or "JANE DOES #1-5" (names being fictitious, as true identities are unknown) "JANE DOES #6-10" (names being fictitious, as true identities are unknown) and/or GHI CORPS #11-10 and/or BOROUGH OF SAYREVILLE; and/or CITY OF SOUTH AMBOY, ALEX PANKO; and/or ESTATE OF MARY PETERMAN; and/or HORIZONS ONE, LLC; and/or PANKO REALTY.

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-6964-15

# 316

Civil Action

**ORDER GRANTING SUMMARY  
JUDGMENT IN FAVOR OF THE  
MORGAN FIRST AID SQUAD INC.,  
JOSEPH SCANLON, JOHN COX AND  
JASON SIEMON AS TO ALL CLAIMS.**

*THIS MATTER* having been opened to the Court by Maureen Goodman, Esq. of Palmisano & Goodman, P.A. on behalf of the Plaintiffs Dorothy Dunn and Robert Dunn, her husband upon motion for partial summary judgment, and upon the opposition to said motion and in support of

Cross-Motion for Summary Judgment filed by Christine Klimczuk, Esq. of Dvorak & Associates, LLC on behalf of Defendants Morgan First Aid Squad, Inc., Joseph Scanlon, John Cox and Jason Siemon, and due notice of this Motion having been provided to all parties; and the Court having considered the motion papers in support thereof and the responses of all parties, if any; and for good cause shown;

*oral argument waived*  
**IT IS** on this 12 day of May, 2017;

**ORDERED** that Plaintiffs' Motion for Partial Summary Judgment on the issue of the Good Samaritan Immunity set forth in N.J.S.A. 2A:53A-13 be and is hereby denied with prejudice; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Morgan First Aid Squad, Inc., Joseph Scanlon, John Cox and Jason Siemon pursuant to the statutory immunities set forth in the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 *et. seq.*, and N.J.S.A.59:3-3, be and is hereby granted; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Morgan First Aid Squad, Inc., Joseph Scanlon, John Cox and Jason Siemon pursuant to the statutory immunity set forth in the Good Samaritan Act, N.J.S.A. 2A:62A-1, be and is hereby granted; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Morgan First Aid Squad, Inc. pursuant to the statutory immunity set forth in the volunteer first aid, rescue or emergency squad statute, N.J.S.A. 2A:53A-13.1, be and is hereby granted; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Joseph Scanlon, John Cox and Jason Siemon pursuant to the statutory immunity set forth in the liability of authorized active volunteer, first aid or rescue squad worker statute, N.J.S.A. 2A:53A-13, be and is hereby granted; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Joseph Scanlon, John Cox and Jason Siemon pursuant to the statutory immunity set forth in the members of volunteer first aid, rescue or emergency squads statutes set forth in N.J.S.A. 2A:53A-12, be and is hereby granted; and it is

**FURTHER ORDERED** that Summary Judgment in favor of Defendants Morgan First Aid Squad, Inc., Joseph Scanlon, John Cox and Jason Siemon pursuant to the immunities set forth in the Charitable Immunity Act, N.J.S.A. 2A:53A-7, *et seq.* be and is hereby granted; and it is

**FURTHER ORDERED** that Plaintiffs' Third Amended Complaint, and any claims, cross claims or counterclaims asserted by Co-Defendants Alex Panko, Estate of Mary Peterman, Horizons One, LLC and Panko Realty, be and are hereby dismissed with prejudice; and it is

**FURTHER ORDERED** that all awards of costs and attorneys' fees shall be awarded to the prevailing party. The prevailing party shall be deemed to be the party who has obtained summary judgment. The prevailing party shall be deemed to be the party who has obtained summary judgment. The prevailing party shall be deemed to be the party who has obtained summary judgment.

**FURTHER ORDERED** that true copies of the within Order shall be served upon all parties to this action within seven (7) days of its *posting online.*

**SEE STATEMENT OF REASONS  
ATTACHED HERETO**

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

- ( ) Opposed
- ( ) Unopposed

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

C \_\_\_\_\_

**Statement of Reasons**  
**Dunn v. Peterpank Diner, et al. (MID-L-6964-15)**

**Plaintiff's Motion for Summary Judgment:**

Plaintiff first cites the *Brill* and *Judson* standards for summary judgment.

Plaintiff argues that, based on the undisputed facts of the case, Defendants were not immune from liability under the Good Samaritan Act N.J.S.A. 2A:53A-13 at the time of the accident and are therefore liable for negligence. The statute provides that "immunity from liability shall not extend to the operation of any motor vehicle in connection with the rendering of any such services." N.J.S.A. 2A:53A-13. Plaintiff argues that, although relevant case law does not provide a standard for what constitutes "operation of any motor vehicle" with respect to the statute, the Court should be guided by the standard provided in N.J.S.A. 39:6A-4 for PIP regulations. That statute provides:

every standard automobile liability insurance policy issued or renewed on or after the effective date of P.L.1998, c.21 (C.39:6A-1.1 et al.) shall contain personal injury protection benefits for the payment of benefits without regard to negligence, liability or fault of any kind, to the named insured and members of his family residing in his household who sustain bodily injury as a result of an accident while occupying, entering into, alighting from or using an automobile, or as a pedestrian, caused by an automobile or by an object propelled by or from an automobile, and to other persons sustaining bodily injury while occupying, entering into, alighting from or using the automobile of the named insured, with permission of the named insured.

N.J.S.A. 39:6A-4.

Plaintiff asserts that, because the rear ambulance doors were open and Plaintiff was being loaded into the ambulance when the stretcher tipped over, Defendants should be held liable as they were "operating" the vehicle at the time of the accident.

**Defendants Opposition and Cross Motion:**

Plaintiff's claims are barred by the New Jersey Tort Claims Act:

The Tort Claims Act ("TCA") provides: "[a] public employee is not liable if he acts in good faith in the execution or enforcement of any law. Nothing in this section exonerates a public employee from liability for false arrest or false imprisonment." N.J.S.A. 59:3-3. Plaintiff

cites *Lauder v. Teaneck Volunteer Ambulance Corps.*, in asserting that local rescue squads are subject to the Tort Claims Act. *Lauder, supra*, 368 N.J. Super.320, 326-327 (App. Div. 2004). Therefore, Defendants Morgan First Aid Squad and its individually named members are entitled to a presumption of immunity under the TCA as a public entity. Further, there is no dispute as to whether the Defendants were acting in good faith, as Plaintiff, the Diner Owner Patty Colaprico, and Mrs. Colaprico's son, all testified that the Defendants were acting professionally, with due care and not in bad faith.

Plaintiff's claims are barred by the Good Samaritan Statute:

New Jersey's Good Samaritan Statute provides that:

any person who is a volunteer member of a duly incorporated first aid and emergency or volunteer ambulance or rescue squad association, who in good faith renders emergency care at the scene of an accident or emergency to the victim or victims thereof, or while transporting the victim or victims thereof to a hospital or other facility where treatment or care is to be rendered, shall not be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

N.J.S.A. 2A:62A-1. Immunity from civil damages under the act extends to members of volunteer first aid, rescue, and ambulance squads. Assembly Bill No. 2467. The bills provides that members of such volunteer squads, acting in good faith in rendering emergency care at the scene of the accident, or transporting a victim to the hospital, are not liable for civil damages resulting from acts or omissions that may occur during the rendering of such care.

Defendants assert that it is undisputed that Defendant Morgan First Aid Squad is a charitable organization which provides volunteer emergency medical services free of charge. Further, at the time of the incident Defendants Morgan First Aid Squad, Cox, Scanlon, and Siemon, were providing emergency medical services to Plaintiff. On the basis of the statute, summary judgment should be granted in favor of Defendants.

Plaintiff's claims are barred by the statutory immunity provisions of N.J.S.A. 2A:53A-13.1, -13, and -12.:

Defendants cite *Lauder v. Teaneck Volunteer Ambulance Corps.*, in asserting that Plaintiff must demonstrate an absence of good faith or some intentional or wanton conduct in

order to overcome the immunities granted to volunteer ambulance squads under N.J.S.A. 2A:53A-13.1, N.J.S.A. 2A:53A-13, and N.J.S.A. 2A:53A-13. Lauder, supra 368 N.J. Super. (App. Div. 2004). Further, Defendants cite Murray v. Plainfield Rescue Squad, in asserting that our Legislature intended for immunity to be conferred on both the entity and individual volunteers in a volunteer first aid, rescue or emergency squad. Murray, supra 210 N.J. 581, 594 (2012).

Accordingly, as Plaintiff's claims against the Defendant Squad and individual members are negligence claims, Plaintiff has not presented any intentional willful or wanton conduct or omissions on the part of the Defendants, nor has discovery revealed same.

The "operation of a motor vehicle" exception to immunity is not applicable in this case:

Defendants argue that there is no evidence to suggest that Plaintiff was "occupying, entering into, alighting from or using the automobile of the named insured," within the meaning of the PIP regulations statute as argued in their brief. The facts reveal that Plaintiff's feet were facing the back door of the ambulance when the stretcher tipped over. This tends to show that the Plaintiff was not in the process of being loaded, as procedure requires that injured persons should be loaded into the ambulance head first. Plaintiff's reliance on Witness Colaprico's statement that the squad was "getting ready to put her in the ambulance" is a gross mischaracterization of the events at the time.

Plaintiff's alternative argument, that the ambulance was left running during the call and had open doors in anticipation of transport, likewise fails because the statutory immunities described above would still apply, and Plaintiff has not proven that Defendants acted in bad faith.

Defendants are entitled to summary judgment as a matter of law pursuant to the Charitable Immunity Act N.J.S.A. 2A:53A-7(a):

Defendants argues that they are entitled to protection under the Charitable Immunity Act, because they are a nonprofit organization created for the purpose of rendering first aid and conducting general ambulance services for the benefit of local residents, and Plaintiff was a recipient of these services at the time of the incident in question. Therefore, Defendants' should be granted summary judgment under the Charitable Immunity Act.

**Plaintiff's motion for Summary Judgment is DENIED; Defendants' cross-motion for Summary Judgment is GRANTED.**

In deciding a motion for summary judgment, the determination of whether there exists a genuine issue with respect to a material fact challenged requires the court to consider whether the competent evidential materials presented, when viewed in the light most favorable to the non-moving party in consideration of the applicable evidentiary standard that would apply at trial, are sufficient to permit a rational fact-finder to resolve the alleged disputed issue in favor of the non-moving party. Brill v. Guardian Life Insurance Co., 142 N.J. 520 (1995). A moving party is entitled to summary judgment "if the pleadings, depositions, and the admissions on file, together with an affidavit, if any, show palpably that there is no genuine issue as to judgment or order as a matter of law." R. 4:46-2; Judson v. People's Bank and Trust Co. of Westfield, 17 N.J. 67, 73, 75 (1954).

An issue is genuine:

[I]f, considering the burden of persuasion at trial, the evidence submitted by the parties on the motion, together with all legitimate inferences therefrom favoring the non-moving party, would require submission of the issue to the trier of fact.

R. 4:46-2. Therefore, "the 'opponent must do more than simply show that there is some metaphysical doubt as to the material facts.'" Big Apple BMW, Inc. v. BMW of North America, Inc., 974 F.2d 1358, 1363 (3rd Cir.1992), cert. denied, 507 U.S. 912 (1993) (quoting Matsushita Elec. Indus. Co., Ltd. v. Zenith Radio Corp., 475 U.S. 574 (1986)). The Court in Brill, *supra*, 142 N.J. at 541, stressed that the summary judgment standard requires "a searching review" of the record to determine the genuineness of a factual issue. Further stating that it is insufficient for the non-moving party to "point to any fact in dispute" Id. at 529 (emphasis in original). If the disputed issues of fact are insubstantial in nature, summary judgment is proper. Ibid.

The issue presented here is whether there is no genuine issue of material fact presented such that a rational fact finder would find in favor of plaintiff in the instant matter.

Plaintiff argues that Defendants were not immune from liability under the Good Samaritan Act N.J.S.A. 2A:53A-13 at the time of the accident as they were "operating" a vehicle at the time of the incident in accordance with the statute, and are therefore liable for negligence. However,

case law and legislative history provide no bearing on what “operating” a vehicle entails. Further, the facts tend to show that Defendants’ were in no way “operating” the vehicle at the time of the incident, as Plaintiff was strapped into a stretcher in the parking lot, with her feet facing the backdoor of the ambulance at the time of the fall. These facts necessarily show that Plaintiff was not being loaded into the ambulance at the time of the accident, as victims are required to be loaded head first into an ambulance. As such, Plaintiff’s motion for summary judgment should be **DENIED**.

We now turn to Defendants’ cross-motion for summary judgment.

New Jersey Tort Claims Act:

The Tort Claims Act (“TCA”) provides: “[a] public employee is not liable if he acts in good faith in the execution or enforcement of any law. Nothing in this section exonerates a public employee from liability for false arrest or false imprisonment.” N.J.S.A., 59:3-3. As Defendants are a local rescue squad as defined in Lauder v. Teaneck Volunteer Ambulance Corps., they are therefore subject to the Tort Claims Act. Lauder, supra, 368 N.J. Super.320, 326-327 (App. Div. 2004). Plaintiff has presented no evidence that Defendants were not acting in good faith, as Plaintiff, the Diner Owner Patty Colaprico, and Mrs. Colaprico’s son, all testified that the Defendants were acting professionally and with due care. Therefore, Defendants Morgan First Aid Squad and its individually named members are entitled to a presumption of immunity under the TCA as a public entity.

New Jersey’s Good Samaritan Statute:

New Jersey’s Good Samaritan Statute provides that:

any person who is a volunteer member of a duly incorporated first aid and emergency or volunteer ambulance or rescue squad association, who in good faith renders emergency care at the scene of an accident or emergency to the victim or victims thereof, or while transporting the victim or victims thereof to a hospital or other facility where treatment or care is to be rendered, shall not be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

N.J.S.A., 2A:62A-1. Immunity from civil damages under the act extends to members of volunteer first aid, rescue, and ambulance squads. Assembly Bill No. 2467. The bills provides that members of such volunteer squads, acting in good faith in rendering emergency care at the scene

of the accident, or transporting a victim to the hospital, are not liable for civil damages resulting from acts or omissions that may occur during the rendering of such care.

It is undisputed that Defendant Morgan First Aid Squad is a charitable organization which provides volunteer emergency medical services free of charge. Further, it is clear that at the time of the incident Defendants Morgan First Aid Squad, Cox, Scanlon, and Siemon, were providing emergency medical services to Plaintiff. On the basis of the statute, Defendants should not be liable for civil damages in this matter.

N.J.S.A. 2A:53A-13.1, N.J.S.A. 2A:53A-13, and N.J.S.A. 2A:53A-12.:

The Court in *Lauder v. Teaneck Volunteer Ambulance Corps*, held that a Plaintiff must demonstrate an absence of good faith or some intentional or wanton conduct in order to overcome the immunities granted to volunteer ambulance squads under N.J.S.A. 2A:53A-13.1, N.J.S.A. 2A:53A-13, and N.J.S.A. 2A:53A-13. *Lauder*, supra 368 N.J. Super. (App. Div. 2004). Further, the Court in *Murray v. Plainfield Rescue Squad*, held that our Legislature intended for immunity to be conferred on both the entity and individual volunteers in a volunteer first aid, rescue or emergency squad. *Murray*, supra 210 N.J. 581, 594 (2012).

Accordingly, as Plaintiff's claims against the Defendant Squad and individual members are negligence claims, Plaintiff has not presented evidence of the requisite intentional willful or wanton conduct or omissions on the part of the Defendants, nor has discovery revealed same.

Charitable Immunity Act N.J.S.A. 2A:53A-7(a):

New Jersey's Charitable Immunity Act N.J.S.A. 2A:53A-7(a) provides:

No nonprofit corporation, society or association organized exclusively for religious, charitable or educational purposes or its trustees, directors, officers, employees, agents, servants or volunteers shall, except as is hereinafter set forth, be liable to respond in damages to any person who shall suffer damage from the negligence of any agent or servant of such corporation, society or association, where such person is a beneficiary, to whatever degree, of the works of such nonprofit corporation, society or association; provided, however, that such immunity from liability shall not extend to any person who shall suffer damage from the negligence of such corporation, society, or association or of its agents or servants where such person is one unconcerned in and unrelated to and outside of the benefactions of such corporation, society or association.

In analyzing whether an entity qualifies for charitable immunity, the Act directs that it be “deemed to be remedial and shall be liberally construed as to afford immunity to the said corporations . . . from liability as provided herein in furtherance of the public policy for the protection of nonprofit corporations . . .” N.J.S.A. 2A:53A -10. The claimant of such immunity must demonstrate all the elements enumerated in the statute, namely: (1) the entity was formed for non- profit purpose; (2). It was organized exclusively for religious, charitable, or educational purposes; and (3) that it promoted such purposes at the time of the injury to the plaintiff; (4) who was then a beneficiary of its chartable work. Bieker v. Cmty. House of Moorestown, 169 N.J. 167, 175 (2001). Thus, the focus under the Act is whether the organization is a charitable association and whether the injured plaintiff was a beneficiary of those charitable works. Id.

Here, the parties do not dispute that the Defendants are a charitable organization, nor do the parties dispute that Defendants were promoting their charitable purpose at the time of Plaintiff’s injury, and that Plaintiff was a beneficiary at the time of her injury. Defendants therefore fulfill the requirements necessary for immunity from liability under the Charitable Immunity Statute.

Accordingly, for the reasons stated above, Defendants’ cross-motion for summary judgment is **GRANTED**.

LAW OFFICES OF VISCOMI & LYONS  
Christopher M. Kolb, Esq.  
Attorney ID: 046901998  
Mount Kemble Corporate Center  
360 Mt. Kemble Ave., Suite B1000  
Morristown, NJ 07960  
973-538-2930

Attorneys for Defendants, Imaex Trading Co. Inc., Jorge Jaime, Eastern Star Seafood Inc. and Ryder Truck Rental

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

# 757  
05/12/17

JNB

JULIA L. DURAN,  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-1425-14

vs

\*

CIVIL ACTION

JORGE JAIME, RYDER TRUCK RENTAL,  
EASTERN START SEAFOOD INC., IMAEX  
TRADING COMPANY, INC. d/b/a A & D  
FOODS, ZOE TRAILER OWNERS 1-10  
(fictitious names), HIGH POINT  
INSURANCE, RICHARD ROES 1-10  
(fictitious names), JOHN DOES 1-10 (fictitious  
names) and ABC COMPANIES, INC. 1-10  
(fictitious names),  
Defendants.

