

**Motion Calendar August 30, 2019 – The Honorable James F. Hyland**

Prepared by Matthew Steen, Law Clerk to the Hon. James F. Hyland, J.S.C.

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\*\*\*If the reasons for the Court's decisions have been set forth on the record and you would like a copy of the transcript, please contact Linda Wood at 732-645-5400 ext. 88782\*\*\*

<b>Case Name</b>	<b>Motion Type</b>	<b>Docket Number</b>	<b>Disposition</b>
Cavalry SPV I, LLC v. Casatelli	Motion to Vacate and Reinstate	MID-L-002598-17	GRANTED

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Attorneys for Plaintiff

Cavalry SPV I, LLC, as assignee  
of Citibank, N.A.,

Plaintiff,

vs.

TIMOTHY J CASATELLI,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX  
COUNTY

Docket No.: L-002598-17

Civil Action

ORDER TO REINSTATE AND RE-  
SERVE COMPLAINT

THIS MATTER being opened to the Court by SCHACHTER PORTNOY, L.L.C., Attorneys for the Plaintiff, Cavalry SPV I, LLC, as assignee of Citibank, N.A., on Motion to Reinstate the Complaint and on notice to Defendant, TIMOTHY J CASATELLI, pro se; and the Court having considered Plaintiff's Certification and any opposition thereto, and for good cause shown;

IT IS on this **30** day of **August**, 2019,

ORDERED that the previous Order of Dismissal is vacated, and the Complaint in the above-captioned matter is hereby reinstated to the active trial calendar and re-service upon Defendant is now permitted.

ORDERED that a copy of this order shall be served on all parties of record within ten (10) days of the issuance of this Order.

/s/ James F. Hyland

Honorable James F. Hyland J.S.C.

**UNOPPOSED**

## STATEMENT OF REASONS

**Caption:** CAVALRY SPV I LLC VS CASATELLI TIMOTHY J

**Docket Number:** MID-L-2598-17      **Motion Day:** 8/30/2019

**Type of Motion:** Motion to Vacate and Reinstate

**Moving Party:** Plaintiff

**Motion is:** Unopposed

**Oral Argument:**

- Requested by Movant
- Requested by Opponent
- Requested if Opposed
- Waived

**Cert. of Service:** Included/Signed

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Plaintiff filed a complaint on May 1, 2017. The Sheriff of Middlesex County attempted to serve a summon and complaint upon Defendant to no avail. Plaintiff attempted to locate a new address at which Defendant may be located. The instant case was dismissed due to a lack of prosecution on September 22, 2018. On July 30, 2019 Plaintiff conducted a postal inquiry for Defendant's know address in which an address was returned in Middlesex County. Plaintiff now moves to vacate the September 22, 2018 order dismiss the complaint and have the instant litigation reinstated onto the active trial calendar. No opposition was submitted.

Therefore, Plaintiff's motion is hereby GRANTED.