

The Hon. Vincent LeBlon, J.S.C.

Motion List 6/9/17

Motions Returnable 6/9/17

CAPTION	DK	DK #	YR	MTN #	MOTION TYPE	OUTCOME
Alston v. Legkiy	L	6829	16		Dismiss for Failure to Provide Discovery	Adj to 6/23
Alvarado v. Pulte Homes of NJ	L	5931	16		Amend Complaint	Granted
AMERTECH ENGINEERING VS DALLENBACH SAN	L	3930	16	771	Summary Judgment	W/D
				770	Amend Complaint	Granted in part
Anglin v. Diaz	L	1730	17		Substitute Service	Denied
Baires v. Spitzer	L	7431	15		Dismiss for Failure to Provide Discovery	Denied
Bartlett v. Glenwood Apts	L	1627	16		Extend Discovery	Granted
Basra v. Shadid	L	2929	16		Dismiss for Failure to Provide Discovery	Granted
Benhardt v. Wushu Taekwon Do	L	2724	16		Extend Discovery	Denied
Betancourt v. Hong Kong Super Market	L	1830	16		Reconsideration	Granted
Bianchi v. Windsor Green	L	2227	16		Extend Discovery	Denied
BOSAKOWSKI SUSAN VS SCHLADEBECK PARTIC	L	6523	16	0096	Amend Complaint	Granted
BRYANT TRACY VS NORWOOD AUTO PARTS	L	3330	16	0664		Adj to 6/23
Byrne v. NJM	L	6231	15		Reinstate Complaint	Granted in Part
CARMONA QUETCY VS MENDOZA LOPEZ ARSEN	L	5832	15	0580		Adj to 6/23
Callahan v. Shoprite	L	627	17		Dismiss for Failure to Provide Discovery	W/D
Conrail Developers v. George Custom Woodworker	L	2033	17		Dismiss for Lack of Jurisdiciton	Adj to 6/23
CONTRERAS DELOPEZ JUANA VS ORTIZ BREND	L	1328	17	0617	Substitute Service	Granted
DAI WEIDE VS MOGILI VENKATA	L	1925	17	0551	Substitute Service	Granted
Davidson v. Wal-mart	L	5131	16		Dismiss for Failure to Provide Discovery	W/D
DOMINGUEZ JUAN CARLOS VS PATEL KAILASH	L	926	16	0304		Granted
ESTATE OF CHETWYND KATHLEEN VS DIVERSI	L	232	16	0602	Dismiss Complaint	Granted
E & S Foods Inc.	L	3625	16		Turnover Funds	Granted
Evans v. Shoprite	L	723	15		Amend Complaint	Granted
Everett v. Zuniga	L	4631	16		File Answer Out of Time	Granted
Fernandez v. Allstate Ins. Co.	L	5124	15		Extend Discovery	Granted
FIGUEROA JESSICA VS HALL KERI A	L	4523	13	0732	Bar Testimony	W/D
				0733	Dismiss Complaint	W/D
GALLINA RALPH VS MCGOWEN REALTY LLC	L	3533	15	0121	Summary Judgment	Granted
				0122	Strike Amendment to Interagatories	Granted
GARCIA NORBERTO VS SANNOH AHMAD	L	1126	17	0231	Extend Discovery	Granted
GATTO DAWN VS PORT AUTHORITY OF NEW YO	L	726	15	0084	Reconsideration	Adj to 6/23
GONZALEZ SHARON L VS GRILLESTONE RESTA	L	4228	16	0684	Strike Answer	Granted
GUSMAN BARBARA VS METROPARK	L	1931	15	0172		W/D