\*

**ORDER TO EXTEND DISCOVERY**

The above matter having been brought before the Court upon motion, with consent of all parties, by the Law Offices of Viscomi & Lyons, Christopher M. Kolb, attorney for Defendants, Imaex Trading Co. Inc., Jorge Jaime, Eastern Star Seafood Inc. and Ryder Truck Rental, for an Order to Extend Discovery and the court having considered the motion papers filed by the parties, and good cause thus having been shown,

IT IS, on this 12<sup>th</sup> day of May, 2017;

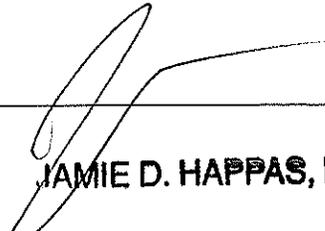
**ORDERED**, that discovery be extended sixty (60) days or until **July 18, 2017**; and

**IT IS FURTHER ORDERED** that the parties are to complete all discovery listed below:

1. Plaintiff to produce HIPAA authorizations for Defendant to obtain complete medical records from Dr. Solomon Halioua and Dr. Marc Cohen by **May 30, 2017**.
2. Defendants to provide copies of all records received as a result of the HIPAA authorizations to Plaintiff by **July 1, 2017**.
3. All supplemental medical expert reports to be provided by **July 18, 2017**;

**IT IS FURTHER ORDERED**, that a copy of this Order be served upon all counsel of record within seven (7) days of ~~receipt~~ *the online posting of this order.*

Opposed \_\_\_\_\_  
Unopposed \_\_\_\_\_

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

**THE MAGLIONE FIRM, PC**  
Elizabeth A. Boylan, Esq. 039882009  
186 Clinton Avenue  
Newark, New Jersey 07108  
(973) 645-0777  
Attorney for Plaintiffs, Badiyah Elder-Donaldson,  
Priscilla Elder, and Hanifah Donaldson

**FILED**  
**MAY 12 2017**

✓ N/B

Jamie D. Happas, P.J.Cv.

BADIYAH ELDER-DONALDSON,  
PRISCILLA ELDER, HANIF  
DONALDSON and HANIFAH  
DONALDSON  
**Plaintiff**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-6813-15

CIVIL ACTION

vs.

**ORDER**

CHARLES PECK, NINA PECK, JOHN  
DOES 1-10 (names unknown), JANE  
DOES 1-10 (names unknown), and ABC  
CORPORATIONS 1-10 (names  
unknown)

**Defendants.**

**THIS MATTER** having been opened to the Court by Law Offices of Linda S. Baumann, attorneys for Defendant seeking an Order extending discovery, and good cause having been shown;

**IT IS** on this 12<sup>th</sup> day of May 2017,

**ORDERED** that the time in which discovery is ~~completed~~ is extended for ~~45~~ days, ~~setting the new discovery end date for July 7, 2017; and it is further~~

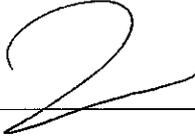
**ORDERED** that the June 2, 2017 Settlement conference and July 17, 2017 Trial dates are hereby adjourned; and it is further

**ORDERED** that the following discovery will be conducted as follows:

- a) Obtain records from Trinitas Hospital and St. Barnabas Hospital by ~~June 7, 2017~~;
- b) Defendants serve amended report of Patricia Ross, R.N., B.A., C.C.M. by <sup>Aug 12</sup> July 7, 2017; and it is further

**ORDERED** that a copy of the within Orders be served upon all parties within

7 days of its posting online

  
JAMIE D. HAPPAS, P.J.Cv

Papers filed with the Court:  
() Answering Papers  
() Reply Papers

Discovery End Date Extended to 8/20/17  
Arbitration Shall Be 8/25/17  
Trial Shall Be 10/2/17

#682  
05/12/17

Eric Kuper, Esq. - NJ Attorney ID #028001987  
**Martin Kane & Kuper**  
ATTORNEYS AT LAW  
180 Tices Lane - Bldg B, Suite 200  
East Brunswick, New Jersey 08816  
(732) 214-1800 - Phone  
(732) 214-0307 - Fax  
Attorneys for Defendants, Gina Pagliaro and Fulvio Pagliaro

**FILED**  
**MAY 12 2017**

*WNB*

Jamie D. Happas, P.J.Cv.

**YESSICA ENSALDO,**  
  
**Plaintiff,**  
  
**vs.**  
  
**GINA PAGLIARO, FULVIO  
PAGLIARO, JOHN DOE (1-100)  
(fictitious names) ABC COMPANIES  
(1-100) (fictitious entities),**  
  
**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
Docket No. L-6416-15**

**Civil Action**

**ORDER**

**THIS MATTER** being opened to the Court on **Friday, May 12, 2017**, by Eric Kuper, Esq., of Martin Kane & Kuper, attorneys for defendants, Gina Pagliaro and Fulvio Pagliaro, on a Notice of Motion to extend discovery and adjourn the May 23, 2017 settlement conference and July 11, 2017 arbitration, and it appearing to the Court that due notice of this Motion has been given to all counsel, and the Court having considered the matter and for good cause shown,

**IT IS** on this 12 day of May, 2017,

**ORDERED** that discovery be and hereby is extended for 60 days to July 23, 2017; and it is further

**ORDERED** that the discovery schedule is as follows:

Plaintiff to provide the executed HIPAA authorization for NJ PLIGA within 10 days from the date of the order;

Allow defendants to write to NJ PLIGA and obtain their records;

Allow defendants time to obtain plaintiff's employment records previously requested;

Obtain Dr. Bercik's addendum report regarding his review of films from St. Peter's University Hospital;

Defendants to provide supplemental reports no later than July 15, 2017;

Defendants to amend with records no later than July 23, 2017;

Discovery be extended to July 23, 2017.

**ORDERED** that the May 23, 2017 settlement conference is <sup>cancelled</sup> rescheduled to

; and it is further

**ORDERED** that the July 11, 2017 arbitration is rescheduled to Aug 2, 2017 and it is further trial 9/18/17

**ORDERED** that a true and correct copy of this Order be served upon all counsel within seven (7) days of the ~~date hereof~~ online posting of this order.

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

Opposed ( )      Unopposed (  )

#679  
05/12/17

**LEWIS BRISBOIS BISGAARD & SMITH LLP**  
By: Anthony S. McCaskey  
Attorney ID # 027061993  
One Riverfront Plaza, Suite 800  
Newark, NJ 07102  
(973) 577-6200  
*Counsel to defendants Franklin Ortega and Valca Trans LLC*

**FILED**  
**MAY 12 2017**  
Jamie D. Happas, P.J.Cv.

JNB

ANTONETTE ESQUILIN,  
*Plaintiff,*  
  
vs.  
  
FRANKLIN ORTEGA, VALCA TRANS LLC,  
and John Does I-X/ABC Corp. I-X, (fictitious parties),  
*Defendants.*

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-4586-15

CIVIL ACTION  
**ORDER**

**THIS MATTER**, having been presented to the Court by Lewis, Brisbois, Bisgaard & Smith LLP, counsel to defendants Franklin Ortega and Valca Trans LLC (“Defendants”), and the Court having considered the papers submitted, argument of counsel, if any, and for cause having been shown,

**IT IS** on this 12 day of May 2017.

**ORDERED**, that the discovery end date be and is hereby extended to July 30, 2017; and

**IT IS FURTHER ORDERED**, that the plaintiff be compelled to appear for an independent medical examination with Dr. Louis Bouillon scheduled for June 14, 2017; and

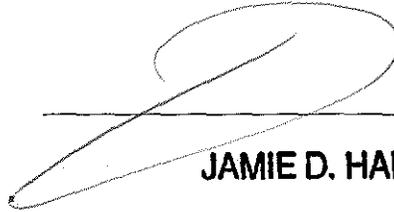
**IT IS FURTHER ORDERED**, that the Defendants produce Dr. Bouillon’s report regarding his findings and opinions by July 14, 2017; and

**IT IS FURTHER ORDERED**, that the arbitration hearing scheduled for June 8, 2017, and trial date scheduled for July 24, 2017, be adjourned; and

**DENIED**

IT IS FURTHER ORDERED that a copy of this Order be served upon all parties within

7 days ~~after entry~~ of the online posting of this order.



JAMIE D. HAPPAS, P.J.Cv. J.S.C.

Opposed

Unopposed

\* This court compelled plaintiff's medical  
exam on 1/20/17 and 3/17/17  
(see court order attached to  
Newman papers)  
The proper relief is a Dismissal  
of plaintiff's complaint for failure  
to comply with the court's  
order)

Law Offices of Styliades and Jackson

BY: *Laura M. Gifford, Esq.*

Identification No. 182762016

9000 Midlantic Drive

Suite 105 - First Floor

Mount Laurel, NJ 08054

856-596-7778

Attorneys for Defendant, Gisela A. Herrera and Joaquin Martinez

File No.: LA359-031790759-0006

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv. *JNB*

Plaintiff:  
KERMINA FARAG

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-7027-15 *#346*

vs.

CIVIL ACTION

Defendants:  
JOAQUIN MARTINEZ and GISELA A.  
HERRERA

**ORDER TO DISMISS OR, IN THE  
ALTERNATIVE, RE-OPEN AND  
EXTEND DISCOVERY AND COMPEL  
PLAINTIFF TO APPEAR FOR  
DEPOSITIONS AND IME**

**GRANTED IN PART**

The above matter having been brought before the Court upon motion, by the Law Offices of Styliades and Jackson, Laura Gifford, attorney for Defendants, Gisela A. Herrera and Joaquin Martinez, for an Order to Extend Discovery and the court having considered the motion papers filed by the parties, and good cause thus having been shown, it is, on this 12 day of *May*, 2016;

**ORDERED**, that Plaintiff's Complaint is Dismissed without prejudice;

Or, *in the alternative,*

**ORDERED**, that discovery be extended sixty (60) days from the date of this Order or until

**July 11, 2017**; and

**IT IS FURTHER ORDERED** that the parties are to complete all discovery listed below:

1. Depositions of all parties to be completed by May ~~23~~ *2017*; *by June 12, 2016*

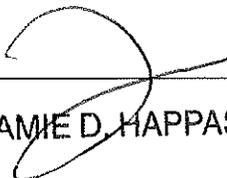
2. Plaintiff to appear for an independent medical examination by May 23, 2017; *report served by 6/23/17*

3. Any additional discovery is to be served by ~~June 21~~ *July 1*, 2017 per Rule 4:17-7;

*all*  
**IT IS FURTHER ORDERED**, that Plaintiff, ~~Kermina Farag~~, is hereby compelled to appear for a deposition on ~~May 11, 2017~~ *by 6/12/17* at ~~2:00 PM~~ at Law Office of Anthony M. Campisano, 90 Livingston Avenue, New Brunswick, NJ-08901;

**IT IS FURTHER ORDERED**, that Plaintiff, Kermina Farag, is hereby compelled to appear for an independent medical examination on May 23, 2017 at 1:00 PM with Kevin Egan, M.D., Astra Health Center, 1100 Centennial Avenue, Piscataway, NJ 08854;

**IT IS FURTHER ORDERED**, that a copy of this Order be served upon all counsel of record within seven (7) days of *its posting online.*

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Opposed   
Unopposed

Discovery End Date Extended to 7/11/17  
Arbitration Shall Be \_\_\_\_\_  
Trial Shall Be 9/5/17



# 886

05/12/17

GREGORY W. BOYLE, ESQ./Attorney ID No.: 0340911991  
KARLEY E. KAMARIS, ESQ./Attorney ID No.: 159962016  
RONAN, TUZZIO & GIANNONE  
4000 ROUTE 66, Suite 231  
One Hovchild Plaza  
Tinton Falls, NJ 07753  
(732)922-3300  
Attorneys for Defendants, Bed Bath & Beyond, Inc. and B.R.M. Parkway Center, Inc.  
Our File No.: 211-11970 GWB

FILED

JNB

MAY 12 2017

Jamie D. Happas, P.J.Cv.

SERAFINA GIORDANO

Plaintiff(s)

vs.

BED BATH & BEYOND, INC. d/b/a BED  
BATH & BEYOND, B.R.M. PARKWAY  
CENTER INC., JOHN DOES 105 and  
ABC CORP. 1-5

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-5065-16

CIVIL ACTION

ORDER

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

THIS MATTER having been opened to the Court upon the application of Ronan, Tuzzio & Giannone, attorneys for Defendants Bed Bath & Beyond, Inc. and B.R.M. Parkway Center, Inc., and the Court having reviewed all moving papers, and good cause having been shown;

IT IS on this 12 day of May, 2017;

ORDERED that the Complaint is hereby dismissed without prejudice; and,

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of its posting online.

JAMIE D. HAPPAS, P.J.Cv.

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."

#658

05/12/17

VNB

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

CARROLL, McNULTY & KULL LLC  
 Allison M. Kane, Esq. – Attorney I.D. #019652011  
 120 Mountain View Boulevard  
 P.O. Box 650  
 Basking Ridge, New Jersey 07920  
 (908) 848-6300  
*Attorneys for the AMC Defendants*

\_\_\_\_\_  
 GEOFFREY S. HECKELMAN, an individual

Plaintiff,

v.

AMC ENTERTAINMENT HOLDINGS, INC.,  
 AMC ENTERTAINMENT HOLDINGS, INC.  
 d/b/a AMC THEATRES and d/b/a AMC  
 THEATRES NO. 7, MONMOUTH MALL NEW  
 JERSEY; JOHN DOE (1-5), fictitiously named  
 persons; ANC COMPANY (1-5), fictitiously  
 named business entities,

\_\_\_\_\_  
 Defendants

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION – MIDDLESEX COUNTY

DOCKET NO.: MID-L-5417-16

Civil Action

**ORDER**

\_\_\_\_\_  
 GEOFFREY S. HECKELMAN, an individual

Plaintiff,

v.

AMC ENTERTAINMENT HOLDINGS, INC.,  
 AMC ENTERTAINMENT HOLDINGS, INC.  
 d/b/a AMC THEATRES and d/b/a AMC  
 THEATRES NO. 7, MONMOUTH MALL NEW  
 JERSEY; JOHN DOE (1-5), fictitiously named  
 persons; ANC COMPANY (1-5), fictitiously  
 named business entities,

\_\_\_\_\_  
 Defendants

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION – MIDDLESEX COUNTY

DOCKET NO.: MID-L-5440-16

Civil Action

This matter, having come before the Court on the motion of Carroll McNulty & Kull LLC, attorneys for the AMC Defendants, for an order of consolidation, for good cause, pursuant to R. 4:38-1(a); and the court's having considered the moving papers of the parties and for good cause shown;

IT IS on this 12<sup>th</sup> day of May 2017

**ORDERED** that the matters MID-L-5417-16 and MID-L-5440-16 are hereby consolidated for the purposes of discovery <sup>only</sup> ~~and trial~~; and

**IT IS FURTHER ORDERED** that a copy of this order shall be served upon all counsel of records within seven (7) days of ~~its receipt by the moving party.~~ *the online posting of this order.*

  
\_\_\_\_\_, J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

- opposed
- unopposed

**PAPERS CONSIDERED:**

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

*ped- 8/17/17*

KARIM ARZADI, ESQ. - NJ Attorney ID No. 012581987  
LAW OFFICES OF KARIM ARZADI  
163 Market Street  
Perth Amboy, New Jersey 08861  
(732) 442-5900  
Attorney for Plaintiffs

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

#564  
5-12-17

✓ NB

MAHA HEZZINI and GHASSAN :  
HEZZINI, H/W and ABDEL HEZZINI, :  
 :  
Plaintiffs, :  
 :  
vs. : Civil Action  
 :  
GARY M. ROMAIN, SULLIS EXPRESS :  
CORP., STATE FARM INDEMNITY :  
COMPANY, PROGRESSIVE INSURANCE : **ORDER**  
COMPANY, RICHARD ROES 1-10 :  
(fictitious names), JOHN DOES :  
1-10 (fictitious names) and ABC :  
COMPANIES, INC. 1-10 :  
(fictitious names), :  
 :  
Defendants. :  
X

**THIS MATTER** having been opened to the Court by Motion of the Plaintiffs seeking to vacate dismissals, reinstate Plaintiff's Complaint, for an Order allowing substituted service, and to enter Default as to Defendant, Sullis Express Corp.; and Notice having been served on the Defendants as required by R. 4:43-1; and there being no opposition to the relief requested; and for good cause shown;

IT IS ON THIS 12 DAY OF MAY, 2017;

**ORDERED** that the Court's administrative dismissals be and are hereby **VACATED** as to Defendants, Gary Romain and Sullis Express Corp. and it is *Done by me see statement of reasons*

**FURTHER ORDERED** that Plaintiffs' claims against Defendants, Gary Romain and Sullis Express Corp. be and are hereby **REINSTATED**; and it is *Done by me see statement of reasons*

**FURTHER ORDERED** that Plaintiffs be and are hereby **GRANTED** leave

to serve the Summons and Complaint on ARI Mutual Insurance Company, on behalf of the Defendant, Gary Romain; and it is

**FURTHER ORDERED** that the Summons and Complaint in this matter be served upon ARI Mutual Insurance Company by Certified Mail Return Receipt Requested within 14 days of the date of this Order; and it is

**FURTHER ORDERED** that ~~DEFAULT~~ is hereby **ENTERED** pursuant to R. 4:43-1 as to Defendant, **SULLIS EXPRESS CORP.**; *Denied w/o prejudice*

**FURTHER ORDERED** that a copy of the within Order be served upon all interested parties within 7 days of *its posting online*.

Unopposed

Opposed by:

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

**SEE STATEMENT OF REASONS  
ATTACHED HERETO**

**Statement of Reasons**  
**Hezzini v. Romain (MID-L-3466-16)**

Rule 1:13-7(a), dismissal of cases for lack of prosecution provides in pertinent part:

After dismissal, reinstatement of an action against a single defendant may be permitted on submission of a consent order vacating the dismissal and allowing the dismissed defendant to file an answer, provided the proposed consent order is accompanied by the answer for filing, a case information statement, and the requisite fee. If the defendant has been properly served but declines to execute a consent order, plaintiff shall move on good cause shown for vacation of the dismissal.

Under Rule 1:13-7, a defendant may be reinstated upon the filing of a timely motion when the underlying problem is corrected.

Here, the Complaint was filed on June 13, 2016. On November 21, 2016, Plaintiff successfully served Defendant Sullis Express Corp. However, proof of service was not filed with the Court pursuant to R. 4:4-7. The matter was dismissed as to Defendant Sullis Express Corp. for lack of prosecution on December 30, 2016 as Plaintiff had failed to submit proof of service. At this time, proof of service on Defendant Sullis Express Corp has yet to be filed with the Court. Therefore, because the underlying problem has not been corrected, Plaintiff's request to vacate dismissal and reinstate complaint as to Defendant Sullis Express Corp. is **DENIED**.

Further, Entry of Default requires: (1) Service of process pursuant to R. 4:4-4; (2) Date of service; (3) Time within the answer has expired; (4) Affidavit that recites the above; and (5) Notice to defendant. R. 4:43-1. However, because proof of service has yet to be filed and therefore the underlying issue has not been corrected, entry of default as to Defendant Sullis Express Corp. is inappropriate at this time. Therefore, Plaintiff's request for Entry of Default as to Defendant Sullis Express Corp. is **DENIED**.

JENNIFER L PARSONS, ESQ. - 020081996

**DEBRA HART**

303 FELLOWSHIP ROAD, SUITE 300  
MOUNT LAUREL, NEW JERSEY 08054  
(856) 638-5700  
FAX (856) 638-5701

Attorney for:

Plaintiff, HIGH POINT PROPERTY & CASUALTY INS CO aso FRANK BUCZEK

HIGH POINT PROPERTY &  
CASUALTY INS CO Individually and  
aso FRANK BUCZEK,

Plaintiff,

vs.