HANNOUT MOHAB VS HIGHLAND PARK BORO OF	L	5429	14	0106		Adj to 6/23
				0107		Adj to 6/23
				0143		Adj to 6/23
HERRERA FLORENTINA VS PUERTO RICAN ACT	L	6929	15	0295	Relieved as Counsel	Granted in part
HERRERA MIGUEL VS THE LATIN GRILLE INC	L	2028	15	0156		Adj to 6/23
						Adj to 6/23
						Adj to 6/23
HUAN ZHENGWEI VS OUEDRAOGO ALIOUNE	L	7527	15		Extend Discovery	Denied
					Dismiss for Failure to Provide Discovery	Granted
HOFFMAN INTERNATIONAL INC VS COBRA ENT	L	826	17	0182	Substitute Service	Granted in Part
HOFFMAN INTERNATIONAL INC VS NORTHERN	L	2628	16	0541	Dismiss for Failure to Provide Discovery	Granted
IPFS Corp. v. Talium Services	L	2533	15	93	Summary Judgment	W/D
Jackson v. Thakre	L	4624	16		Vacate Default	Granted
JURKIEWICZ KATHERINE M VS QUEST DIAGNO	L	1432	15	0685	Dismiss WITH PREJUDICE for Failure to Provide Discovery	Transferred to ALN
King v. Choate	L	23	16		Extend Discovery	Granted
LARSEN MICHAEL VS SIGNORILE DIANE	L	923	16	0043	Summary Judgment	Adj to 6/23
Mark v. Sherow	L	7026	13	747	Dismiss WITH PREJUDICE for Failure to Provide Discovery	Pla. Aquired New Counsel adj to 6/23
MARIGOLD MANAGEMENT INC VS ARUMUGAM RA	L	724	16	0161	Summary Judgment	Adj to 6/23
MCKIERNAN PATRICIA VS FREEMAN KENNETH	L	1133	15	0160	Summary Judgment (Lawngevity)	Granted
				0052	Summary Judgment (Freeman)	Granted in part
MENDEZ ANGELA VS YABLONSKY MYRNA B	L	625	14	0414	Extend Discovery	Granted
MICHAEL DIMURO VS CHAYANNE CUEVAS	L	131	16	0258		Adj to 6/23
MILLIS KATHRYN VS JFK MEDICAL CENTER	L	5231	15	0318	Extend Discovery	Granted
MINHAS SUKHWANT VS WHITLOCK PACKAGING	L	231	15	535	Summary Judgment	Granted in part
				61	Summary Judgment	Granted
				62	Summary Judgment	Granted in part
NJM INSURANCE COMPANY VS BREAKAWAY COU	L	1125	17	0546	Consolidate	Adj to 6/23
North Jersey Media Group	L	303	16	644	Reconsideration	Adj to 6/23
OBAJINMI TEMILOLA VS GHANCHI NOORJEHAN	L	228	17	0445	Dismiss for Failure to Provide Discovery	W/D
PAGLIANITE SAMUEL VS LINGALA NARSAN	L	4330	16	0035		Adj to 6/23
PANDYA JIGNESH VS PATEL JAGDISH	L	6829	16	0114	Dismiss Complaint	Adj to 6/23
PARUCHURI RAMAKRISH VS PATEL MAHENDRA	L	4133	16	0655	Dismiss for Failure to Provide Discovery	W/D
PUSILLO VINCENZA VS FAVA GERALD	L	425	17	0301	Strike Answer	W/D
RAY ANGELINI INC VS SOUTH AMBOY BOARD	L	6528	15	0485		Granted
					X-Mo to Extend Discovery	W/D
REYES VANESSA VS NEW JERSEY TURNPIKE	L	233	17		Dismiss Complaint	Granted
					Amend Complaint	Pending Written Decision
Reyes-Madera v. Vasquez-Mejia	L	281	15	450	Restore Complaint	Granted in part
				1038	Enforce Settlement	Granted in part
RODDA CHRISTINE VS ZARRA JAMES	L	1723	17	0380	Dismiss WITH PREJUDICE for Failure to Provide Discovery	Adj to 6/23 Oral Argument 9:20 AM

RODRIGUEZ JANENE VS NEW BRUNSWICK BRD	L	6931	15	0091	Reconsideration	Denied
ROJAS CARMEN VS JONES BRADFORD	L	3629	16	0666	Compel Deposition	Granted
ROSHDI BISHOY R VS LORAH	L	5724	16	0141	Strike Answer/Compel	Granted in part
				0331	Request for Fees/Sanctions	Denied
SAVOY BANK VS NORTH AMERICA RECYCLING	DJ	206425	16	0734	Turnover Property	Granted
SUGRI RUKIA A VS HOXHA BESMIR	L	1727	15	0688	Vacate Dismissal	W/D
SUNSHINE TELERADIOLOGY SOLUTIONS VS RO	L	924	17	0353		adj to 6/23
TAMMERELLO GAVIONE VS WADHWA KOMAL	L	1527	16	0082	Summary Judgment	W/D
TARVER MONICA VS LABOWICZ KATHLEEN	L	524	16	0153	Summary Judgment Verbal Threshold	Granted
					Strike Defenses	Granted in Part
TENEMEA SEGUNDO VS GRIFFEN ROBERT	L	6332	16	0689		W/D
TINARELLA ADAM VS ROBBINS ROBERT	L	4328	15	0155	Vacate Dismissal	Granted
Thompson v. Puskas	L	3731	16		Compel Deposition	Granted
TOOMER BRUCE VS RODGERS AYESHA	L	2123	15	0716		Transferred to ALN
TRUCKERS BANK PLAN VS EXECU RIDE INC	L	7226	13	0682	Reconsideration	adj to 6/23
VANDYKE LACONDA VS BECK ROBERT	L	29	17	0266	Dismiss for Failure to Provide Discovery	adj to 6/23
Valentin v. Hall	L	4523	13		Dismiss for Failure to Provide Discovery	W/D
					Bar Testimony	W/D
VIRDI KANWAL VS KUCHMA KENNETH	L	6032	16	0098	Dismiss for Failure to Provide Discovery	W/D
YOST CINDY VS HILLS VILLAGE MASTERS AS	L	5325	15	0575	Summary Judgment	Granted in Part

#181 3-3-17

KATHLEEN R. WALL, ESQ. - 011851974
2640 HIGHWAY #70
MANASQUAN, NJ 08736
732-223-0111
FAX 732-223-0290
Attorney for Plaintiff
Our File No. 32320-29

FILED

JUN 09 2017

Judge Vincent LeBlon

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

AMERTECH ENGINEERING, INC.