RMP TRANSPORT INC, ROY  
CASTILLO, SPIRIT COMMERCIAL  
AUTO RRG, John Doe 1-3, and John Doe  
Corporation 1-3, i/s/j/a,

Defendants.

JAMES BUCZEK and FRANK  
BUCZEK, JR.,

Plaintiff,

vs.

ROY CASTILLO, MILAN  
MILIVOJEVIC, RMP TRANSPORT  
INC., FRANK BUCZEK, SR., GEICO,  
LIBERTY MUTUAL INSURANCE  
COMPANY, PLYMOUTH ROCK  
ASSURANCE UNDERWRITTEN BY  
HIGH POINT PROPERTY &  
CASUALTY INSURANCE COMPANY,  
JOHN/JANE DOE 1-5 and/or ABC  
CORP. 1-5 (fictitious names),

Defendants.

FRANK BUCZEK, SR. and  
ROSEMARIE BUCZEK,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
DOCKET NO. L-06248-16 # 454  
Civil Action

**DENIED** \*

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. L-3182-16  
Civil Action

**ORDER TO CONSOLIDATE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. L-4571-16

✓ NB  
**FILED**

MAY 12 2017

Jamie D. Happas, P.J.Cv.

Plaintiffs,

Civil Action

vs.

ROY CASTILLO, MILAN  
MILIVOJEVIC, RMP TRANSPORT  
INC., PLYMOUTH ROCK  
ASSURANCE/HIGH POINT  
PROPERTY AND CASUALTY  
INSURANCE CO., JOHN/JANE DOE 1-  
10 and ABC CORP. 1-10.,

Defendants.

**THIS MATTER** having been placed before the Court by the Law Offices of Debra Hart, attorney for the plaintiff, Plaintiff, HIGH POINT PROPERTY & CASUALTY INS CO aso FRANK BUCZEK, and the Court having considered the moving papers of the parties; and for good cause shown;

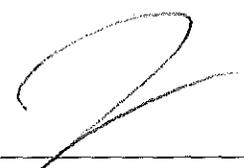
**IT IS**, on this *12* day of *May*, 2017;

**ORDERED** that the captioned matters be and the same are hereby consolidated; and

**IT IS FURTHER ORDERED** that a copy of this Order be served upon all parties of record within *7* days of *its posting online.*

OPPOSED \_\_\_\_\_

UNOPPOSED

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

 **SEE STATEMENT OF REASONS  
ATTACHED HERETO**

**Statement of Reasons**  
**High Point Property and Casualty Ins. Co. v. RMP Transport, Inc. (MID-L-6248-16)**

Rule 4:38-1(a) provides in pertinent part:

(a) Actions in the Superior Court. When actions involving a common question of law or fact arising out of the same transaction or series of transactions are pending in the Superior Court, the court on a party's or its own motion may order the actions consolidated.

The decision to consolidate actions lies within the discretion of the trial court. R. 4:38-1(a); see also Kaselaan & D'Angelo Assocs. v. Soffian, 290 N.J. Super. 293, 299-301, (App. Div. 1996); Dept' of Transp. v. PSC Res., Inc., 159 N.J. Super. 154, 166 (Law Div. 1978). While the determination as to consolidation is a discretionary call, it will be set aside if it is manifestly erroneous. Union County Imp. Auth. v. Artaki, 392 N.J. Super. 141, 148-149 (App. Div. 2007).

Unlike the facts set forth by the court in Moraes v. Wesler, 439 N.J. Super. 375 (App. Div. 2015), the first filed case, Buzcek v. Castillo (MID-L-3182-16), will have had 346 days of discovery when discovery ends on July 30, 2017. Currently, arbitration and trial have not been scheduled in the matter. The second filed case, Buzcek v. Castillo, (MID-L-4571-16) will have had 300 days of discovery when discovery ends on July 30, 2017. Currently, arbitration and trial have not been scheduled in the matter. Whereas, the third filed case, High Point Property and Casualty Ins. Co. v. RMP Transport, Inc. (MID-L-6248-16) will have had 300 days of discovery when discovery ends on October 1, 2017. The first filed matters, Buzcek v. Castillo (MID-L-3182-16) and Buzcek v. Castillo, (MID-L-4571-16), are bodily injury matters, and High Point Property and Casualty Ins. Co. v. RMP Transport, Inc. (MID-L-6248-16), is a PIP action.

The facts as presented by movant reveals that there is no issue as to liability. Also, no party has asserted that there is an issue of limited coverage necessitating all cases to be consolidated.

To delay the trial of Buzcek v. Castillo (MID-L-3182-16) and Buzcek v. Castillo, (MID-L-4571-16) longer due to the recently filed complaint in High Point Property and Casualty Ins. Co. v. RMP Transport, Inc. (MID-L-6248-16) would unfairly prejudice the plaintiffs in Buzcek v. Castillo (MID-L-3182-16) and Buzcek v. Castillo, (MID-L-4571-16).

#799  
05/12/17

**FILED**  
MAY 12 2017

**IN THE SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY – CIVIL DIVISION – LAW**

Jamie D. Happas, P.J.Cv.

NICOLE ANN JONES, Administrator of  
the Estate of OWEN DOUGLAS FLYNN,  
DECEASED  
v.  
DONALD MANCO and  
DOUGLAS SCOTT LAURENCE,  
Administrators of the Estate of  
HEATHER A. MANCO, DECEASED, BRIAN  
TRAVICK, BOUGHAN BROS. INC., GARY T.  
GUERCIO, US XPRESS LEASING INC., XPRESS  
GLOBAL SYSTEMS INC., and  
JOHN DOE 1-10 (fictitious persons  
responsible for the damages suffered  
by plaintiff)

**CIVIL DIVISION - LAW**

DOCKET NO.: MID – L – 11470-14

Civil Action

CERTAIN UNDERWRITERS AT LLOYDS  
a/s/o MORTON REEVES, d/b/a REEVES  
TRUCKING

**LAW DIVISION:  
SPECIAL CIVIL PART**

v.

DOCKET NO.: DC-3829-15

ESTATE OF HEATHER MANCO, NEW  
JERSEY MANUFACTURERS INSURANCE  
COMPANY, JOHN DOES 1-10 and XYZ  
COMPANIES 1-10.

Civil Action

NICOLE ANN JONES,  
Administrator of the Estate of Owen Douglas  
Flynn, deceased,

Plaintiff

**LAW DIVISION – Civil Action**

v.

DOCKET NO.: MID-L-2233-15

ESTATE OF HEATHER A. MANCO, deceased,  
by and through its personal representatives and/or  
administrators Donald Manco and Douglas Scott  
Laurence and ESTATE OF HEATHER A.  
MANCO, deceased,

Defendants.

**ORDER**

And

ESTATE OF HEATHER A. MANCO, deceased,  
by and through its personal representatives and/or  
administrators, Donald Manco and Douglas Scott  
Laurence and ESTATE OF HEATHER A.  
MANCO, deceased,

Third-party plaintiffs,

v.

BRIAN TRAVICK, BOUGHAN BROS., INC.,  
GARY T. GUERCIO, US EXPRESS LEASING,  
INC., EXPRESS GLOBAL SYSTEMS, INC.,

Third-party defendants.

**THIS MATTER** having been brought before the Court by Stuart A. Winegrad, Esquire,  
attorney for Plaintiff, Nicole Ann Jones, Administrator of the Estate of Owen Douglas Flynn,  
deceased, and the Court having considered the moving papers and any opposition thereto and, for  
good cause shown;

**IT IS** on this 12 day of May, 2017, hereby **ORDERED** that the  
time for completion of discovery is hereby extended for sixty (60) days from the previous end of  
discovery for Plaintiff to identify a new expert to address decedent, Heather Manco's intoxication  
and fitness to operate a motor vehicle at the time of the subject incident, and provide plaintiff's  
expert report.

*Plaintiff to serve report by June 15, 2017  
Defendant to serve report by July 30, 2017*

The new discovery end date is July ~~1~~<sup>30</sup>, 2017

**IT IS FURTHER ORDERED** that a copy of the within Order be served upon all counsel  
within seven (7) days of receipt hereof. *online posting of this order.*

Discovery End Date Extended to 8/2/17 J.S.C.  
Arbitration Shall Be 8/11/17 **JAMIE D. HAPPAS, P.J.Cv.**  
Trial Shall Be 10/2/17

opposed *partial*  
 unopposed

✓ NB

HAWORTH COLEMAN & GERSTMAN, LLC  
Mariel Crippen Attorney ID: 030362012  
45 Broadway, 21<sup>st</sup> Floor  
New York, New York 10006  
Telephone: (212) 952-1100  
Facsimile: (212) 952-1110  
Attorneys for Defendant  
A Walsh Imaging, Inc.

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

-----X  
NATALIE JURKIEWICZ and RICHARD  
JURKIEWICZ,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Plaintiffs,

DOCKET NO.: MID-L-5361-15

v.

CIVIL ACTION

SAYREBROOK VETERINARY HOSPITAL,  
A WALSH IMAGING, INC., AMERICAN  
IMAGING SYSTEMS, INC., XYZ CORP. 1-  
10 (fictitious corporations) JOHN DOES 1-  
10 (fictitious names),

**AMENDED PROPOSED ORDER**

Defendants.  
-----X

**THIS MATTER** having been brought before the Court by Mariel Crippen of Haworth Coleman & Gerstman, LLC, counsel for defendant A Walsh Imaging, Inc. ("A Walsh Imaging"), in connection with the above-captioned matter, and the Court having considered the moving papers and the Certification and exhibits attached thereto, as well as the opposition papers, if any, and good cause being shown:

**IT IS** on this 12 day of May, 2017;

**ORDERED** that plaintiffs' Second Amended Complaint is hereby dismissed in its entirety, without prejudice, as against A Walsh Imaging, for failure to appear for depositions; or in the alternative, it is

**ORDERED** that plaintiffs are to appear for depositions within <sup>20</sup>~~ten (10)~~ days of the date of this Order; and it is

**FURTHER ORDERED** that, should plaintiffs seek to limit deposition testimony to three hours at a time, a doctor's Affidavit in support must be provided prior to the deposition; and it is

**FURTHER ORDERED** that, if plaintiffs' deposition is limited to three hours and not completed during the first session, plaintiffs' deposition shall continue each day thereafter consecutively until completed; and it is

**FURTHER ORDERED** that there shall be no communication between the deponent and counsel regarding the testimony being taken pursuant to R. 4:14-3(f); and it is

**FURTHER ORDERED** that, in accordance with R. 4:24-1, the discovery end date is extended to August 14, 2017, with the following interim discovery deadlines:

- (i) All outstanding written discovery to be served by May 22, 2017;
- (ii) Plaintiffs' depositions to be held <sup>within 20 days</sup> on ~~May 22, 2017~~ and to continue consecutively each day thereafter, as necessary, until completed;
- (iii) Plaintiffs' depositions to be completed no later than May 29, 2017;
- (iv) Defendants depositions to be taken by June 30, 2017;
- (v) Fact Witness depositions to be completed by June 30, 2017;
- (vi) Plaintiff Natalie Jurkiewicz Independent Medical Examinations to be completed by July 10, 2017;
- (vii) Defendant expert reports to be served by August 1, 2017;
- (viii) Any and all expert depositions shall be concluded on or before August 14, 2017.

**IT IS FURTHER ORDERED,** that the arbitration scheduled for May 19, 2017 is adjourned to 8/22/17 and the trial date of June 26, 2017, is adjourned to 10/2/17.

**IT IS FURTHER ORDERED,** that a copy of this Order shall be served on all parties within seven (7) days of receipt of its posting online.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Opposed ✓  
Unopposed ✓

FILED

MAY 12 2017

*JHB*

Rowena M. Duran, Esq. 017821984VASIOS, KELLY & STROLLO, P.A.  
2444 MORRIS AVENUE, SUITE 304  
UNION, N.J. 07083  
(908) 688-1020

Jamie D. Happas, P.J.Cv.

Attorneys for Defendants, Kyle Beiter, M.D. and Gianna Center  
for Women's Health & Fertility  
Our File No.: 1539.91029-RMD

---

DANA KELLER, an individual;  
and SCOTT KELLER, her husband  
per quod,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-992-16 #362

Plaintiff(s)

Civil Action

vs.

ORDER

KYLE BEITER, M.D., a medical  
doctor; THE GIANNA CENTER FOR  
WOMEN'S HEALTH AND FERTILITY,  
a medical provider; JOHN DOES  
1-10 (representing currently  
unknown medical providers who  
were responsible for the care  
of Dana Keller during and  
after her pregnancy); and ABC  
CO's 1-10 ( representing  
business entities responsible  
for the care of Dana Keller  
during and after her  
pregnancy)

Defendant(s)

---

This matter having been opened to the Court by Vasios,  
Kelly & Strollo, P.A., attorneys for Kyle Beiter, M.D. and  
Gianna Center for Women's Health & Fertility, Defendants, and  
counsel for the plaintiff, Harrell Smith and Williams, L.L.C.,  
having consented to the entry hereto and the Court having  
reviewed the moving papers, and for good cause shown;

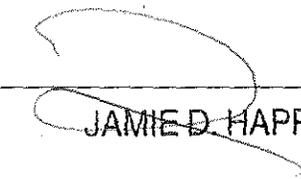
IT IS, on this 12 day of May, 2017,

ORDERED that the Case Management Order of May 4, 2016 is hereby amended as follows:

1. Plaintiffs shall serve all expert reports, on all issues, by May 15, 2017;
2. Defendants medical examination(s) of plaintiff shall be completed by July 1, 2017;
3. Defendants shall serve all expert reports, on all issues, by July 15, 2017;
4. All expert depositions shall be conducted by September 30, 2017;
5. Plaintiff shall serve executed medical authorizations within ten (10) days of this order;
6. The discovery end date shall be extended from June 14, 2017 to October 15, 2017; and it is further,

ORDERED that a copy of this Order shall be served upon all counsel within seven (7) days from its posting online

"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."

  
JAMIE D. HAPPAS, P.J.Cv.

T/D - Oct. 30, 2017 

Firm Code: H21  
File No.: 154819931  
Cooper Maren Nitsberg Voss & DeCoursey  
Amanda B. Tosk, Esq.  
Bar #: 014622011  
485 Route 1 South  
Building A, Suite 200  
Iselin, NJ 08830  
Ph: 732-362-3400; Direct dial: (732) 362-3314  
Fax: (866) 827-4716  
Attorneys for Defendant, Brianne Cooke

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

JNB

MANOJ KHANNA,

Plaintiff,

v.

BRIANNE COOKE, JOHN DOES 1-10 (said names being fictitious) and XYZ CORPORATIONS 1-10 (said names being fictitious),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

CIVIL ACTION

DOCKET NO.: MID-L-221-16

**ORDER EXTENDING DISCOVERY  
FOR 60 DAYS**

THIS MATTER having been opened to the Court by Amanda B. Tosk, attorney for Defendant, Brianne Cooke for an Order extending discovery for 60 days, and the Court having reviewed the moving papers submitted, and any opposition thereto, and for good cause appearing;

IT IS on this 12 day of May, 2017.

ORDERED AS FOLLOWS:

1. The time for completion of discovery is hereby extended for 60 days from the previous discovery end date.

2. The new discovery end is 7/10, 2017.

IT IS FURTHER ORDERED that parties are to complete outstanding discovery as indicated below:

Outstanding Discovery	Discovery Shall Be Completed By Date Listed Below
IME for plaintiff	5/24/2017

Report served by	6/25/2017

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon counsel within 7 days of its posting online.

  
\_\_\_\_\_

Opposed  
 Unopposed

(*) Party/Parties Requesting Discovery Extension	
_____	for ___ plaintiff ___ defendant
_____	for ___ plaintiff ___ defendant

Discovery End Date ~~Scheduled to~~ 7/10/17  
Arbitration Shall Be 7/19/17  
Trial Shall Be 9/11/17

**LAW OFFICES OF JOSEPH A. DiCROCE, LLC**  
Valley Park Professional Center  
2517 Highway 35, Building N - Suite 201  
Manasquan, NJ 08736  
(732) 223-3443  
Attorneys for Defendant, Ronald Baris

**FILED**  
**MAY 12 2017**

*JNB*

Jamie D. Happs, P.J.Cv.

Plaintiff,  
  
PAMELA LABELL, as Administratrix of  
the Estate of JIMMY R. LABELL  
  
vs.  
  
Defendants,  
  
ROBERT WOOD JOHNSON  
UNIVERSITY HOSPITAL, and GEORGE  
P. BATSIDES, M.D., JENNIFER MOHR,  
P.A., LOURENCO WAI, RNFA, RONALD  
BARIS and JOHN DOE PHYSICIAN  
(fictitious name, true names being unknown)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-0369-14

CIVIL ACTION *#271*

**ORDER GRANTING MOTION TO  
EXTEND DISCOVERY AND  
ADJOURNING THE JUNE 5, 2017  
TRIAL DATE**

**THIS MATTER** having been brought before the Court upon application of the Law Offices of Joseph A. DiCroce, LLC, attorneys for defendant, Ronald Baris on motion to extend discovery and adjourn the June 5, 2017 Trial Date, and for good cause shown;

IT IS on this 12 day of May, 2017,

**ORDERED** that the June 5, 2017 Trial Date is hereby ADJOURNED, and it is further

**ORDERED** that discovery in this matter is hereby extended pursuant to the following schedule:

- A. All expert depositions are to be conducted by August 15, 2017;
- B. The discovery end date is to be extended for a period of ninety (90) days to August 15, 2017;

and it is further

**ORDERED** that a copy of this Order shall be served upon all counsel within 7 days of its posting online.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Opposed  
 Unopposed

Parties agree upon T/D of 11/6/17

**GREGORY P. HELFRICH & ASSOCIATES**  
**Scott Krupa Esq. NJ Attorney ID: 021041996**  
180 River Road, First Floor  
Summit, NJ 07902  
Tel No. (908) 918-3000  
Employees of The Law Department  
State Farm Mutual Automobile Insurance Company  
Our File No.: 13-16SUMM29054

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*JNB*

Attorneys for Defendant, Rodolfo Calderon

<p>Maydel LaTorre,  Plaintiff,</p> <p>vs.</p> <p>Rodolfo Calderon and/or John Does 1-20 (fictitious persons or entities),  Defendant(s).</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO.: MID-L-5137-16</p> <p>CIVIL ACTION</p> <p><b>ORDER</b></p>
<p>Antonio Rodriguez,  Plaintiff,</p> <p>vs.</p> <p>Rodolfo Calderon, Osvaldo LaTorre, Maydel LaTorre, John Does 1-2 (said name fictitious for other causes of the accident),  Defendant(s).</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET No.: MID-L-5636-16</p> <p>CIVIL ACTION</p>

The above-entitled matter having been opened to the Court by Scott Krupa, attorney for the Defendant, Rodolfo Calderon, and the Court having considered this matter, and good cause existing,

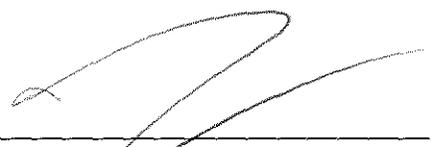
IT IS on this 12 day of May, 2017;

**ORDERED** pursuant to Rule 4:38-1, that the above cases be and are hereby consolidated for discovery and trial <sup>1/14/17</sup> in the New Jersey Superior Court, Law Division, Middlesex County, under Docket No.: MID-L-5137-16; and it is further

**ORDERED** the discovery end date is October 11, 2017 and shall apply to each of the consolidated suits; and it is

**ORDERED** that a copy of this signed Order be served within 7 days <sup>of its posting online</sup> upon all attorneys of record in this action and upon parties appearing pro se.