DOCKET NO. MID-L-003930-16

Plaintiff

VS:

ORDER FOR SUMMARY JUDGMENT

DALLENBACH SAND CO., INC.,
ESTATE OF WILLIAM HERBERT
AND HAROLD HERBERT I/J/S
Defendant

THIS MATTER having been brought before the Court by KATHLEEN R. WALL, ESQ., appearing on behalf of the Plaintiff, and the Court having read and considered the moving papers and good cause having been shown:

IT IS on this *9th* day of *June*, 2017

Ordered that *Plaintiff be permitted to file an Amended Complaint with Sharif Aily and Ameritech Engineering, Inc as plaintiffs within 20 days.* (2)

IT IS FURTHER ORDERED that Summary Judgment be entered in favor of the Plaintiff, AMERTECH ENGINEERING, INC., and against the Defendant, DALLENBACH SAND CO., INC., ESTATE OF WILLIAM HERBERT AND HAROLD HERBERT I/J/S, in the sum of \$466,000.00 plus late fees of \$155,333.34 plus collection costs of \$207,111.11 for a total of \$828,444.45 plus costs of \$481.24, and *as withdrawn by plaintiff*

DENIED

(12)

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested parties within 7 days of the date hereof.

Vincent LeBlon, J.S.C.

PAPERS CONSIDERED

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

VINCENT LeBLON, J.S.C.

Thomas J. Mooney, Esq.
Attorney ID#039211986
GELFAND BARONE & MOONEY
343 Thornall Street - Suite 650
Edison, NJ 08837
Tel: (732) 548-0068
Fax: (877) 242-9832
Attorneys for Defendant, Mohammed Shahid.

FILED
JUN 14 2017
Judge Vincent LeBlon

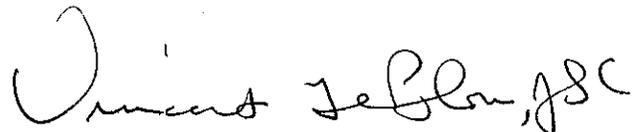
<p>MANGEET BASRA and SATINDER KAUR</p> <p style="text-align: center;">Plaintiff</p> <p>v.</p> <p>MOHAMMED SHAHID, et al.</p> <p style="text-align: center;">Defendant</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION : MIDDLESEX COUNTY DOCKET NO.: MID-L-2929-16</p> <p style="text-align: center;">Civil Action</p> <p style="text-align: center;">ORDER DISMISSING PLAINTIFF'S COMPLAINT FOR FAILURE TO ANSWER INTERROGATORIES</p>
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THIS MATTER being opened to the Court by Gelfand Barone & Mooney, Esqs., attorneys for defendant, Mohammed Shahid, for an Order dismissing plaintiff's complaint for failure to answer interrogatories, pursuant to R.4:23(a)(1), and the Court having considered the moving papers submitted, and for good having been shown:

IT IS on this 9th day of June, 2017;

ORDERED that plaintiff's complaint be and is hereby dismissed for failure to answer interrogatories, pursuant to R.4:23(a)(1).; and it is further

ORDERED that a copy of this Order shall be served on all counsel of record within seven (7) days from the date hereof.



J.S.C.

VINCENT LeBLON, J.S.C.

Opposed
 Unopposed

MARCH, HURWITZ & DEMARCO, P.C.

By: Gary A. Hurwitz, Esquire
Attorney ID No. 029801976
By: James P. McAndrew, Jr., Esquire
Attorney ID No. 006762003
1100 N. Providence Road, P.O. Box 108
Media, PA 19063
ghurwitz@mhdlegal.com
jmcandrew@mhdlegal.com
Attorneys for Defendant, McGowen Realty, LLC

FILED

JUN 09 2017

Judge Vincent LeBlon

RALPH GALLINA and GWENDOLYN
GALLINA

Plaintiffs,

v.

MCGOWEN REALTY, LLC; ABC CORP, I-X;
DEF PROPERTY MANAGERS I-X; XYZ SNOW
REMOVAL COMPANY I-X

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: MIDDLESEX COUNTY
: LAW DIVISION

: DOCKET NO.: MID-L-3533-15

347

CIVIL ACTION

: **ORDER**

THIS MATTER having come before the Court upon the application of Gary A. Hurwitz, attorney for Defendant McGowen Realty, LLC, for an Order Striking Plaintiffs' Amended Answers to Form-A Interrogatories dated April 25, 2017 as it pertains to expert disclosures and to preclude Plaintiffs' expert report by Harold Tepper, P.E., dated January 23, 2017 and produced on April 26, 2017, nearly 30 days beyond the Case Management Deadline pertaining Plaintiffs' Expert Disclosures, and the Court having reviewed all papers submitted in support of the application and any opposition thereto, and for good cause shown;

IT IS on this 9th day of June, 2017;

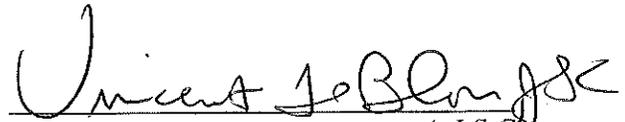
ORDERED that Defendant McGowen Realty, LLC's motion to Strike Plaintiffs' Amended Answers to Form-A Interrogatories dated April 25, 2017 as it pertains to expert

disclosures and to Preclude Plaintiffs' Expert Report of Harrold Tepper, P.E. is hereby

GRANTED; and it is further

ORDERED that Plaintiff's shall be precluded from presenting the expert report of Harold Tepper, P.E. which report was produced nearly 30 days late and in violation of this Courts revised Case Management Order dated January 20, 2017; and it is further

ORDERED that a copy of the within Order shall be served upon the parties within (7) days of receipt by March, Hurwitz and DeMarco.


VINCENT LeBLON, J.S.C.

In accordance with the required statement of R. 1:6-2(a), this motion was
 opposed unopposed.

MARCH, HURWITZ & DEMARCO, P.C.

By: Gary A. Hurwitz, Esquire
Attorney ID No. 029801976
By: James P. McAndrew, Jr., Esquire
Attorney ID No. 006762003
1100 N. Providence Road, P.O. Box 108
Media, PA 19063
ghurwitz@mhdlegal.com
jmcandrew@mhdlegal.com
Attorneys for Defendant, McGowen Realty, LLC

FILED
JUN 09 2017
Judge Vincent LeBlon

RALPH GALLINA and GWENDOLYN GALLINA	:	SUPERIOR COURT OF NEW JERSEY
	:	MIDDLESEX COUNTY
	:	LAW DIVISION
Plaintiffs,	:	
v.	:	DOCKET NO.: MID-L-3533-15 #062
	:	
MCGOWEN REALTY, LLC; ABC CORP, I-X;	:	<u>CIVIL ACTION</u>
DEF PROPERTY MANAGERS I-X; XYZ SNOW	:	
REMOVAL COMPANY I-X	:	
	:	ORDER
Defendants.	:	

THIS MATTER having come before the Court upon the application of Gary A. Hurwitz, attorney for Defendant McGowen Realty, LLC, for an Order dismissing Plaintiff's complaint against Defendant McGowen Realty, LLC, and the Court having reviewed all papers submitted in support of the application and any opposition thereto, and for good cause shown;

IT IS on this 9th day of June, 2017;

ORDERED that Defendant McGowen Realty, LLC's motion for summary judgment is hereby **GRANTED**; and it is further

ORDERED that Plaintiff's complaint against McGowen Realty, LLC are dismissed with prejudice; and it is further

ORDERED that a copy of the within Order shall be served upon the parties within (7) days of receipt by March, Hurwitz and DeMarco.

Vincent LeBlon JSC
J.S.C.

In accordance with the required statement of R. 1:6-2(a), this motion was
 opposed unopposed.

VINCENT LeBLON, J.S.C.

Thaddeus J. Hubert, IV, Esq. (ID# 020402010)
HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP
40 Paterson Street, PO Box 480
New Brunswick, NJ 08903
(732) 545-4717
Attorneys for Defendant Kenneth Freeman, Jr.

FILED
JUN 09 2017
Judge Vincent LeBlon

Plaintiff,

PATRICIA MCKIERNAN

vs.

Defendants,

KENNETH FREEMAN, KENNETH
FREEMAN, JR., MICHELLE FREEMAN,
LAWNGEVITY LANDSCAPE AND
DESIGN, LLC, JOHN DOE/JANE DOE,
INC. 1-100

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
LAW DIVISION

DOCKET NO. MID-L-1133-15

CIVIL ACTION

ORDER

THIS MATTER having been brought before the Court on Motion of Hoagland, Longo, Moran, Dunst & Doukas, LLP, attorneys for Defendant Kenneth Freeman, Jr., for an Order barring Michael G. Natoli, P.E.'s report as net opinion and granting Summary Judgment to said Defendant in the within cause of action, and the Court having reviewed the moving papers and for good cause shown;

IT IS ON THIS 9th day of June, 2017,

ORDERED that Michael Natoli, P.E. is barred from providing testimony at the time of trial as he provides a net opinion; and

IT IS FURTHER ORDERED that the Motion for Summary Judgment of Defendant Kenneth Freeman, Jr. is **DENIED** and is hereby granted in favor of said Defendant and that any and all claims,

HOAGLAND, LONGO
MORAN, DUNST &
DOUKAS, LLP
ATTORNEYS AT LAW

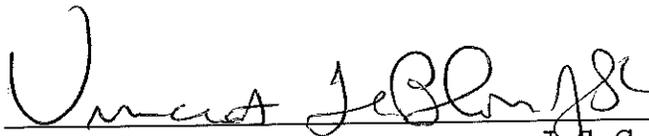
NORTH JERSEY
40 PATERSON ST
PO BOX 480
NEW BRUNSWICK, NJ

SOUTH JERSEY
701 WILTSEY'S MILL RD
SUITE 202
HAMMONTON, NJ

counterclaims, and/or crossclaims asserted against said Defendant
are hereby dismissed with prejudice; and

DENIED

IT IS FURTHER ORDERED that a copy of the within Order shall
be served upon all counsel of record within seven (7) days of the
date of service hereof.