OPPOSED  
 UNOPPOSED

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

# 185

05/12/17

✓ NB

CONNORS & CONNORS, P.C.  
John P. Connors, Jr.  
766 Castleton Avenue  
Staten Island, NY 10310  
(718) 442-1700  
Attorneys for Defendant  
Diebold Incorporated  
File No.: DSW26042

FILED

MAY 12 2017

Jamie D. Happs, P.J.Cv.

ANTHONY LOFFREDO,  
  
Plaintiff,

v.

FRANCES L. CLINE, as Fiduciary of the  
Estate of GLENN CLINE, Deceased,  
AHOBILAM NAGASUNDARAM, DL  
PETERSON TRUST, DIEBOLD,  
INCORPORATED, DIEBOLD  
INCORPORATED TRUCKS,  
CLAIROVOYANT  
TECHNOSOLUTIONS, JOHN DOES 1-10 :  
(names for fictitious individuals) and ABC  
COMPANIES 1-10 (names for fictitious  
entities),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

DOCKET NUMBER MID-L-2064-16

CIVIL ACTION

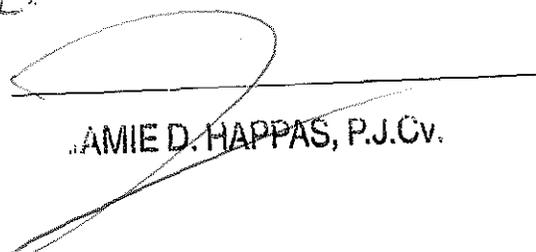
**ORDER**

THIS MATTER having been brought before the Court by way of Motion of defendant Diebold Incorporated through their attorneys Connors & Connors, P.C., for an Order granting the admission of Frederick D. Cruz, Esq. on a pro hac vice basis and the Court having considered the moving papers and opposition, if any, and for good cause shown;

IT IS on this 12 day of May 2017;

ORDERED that the pro hac vice admission of Federick D. Cruz, Esq. be granted and

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel within seven (7) days. *of its posting online.*

  
JAMIE D. HAPPAS, P.J.Cv.

"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."

IT IS FURTHER ORDERED

- The admitted attorney will abide by the NJ Court Rules including all disciplinary rules;
  - The admitted attorney will consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against his firm that may arise out of his participation in this matter;
  - The admitted attorney will notify the Court immediately of any matter affecting his standing at the bar of any other Court;
  - All pleadings, briefs and other papers filed with the Court signed by an attorney of record authorized to practice in this State, who shall be held responsible for them, the conduct of the cause and the admitted attorney;
- Absence of out-of-state attorney from proceedings shall not be reason to delay motions, arbitration, trial, nor shall same be reason for a request for a delay;
- Within 10 days of admission, attorney must pay the fees requires by R.1:20-1(b) and R. 1:28-2 and then submit an affidavit of compliance;
  - Automatic termination of *Pro Hac Vice* admission will occur for failure to make the required annual payment of Ethics Financial Committee and the New Jersey Lawyers Fund for Client Protection. Proof of payment, after filing the proof of initial payment, shall be made no later than February of each year;
  - Non-compliance with the Rules is grounds for removal.

✓ NB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

LEVINSON AXELROD, P.A.  
Patrick J. Flinn (014742011)  
2 Lincoln Highway  
Edison, New Jersey 08818-2905  
(732) 494-2727  
Attorneys for Plaintiff

AMALIA LOVIS and EDWARD LOVIS,  
Her husband,  
Plaintiff(s),

vs.

ROSALIND J. FISCHMAN and JOHN  
DOES 1-10 (representing presently  
unknown persons) and ABC  
CORPORATIONS 1-10 (representing  
presently unknown corporations  
and/or entities),

Defendant(s).

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY  
: DOCKET NO.: MID-L-11355-14

CIVIL ACTION

ORDER

**DENIED**

**THIS MATTER** having been brought before the Court on the Motion of Levinson Axelrod, attorneys for the plaintiff, for an Order extending discovery for exceptional circumstances; and the Court having reviewed the matter and for good cause having been shown;

**IT IS** on this 12<sup>th</sup> day of May, 2017;

**ORDERED** that the trial date of June 5, 2017 is hereby adjourned; and it is further

**ORDERED** that discovery be extended for 120 days from the date of this order, to September 17, 2017; and it is further

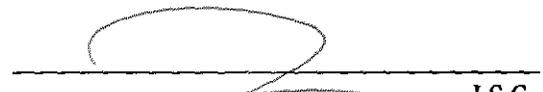
**ORDERED** that plaintiff shall provide all medical records and expert reports by

August 17, 2017; and it is further

**ORDERED** that any and all defense expert reports be provided to the plaintiff on or before September 17, 2017; and it is further

**ORDERED** that Trial shall take place on \_\_\_\_\_; and it is further

**ORDERED** that a copy of this Order shall be served upon all parties within **7** days of the date of online posting of this Order.

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

Opposed  
 Unopposed

\* plaintiff has failed to set forth any reason why the 1/20/17 order has not been complied with. The dates set forth in the 1/20/17 order were proposed by the plaintiff.

This matter has had 794 days of discovery and 7 extensions of discovery.

**LAW OFFICES OF STYLIADES AND JACKSON**

BY: *Julie H. Robinson, Esq.*

Attorney ID: 049542013

9000 Midlantic Drive

Suite 105 - First Floor

Mount Laurel, NJ 08054

856-596-7778

Attorneys for Defendants, Nicole M. Tamburri and Flavio P. Tamburri

File No.: LA359-031890399-0003

#409  
05/12/17

**FILED**

**MAY 12 2017**

*JNB*

Jamie D. Happas, P.J.Cv.

STEVEN M. LUPARDI,  
Plaintiff,

vs.

NICOLE M. TAMBURRI, FLAVIO P.  
TAMBURRI, WILLIAM R. VOWTERAS,  
JOHN DOES 1-10, ABC CORPORATION 1-  
10,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-5438-16

\*

CIVIL ACTION

\*

**ORDER TO CONSOLIDATE**

KATHLEEN M. LUPARDI,  
Plaintiff,

vs.

NICOLE M. TAMBURRI, FLAVIO P.  
TAMBURRI, STEVEN M. LUPARDI, JOHN  
DOE 1-10 (a series of fictitious persons) and  
ABC CORP. 1-10 (a series of fictitious entities),  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-871-17

\*

CIVIL ACTION

**DENIED** *\**

The above matter having been brought before the Court upon motion by the Law Offices of Styliades and Jackson, Julie H. Robinson, Esq., attorney for Defendants, Nicole M. Tamburri and Flavio P. Tamburri, for an Order consolidating the above captioned cases in MIDDLESEX County, Law Division, and the Court having considered the motion papers filed by the parties, and good cause thus having been shown, it is, on this 12 day of May, 2017;

**ORDERED**, that the above captioned cases be consolidated in the **MIDDLESEX** County Superior Court, Law Division, under Docket Number **MID-L-5438-16**; and it is;

**FURTHER ORDERED**, that the discovery end date will be governed by Docket Number **MID-L-871-17**; and it is

**FURTHER ORDERED**, that a copy of this order be served upon all counsel of record within 7 days of. *its posting online.*

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

- Motion opposed.
- Motion unopposed.

✦ **SEE STATEMENT OF REASONS  
ATTACHED HERETO**

**Statement of Reasons**  
**Lupardi v. Tamburri (MID-L-5438-16)**

Rule 4:38-1(a) provides in pertinent part:

(a) Actions in the Superior Court. When actions involving a common question of law or fact arising out of the same transaction or series of transactions are pending in the Superior Court, the court on a party's or its own motion may order the actions consolidated.

The decision to consolidate actions lies within the discretion of the trial court. R. 4:38-1(a); see also Kaselaan & D'Angelo Assocs. v. Soffian, 290 N.J. Super. 293, 299-301, (App. Div. 1996); Dep't of Transp. v. PSC Res., Inc., 159 N.J. Super. 154, 166 (Law Div. 1978). While the determination as to consolidation is a discretionary call, it will be set aside if it is manifestly erroneous. Union County Imp. Auth. v. Artaki, 392 N.J. Super. 141, 148-149 (App. Div. 2007).

Unlike the facts set forth by the court in Moraes v. Wesler, 439 N.J. Super. 375 (App. Div. 2015), the first filed case, Lupardi v. Tamburri (MID-L-5438-16), will have had 300 days of discovery when discovery ends on September 5, 2017. There are currently no arbitration or trial dates scheduled in the matter. Whereas, the second filed case, Lupardi v. Tamburri (MID-L-871-17) will have had 300 days of discovery when discovery ends on January 22, 2018. There are currently no arbitration or trial dates scheduled in the matter.

The facts as presented by movant reveal that there is no issue as to liability. Also, no party has asserted that there is an issue of limited coverage necessitating all cases to be consolidated.

To delay the trial of Lupardi v. Tamburri (MID-L-5438-16) longer due to the recently filed complaint in Lupardi v. Tamburri (MID-L-871-17) would unfairly prejudice the plaintiff in Lupardi v. Tamburri (MID-L-5438-16).

#773

05/12/17

✓ NPB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

Law Offices of Pamela D. Hargrove  
 ARTHUR ARNOLD, ESQ.  
 Identification No. 30011983  
 DERRICK DIFRANCESCO, ESQ.  
 Identification No. 017632004  
 65 Jackson Drive, Suite 302  
 PO Box 2000  
 Cranford, NJ 07016-0200  
 Telephone: (908) 653-2141  
 Attorneys for Defendant(s):  
 ROBIN GLOGOCHESKI and JAMIE QUIROS-PARRAS

ANGELICA M. MAISONAVE

Plaintiff

vs.

ROBIN GLOGOCHESKI and JAMIE QUIROS-PARRAS

Defendants

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION: MIDDLESEX  
 COUNTY

DOCKET NO. MID-L-7482-15

CIVIL ACTION

**ORDER TO ADJOURN THE MAY  
 19, 2017 ARBITRATION AND  
 EXTEND DISCOVERY TIME FOR  
 EXCEPTIONAL CIRCUMSTANCES**

This matter being opened to the Court, on May 12, 2017, pursuant to Rule 1:6-2 and Rule 1:6-3, and having been submitted for ruling on the papers by, Arthur Arnold, Esq., of the Law Offices of Pamela D. Hargrove attorney for the Defendant(s), ROBIN GLOGOCHESKI and JAMIE QUIROS-PARRAS, for an Order TO ADJOURN THE MAY 19, 2017 ARBITRATION AND EXTEND DISCOVERY TIME FOR EXCEPTIONAL CIRCUMSTANCES in accordance with Rule 4:24-1(c), and there having been no opposition and good cause appearing;

It is on this 12 day of May, 2017,

ORDERED that the May 19, 2017 Arbitration is hereby adjourned; and

IT IS FURTHER ORDERED that discovery time be and hereby is extended for exceptional circumstances to July 16, 2017 to allow time for the following:

1. Deposition of the plaintiff to take place on May 25, 2017 at plaintiff's counsel's office.
2. Plaintiff to provide signed medical authorizations for Dr. James Patti and Dialing Hands Physical Therapy on or before May 26, 2017.
3. Receipt of records and diagnostic films from plaintiff's medical facilities and service of same upon defendant's medical experts on or before July 1, 2017.
4. Review of films and records and the preparation of medical reports by defendant's medical experts to be completed on or before July 1, 2017.
5. Receipt of medical reports by defendant and the service of same upon all counsel on or before July 16, 2017.
6. Any further discovery that may become necessary as a result of the foregoing, to be obtained and completed on or before July 16, 2017; and.

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~~ *of the online posting of this order.*



J.S.C.

**JAMIE D. HAPPAS, P.J.Cv.**

MOTION WAS:

       OPPOSED

       NOT OPPOSED

Discovery End Date Extended to 7/16/17  
 Arbitration Shall Be 7/27/17  
 Trial Shall Be 9/11/17

**GARCES, GRABLER & LEBROCQ**  
Michelle M. Tullio, Esq.  
Attorney ID: 001221994  
502 Amboy Avenue  
Perth Amboy, New Jersey 08861  
(732)826-2300  
Attorneys for Plaintiffs

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*JNB*

GRICEL MARTINEZ,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
PLAINTIFF,	:	DOCKET NO.: MID-L-6731-15 # 544
V.	:	<b><u>CIVIL ACTION</u></b>
DIANE L. DUBSHINSKI, KARL	:	
DUBSHINSKI, JOHN DOES (1-20) and	:	<b>ORDER</b>
A.B.C. COMPANIES (1-20), (fictitious	:	
names) and (fictitious entities)	:	
DEFENDANT(S).	:	

**THIS MATTER** having been opened to the Court upon application of Michelle M. Tullio, Esq. attorney for plaintiff, for an Order of Reconsideration of the Order dated April 13, 2017 and Extending Discovery to July 20, 2017 and the Court having read the moving papers; and for good cause appearing;

**IT IS** on this 12 day of May, 2017;

**ORDERED** that the Court's Order dated April 13, 2017 is hereby vacated; and

**IT IS FURTHER ORDERED** that the discovery end date is hereby extended to July 20, 2017;

**IT IS FURTHER ORDERED** that plaintiff's expert's report by ~~June 15, 2017~~ *June 15*; defendant's expert's report by ~~June 29, 2017~~ *July 15*;

*AGP*  
*June 15*



# 311

05/12/17

✓ NB

File No. 73844-D13  
Cynthia A. Satter, Esq - Attorney ID: 006151996  
**LAW OFFICES OF STEPHEN E. GERTLER**  
A Professional Corporation  
Monmouth Shores Corporate Park  
1350 Campus Parkway  
P.O. Box 1447  
Wall Township, New Jersey 07719  
(732) 919-1110  
Attorneys for Defendants Arthur Murray Dance Studio and Karta, LLC

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**Plaintiff(s)**  
  
JOANNE MECANE  
  
vs.  
  
**Defendant(s)**  
  
ARTHUR MURRAY DANCE STUDIO  
and KARTA, LLC

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY  
DOCKET NO. MID-L-000542-16

*Civil Action*

**ORDER MOTION TO EXTEND DISCOVERY**

**THIS MATTER** having been brought before the Court on a Notice of Motion by the Law Offices of Stephen E. Gertler, Esq. on behalf of defendants Arthur Murray Dance Studio and Karta, LLC and the Court having reviewed the moving papers and for exceptional circumstances and for good cause shown:

**IT IS** on this 12 day of May 2017;

**ORDERED** that the discovery end date of March 2, 20147 is hereby extended to June 2, 2017 so that the parties can complete the following:

1. Plaintiff to serve all medical expert reports by April 30, 2017;
2. Defendants to serve medical and liability expert reports by June 1, 2017;
3. This matter shall be set down for a Settlement Conference on

6/26/17;

4. Trial of this matter shall be set down for 7/3/17; and

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon all parties within seven days from *its posting online.*

  
\_\_\_\_\_  
JAMIE D. HAGGAS, P.J.Cv.

OPPOSED  
 UNOPPOSED

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

*JMB*

**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 Defendants, Shawn K. Hall and Raizel A. Hall**  
**Our File No. (637) 24179-A**

ALEJANDRO MEDINA,

Plaintiff,

v.

SHAWN K. HALL, and RAIZEL A. HALL, JOHN DOES 1-10 (fictitious names), RICHARD ROES 1-10 (fictitious names), and ABC COMPANIES, INC. (fictitious names),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-5828-15

*#507*

Civil Action

**ORDER EXTENDING THE PERIOD FOR  
DISCOVERY, FOR GOOD CAUSE,  
PURSUANT TO R. 4:24-1(c)**

**THIS MATTER'S** having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendants, Shawn K. Hall and Raizel A. Hall, for an order extending the period for discovery, for good cause, pursuant to R. 4:24-1(c); and the parties having not consented to an extension of the

period for discovery; and the court's having considered the moving papers of the parties, and for good cause shown;

IT IS on this 12 day of May, 2017;

**ORDERED** that the period for discovery be and hereby is extended sixty (60) days to July 16, 2017, for plaintiff to attend an examination with Dr. Eric Fremed on May 2, 2017, for defendants to obtain films of East Brunswick Open Upright MRI, for defendants to forward the MR images to their experts for review and for defendants to receive their experts' reports and amend answers to interrogatories, all of which shall be completed by July 16, 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.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.C.V.

opposed  
 unopposed

PAPERS CONSIDERED:

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

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

Discovery End Date Extended to 7/16/17  
Arbitration Shall Be 7/25/17  
Trial Shall Be 9/5/17

#780

05/12/17

✓ NB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

File No.: 1996-12  
**DEUTCHMAN & DREWS, LLC**  
 Attorneys at Law  
 92 E. Main Street, Suite 412  
 Somerville, NJ 08876  
 (732) 828-1300  
**Attorneys for Plaintiff, David Meyers**

<p><b>Plaintiffs,</b></p> <p>DAVID MEYERS</p> <p style="text-align: center;">vs.</p> <p><b>Defendants,</b></p> <p>FEDERAL BUSINESS CENTERS, INC.,        SNOW FIGHTERS, JQ LANDSCAPING,        INC., JOHN DOE 1-10, JAMES SMITH 1-10,        ABC COMPANY 1-10, DEF COMPANY 1-10        and/or XYZ COMPANY 1-10</p> <p>And</p> <p><b>Defendant/Third Party Plaintiff</b></p> <p>FEDERAL BUSINESS CENTERS, INC.</p> <p>Vs</p> <p><b>Third Party Defendant</b></p> <p>FABRICTEX, LLC and CNA INSURANCE</p>	<p>SUPERIOR COURT OF NEW JERSEY        LAW DIVISION: MIDDLESEX COUNTY        DOCKET NO.: MID-L-7496-15</p> <p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;"><b>ORDER</b></p>
---	--

THIS MATTER having come before the Court on application of Deutchman & Drews, LLC, attorneys for plaintiff, David Meyers; and for good and sufficient cause being shown;

IT IS on this 12 day of May, 2017;

ORDERED that the discovery end date be extended for 90 days until September 8, 2017; and it is further

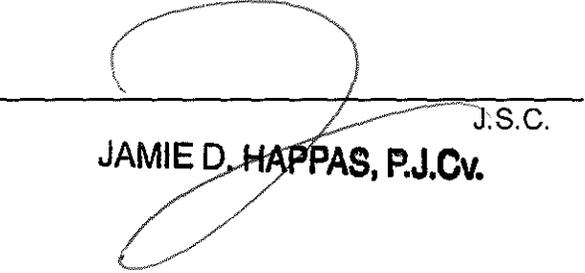
ORDERED that plaintiff must serve all expert reports by July 30, 2017; and it is further  
ORDERED that defense must serve all expert reports by August 30, 2017; and it is  
further

ORDERED that the arbitration in this matter be adjourned until September 1~~8~~<sup>7</sup>, 2017;  
and it is further

ORDERED that trial in this matter be scheduled for November 6, 2017; and it is further

ORDERED that the Settlement Conference scheduled for June 28, 2017, be  
rescheduled by the Assignment Office for September 2~~7~~<sup>27</sup>, 2017; and it is further

ORDERED that a copy of the within Order shall be served on all parties within 7  
days ~~from the receipt thereof.~~ of the online posting of this order.