J.B.C.

Papers filed with the Court:

- () Answering Papers
- () Reply Papers

VINCENT LeBLON, J.S.

The within Notice of Motion was:

- () Opposed
- () Unopposed

HOAGLAND, LONGO
MORAN, DUNST &
DOUKAS, LLP
ATTORNEYS AT LAW

NORTH JERSEY
40 PATERSON ST
PO BOX 480
NEW BRUNSWICK, NJ

SOUTH JERSEY
701 WILTSEY'S MILL RD
SUITE 202
HAMMONTON, NJ

William S. Bloom - ID #016631994
METHFESSEL & WERBEL, ESQS.
2025 Lincoln Highway, Suite 200
PO Box 3012
Edison, New Jersey 08818
(732) 248-4200
1(732) 248-2355
bloom@methwerb.com
Attorneys for Top Notch Tree & Landscape, LLC
Our File No. 84057 WSB

FILED
JUN 09 2017
Judge Vincent LeBlon

SKUHWANT MINHAS

Plaintiff,

V.

WHITLOCK PACKAGING, THE REALTY
ASSOCIATES FUND VIII, L.P., AVISON
YOUNG, SCENIC LANDSCAPING, LLC,
KWARTLER ASSOCIATES, TOP NOTCH TREE &
LANDSCAPE, LLC, XYZ COMPANIES I-V
(FICTITIOUS ENTITIES WHOSE TRUE
IDENTITIES ARE PRESENTLY UNKNOWN) AND
JOHN DOES I-V (FICTITIOUS PERSONS WHOSE
TRUE IDENTITIES ARE PRESENTLY UNKNOWN)

Defendants

AND

WHITLOCK PACKAGING CORP.

Defendant/Third Party Plaintiff

V.

THE REALTY ASSOCIATES FUND VIII, L.P.
AND AVISON YOUNG

Third Party Defendants

AND

SCENIC LANDSCAPING, LLC,

Defendant/Third Party Plaintiff

V.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION:MIDDLESEX COUNTY
DOCKET NO.: MID-L-231-15

1044
Civil Action

ORDER

TOP NOTCH TREE & LANDSCAPE, LLC

Third Party Defendant

THIS MATTER having been brought before the Court on the Motion of Methfessel & Werbel attorneys for defendant(s), Top Notch Tree & Landscape, LLC for an Order for Summary Judgment dismissing the plaintiff's Complaint and any and all Crossclaims, and the Court having considered the matter and for good cause shown;

IT IS on this 9th day of June 2017;

~~**ORDERED** that the Realty Associates Fund VII, L.P. and Avison Young's motion for summary judgment is denied, without prejudice; and it is further~~

DENIED

without prejudice

ORDERED that Summary Judgment dismissing the plaintiff's Complaint and any and all Crossclaims be and is hereby granted in favor of the defendant, Top Notch Tree & Landscape, LLC; and it is further

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

Vincent LeBlon
J.S.C.

VINCENT LeBLON, J.S.C.

- () Opposed
- () Unopposed

FILED

JUN 09 2017

Judge Vincent LeBlon

**Michael A. Mourtzanakis, Esq. 030611994
LAW OFFICES OF WILLIAM E. STAEHLE
445 South Street - P.O. Box 1938
Morristown, New Jersey 07962-1938
Phone: 973-631-7300**

**Attorneys for Defendant/Third Party Plaintiff, Whitlock Packaging Corp.(incorrectly pleaded
as Whitlock Packaging)
Our File No.: 2015026074-MX-MAM**

SUKHWANT MINHAS

Plaintiff,

vs.

WHITLOCK PACKAGING, et al.,

Defendants

and

WHITLOCK PACKING CORP.

Defendant/Third Party Plaintiff,

vs.

THE REALTY ASSOCIATES FUND VIII,
L.P., AVISON YOUNG,

Third Party Defendants,

and

SCENIC LANDSCAPING, LLC

Defendant/Fourth Party Plaintiff

vs.

TOP NOTCH TREE & LANDSCAPE, LLC.

Fourth Party Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO.: MID-L-231-15

Civil Action

ORDER FOR SUMMARY JUDGMENT

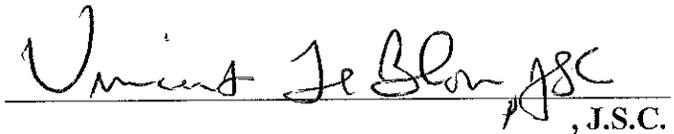
THIS MATTER having been brought before the Court on Motion by the Law Offices of William E. Staehle, attorneys for Defendant/Third Party Plaintiff, Whitlock Packaging Corp. for an

Order granting Summary Judgment and dismissing the Complaint of Plaintiff with prejudice as to Whitlock Packaging Corp.; and the Court having considered the matter, and good cause appearing,

IT IS ON THIS 9th DAY OF June, 2017;

ORDERED that Summary Judgment be and same is hereby GRANTED in favor of Defendant/Third Party Plaintiff Whitlock Packaging Corp. dismissing the Complaint of plaintiff and any and all other claims and crossclaims against Whitlock Packaging Corp. with prejudice; and it is further

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


_____, J.S.C.

VINCENT LeBLON, J.S.C.

OPPOSED

UNOPPOSED

PAPERS CONSIDERED:

Notice of Motion

Movant's Affidavits

Movant's Briefs

Answering Affidavits

Answering Brief

Cross-Motion

Movant's Reply

Other

#061
05/12/17

Christopher S. Byrnes, Esq. AIN 034342009
CASCIO & CAPOTORTO, ESQS.
300 Interpace Parkway
Parsippany, New Jersey 07054
(973) 541-6300
File No. 426293
Attorneys for Third Party Defendant/Fourth Party Plaintiff
The Realty Associates Fund VIII, LP

FILED
JUN 09 2017
Judge Vincent LeBlon

SUKHWANT MINHAS,

Plaintiff,

Vs.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MIDDLESEX COUNTY
DOCKET NO.: MID-L-231-15

WHITLOCK PACKAGING, XYZ
COMPANIES I-V, et als.,

Defendants.

CIVIL ACTION

And

WHITLOCK PACKAGING CORP.
Defendant Third Party Plaintiff

Vs.

ORDER FOR SUMMARY JUDGMENT

THE REALTY ASSOCIATES FUND VIII,
L.P. and AVISON YOUNG ,
Third Party Defendants.

And

THE REALTY ASSOCIATES FUND, VIII,
L.P.
Third Party Defendant/Fourth Party Plaintiff,

Vs.

SCENIC LANDSCAPING, LLC,
Fourth Party Defendant

THIS MATTER having been opened to the Court by, CASCIO & CAPOTORTO, ESQS., attorneys for Third Party Defendant/Fourth Party Plaintiff THE REALTY ASSOCIATES FUND, VIII, L.P. by Christopher S. Byrnes, Esq., on application for motion for summary judgment by THE REALTY ASSOCIATE FUND, VIII, L.P. for contractual indemnification and insurance coverage against SCENIC LANDSCAPING, LLC, declaring that

SCENIC LANDSCAPING, LLC, has a contractual obligation pursuant to the Snow Removal Contract between SCENIC LANDSCAPING, LLC, and Kwartler Associates, Inc., as agent for REALTY ASSOCIATES FUND VIII, LP, including reimbursement of all attorney's fees, with respect to any claims or liability that may arise out of the underlying claim being prosecuted by the Plaintiff, and the Court having considered the moving papers and any opposition filed thereto and for good cause shown;

IT IS on this 9th day of June, 2017

IT IS ORDERED that summary judgment be, and is hereby GRANTED in favor of Third Party Defendant/Fourth Party Plaintiff REALTY ASSOCIATES FUND, VIII, LP, against SCENIC LANDSCAPING, LLC on the issue of contractual indemnification, and

IT IS FURTHER ORDERED that SCENIC LANDSCAPING, LLC shall forthwith assume the indemnification and defense of REALTY ASSOCIATES FUND, VIII, LP, in this matter, and shall reimburse all attorney's fees and litigation costs incurred in the defense of REALTY ASSOCIATES FUND VIII, LP in this action, due to the failure to provide this indemnification and defense and necessitated by this motion, and

IT IS FURTHER ORDERED that SCENIC LANDSCAPING, LLC shall forthwith assume the insurance coverage of REALTY ASSOCIATES FUND, VIII, LP, in this matter, and shall reimburse all attorney's fees and litigation costs incurred in the defense of REALTY ASSOCIATES FUND VIII, LP in this action, due to the failure to provide this coverage and necessitated by this motion, and

IT IS FURTHER ORDERED that a hearing shall be scheduled before this Court on a date to be determined, 2017 to determine the amount of the attorney's fees and litigation costs to be reimbursed, and

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon all parties within 7 days of the date of execution of the within Order.

Vincent LeBlon JSC
J.S.C.

Opposed

Unopposed

VINCENT LeBLON, J.S.C.

#750

FILED 6/9/2017

JUN 09 2017

Judge Vincent LeBlon

LUTZ, SHAFRANSKI, GORMAN & MAHONEY, PA

JOHN R. GORMAN, ESQ. - ATTORNEY ID NO: 024551983
77 Livingston Avenue, P.O. Box 596
New Brunswick, New Jersey 08903
(732) 249-0444

Attorneys for Plaintiff(s)

Plaintiff(s)

SIOMARA REYES-MADERA,

vs.

Defendant(s)

MIGUEL VASQUEZ-MEJIA, JOSE R. MARTINEZ and PROGRESSIVE DIRECT INSURANCE COMPANY,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION:MIDDLESEX COUNTY
DOCKET NO: L-281-15

CIVIL ACTION

ORDER TO RESTORE COMPLAINT
AGAINST DEFENDANTS MIGUEL
VASQUEZ-MEJIA AND JOSE
R. MARTINEZ

This matter having been brought before the Court on Motion of John R. Gorman, Esq., for Lutz, Shafranski, Gorman & Mahoney, P.A., attorneys for plaintiff for an Order Restoring plaintiff's complaint against defendants Miguel Vasquez-Mejia and Jose R. Martinez, and the Court having considered the matter and good cause appearing;

IT IS on this 9th ay of June, 2017

~~ORDERED that plaintiff's Complaint against defendants Miguel Vasquez-Mejia and Jose R. Martinez be and hereby is restored; and~~ **DENIED** *

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

OPPOSED
 UNOPPOSED

Vincent LeBlon JSC

J.S.C.