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

**HACK PIRO**

COUNSELLORS AT LAW

30 COLUMBIA TURNPIKE  
POST OFFICE BOX 168  
FLORHAM PARK, NEW JERSEY 07932-0168  
(973) 301-6500

**Robert Alencewicz NJ ID#015341984**

Attorneys for Defendant FEDERAL BUSINESS CENTERS, INC.  
Our File No. 3L-190.049978

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

✓ NB

DAVID MEYERS

Plaintiff,

vs.

FEDERAL BUSINESS CENTER, INC., SNOW  
FIGHTERS, JQ LANDSCAPING, INC., JOHN  
DOE 1-10 (fictitious names), JAMES  
SMITH 1-10 (fictitious names), ABC  
COMPANY 1-10 (fictitious names), DEF  
COMPANY 1-10 (fictitious names),  
and/or XYZ MAINTENANCE COMPANY 1-10  
(fictitious names),

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-7496-15

Civil Action

**ORDER**

**THIS** matter having been brought before the Court on cross-motion of Hack Piro, attorneys for defendant, Federal Business Centers, Inc., for an Order Compelling the Deposition of Plaintiff, David Meyers, and the Court having considered the matter and good cause appearing,

**IT IS** on this 12 day of May, 2017;

**ORDERED**, that plaintiff shall appear for the taking of his deposition within 30 days of the date of this Order; and it is further,

**ORDERED**, that a copy of this Order shall be served upon all counsel of record within 7 days of *its posting online*.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Papers filed with the Court:

() Answering papers (Affidavit, Brief)  
( ) Notice of Motion  
( ) Movant's Brief  
( ) Reply papers  
( ) Movant's Affidavit  
( ) Cross Motion  
( ) Other

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

Law Office of Robert A. Raskas  
371 Hoes Lane, Suite 105  
Piscataway, NJ 08854  
(732) 981-1649 (Telephone)  
(732) 981-1657 (Fax)  
By: Michael J. Kavanagh, Esq. / 00429-1986  
Attorney for Defendant, Berto Rivera

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

✓ NB

SANDRA R. MORALES

Plaintiff,

-vs-

BERTO RIVERA, JOHN DOES 1-10  
(BEING FICTITIOUSLY NAMED) AND  
ABC CO. 1-10 (BEING FICTITIOUSLY  
NAMED) and JOHN DOE (fictitiously  
named) and ABC Co. (fictitiously named)

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-1573-16 #636

Civil Action

**ORDER TO REOPEN AND EXTEND THE  
DISCOVERY PERIOD**

This matter having been opened to the Court on Motion of Michael J. Kavanagh, Esq., attorney for defendant, Berto Rivera, for an Order to Reopen and Extend Discovery seventy-five (75) days from May 12, 2017, and with the attempt to obtain the consent of our adversary, and the Court having read and considered the moving papers, and for exceptional circumstances appearing;

IT IS on this 12 day of May, 2017:

ORDERED that plaintiff is compelled to appear for a deposition within thirty (30) days of the date of this Order; and it is further

ORDERED that all defense expert reports shall be served by July 25, 2017; and it is further

ORDERED that discovery end date be reopened and extended seventy five (75) days to July 26, 2017; and it is further

ORDERED that a copy of the within Order be served on all counsel within 7 days of the ~~date hereof~~ online posting of this order.



J.S.C.

JAMIE D. HAPPAS, P.J.Cv.

- Opposed
- Unopposed

Discovery End Date Extended to 7/26/17  
Arbitration Shall Be 8/9/17  
Trial Shall Be 9/25/17

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

# 754  
05/12/17  
JNB

Brett M. Rosen, Esq.  
Attorney ID 155372015  
Brandon J. Broderick, LLC  
90 Main Street, Suite 201  
Hackensack, NJ 07601  
Attorney for Plaintiff

**FILED**  
MAY 12 2017

Jamie D. Happas, P.J.Cv.

\_\_\_\_\_  
SANDRA MORALES,  
  
Plaintiff,  
  
vs.  
  
BERTO RIVERA, JOHN DOE 1-10  
(fictitiously named) and ABC Co. 1-10  
(fictitiously named),  
  
Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
  
DOCKET NO. MID-L-1573-16

**Civil Action**  
  
**ORDER**

**THIS MATTER** having been opened to the Court by motion of Brett M. Rosen, attorney for plaintiff, Sandra Morales, and the Court having considered the moving papers, such papers that may have been filed in opposition, and oral argument of counsel, if any, and with good cause shown;

IT IS on this 12 day of May, 2017; hereby

**ORDERED** that discovery end date is hereby reopened for a period of 45 days from the date of this Order to July 26, 2017; and it is further

**ORDERED** that the June 2, 2017 Arbitration is adjourned and rescheduled to Aug 9, 2017; and it is further

**ORDERED** that Plaintiff shall serve the supplemental medical expert report by June 2, 2017; and it is further

**ORDERED** that Defendant shall serve any and all supplemental medical expert report by June 25

2017; and it is further

**ORDERED** that a copy of the within Order be served on all counsel within 7 days of the ~~date~~  
~~hereof.~~ *online posting of this order.*

\_\_\_\_\_  
**JAMIE D. HAPPAS, P.J.Cv.**

J.S.C.

Opposed  
 Unopposed

*Done - 9/25/17*

**SEE RELATED ORDER  
ENTERED ON THIS DATE.**

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

# 816

05/12/17

JNB

Law Offices of Linda S. Baumann  
By: Shaun A. McGinn, Esq. Id No.: 032232000  
50 Millstone Road  
Building 300, Suite 140  
East Windsor, New Jersey 08520  
Tel No.: (609) 371-1533

Attorney for Defendant, National Technical & Technology Electric, LLC (i/p/a National Technical and Technology Electrical, LLC)

EDNA MORALES-MONTERROSO  
Plaintiff(s)  
  
vs.  
  
NAJI'S WAREHOUSE, LLC, NATIONAL  
TECHNICAL and TECHNOLOGY  
ELECTRICAL, LLC, ELIE CHEDID, et. al.  
Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-1384-16

CIVIL ACTION

**ORDER EXTENDING  
DISCOVERY END DATE**

This matter being opened to the Court by the Law Offices of Linda S. Baumann, Esq. (Shaun A. McGinn, Esq. on the application), attorney for defendant National Technical & Technology Electric, LLC on due notice to all counsel submitted to the Court under R 1:6-2 and the Court having considered the matter on the moving papers and any opposition submitted thereto and good cause having been shown;

IT IS on this 12<sup>th</sup> day of May, 2017;

ORDERED that discovery has been **extended** for 90 days and the new discovery end date be and shall be on the 19<sup>th</sup> day of August, 2017, in order to complete the following:

(a) Completion of multiple depositions By: July 1, 2017

(b) Receipt of additional medical records and receipt  
and service of supplemental IME reports By: July 15, 2017

and it is further:

ORDERED that the within order shall be served upon all counsel within 7 days of the date hereof. *of the online posting of this order*

  
\_\_\_\_\_  
J.S.C.  
JAMIE D. HAPPAS, P.J.Cv.

Opposed  
 Unopposed

Discovery End Date Extended to 8-19-17  
Arbitration Shall Be 9-17-17  
Trial Shall Be 10/23/17

#866  
5-12-17  
JNB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**PATRICK D. HELLER, ESQ. (I.D. #025902001)  
LAW OFFICE OF TERKOWITZ & HERMESMANN  
400 ATRIUM DRIVE, FIFTH FLOOR  
SOMERSET, NEW JERSEY 08873  
732-805-2800**

**ATTORNEY FOR DEFENDANT, CYNTHIA PATRICK AND DEFENDANTS/THIRD PARTY  
PLAINTIFFS, WATCHUNG SQUARE ASSOCIATES, LLC, FIDELITY LAND DEVELOPMENT, INC. C/O  
FIDELITY MANAGEMENT, LLC, FIDELITY MAINTENANCE CORP. AND FIDELITY WATCHUNG, LLC  
PDH/dmt/cc:314998**

**BELKIS MORENO,**  
**Plaintiff,**

**v.**

**WAL-MART STORES, INC., CYNTHIA  
PATRICK, MANAGER AND WATCHUNG  
SQUARE ASSOCIATES, LLC, JOHN DOES 1-  
10 (FICTITIOUS DEFENDANTS), FIDELITY  
LAND DEVELOPMENT, INC. C/O FIDELITY  
MANAGEMENT, LLC, FIDELITY  
WATCHUNG, LLC AND FIDELITY  
MAINTENANCE CORP.,**

**Defendants,**

**and**

**WATCHUNG SQUARE ASSOCIATES, LLC,  
FIDELITY LAND DEVELOPMENT, INC. C/O  
FIDELITY MANAGEMENT, LLC, FIDELITY  
MAINTENANCE CORP.,**

**Third Party Plaintiffs,**

**v.**

**DSK CONTRACTING CORP., ABC  
CORPORATIONS 1-10 (SAID NAMES  
PRESENTLY UNKNOWN), DEF  
MAINTENANCE COMPANY 1-5 (FICTITIOUS  
DEFENDANTS) AND JOHN DOES 1-10  
(FICTITIOUS DEFENDANTS),**

**Third Party Defendants.**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-5568-15

*CIVIL ACTION*

**ORDER  
EXTENDING DISCOVERY**

This matter came before the Court on application of counsel for defendant, Cynthia Patrick and defendants/third party plaintiffs, Watchung Square Associates, LLC, Fidelity Land Development, Inc. c/o Fidelity Management, LLC, Fidelity Maintenance Corp. and Fidelity Watchung, LLC, for an extension of discovery and/or an adjournment of the presently fixed trial date. For good cause shown,

IT IS on this 12<sup>th</sup> day of May, 2017,

**ORDERED** that:

- (a) the time for the completion of discovery is hereby extended for a period of sixty (60) days;
- (b) the new discovery end date is 8-10-, 2017.

It is **FURTHER ORDERED** that, within the extended discovery period, the parties are to complete the following discovery matters as specifically indicated below.

ITEM	COMPLETE BY
1. defense medical examination of plaintiff	July 1, 2017

**IT IS FURTHER ORDERED**, that any arbitration hearing or trial currently scheduled to occur prior to the conclusion of the discovery set forth above be adjourned to a date after the new discovery end date; and

**IT IS FURTHER ORDERED** that a copy of this Order be served on all counsel of record within 7 days ~~from the date it is received by movants' counsel~~ of the online posting of this order.

  
\_\_\_\_\_  
J. S. C.  
**JAMIE D. HAPPAS, P.J.Cv.**

THIS MOTION WAS 8-10-17  
 OPPOSED 8-15-17  
 UNOPPOSED 9/25/17  
 Trial Shall Be \_\_\_\_\_

VNB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**Thomas M. Mulcahy, Esq.**  
**Attorney ID No. 014551974**  
**PURCELL, MULCAHY, HAWKINS & FLANAGAN, LLC**  
**One Pluckemin Way**  
**P.O. Box 754**  
**Bedminster, NJ 07921**  
**T: (908) 658-3800**  
**Attorneys for Defendant, John J. Pena/Perna**  
**Our File No: (637) 24106-M**

EDUVIGES MORONTA, LUCIA  
MORONTA, his wife, DANIEL  
CASIANO,

Plaintiffs,

v.

JOHN J. PENA, JOHN DOES (1-20)m  
A.B.C. COMPANIES (1-20) (fictitious  
entities) and (fictitious names),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-1206-15

CIVIL ACTION

# 371

**ORDER RE-OPENING DISCOVERY  
AND EXTENDING THE PERIOD FOR  
DISCOVERY FOR EXCEPTIONAL  
CIRCUMSTANCES PURSUANT TO R.  
4:24-1(c)**

THIS MATTER having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendant, John J. Perna, for an order re-opening discovery and extending the period for discovery, for exceptional circumstances, pursuant to R 4:24-1(c) and all counsel having consented to same; and the court's having considered the moving papers of the parties and for good cause shown;

IT IS on this 12 day of May, 2017;

ORDERED that discovery is re-opened in this matter and discovery is hereby extended to

**June 25, 2017** for discovery to be completed as follows:

- Plaintiff is to serve any and all expert reports on or before **May 12, 2017**;
- Defendants are to serve any and all expert reports on or before **June 19, 2017**;
- Expert depositions are to take place on or before **June 25, 2017**.

**ORDERED** that a copy of the within order be served upon all counsel within

7 days of its posting online.

JAMIE D. HAPPAS, P.J.Cv.

opposed  
 unopposed

PAPERS CONSIDERED:

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

Discovery End Date Extended to 6/25/17  
Arbitration Shall Be 7/6/17  
Trial Shall Be 8/21/17

#688  
05/12/17

Eric Kuper, Esq. - NJ Attorney ID #028001987

**Martin Kane & Kuper**

ATTORNEYS AT LAW

180 Tices Lane - Bldg B, Suite 200

East Brunswick, New Jersey 08816

(732) 214-1800 - Phone

(732) 214-0307 - Fax

Attorneys for Defendants John Golden and Helene M. Golden

**FILED**

JMB

**MAY 12 2017**

Jamie D. Happas, P.J. Cv.

**ELSAYED A. MOUSA, an individual,**

**Plaintiff,**

**vs.**

**JOHN GOLDEN, an individual;  
HELENE M. GOLDEN, an individual;  
JOHN DOES (I-V), fictitiously named  
individuals; ABC COMPANIES (I-V),  
fictitiously named business entities  
Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
Docket No. L-6111-15**

**Civil Action**

**ORDER**

**THIS MATTER** being opened to the Court on **Friday, May 12, 2017**, by Eric Kuper, Esq., of Martin Kane & Kuper, attorneys for defendants, John Golden and Helen Golden, on a Notice of Motion to extend discovery and adjourn the May 18, 2017 arbitration, June 8, 2017 settlement conference and June 26, 2017 trial, and it appearing to the Court that due notice of this Motion has been given to all counsel, and the Court having considered the matter and for good cause shown,

**IT IS** on this <sup>12<sup>th</sup></sup> day of May, 2017,

**ORDERED** that discovery be and hereby is extended for 45 days to June 29, 2017; it is further

**ORDERED** that the discovery schedule is as follows:

Allow defendants time to obtain the remaining outstanding records from JP Morgan, Liberty Mutual and films from JFK Medical Center and forward to our expert for review and comment;



# 716

05/12/17

✓ NB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

HAROLD J. GERR – Attorney ID No. 020491975  
Counselor at Law  
47 Raritan Avenue, 2nd Floor  
Highland Park, NJ 08904  
(732) 249-4600  
Attorneys for Plaintiff

YOUNGHEE NAM a/k/a  
YOUNGHEE NAM-LEE  
Plaintiff(s)

v.  
DJN RARITAN CROSSING, LLC,  
RARITAN CROSSING APARTMENT HOMES,  
RESIDENTIAL MANAGMENT, INC.  
XYZ MANAGEMENT CO.  
1-5 (fictitious name), ABC SNOW  
CONTRACTOR REMOVAL CO. 1-5  
(fictitious name), AND JOHN DOE 1-5  
(fictitious name)

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: CIVIL ACTION  
MIDDLESEX COUNTY  
Docket No. MID-L-7523-15

**ORDER STRIKING DEFENDANTS' ANSWER  
AND SUPPRESSING DEFENSES OR,  
IN THE ALTERNATIVE, COMPELLING  
DISCOVERY AND EXTENDING  
DISCOVERY END DATE**

**DENIED**

This matter having been opened to the Court upon the application of Harold J. Gerr, Esq., attorney for Plaintiff, YOUNGHEE NAM a/k/a YOUNGHEE NAM-LEE, for an Order pursuant to Rule 4:18-1(b) and Rule 4:23-5 (a)(1) striking the Answer of Defendants, DJN RARITAN CROSSING, LLC (improperly pled as DNJ RARITAN CROSSING LLC, RARITAN CROSSING APARTMENT HOMES) and RESIDENTIAL MANAGEMENT, INC., and suppressing their defenses, for failing to provide answers to supplemental interrogatories, response to Notice to Produce, and response to Demand for Insurance Coverage, and for failing to appear for deposition or, *in the alternative*, for an Order compelling defendants' discovery responses and depositions, and extending discovery by sixty (60 days), and the Court having read the moving papers, and any papers filed in opposition thereto, and for good cause shown;

IT IS on this 12<sup>th</sup> day of May, 2017;

1. **ORDERED** that pursuant to Rule 4:18-1(b) and Rule 4:23-5 (a)(1) the Answer of Defendants, DJN RARITAN CROSSING, LLC (improperly pled as DJN RARITAN CROSSING LLC, RARITAN CROSSING APARTMENT HOMES) and RESIDENTIAL MANAGEMENT, INC., is hereby stricken and its defenses are suppressed;

**OR IN THE ALTERNATIVE, IT IS**

2. **ORDERED** that pursuant to Rule 4:24-1, discovery in the above-referenced matter be extended for an additional sixty (60) days or until July 9, 2017; and it is further

3. **ORDERED** that the scheduled arbitration date of May 16, 2017 be rescheduled to \_\_\_\_\_; and it is further

4. **ORDERED** that the scheduled settlement conference date of May 19, 2017 be rescheduled to \_\_\_\_\_; and it is further

5. **ORDERED** that the scheduled trial date of June 26, 2017 be adjourned to \_\_\_\_\_; and it is further

6. **ORDERED** that Defendants, DJN RARITAN CROSSING, LLC (improperly pled as DNJ RARITAN CROSSING LLC, RARITAN CROSSING APARTMENT HOMES) and RESIDENTIAL MANAGEMENT, INC., serve answers to supplemental interrogatories, a response to Plaintiff's Notice to Produce, and a response to Demand for Insurance Coverage **within 10 days of the date of this Order**; and it is further

7. **ORDERED** that Defendants, DJN RARITAN CROSSING, LLC (improperly pled as DNJ RARITAN CROSSING LLC, RARITAN CROSSING APARTMENT HOMES) and RESIDENTIAL MANAGEMENT, INC., produce for deposition the following individuals: Rebecca Turk, Basi Steger, Motti Shapira, and Ryan Destler, **on or before June 7,**

2017; and it is further

8. **ORDERED** that Defendants' Answer be stricken and defenses suppressed should Defendants not provide written discovery within 10 days of the date of this Order and produce Rebecca Turk, Basi Steger, Motti Shapira, and Ryan Destler, for deposition on or before June 7, 2017; and it is further

9. **ORDERED** that a copy of this Order shall be served upon all parties within 7 days from the date of online posting.