Papers filed with the Court: **VINCENT LeBLON, J.S.C.**
() Answering papers
() Reply papers

Ordered that plaintiff shall sign and provide to defendant the edited version of the Release within 15 days of this Order. (u)

#1038
6/28/17

REILLY, JANICZEK, MCDEVITT,
HENRICH & CHOLDEN, P.C.
BY: GINO P. MECOLI, ESQUIRE #018101989
CHRITINE J. VIGGIANO., ESQ #143402015
2500 MCCLELLAN BOULEVARD, SUITE 240
MERCHANTVILLE, NEW JERSEY 08109
(856) 317-7180

ATTORNEY FOR DEFENDANTS,
MIGUEL VASQUEZ-MEJIA AND
JOSE R. MARTINEZ

FILED

JUN 09 2017

Judge Vincent LeBlon

OUR FILE # 314-1306

SIOMARA REYES-MADERA,

PLAINTIFF,

vs.

MIGUEL VASQUEZ-MEJIA and JOSE R.
MARTINEZ,

DEFENDANTS.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

DOCKET NO. MID-L-281-15

Civil Action

ORDER ENFORCING SETTLEMENT
& ALLOWING DEFENDANTS TO
DEPOSIT SETTLEMENT MONIES
INTO COURT

Application being made pursuant to R.1:6-2, by Christine J. Viggiano, Esquire attorney for the Defendants, Miguel Vasquez-Mejia and Jose R. Martinez, for an Order to Enforce the Settlement in the above captioned litigation and permit Defendants' to deposit settlement monies in the amount of \$14,500 into Court; and notice having been given to John R. Gorman, Esquire attorney for the Plaintiff, Siomara Reyes-Madera and the Court having considered the pleadings and good cause having been shown.

IT IS, on this *9th* day of *June*, 2017 ORDERED and ADJUDGED that the instant litigation be and hereby is settled.

FURTHER ORDERED and ADJUDGED Defendants shall *pay to plaintiff* *(initials)* deposit settlement proceeds in the amount of \$14,500 *directly* ~~into Court~~ within thirty (30) days of this order.

opposed

Vincent LeBlon
J.S.C.

VINCENT LeBLON, J.S.C.

734
06/09/17

Mitchell B. Seidman (028301985)
Andrew Pincus (039491992)
SEIDMAN & PINCUS, LLC
777 Terrace Avenue, Suite 508
Hasbrouck Heights, New Jersey 07604
(201) 473-0047
Attorneys for Judgment Creditor Savoy Bank

FILED
JUN 9 2017
Judge Vincent LeBlon

SAVOY BANK,

Plaintiff-Judgment Creditor,

v.

NORTH AMERICA RECYCLING INC.
and SAURABH AGGARWAL, jointly
and severally,

Defendants-Judgment Debtors.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY
Judgment No. DJ-206425-16

CIVIL ACTION

**ORDER COMPELLING
TURNOVER OF STOCK
CERTIFICATES TO SHERIFF**

THIS MATTER having been opened to the Court by Seidman & Pincus, LLC, counsel to plaintiff and judgment creditor Savoy Bank, upon the motion (the "Motion") of Savoy Bank for entry of an Order, pursuant to R. 4:59-1 and N.J.S.A. § 12A:8-112(e), directing judgment debtor Saurabh Aggarwal ("Aggarwal") to turnover to the sheriff all certificates evidencing or memorializing his stock interest in the corporation known as Wine 34, Inc., or, if no such certificates have been issued, then compelling Aggarwal and/or Wine 34, Inc. to issue stock certificates in the name of the sheriff, so that a sale thereof may be consummated in execution of Savoy Bank's Judgment; and the Court having considered all of the papers filed in support of the Motion, and all of the papers filed in opposition to the Motion (if any), and due deliberation having been had thereon, and sufficient cause appearing therefor;

IT IS, this 9th day of June 2017,

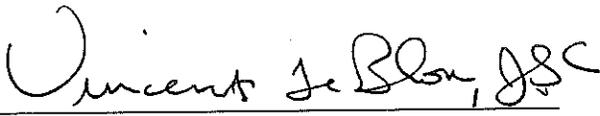
ORDERED that the Motion is granted in all respects; and it is further

ORDERED that Aggarwal be, and hereby is, directed and compelled to endorse, transfer, and turnover to the sheriff, all certificates evidencing or memorializing his stock interest in Wine 34, Inc. within ten days of his receipt of this Order, to enable a sale thereof in execution of Savoy Bank's judgment; or, to the extent that such certificates have not been issued; it is further

ORDERED that Aggarwal be, and hereby is, within ten days of his receipt of this Order, directed and compelled to cause Wine 34, Inc. to issue stock certificates representing the entirety of the interest in Wine 34, Inc. held by Aggarwal in the name of the sheriff so as to enable a sale thereof in execution of Savoy Bank's judgment; it is further

ORDERED that the sheriff go forward with the sale of Aggarwal's stock interest in Wine 34, Inc. in execution of Savoy Bank's judgment; and it is further

ORDERED that Savoy Bank's counsel shall serve a copy of this Order upon counsel to defendants/judgment debtors within seven (7) days following counsel's receipt of same.