**OPPOSED**  
 **UNOPPOSED**

\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

"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."

**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

**KOLOGI ♦ SIMITZ**  
**Counsellors at Law**  
500 North Wood Avenue  
Linden, New Jersey 07036  
Phone: (908) 486-8877  
Attorney for Defendant Boris Antipin  
Attorney ID# 037601983, 16342001

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

---

NEW JERSEY FIRST REALTY  
LIMITED LIABILITY CO., a  
New Jersey limited liability company,  
and NICHOLAS ANTIPIN,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MIDDLESEX COUNTY

Docket No. MID-L-4764-15

*# 298*

Plaintiffs,

vs.

Civil Action

BORIS ANTIPIN, JOHN DOES 1-10  
and ABC COMPANY,  
Defendants.

**ORDER**

---

**THIS MATTER** having been brought to the Court upon Motion of Kologi ♦ Simitz, Counsellors at Law, attorneys for Defendant Boris Antipin for an Order granting Summary Judgment to said Defendant, the Court having read the moving papers submitted and having heard arguments of counsel and for good cause shown;

**DENIED** *w/o reason*

**IT IS** on this *12* day of *May*, 2017,

**ORDERED** that Defendant Boris Antipin is hereby granted summary judgment on all claims asserted in Plaintiff's Complaint; and it is further

**ORDERED** that Plaintiff's Complaint be and hereby is dismissed with prejudice against Defendant Boris Antipin; and it is further

**ORDERED** that a copy of this Order shall be served upon all parties within seven days of the date of Defendant's receipt thereof.

June 5 travel date Ady.  
- TO be rescheduled after.

6/1/17 OTSC

- Def. joins the OTSC  
- Filed by plaintiff

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, which are your Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

*JNA*

**FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN YOUR ARREST**

RUSSELL P. GOLDMAN, P.C.  
121 HIGHWAY 36 SUITE 130  
WEST LONG BRANCH, NJ 07764  
(732) 263-9700  
ATTORNEY FOR PLAINTIFF  
ID#011851979

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

NEW JERSEY HIGHER EDUCATION  
STUDENT ASSISTANCE AUTHORITY

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY

Plaintiff

DOCKET NO. L-3765-13

J-100966-15

- vs -

Civil Action

NWALA GABRIEL et al

ORDER TO ENFORCE LITIGANT'S RIGHTS

Defendant(s)

This matter being presented to the Court by Russell P. Goldman PC on Plaintiff's motion for an Order to enforce litigant's rights and the Defendant having failed to appear on the return date and having failed to comply with the Information Subpoena:

**(Do Not Write Below this line – for Court Use Only)**

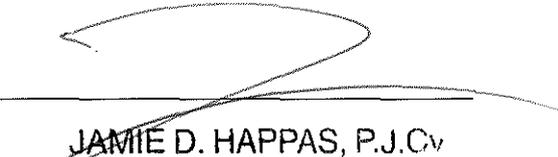
IT IS on this *12* day of *May*

ORDERED, and adjudged:

1. Defendant NWALA GABRIEL has violated Plaintiff's rights as a litigant;
2. Defendant NWALA GABRIEL shall immediately furnish answers as required by the Information Subpoena;
3. If Defendant fails to comply with the 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's fees in connection with this motion, in the amount of~~  
\$ No certification submitted in support of counsel fees.

All parties are to be served within  
seven (7) days of its posting online.

  
JAMIE D. HAPPAS, P.J.Cv

#### PROOF OF SERVICE

On \_\_\_\_\_, 2017, I served a true copy of this Order on defendant  
N WALA GABRIEL by sending it simultaneously by regular and certified mail, return receipt  
requested, to: 34 SCHOOL ST, PISCATAWAY, NJ 08854.

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:

\_\_\_\_\_  
Russell P. Goldman

*NB*

**FILED**  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

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):

**DENIED** <sup>or</sup>

ALLSTATE NEW JERSEY PROPERTY & CASUALTY INSURANCE COMPANY

VINODBHAI PATEL

Plaintiff

vs.

ALLSTATE INSURANCE CO.

Defendant

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY

DOCKET NO. MID-L-4067-16

*#132*

CIVIL ACTION

**ORDER FOR SUMMARY  
JUDGMENT**

This matter being opened to the Court, on May 12, 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 PROPERTY & CASUALTY INSURANCE COMPANY, for an Order for Summary Judgment and there having been no opposition and good cause appearing;

*and argued waived*

It is on this 12 day of May, 2017, ORDERED that the court having considered the Brief and the Court being of the opinion that no genuine issue as to any material fact exists, Summary Judgment in favor of the Defendant(s) ALLSTATE NEW JERSEY PROPERTY & CASUALTY INSURANCE COMPANY be granted.

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.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

MOTION WAS:

OPPOSED

NOT OPPOSED

↪ **SEE STATEMENT OF REASONS  
ATTACHED HERETO**

**Statement of Reasons**  
**Patel v. Allstate Insurance Company (MID-L-4067-16)**

It is well settled in this state that in deciding a motion for summary judgment, the determination of whether a genuine issue with respect to a material fact challenged exists requires the court to consider whether the competent evidential materials presented, when viewed in the light most favorable to the non-moving party in consideration of the applicable evidentiary standard that would apply at trial, are sufficient to permit a rational fact-finder to resolve the alleged disputed issue in favor of the non-moving party. Brill v. Guardian Life Insurance Co., 142 N.J. 520 (1995). A moving party is entitled to summary judgment “if the pleadings, depositions, and the admissions on file, together with an affidavit, if any, show palpably that there is no genuine issue as to judgment or order as a matter of law.” R. 4:46-2; Judson v. People’s Bank and Trust Co. of Westfield, 17 N.J. 67, 73, 75 (1954). Any material facts offered by the movant which are not controverted are deemed admitted. Housel v. Theodoridis, 314 N.J. Super. 597, 602 (App. Div. 1998).

UIM carriers are afforded notice when a tortfeasor settlement is offered, in aid of its subrogation rights. Longworth v. Van Houten, 223 N.J. Super. 174, (App. Div. 1988). The Court in *Longworth* held that:

[A]n insured receiving an acceptable settlement offer from the tortfeasor should notify his UIM carrier. The carrier may then promptly offer its insured that sum in exchange for assignment to it by the insured of the claim against the tortfeasor. While promptness is to be ultimately determined by the circumstances, 30 days should be regarded as the presumptive time period if the insured notices his carrier prior to assignment of a trial date. In any event, an insured who has not received a response from his carrier and who is in doubt as to whether acceptance of the tortfeasor's offer will impair his UIM rights may seek an immediate declaratory ruling from the trial court on order to show cause on such notice as is consistent with the circumstances. We further hold that UIM carriers may, if they choose, honor demands from their insureds to proceed to arbitration of the UIM claim prior to disposition of the claim against the tortfeasor.

Id. at 194-95.

The instant matter arises from a motor vehicle accident that occurred on April 20, 2013, in Woodbridge, New Jersey. Plaintiff and the tortfeasor settled the claim for the tortfeasor’s policy limits of \$50,000. On March 29, 2016, Plaintiff’s attorney advised Allstate of the settlement offer for the tortfeasor’s policy limits of \$50,000. On March 31, 2016, Plaintiff filed a Complaint in the

Union County Superior Court against Defendant Allstate, seeking underinsured motorist benefits. On April 1, 2016, the adjuster handling the claim on behalf of Allstate requested certain enumerated items in order to grant Longworth approval. On April 21, 2016, the adjuster for Allstate again requested the information previously requested in the April 1 letter. On June 24, 2016, the matter was transferred to Middlesex County. To date, Plaintiff has not provided Allstate with the requested documents. Therefore, Defendant Allstate moves for summary judgment on the ground that it had not granted Longworth approval.

This Court has previously held that, when an answering party asserts a defense once at the start of litigation, but nonetheless continues with the discovery process, the responding party will no longer have reason to believe the answering party is still relying on such a defense. See White v. Karlsson, 354 N.J. Super. 284 (App. Div. 2002) (Defendant who had included a Statute of Limitations Defense in his answer was not entitled to Summary Judgment on that defense after completing discovery and participating in arbitration).

In the matter at hand, litigation continued for over one year after Plaintiff notified Defendant Allstate of the tortfeasor's settlement offer. Defendant Allstate's actions of continuing participation in litigation are inconsistent with the assertion that Plaintiff's had not preserved Allstate's subrogation rights.

Based on the foregoing Defendant's motion for Summary Judgment is **DENIED**.

LAW OFFICE OF GERARD M. GREEN  
BY: Thomas P. Argentieri, Attorney ID 002771974  
1249 South River Road, 3rd Floor  
Cranbury, NJ 08512  
609-655-7880  
Attorney for Defendant, The Torsiello Organization, Inc.  
File No. 1150915919/TPA

# 665  
05/12/17  
/NB

**FILED**  
**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

---

JERZY PELCZAR and HELENA PELCZAR, his wife	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX
Plaintiffs	:	DOCKET NO.: MID-L-5153-15
vs.	:	
	:	CIVIL ACTION
TORISELLO ORGANIZATION, INC.;	:	
JOHN DOE and ABC CORP., (fictitiously	:	
named owners of the premises); JANE DOE	:	
and DEF CORP., (fictitiously named	:	
commercial tenants); JOHN ROE and GHI	:	
CORP. (fictitiously named property	:	
managers, subcontractors, or other entities	:	
with responsibility for maintenance of the	:	
premises)	:	
Defendants	:	

---

**ORDER EXTENDING DISCOVERY AND ADJOURN THE ARBITRATION  
SCHEDULED FOR MAY 19, 2017**

---

THIS MATTER having been brought before the Court on May 12, 2017, on Motion of Thomas P. Argentieri, attorney for defendant, The Torsiello Organization, Inc.; and no one appearing in opposition thereto and no objections having been raised, and the Court having considered this application based on the moving papers, pursuant to R. 1:6-2, and good cause having been shown;

IT IS on this 12 day of May, 2017;

ORDERED as follows:

- 1) That the time for completion of discovery be and is hereby extended to August 17, 2017.
- 2) IT IS FURTHER ORDERED that the Arbitration date of May 19, 2017 is hereby adjourned until 8/25/17.

trial 10/10/17  
6/2 settlement conference is cancelled

3) The parties are to complete the following discovery matters within the following time periods.

<u>Item</u>	<u>Completion Date</u>
<u>Plaintiff's expert reports</u>	<u>June 1, 2017</u>
<u>Independent medical exam</u>	<u>July 1, 2017</u>
<u>Defendant's expert reports</u>	<u>August 1, 2017</u>
<u>Expert Depositions</u>	<u>August 17, 2017</u>

IT IS FURTHER ORDERED that a copy of this Order is to be served on all counsel within seven (7) days of the ~~date hereof~~. *online posting of this order*

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

PAPERS CONSIDERED

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

**FILED**

**MAY 12 2017**

*JNB*

Jamie D. Happas, P.J.Cv.

**O'TOOLE SCRIVO FERNANDEZ  
WEINER VAN LIEU, LLC**

Arthur G. Lash, Esq.  
Attorney ID#: 284571972  
14 Village Park Road  
Cedar Grove, New Jersey 07009  
(973) 239-5700  
Attorneys for All Season Sports Academy

PICERNO-GIORDANO  
CONSTRUCTION, LLC,

Plaintiff,

vs.

ALL SEASON SPORTS ACADEMY,  
LLC,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-6746-16

**ORDER PERMITTING CONSOLIDATION  
AND AMENDED ANSWER**

**THIS MATTER** having been opened to the Court on Friday, May 12, 2017 at 9:00 a.m. upon application of Arthur G. Lash of O'Toole Scrivo Fernandez Weiner Van Lieu, LLC, attorneys for All Season Sports Academy, LLC, seeking an Order permitting Consolidation of MID-L-6746-16 and MID-L-7020-16 and the filing of an Amended Answer, and the Court having considered the moving and opposing papers filed herein, and for good cause shown;

**IT IS** on this 12 day of May, 2017

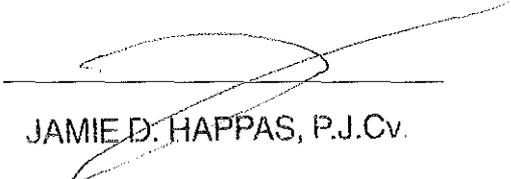
**ORDERED:**

(a) Consolidation of MID-L-6746-16 and MID-L-7020-16;

(b) Defendant shall file and serve its amended answer, in the form annexed to the moving papers, no later than April 12, 2017

(b) A copy of this Order shall be served upon all counsel within seven (7) days from its posting online

PCN- 11/13/17

  
JAMIE D. HAPPAS, P.J.Cv.

#312  
05/12/17  
✓NB

File No.: BN011426  
MORGAN, BORNSTEIN & MORGAN  
KRISTEN SINCLAIR 018672008  
1236 Brace Road - Suite K  
Cherry Hill, NJ 08034  
(856) 795-2200

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

Attorneys for Plaintiff  
POCONO SPRINGS CIVIC  
ASSOCIATION

) SUPERIOR COURT OF NEW JERSEY  
) LAW DIVISION-MIDDLESEX COUNTY

) Docket Number L-007167-16

Plaintiff

vs.

MARC LEGER

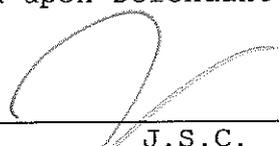
) FINAL JUDGMENT  
) BY DEFAULT

Defendant(s)

The defendant MARC LEGER having been duly served with process and a copy of the Complaint in the above-entitled action, and having been defaulted for failure to answer, appear or otherwise move as to the Complaint, and no defendant herein being an infant or incompetent person; and plaintiff having filed a Certification setting forth a particular statement of the items of the claim, their amounts and dates, a calculation in figures of the amount of interest, the payments or credits, if any, and the net amount due;

FINAL JUDGMENT is on this 12 day of May, 2017 signed and entered in the sum of \$17,580.76 plus attorney fees in the discretion of the Court in the amount of \$1,808.08 for a total of \$19,388.84 plus costs, in favor of the plaintiff POCONO SPRINGS CIVIC ASSOCIATION and against the defendant MARC LEGER .

A copy of this order shall be served upon Defendant(s) within seven days of receipt of the order.



J.S.C.

JAMIE D. HAPPAS, P.J.Cv.

This Order was/was not opposed  
NOMDJMT:nik

"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."

**RIPOSTA, LAWYERS LLC**

432 Ridge Road  
North Arlington, New Jersey 07031-5315  
Telephone: 201.991.0067  
Facsimile: 201.991.7275  
**Attorney ID: 030782010**  
Attorneys for Plaintiff

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*JMB*

\* \* \* \* \*

MICHELE R. PRIBILA-BISSET,  
  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket #: MID L-2542-15

-v-

**CIVIL ACTION**

GREEN LINE MOVING CORP.;  
DJAFAR SHAROPOV; ABC CORP. 1-5;  
XYZ, INC. 1-5; JOHN/JANE DOES 1-5,

**ORDER EXTENDING  
DISCOVERY END DATE FOR  
EXCEPTIONAL CIRCUMSTANCES  
PURSUANT TO RULE 4:24-1(c),  
ADJOURN ARBITRATION AND  
TRIAL DATES AND/OR TO SET  
DOWN DATE FOR CASE  
MANAGEMENT CONFERENCE**

Defendants.

\* \* \* \* \*

**THIS MATTER** having been brought before the Court by Riposta, Lawyers LLC,  
attorney for plaintiff, Cory Anne Cassidy, Esq., appearing, and the Court having considered the  
papers submitted, and good and sufficient cause having been shown;

**IT IS** on this 12 day of May, 2017, **ORDERED** that:

1. The Discovery End Date is extended for one hundred-twenty (120) days from May 29, 2017 to September 26, 2017;
2. All fact witness depositions shall be completed by August 1, 2017;
3. Plaintiff's medical expert reports shall be served by August 15, 2017;

4. Defendants' medical expert reports shall be served by September 15, 2017;
5. Plaintiff's rebuttal reports shall be served within a reasonable time thereafter;
6. All medical expert depositions shall be completed by September 26, 2017;

7. A Case Management Conference shall be set down in this matter for

\_\_\_\_\_ at \_\_\_\_\_ AM/PM;

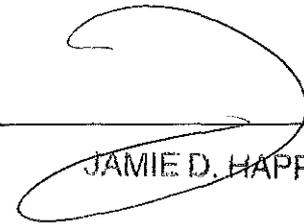
8. The Arbitration date in this matter is adjourned to 9/28/17

at \_\_\_\_\_ AM;

9. The trial date in this matter is adjourned to 11/13/17 ;

10. A copy of the within Order be served on all parties of record within seven (7) days of its posting online.

Opposed  
 Unopposed

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

THE ZAPCIC LAW FIRM, L.L.C.  
58 Village Court  
Hazlet, New Jersey 07730  
(732) 888-0077  
Attorney for Plaintiffs

**FILED** ✓ NB  
**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

SHERYL QUIJANO and MICHAEL  
QUIJANO, Husband and Wife, and JESSICA  
QUIJANO,

Plaintiffs,

vs.

RICHARD ELITE, ARLENE MILLWATER,  
JOHN DOE 1-25 (fictitious persons) and ABC  
CORPORATION 1-25 (fictitious  
corporations)

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-02317-15 # 614

CIVIL ACTION

ORDER EXTENDING DISCOVERY  
END DATE, ADJOURNING  
ARBITRATION AND ADJOURNING  
TRIAL

**THIS MATTER** having been referred to the undersigned Judge of The Zapcic Law Firm L.L.C., attorneys for Plaintiff, Michele Quijano, Husband and Wife, and Jessica Quijano, upon notice to Matthew Cohen, Esq., counsel of record for the defendants, Richard Elite and Arlene Millwater, for an order granting leave to extend the discovery end date for ninety (90) days and to adjourn the trial date of May 30, 2017, and the court having reviewed the papers submitted pursuant to Rule 1:6-2, and for good cause shown,

IT IS on this 12 day of May, 2017,

**ORDERED** that the discovery end date be and hereby extended for ninety (90) days to August 4, 2017 to allow plaintiffs' counsel to obtain supplemental reports from treating physicians and permit plaintiff's counsel to finalize a newly discovered ERISA lien;

**IT IS FURTHER ORDERED** that the trial scheduled for May 30, 2017 be and hereby is adjourned; and

Plaintiff to serve reports by July 1, 2017. Report to  
serve reports by 8/1/17. T/D-8/21/17

**IT IS FURTHER ORDERED** that a copy of this Order be served upon all parties within

7 days of the ~~date hereon.~~ *online posting of this order.*

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

Opposed  
 Unopposed

**JAVERBAUM WURGAFT HICKS  
KAHN WIKSTROM & SININS, P.C.**  
35 Journal Square, Suite 525  
Jersey City, New Jersey 07306  
(201) 876-8930

Filing Attorney:

Francisco J. Rodriguez

**Attorney I.D.: 49891995**

**Attorneys for Plaintiff E'Maree Ramseur, by  
his Guardian ad Litem, Shereen Ameera-  
Clark**

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*VNB*

**E'MAREE RAMSEUR, by his Guardian ad  
Litem, SHEEREEN AMEERA-CLARK,**

**Plaintiff,**

vs.