J.S.C.

VINCENT LeBLON, J.S.C.

Opposed
 Unopposed

FILED

JUN 14 2017

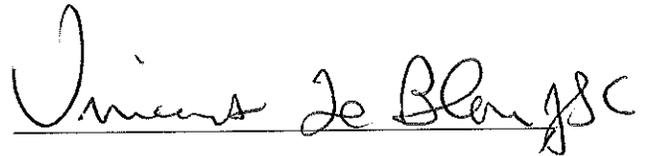
Judge Vincent LeBlon

Statement of Reasons

**Savoy Bank v. North American Recycling, Inc. and Saurabh
Aggarwal**

DJ-206425-16

1. Here, the Court finds the case of Wolverine Flagship Fund Trading Ltd. V. American Oriental Bioengineering, Inc., 444 N.J. Super. 530 (App. Div. 2016) to be distinguishable from the relief requested in the instant matter. In that case, the Court sought to compel a 3rd party to reissue the certificates. Here, the form of order requested relates to solely to certificates in Defendant Aggarwah's immediate or secondary control.
2. Should Defendant not have said certificates, the Court compels Defendant, as sole owner of Wine 34, Inc., to effectuate issuance /reissuance, rather than directly compelling the third party corporate entity.
3. Accordingly, the order is granted.



Hon. Vincent Le Blon J.S.C.

FILED

JUN 09 2017

Judge Vincent LeBlon

AHMUTY, DEMERS & MCMANUS, ESQS.

By: Anthony I. Perchiacca, Esq. (118142015)

65 Madison Avenue, Suite 400

Morristown, New Jersey 07960

(973) 984 - 7300

Attorneys for Defendant/Thrd-Party Plaintiff,

HIGH TECH LANDSCAPES, INC.

Our File No.: NCS 1511J16 MCS/AIP

CINDY YOST,

Plaintiff,

vs.

**THE HILLS VILLAGE MASTERS
ASSOCIATION, INC.; THE VILLAGE
GREEN AT BEDMINSTER
NEIGHBORHOOD CONDOMINIUM
ASSOCIATION; ACCESS PROPERTY
MANAGEMENT I, LLC; HIGH TECH
LANDSCAPES, INC.; EDWARD A.
KIELAU, JR.; ABC CORPS 1-10
(fictitious business entities) and JOHN
DOES 1-10 (fictitious names),**

Defendants.

AND

HIGH TECH LANDSCAPES, INC.

Third-Party Plaintiff,

vs.

**EDWARD A. KIELAU, JR., ABC
CORPS. 1-10 (Fictitious Business
Entities) and JOHN DOES 1-10
(Fictitious Persons), individually, jointly,
severally or in the alternative,**

Third-Party Defendants.

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

DOCKET NO.: MID-L-5325-15

#031

CIVIL ACTION

ORDER

THIS MATTER, having been brought before the Court by way of Motion of AHMUTY, DEMERS & MCMANUS, ESQS., attorneys of record for attorneys for Defendant/Third-Party Plaintiff, HIGH TECH LANDSCAPES, INC., seeking summary judgment to be entered and thereby dismissing plaintiff's Third Amended Complaint and any and all Cross-Claims with prejudice; and the Court having considered the papers submitted in support hereof and in opposition thereto, if any, and the Court having considered the arguments of counsel, if any, and the Court finding the relief justified as a matter of law;

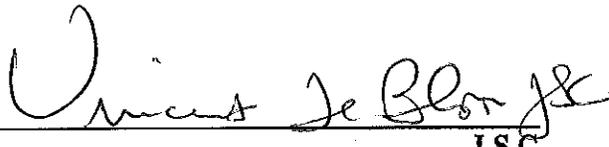
IT IS on this 9th day of June, 2017;

(A) ORDERED that Defendant/Third-Party Plaintiff, HIGH TECH LANDSCAPES, INC., is hereby granted summary judgment; ^{without prejudice} and it is further

(B) ORDERED that plaintiff's Third Amended Complaint is hereby dismissed ^{without} ~~with~~ prejudice as to Defendant/Third-Party Plaintiff, HIGH TECH LANDSCAPES, INC.; and it is further

(C) ORDERED that any and all Cross-Claims are hereby dismissed ^{without} ~~with~~ prejudice as to Defendant/Third-Party Plaintiff, HIGH TECH LANDSCAPES, INC.; and

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon all counsel of record within 10 days of the date hereof.



J.S.C.

VINCENT LeBLON, J.S.C.

The within Notice of Motion was:

Opposed

Unopposed