**WALGREENS, WALGREEN COMPANY,  
WALGREEN EASTERN CO., SEUNG WOO  
YOO, RPH, BRIAN T. DAY, M.D.,  
TOTOWA OBSTETRICS AND  
GYNECOLOGY JOHN and/or JANE DOES,  
RPH., "A" through "Z" (fictitious names and  
presently unknown), JOHN and/or JANE  
ROES, "A" through "Z" (fictitious names and  
presently unknown), and ABC  
CORPORATIONS, "A" through "Z"  
(fictitious names and presently unknown),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY**

**DOCKET NO.: MID-I-3403-16**

*519*

Civil Action

**TOYA RAMSEUR,**

**Plaintiff,**

vs.

**WALGREENS, WALGREEN COMPANY,  
SEUNG WOO YOO, RPH, JOHN and/or  
JANE DOES, RPH., "A" through "Z"  
(fictitious names and presently unknown),  
JOHN and/or JANE ROES, "A" through "Z"  
(fictitious names and presently unknown), and  
ABC CORPORATIONS, "A" through "Z"  
(fictitious names and presently unknown),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY**

**DOCKET NO.: MID-L-3492-16**

Civil Action

**ORDER OF CONSOLIDATION**

THIS MATTER having been opened to the Court upon Motion to Consolidate, filed by Francisco J. Rodriguez, Esq., a partner at the law firm of Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C., and the Court having reviewed the moving papers and

\_\_\_ Opposition having been filed by \_\_\_\_\_

\_\_\_ no Opposition having been filed;

and for good cause having been shown,

IT IS on this 12 day of May, 2017 hereby

ORDERED that that matter of E'Maree Ramseur, by his Guardian ad Litem, Sheereen Ameera-Clark v. Walgreens, et als, Superior Court of New Jersey, Law Division, Middlesex County, Docket No. MID-L-3403-16; and Toya Ramseur v. Walgreens, et als., Superior Court of New Jersey, Law Division, Middlesex County, Docket No. MID-L-3492-16, be and hereby are consolidated into Docket No. MID-L-3403-16 for discovery and trial purposes; and it is further

ORDERED that a copy of this Order shall be served upon all counsel within 7 days of its posting online.



JAMIE D. HAPPAS, P.J.Cv.

DED- 12/15/17

# 738  
05/12/17

✓ NE

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

**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 Defendant, Donald Thomas**  
**Our File No: (637) 23988-DMH**

NIKISHA M. REID-JOHN

Plaintiff,

v.

THERESA M. SPRING-STERNIG,  
GREGORY B. STERNIG, and  
DONALD THOMAS,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-4158-15

**CIVIL ACTION**

**ORDER**

THIS MATTER having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins, Flanagan & Lawless, LLC, attorneys for defendants, **Donald Thomas**, with the consent of all parties, for an order extending the period for discovery, for exceptional circumstances, pursuant to R 4:24-1(c); the parties having not consented to an extension of discovery and the court's having considered the moving papers of the parties and for exceptional circumstances shown;

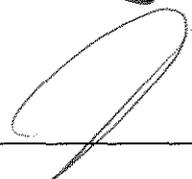
IT IS on this 12 day of May, 2017;

**ORDERED** that the period for discovery be and hereby is extended sixty (60) days to, July 14, 2017, to allow additional time to complete discovery; and it is further

**ORDERED** that Discovery is to be completed as follows:

- (a) Plaintiff's expert reports are to be furnished to defense counsel by June 15, 2017;
- (b) All defense expert reports are to be served on plaintiff's counsel by July 14, 2017;
- (c) Depositions of experts are to be completed by July 14, 2017.

**ORDERED** that a copy of the within order be served upon all counsel within seven (7) days of ~~counsel's receipt hereof.~~ the online posting of this order.

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

PAPERS CONSIDERED:

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

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

Discovery End Date Extended to 7/14/17  
Arbitration Shall Be 7/25/17  
Trial Shall Be 9/5/17



Properties, LLC and Denholtz Associates, for an Order extending the time to complete discovery, pursuant to R. 4:24-1, and adjourning Trial due to exceptional circumstance, and the Court having considered the motion papers, and good cause appearing;

IT IS on this 12 day of May, 2017;

ORDERED that the Motion be, and hereby is, granted; and it is further

ORDERED that the time within which the parties may complete discovery is extended until August 9, 2017;

The following discovery dates are scheduled in this matter:

- a. Plaintiff to submit to a defense IME on or before June 12, 2017;
- b. Depositions to be completed by June 23, 2017;
- c. Defendant to serve any and all expert's reports, supplemental reports and/or amendments to Answers to Interrogatories by August 2, 2017;
- d. Discovery will end on August 9, 2017;
- e. Trial scheduled for June 19, 2017 is adjourned and to be rescheduled for a date after discovery is complete; and it is further

ORDERED that a copy of this Order be served upon all counsel of record within 7 days of its posting online.

Opposed

Unopposed

  
JAMIE D. HAPPAS, P.J.Cv.

T/D - 8/21/17

**CAMPBELL, FOLEY, DELANO & ADAMS, L.L.C.**  
**STEPHEN CZESLOWSKI-040081999**

601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendant  
Our File No. 1-38,366-SCZ

---

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

VNB

Plaintiff

ERICA REYES

vs.

Defendant

JACKY CRINCOLI

---

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO. MID-L-7488-15

Civil Action

ORDER TO EXTEND DISCOVERY FOR  
EXCEPTIONAL CIRCUMSTANCES AND  
ADJOURN ARBITRATION HEARING AND  
TRIAL DATE

The above entitled matter having been opened to the Court on May 12, 2017, by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendant, Jacky Crincoli, on motion to extend discovery until August 14, 2017 for exceptional circumstances and adjourn the Arbitration hearing and Trial date, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this 12<sup>th</sup> day of May, 2017, that the discovery be and is hereby extended until August 14, 2017 for exceptional circumstances; and it is further

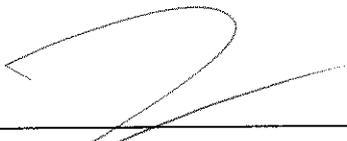
ORDERED that the following items of discovery are to be completed on or before the dates listed below:

<u>Items</u>	<u>Dates</u>
a. Plaintiff to serve signed authorizations within	7 days of the Court's Order
b. Plaintiff to serve more specific answers to interrogatories by	6/1/17
c. Defendant's expert medical reports to be served by	7/30/17
d. The new discovery end date	8/14/17

and it is further

ORDERED that the Arbitration hearing scheduled for May 18, 2017 and the Trial scheduled for June 26, 2017 be adjourned until the end of the New Discovery End date of August 14, 2017; and it is

FURTHER ORDERED that a copy of this Order shall be served within 7 days upon all attorneys of record in this action and upon <sup>all</sup> parties appearing pro se. *within 7 day of the online posting of this order.*

  
\_\_\_\_\_  
J.S.C.  
**JAMIE D. HAPPAS, P.J.Cv.**

**PAPERS CONSIDERED**

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

Dated: April 25, 2017

Discovery End Date Extended to 8/14/17  
Arbitration Shall Be 8/23/17  
Trial Shall Be 10/2/17

#708  
05/12/17  
JNB

LAW OFFICES OF NANCY L. CALLEGHER  
BY: RICHARD T. ASTORINO/Bar Number: 12411981  
1000 Midlantic Drive, Suite 100  
Mt. Laurel, NJ 08054  
(856) 359-9400  
Attorneys for Defendant Carlos A. Herrera, Jr.  
14-353996

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

RAUL SANCHEZ, EVA E. SANCHEZ,	:	SUPERIOR COURT OF NEW JERSEY
HUSBAND AND WIFE	:	LAW DIVISION
	:	MIDDLESEX COUNTY
Plaintiffs	:	
	:	DOCKET NO.: MID-L-5087-14
v.	:	
	:	CIVIL ACTION
CARLOS A. HERRRERA, JR, ET AL.	:	
	:	ORDER
Defendants	:	

CHAIHIAN DIAZ NUNEZ	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff	:	MIDDLESEX COUNTY
v.	:	
	:	DOCKET NO.: MID-L-3800-14
	:	(Consol. No.)
CARLOS A. HERREA, JR, RAUL SANCHEZ, JR., JUSTIN TIME SERVICES, CLUB FEATHERS; SAYAT NOVA RESTAURANT, ET ALS.	:	CIVIL ACTION
	:	
Defendants	:	

**DENIED**

This matter having been opened to the Court by The Law Offices of Nancy L. Callegher attorneys for defendant, Herrera, on Notice of Motion for an Order to adjourn trial, reopen discovery and deconsolidate cases, and the Court having considered the moving papers, and the opposing papers, if any, and for good cause shown;

IT IS ON THIS 12<sup>th</sup> day of May, 2017;

ORDERED that discovery in this matter shall be reopened and extended to May 31, 2017;

and

IT IS FURTHER ORDERED that these matters are now bifurcated and the damages trials will be held separately;

IT IS FURTHER ORDERED that the damages trial in the Sanchez matter will be adjourned and rescheduled for June 19, 2017; and

IT IS FURTHER ORDERED that the damages trial in the Diaz matter will go forward as scheduled on May 22, 2017; and

IT IS FURTHER ORDERED that copies of the within Order are to be served upon all attorneys within 7 days ~~from the date hereof.~~ *of the online posting of this order.*

  
\_\_\_\_\_  
J.S.C.  
E.D. HAPPAS, P.J.Cv.

Opposed  \_\_\_\_\_  
Unopposed \_\_\_\_\_

*All counsel to appear at trial  
call and mark Sanchez case  
with a problem. No proof of  
recent surpin provided to the  
court*

#624  
05/12/17

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

*JNB*

**David M. Hawkins, Esq.**  
**Attorney ID No. 276821972**  
**PURCELL, MULCAHY, HAWKINS, FLANAGAN & LAWLESS, LLC**  
**One Pluckemin Way**  
**P.O. Box 754**  
**Bedminster, NJ 07921**  
**(908) 658-3800**  
**Attorneys for Defendant, Ashokkumar Patel (i/p/a "Ashokkuma Patel")**  
**Our File No. (637) 23964-SAL**

GREGORY STUKES,  
  
v.  
  
ASHOKKUMA PATEL,  
  
Plaintiff,  
  
Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-3487-15

**CIVIL ACTION**

COREY A. EASTERLING,  
  
v.  
  
ASHOKKUMA S. PATEL and JOHN  
DOES 1-10 (fictitious names),  
  
Plaintiff,  
  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-5081-15

**CIVIL ACTION**

**ORDER**

**THIS MATTER'S** having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins, Flanagan & Lawless, LLC, attorneys for defendant, Ashokkumar Patel, for an order, pursuant to R. 4:23-1(a), compelling plaintiffs 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 ninety (90) 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 12 day of May, 2017;

**ORDERED THAT** the discovery period be and hereby is extended an additional ninety (90) days to **August 27, 2017**, to complete discovery that is the subject of this motion as follows:

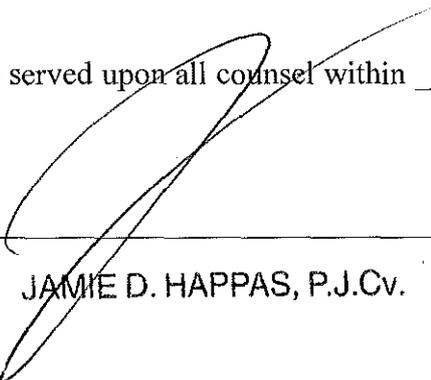
- a. On or before **May 22, 2017**, plaintiff, **Gregory Stukes**, shall provide a response to defendant's March 30, 2017 correspondence by indicating if plaintiff is claiming outstanding unpaid medical bills, or liens in this matter;
- b. On or before **May 22, 2017**, if plaintiff, **Gregory Stukes**, is claiming outstanding bills, plaintiff shall provide a copy of the bills being claimed, proof that the bill was submitted to either auto or medical insurance, a copy of the payment or rejection documentation, the total amount owed to each provider, and if a lien was being claimed, the health insurance carrier language and Form 5500;

**ORDERED THAT** defendant shall serve any and all expert reports on or before **August 27, 2017**; and it is further

**ORDERED THAT** arbitration is hereby adjourned and rescheduled for 9/8/17; and it is further  
trial - 10/23/17

**ORDERED THAT** a copy of the within order be served upon all counsel within 7 days of its posting online.

( ) opposed  
(  ) unopposed

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

#623  
05/12/17

*[Handwritten signature]*

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

**David M. Hawkins, Esq.**  
**Attorney ID #276821972**  
**PURCELL, MULCAHY, HAWKINS & FLANAGAN, LLC**  
**One Pluckemin Way**  
**P.O. Box 754**  
**Bedminster, New Jersey 07921**  
**(908) 658-3800**  
**Attorneys for Defendant, Tawana Fischer, improperly plead as Tawana Fidcher**  
**Our File No. (637) 24418-H**

FIGURELA TAJEDA-SUERO,  
  
Plaintiff,  
  
v.  
  
TAWANA FIDCHER,  
  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
Docket No. MID-L-1248-16

Civil Action

**ORDER**

**THIS MATTER** having been brought before the court by notice of motion by Purcell, Mulcahy, Hawkins & Flanagan LLC, attorneys for Defendant, Tawana Fischer, for an Order to extend discovery an additional sixty (60) days pursuant to R. 4:24-1(c), for exceptional circumstances, the parties having not consented to an extension of discovery, and the court's having considered the moving papers of the parties, and for good cause shown;

**IT IS** on this *12* day of *May*, 2017;

**ORDERED THAT** the discovery period shall expire on **July 19, 2017** to complete discovery that is the subject of this motion as follows:

- a. Plaintiff shall serve any and all expert reports before **May 30, 2017**; and
- b. Defendant shall serve any and all expert reports on or before **July 19, 2017**; and it is further

**ORDERED THAT** the arbitration date be and is hereby adjourned and rescheduled for 7/26/17; and it is

**ORDERED THAT** the trial date be and is hereby adjourned and rescheduled for 9/18/17; and it is further

**ORDERED THAT** a true copy of the within Order be served upon all counsel within seven (7) days of its posting online.



JAMIE D. HAPPAS, P.J.Cv.

( ) Opposed

() Unopposed

JNB

**FILED**  
**MAY 12 2017**  
Jamie D. Happas, P.J.Cv.

Law Offices of Pamela D. Hargrove  
DONALD THORNTON, ESQ.  
Identification No. 17961976  
65 Jackson Drive, Suite 302  
PO Box 2000  
Cranford, NJ 07016-0200  
Telephone: (908) 653-2185  
Attorneys for Defendant(s):  
KEILA RAMOS and NANCY FIGUEROA

MARIA TELLADO

Plaintiff

vs.

AGHA GUL, KEILA RAMOS,  
NANCY FIGUEROA; JOHN DOE I-X  
(said names being Fictitious, true names  
presently unknown)

Defendants

SEBASTIAN ADARO

Plaintiff

vs.

AGHA GUL, KEILA RAMOS,  
NANCY FIGUEROA, MARIA  
TELLADO, PLYMOUTH ROCK  
ASSURANCE, N.J. CURE AUTO  
INSURANCE, JOHN DOE 1-X, JANE  
ROE 1-X and ABC CORP., (said names  
being Fictitious as true identities are  
presently unknown),

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY

DOCKET NO. MID-L-4061-16

#320

CIVIL ACTION

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY

DOCKET NO. MID-L-4595-16

CIVIL ACTION

**ORDER FOR CONSOLIDATION**

This matter being opened to the Court, on Friday, May 12, 2017, pursuant to Rule 1:6-2 and Rule 1:6-3, and having been submitted for ruling on the papers by, Donald Thornton, Esq., of the Law Offices of Pamela D. Hargrove attorney for the Defendant(s), KEILA RAMOS and NANCY FIGUEROA, for an Order for consolidation and there having been no opposition and good cause appearing;

It is on this 12 day of May, 2017,

ORDERED that the above-captioned causes, arising out of the same occurrence and involving common questions of law and fact are consolidated as Docket No. MID-L-4061-16 for the purposes of litigation including joint trial in the Superior Court, Law Division, Middlesex County and both matters will be given a discovery end date of August 16, 2017.

IT IS FURTHER ORDERED that a copy of this Order be served on the attorney(s) for all parties within seven (7) days after its posting online.



JAMIE D. HAPPAS, P.J.Cv.

MOTION WAS:

           OPPOSED  
✓ NOT OPPOSED

DED 8-16-17

#567

**FILED**

05/12/17

**MAY 12 2017**

✓ NB

Jamie D. Happas, P.J.Cv.

LAW OFFICE OF STEVEN G. FAUTH, LLC  
One Gateway Center, Suite 2600  
Newark New Jersey 07102  
Telephone: (973) 620 – 8179  
*Attorneys for Plaintiffs*  
File No. TNI14S0110

TOWER NATIONAL INSURANCE  
COMPANY, as Subrogee of Kim Sing, Inc.,  
and AMTRUST FINANCIAL SERVICES,  
INC., as claims Administrator on behalf of  
Tower National Insurance Company of  
New York,

Plaintiffs,

– against –

ESPINOSA, INC., and SERVIO ESPINOSA,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
*Civil Action*

Docket No. L – 5249 – 15

**ORDER EXTENDING THE TIME TO  
COMPLETE DISCOVERY  
DENIED  
Failure to Comply With  
R. 4:24-1 (c)**

**THIS** matter having been opened to the Court on a Notice of Motion by the Law Offices of Steven G. Fauth, LLC, attorneys for plaintiff, Tower National Insurance Company, for an Order extending the time to complete discovery, pursuant to R. 4:24-1, and the Court having considered the motion papers, and good cause appearing;

IT IS on this 12<sup>th</sup> day of May, 2017;

**ORDERED** that the Motion be, and hereby is, granted; and it is further

**ORDERED** that the time within which the parties may complete discovery is extended until July 12, 2017;

The following discovery dates are scheduled in this matter:

**a. Depositions of all parties to be completed by June 30, 2017;**

**d. Discovery will end on July 12, 2017;**

c. Pursuant to R. 4:24-1(c), all parties consent to the form and entry of this Order seeking to extend discovery; and it is further

**ORDERED** that a copy of this Order be served upon all counsel of record within 7 days of the ~~date hereof~~, online posting of this order.

  
\_\_\_\_\_  
**JAMIE D. HAPPAS, P.J.Cv.** J.S.C.

       Opposed  
  ✓   Unopposed

# 755  
05/12/17

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

JNB

**LEWIS BRISBOIS BISGAARD & SMITH, LLP**

**Afsha Noran, Esq. ID# 156792015**

**One Riverfront Plaza**

**Newark, New Jersey 07102**

**Tel: (973) 577-6249**

**Fax: (973) 577-6261**

**Attorneys for Defendants David S. Frayne and TransCare New York**

	X	
ISHA TOYEN-FUENTES,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION:
Plaintiff,	:	MIDDLESEX COUNTY
	:	DOCKET NO.: MID-L-247-16
v.	:	
	:	Civil Action
DAVID S. FRAYNE and/or JOHN DOE I-V	:	
(fictitious person, businesses and/or governmental	:	<b>ORDER</b>
entities), TRANSCARE NEW YORK and/or XYZ	:	
I-V (fictitious person, businesses and/or	:	
governmental entities),	:	
	:	
Defendants.	:	
	X	

**THIS MATTER**, having been brought before the Court by Lewis Brisbois Bisgaard & Smith, LLP, attorneys for Defendants Defendant David S. Frayne and TransCare New York for an Order extending discovery for seventy-five (75) days, until July 28, 2017, pursuant to R. 4:24-1(c), and the Court having considered the moving papers, cross-motions, and any opposition filed thereto, and for exceptional circumstances shown;

**IT IS** on this 12 day of May, 2017

**ORDERED** that discovery in the above-captioned matter is hereby extended an additional seventy-five (75) days, until July 28, 2017, with the following discovery schedule:

- Plaintiffs' written discovery responses: By May 26, 2017;
- Party/Witness depositions: By June 09, 2017;
- Plaintiffs' expert reports: By June 23, 2017;
- Defendants' expert reports: By July 21, 2017;

- Expert depositions: By July 27, 2017.

**ORDERED** that the current trial date of July 3, 2017, is hereby adjourned; and it is

**FURTHER ORDERED** that a copy of this Order shall be served upon all parties within seven (7) days of receipt by ~~Lewis Brisbois Bisgaard and Smith, LLP~~ *the online posting of this order.*

  
\_\_\_\_\_  
**JAMIE D. HAPPAS, P.J.Cv.** J.S.C.

PAPERS CONSIDERED:

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

THIS MOTION WAS

- Opposed
- Unopposed

*BAC/panel of 6/19 cancelled*

Discovery End Date Extended to 7/28/17  
Arbitration Shall Be \_\_\_\_\_  
Trial Shall Be 8/7/17



medical treatment, including surgery, and his current complaints/condition, to be conducted by July 30, 2017;

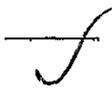
- c. Defendants to serve their Liability Expert Report by June 30, 2017;
- d. Plaintiff to be examined by Defendant's Medical expert by July 15, 2017;
- e. Parties to exchange medical and damages expert reports by August 15, 2017;
- f. Parties to serve rebuttal expert reports by September 8, 2017;
- g. Depositions of experts to be completed by September 20, 2017;
- h. Fact Discovery to be completed by Sept 20, 2017;
- i. The arbitration scheduled for July 6, 2017, is hereby adjourned.

IT IS FURTHER ORDERED that a copy of the within Order be served upon all counsel of record within 7 days of


---

 JAMIE D. HAPPAS, P.J.Cv.

  
 Opposed  
 Unopposed

Discovery End Date Extended to 9/20/17  
 Arbitration Shall Be 9/28/17  
 Trial Shall Be 11/13/17

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

FILED

#420

MAY 12 2017

05/12/17

Jamie D. Happas, P.J.Cv.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

Docket No.: MID-L-6578-15

ORDER

JONATHAN VALDEZ,  
Plaintiff,

v.

IOSEBI ONIKASHVILI, PIEO INC., ET  
AL.,

Defendants.

AND NOW, this 12 day of May, 2016, upon consideration of Defendant PIEO, Inc.'s Motion to Extend Deadlines, and for good cause shown, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** and all deadlines shall be extended for ninety (90) days as follows:

1. All depositions shall be concluded by July 15, 2017.
2. Fact discovery, including depositions, shall be completed by July 15, 2017.
3. Plaintiff shall serve medical expert reports by August 15, 2017.
4. Defense medical examination(s) of plaintiff shall be completed by August 30, 2017.
5. Defendant(s) shall serve medical expert report(s) by September 30, 2017.
6. Expert(s) depositions shall be conducted by October 15, 2017.
7. Discovery End Date is October 30, 2017.
8. Arbitration Date is November 2, 2017
9. Trial Date (if any party files a trial de novo) is December 18, 2017.

JAMIE D. HAPPAS, P.J.Cv.

J.

- ( ) OPPOSED  
 (x ) UNOPPOSED

All parties are to be served within seven (7) days of .ib posting online.

"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."

#418  
05/12/17

JACOBY & MEYERS, LLP  
Frances M. Bova, Esq. (025191993)  
50 Park Place  
Suite 1101, 11<sup>th</sup> Floor  
Newark, New Jersey 07102  
(973) 643-2707  
Attorneys for Plaintiffs  
Our File No.: 110843-02/FMB/mam

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

VNB

-----	SUPERIOR COURT OF NEW JERSEY
JUAN VERDUGO and ERICA	: LAW DIVISION: MIDDLESEX COUNTY
VERDUGO,	: DOCKET NO.: MID-L-522-16
	:
Plaintiffs,	:
	:
v.	: CIVIL ACTION
	:
BRITTANY NOVELLINO, DAVID	: ORDER
SZOKE, JOHN DOES 1-10 (names	:
for fictitious individuals)	:
and ABC COMPANIES 1-10 (names	:
for fictitious entities),	:
	:
Defendants.	:
-----	

THIS MATTER having been opened to the Court on the application of Jacoby & Meyers, LLP, attorneys for the plaintiffs, Juan Verdugo and Erica Verdugo, upon a Notice of Motion for an Order to Extend Discovery; and the Court having considered the papers submitted, and any opposition filed thereto, and for exceptional circumstances having been shown;

IT IS, on this 12 day of May, 2017;

ORDERED that the discovery end date is extended ninety (90) days from the current discovery end date of June 30, 2017 to September 27, 2017; and it is further

ORDERED that discovery will be completed in accordance with the following schedule:

<u>ITEM</u>	<u>SCHEDULED FOR</u>
1. Complete depositions	By: July 15, 2017
2. Service of plaintiff's expert reports	By: August 27, 2017
3. Service of defendants' expert reports	By: September 27, 2017;

and it is further

ORDERED that arbitration, scheduled for July 5, 2017, is adjourned to a date subsequent to the new discovery end date; and it is further

ORDERED that the trial, scheduled for August 21, 2017, is adjourned to a date subsequent to the new discovery end date; and it is further

ORDERED that a copy of this Order shall be served upon all counsel of record within seven (7) days of its posting online.

  
JAMIE D. HAPPAS, P.J.Cv.

opposed

unopposed

Discovery End Date Extended to 9/27/17  
Arbitration Shall Be 10/4/17  
Trial Shall Be 11/27/17

**RICHARD AMDUR, JR., ESQ.**  
State Highway 34, P.O. Box 409  
Matawan, NJ 07747  
(732) 970-6750  
Attorney for Plaintiff  
Attorney ID # 033331991

**FILED**

MAY 12 2017

Jamie D. Happas, P.J.Cv.

✓ NB

JENNIFER M. WEINER,

Plaintiff,

vs

HUGO L. CASTILLO,

Defendant,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY

DOCKET NO: L-5467-14 # 056

CIVIL ACTION

**DENIED**

**ORDER**

**THIS MATTER** having been brought before the Court upon application by RICHARD A. AMDUR, JR., ESQ., attorney for Plaintiff, and the Court having reviewed all of the evidence, and for good cause having been shown:

**IT IS ON THIS** 12 **DAY OF** May, 2017;

**ORDERED**, that the Complaint in the above matter is hereby reinstated as to defendant HUGO L. CASTILLO.

**IT IS FURTHER ORDERED** that substituted service of Amended Complaint on defendant's insurance company is granted.

**IT IS FURTHER ORDERED** that the Complaint in the above matter is hereby amended to:

1. Add Allstate Insurance Company as defendant.

**IT IS FURTHER ORDERED**, that a copy of the within Order shall be served upon the defendant within seven (7) days of its posting online.

\* SEE STATEMENT OF REASONS  
ATTACHED HERETO

JAMIE D. HAPPAS, P.J.Cv.

**Statement of Reasons**  
**Weiner v. Castillo (MID-L-5467-14)**

A complaint may be reinstated upon the filing of a timely motion when the underlying problem is corrected with due diligence. On July 22, 2016, this Court entered an order allowing substituted service on Defendant's insurance company, Progressive Insurance Company within 14 days of the Court Order. Movant has not explained if he served Progressive Insurance Company. He merely notes in ¶4 of his certification "Cipriani & Werner sent a letter advising my office that they had been retained by Progressive Insurance to represent defendant Hugo Castillo under a reservation of rights. Ultimately, they denied coverage due to the lack of cooperation of defendant and not knowing the whereabouts of their client." No dates were provided by Movant. Also, no reason was given as to why this motion is now being made 10 months after the Court granted substituted service on July 22, 2016. This matter was dismissed on November 25, 2016 for lack of prosecution, as the Complaint had not been served. Plaintiff now moves to reinstate the complaint and again for substituted service on Defendant's insurance company, Progressive Insurance Company. As Plaintiff has already been granted substituted service to serve Defendant's insurance company, the underlying problem has not been corrected. Therefore, the motion to reinstate the complaint and allow substituted service is **DENIED**.

Further, a motion to amend a pleading or file a third party complaint is left to the sound discretion of the court. Rule 4:9-1 provides that a motion to amend shall be "freely given in the interest of justice." However, the court in its discretion, may deny the motion when it is made late in the case. Although such motions to amend are ordinarily afforded liberal treatment, the factual situation in each case must guide the court's discretion, particularly when the motion is to

add new claims or new parties late in the litigation. Bonczek v. Carter Wallace, Inc., 304 N.J. Super. 593, 602 (App. Div. 1997), certif. denied, 153 N.J. 51 (1998).

Here, the May 12, 2017 application to amend the complaint comes late in the litigation, and the factual circumstances and interest of justice do not warrant leave to amend the complaint, as Movant has provided no reason whatsoever as to why Allstate Insurance Company should be added as a party to the litigation. Therefore, the motion to amend the complaint is **DENIED**.

# 711  
05112/17

VNB

**FILED**

**MAY 12 2017**

Jamie D. Happas, P.J.Cv.

Francis W. Yook, Esq.  
NJ Attorney ID 135182015  
Mark S. Kundla, Esq.  
NJ Attorney ID 027361981

HARDIN, KUNDLA, MCKEON & POLETTO  
COUNSELLORS AT LAW  
A PROFESSIONAL CORPORATION  
673 MORRIS AVENUE  
SPRINGFIELD, NEW JERSEY 07081  
(973) 912-5222

Attorneys for Defendants, Mitchel L. Welsh and Hertz Vehicle

MICHAEL WHITENER,  
  
Plaintiff,  
vs.

:  
: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION: MIDDLESEX COUNTY  
: Docket No. MID-L-7526-15

:  
: Civil Action

MITCHEL L. WELSH, HERTZ  
VEHICLE, THERMO FISHER  
SCIENTIFIC, JOHN DOE 1-5 AND  
ABC CORP. 1-5 (names being  
fictitious as true identities  
are unknown at this time),  
  
Defendants.

:  
: **ORDER**  
:

This matter having been opened to the Court upon the application of HARDIN, KUNDLA, MCKEON & POLETTO, P.A., attorneys for Defendants, Mitchel L. Welsh and Hertz Vehicle, for an Order

extending the time for discovery pursuant to Rule 4:24-1 and the Court having considered the moving papers and for good cause shown;

IT IS on this 12 day of May, 2017,

ORDERED that the time for completion of discovery is hereby extended for ~~(60) sixty~~ days from the previous discovery end date;

ORDERED that the new discovery end date is 6/30/17 July ~~29~~, 2017; and it is further

ORDERED that the arbitration in this case is adjourned and shall be rescheduled; and it is further

ORDERED that the trial in this case is adjourned and shall be rescheduled; and it is further

ORDERED that the following discovery is to proceed in this discovery extension period:

<u>Discovery</u>	<u>To Be Completed By:</u>
All Fact Depositions	<del>July 14, 2017</del> <u>June 28, 2017 (as needed)</u>
All Expert Reports and Addenda to Expert Reports	<del>July 21, 2017</del> <u>6/1/17</u>
All Remaining Discovery	<del>July 28, 2017</del> <u>6/30/17</u>

and it is further

ORDERED that a copy of this Order shall be served upon all counsel within seven (7) days from the date of its posting online.

**JAMIE D. HARRAS, P.J.C.V.**  
Discovery End Date Extended 6/30/17  
Arbitration Shall Be 7/6/17  
Trial Shall Be 8/2/17

Law Offices of Styliades and Jackson  
BY: G. Samuel Hoffman, Esq.  
Identification No. 034362006  
9000 Midlantic Drive  
Suite 105 - First Floor  
Mount Laurel, NJ 08054  
856-596-7778  
Attorneys for Defendants, Deidre Meindl and James Meindl  
File No.: LA359-028694345-0002

FILED

MAY 12 2017

Jamie D. Happas, P.J.Cv.

ANASTASIA WILLIAMS AND TROY  
WILLIAMS, her husband,

Plaintiffs.

v.

VIPUL MEHTA, MAMTA MEHTA,  
DEIDRE MEINDL, JAMES MEINDL, ABC  
Corporations (1-10), DEF Partnerships(1-10),  
GHI Limited Liability Companies (1-10), and  
John/Jane Does (1-10),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-7552-15 #450

\*

CIVIL ACTION

\*

**ORDER TO ADJOURN ARBITRATION  
AND EXTEND DISCOVERY**

The above matter having been brought before the Court upon motion, after attempting to obtain the consent of all parties, by the Law Offices of Styliades and Jackson, G. Samuel Hoffman, attorney for Defendants, Deidre Meindl and James Meindl, for an Order to Adjourn Arbitration and Extend Discovery and the court having considered the motion papers filed by the parties, and good cause thus having been shown, it is, on this 12 day of May, 2017;

**ORDERED**, that discovery be extended sixty (60) days or until July 11, 2017; and

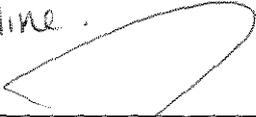
**IT IS FURTHER ORDERED** that the parties are to complete all discovery listed below:

1. Depositions of all parties to be completed by May 25, 2017;
2. Independent medical examination report to be served by June 21, 2017;
3. ~~Any additional discovery is to be served by June 21, 2017 per Rule 4:17-7;~~
4. Arbitration of May 16, 2017 is adjourned to July 6, 2017;

Reul - Aug 21, 2017

Plaintiffs updated records/reports - June 1, 2017  
Defendants updated reports - July 1, 2017

**IT IS FURTHER ORDERED**, that a copy of this Order be served upon all counsel of record within seven (7) days of its posting online.

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

Opposed ✓ partial  
Unopposed \_\_\_\_\_

#495  
5-12-17 ✓ NP

David A. Rubin, Esq. Attorney ID#: 008242008  
**GIAIMO & ASSOCIATES, LLC**  
97 E. River Road  
Rumson, New Jersey 07760  
(732) 747-8585  
[drubin@giaimoandassociates.com](mailto:drubin@giaimoandassociates.com)  
*Attorneys for Plaintiff,*  
Wyndmoor at Woodbridge Condominium Association, Inc.  
File No.: CL-2206

**FILED**

**MAY 12 2017**

Jamie D. Happs, P.J.Cv.

WYNDMOOR AT WOODBRIDGE  
CONDOMINIUM ASSOCIATION, INC.,

Plaintiff,

vs.

MARY MCGUINN A/K/A MARY  
PAOLACCI,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

Docket No.: L-4666-15

CIVIL ACTION

**ORDER**

**THIS MATTER** having been opened to the Court by Plaintiff, the Wyndmoor at Woodbridge Condominium Association, Inc., by and through its Counsel, Giaimo and Associates, LLC, for an Order reinstating the Complaint filed in this matter, which was administratively dismissed on May 6, 2016 and for the entry of final judgment in this matter and the Court having considered the Certification of David A. Rubin, Esq. in support of Plaintiff's motion, Legal Brief, the Certification of Services by David A. Rubin, Esq. and all the exhibits and attachments thereto, and for good cause show:

IT IS on this the 12 day of May, 2017,

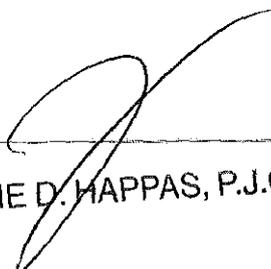
**ORDERED** that the Complaint filed on August 3, 2015, bearing Docket Number MID-L-4666-15, which was administratively dismissed for lack of prosecution on May 6, 2016 is hereby reinstated; and

GIAIMO & ASSOCIATES

**IT IS HEREBY FURTHER ORDERED** that judgment is entered against defendant Mary McGuinn a/k/a Mary Paolacci in the amount of \$13,943.68, which amount includes attorney's fees and costs in the amount of \$6,796.68; and

**IT IS HEREBY FURTHER ORDERED** that a copy of this Order be served upon the defendants, via certified and regular mail, within 7 days of its posting online.

Dated: \_\_\_\_\_, 2017

  
\_\_\_\_\_  
JAMIE D. HAPPAS, P.J.Cv.

**SEE STATEMENT OF REASONS  
ATTACHED HERETO**

"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."

**Statement of Reasons**  
**Wyndmoor at Woodbridge Condo Association v. McGuinn (MID-L-4666-15)**

Rule 1:13-7(a), dismissal of cases for lack of prosecution provides in pertinent part:

After dismissal, reinstatement of an action against a single defendant may be permitted on submission of a consent order vacating the dismissal and allowing the dismissed defendant to file an answer, provided the proposed consent order is accompanied by the answer for filing, a case information statement, and the requisite fee. If the defendant has been properly served but declines to execute a consent order, plaintiff shall move on good cause shown for vacation of the dismissal.

Under Rule 1:13-7, a defendant may be reinstated upon the filing of a timely motion when the underlying problem is corrected. Here, Plaintiff's Complaint was administratively dismissed after Defendant McGuinn was served as Plaintiff had not moved to enter default judgment. In order for Plaintiff to move to enter default, the matter must be reinstated and Plaintiff must move to enter default judgment. Therefore, Plaintiff's request to restore the complaint as to Defendant McGuinn is granted.

In order for Default Judgment to be entered, four requirements must be met pursuant to R. 4:43-2:

1. Proof of service of summons and complaint (personal, order for substituted service, or certificate of diligent inquiry where personal service fails and there is subsequent service by mail)
2. Proof of entry of default
3. Affidavit of proof (affidavit that explains the debt and sufficient proof, must be certain).
4. Affidavit of non-military service

In regard to default judgment, Plaintiff certifies that the summons and complaint were personally served on the Defendant. There is proof of entry of default as ACMS reflects that default was entered against Defendant on November 4, 2015. Plaintiff certifies to outstanding debts and attaches documents indicating an outstanding bill of \$13,943.68, which includes attorneys fees of \$6,796.68. Finally, Plaintiff has provided certification that Defendant is not active military. Therefore, default judgment is **GRANTED**.