

Judge Michael A. Toto, J.S.C.

Disposition List

Motions Returnable ( 3/31/2017 )

Docket	Case Name	Motion Type	Motion #	Disposition
L-2201-16	Abreu vs Rothenberg	MTD	630	adj 4/13
L-3705-16	Acebal vs Parreno	Amend Comp +3P	961	GRANT
L-7310-15	Alfred vs Perez-Angel	Compel Dep; Ext Disc	978	GRANT
L-5401-16	Almonte-Ortiz vs Lovrovich	Strike	268	WD
L-7506-16	B&L Towing vs GWA Logistics Inc	Sub Service	664	GRANT
L-1706-16	Baer vs The Whiting-Turner Contracting Company	Strike	543	WD
L-6709-16	Bates vs Agarwal	Dismiss Count	306	GRANT
L-3210-16	Be Fine Group LLC v. Bentley Lab Inc	MTD	963	adj 4/13
L-1609-16	Bellot vs Manasso	Strike	633	WD
L-7107-16	Bethea vs City of Rahway et al	SJ	17	GRANT
L-3505-16	Brito vs Sims	MTD	815	GRANT
DJ - 326209- 10	Cach of NJ vs Pinales	Misc	159	ADJ 4/13
L-7106-15	Carmona vs AAA Express Taxi LLC	Enter Judgment	560	GRANT
L-4911-16	Catalfamo vs Swale	Strike - Swale	220	WD
L-4911-16	Catalfamo vs Swale	Strike - Kohl's	218	WD
L-6822-16	Cononie vs Borough of Milltown	MTD	319	adj 4/28
L-3301-14	Copes-Adams v Correa	Reinstate and Adj Trial Date	1213	GRANT
L-5703-15	Corsaro vs Pope	MTD	969	WD
L-3307-16	Corso vs Lake Realty Partners	Strike	463	WD
L-4602-16	Cziko vs Cziko	SJ	79	adj
L-6105-16	Davison vs Moorestown Visiting Nurse Assoc	MTD	960	WD
L-4305-14	Debello vs Magdangal	Enf Lit Rights	648	adj 4/13
L-4305-14	Debello vs Magdangal	Bar Test	947	adj 4/13

L-4408-15	Donovan vs Smiles	MTD	501	WD
L-4105-16	Edelstein vs Edison Twnshp (Fire Dept)	Dismiss Complaint	657	ORDER TO BE POSTED
L-1802-14	Estate of Anna Travisano vs Golden Living Center	SJ	78	DENY
L-1802-14	Estate of Anna Travisano vs Golden Living Center	Cross-Disc; Adj Trial; Amend	1160	GRANT
L-1107-16	Estate of Kathleen Walsh vs Ash	Compel Disc	1023	WD
L-2306-16	Evans vs GEICO	MTD	943	GRANT
L-3806-16	Fortenberry vs Paria	Compel Dep	580	GRANT
L-2308-16	Fox vs Tripathi	Strike	94	WD
L-2101-16	Friis v Olivera	Compel	936	GRANT
L-5302-15	Funez vs Maximo-Calderon	Compel	505	GRANT IN PART
L-5302-15	Funez vs Maximo-Calderon	Lien to Perfect	877	GRANT IN PART
L-5302-15	Funez vs Maximo-Calderon	Ext Disc	690	GRANT
L-4408-16	Gabay vs Suburban Transit	MTD	984	WD
L-4406-15	Ganz vs The American Bottling Co	Compel	861	GRANT
L-4406-15	Ganz vs The American Bottling Co	Ext Disc	865	GRANT
L-2503-16	Gittens vs Garcia	Reinstate & Enter Default	670	GRANT
L-5301-15	Gomez vs Kim	Misc	473	GRANT
L-7308-16	Gonzalez vs Patel	Deposit Policy Limits	715	GRANT
L-510-15	Hawa vs NJM Ins Co	Misc	574	GRANT
L-6607-15	Herbst vs Alvarez	Compel and Produce	356	WD
L-6703-13	Howell vs Bar Anticipation, et al	Misc	668	adj 4/13
L-3804-16	Ignarski vs K & H Logistics, Inc	Strike	216	WD
L-5501-16	Irizarry vs Ajekum	Dismiss	351	adj 4/13
L-1008-15	Karki vs Kumar	Dismiss	155	GRANT
L-2811-14	Khalek vs Khalek	Bar	924	DENY
L-6106-16	Laragione vs Delaney	Suppress	755	WD

L-4309-15	Lehmann vs Stone Age Artisan Concrete Inc	MTD	550	GRANT
L-6103-16	Lige vs Vonofloria	MTD	478	adj 4/13
L-2903-15	Lincoln vs Collazo	Strike	422	GRANT
L-5306-15	Lockamy vs Figueroa	Bar Evi	255	DENY
L-5306-15	Lockamy vs Figueroa	Stay	879	GRANT
L-5306-15	Lockamy vs Figueroa	Bar Evi	922	DENY
L-1511-16	Luna-Mateo vs Trucillo	Ext. Disc.	752	GRANT
L-5205-15	Lyons vs BP Auto Group	Reconsideration	573	xfer Rea
L-1408-16	M. Alfieri Co vs Remco Maintenance	Compel Disc	562	adj 4/7
L-5703-16	Marcelino vs Allied Mortgage Group	Sub Service	707	GRANT
L-6902-15	Marrero vs Amsterdam Alley Bar	Compel Production	105	GRANT
L-409-16	Marrero vs Bonilla	Strike	343	WD
L-5409-15	Maurico vs Guerrero-Osomo	Ext Disc	887	GRANT
L-4008-15	Mazur vs Cure Auto Ins	Ext Disc.	827	GRANT
L-3501-15	McAuliffe vs Alvarado	Reopen and Ext Disc		GRANT
L-209-16	Morin vs J. Fletcher Creamer & Sons	Leave to Amend +3P	350	GRANT
L-3107-15	O'Neill vs Phoenix 410 Main Street	Amend Order	282	ORDER TO BE POSTED
L-7207-15	Patel vs Erbeli	Compel	966	GRANT
L-1204-15	Powell vs Mauceri	Compel/or Dismiss Comp	1047	adj 4/13
L-5207-16	Prescott vs Yabut	MTD	707	WD
L-5903-14	Pujols vs Malinjt	Contempt	667	GRANT IN PART
L-304-15	Quintela vs Loman	Ext Disc	527	GRANT
L-304-15	Quintella vs Loman	Vacate Order	768	GRANT
L_1007-16	Rich vs NJM Ins Co	Ext Disc	937	GRANT
L-4307-16	Robert Wood Johnson Univ. Hospital vs Plymouth Rock Assurance Ins	SJ	33	DENY
L-2803-16	Rock vs NJ Turnpike Auth	SJ	143	GRANT
L-1004-16	Rodriguez-Flores vs European Granite & Marble Group	Misc	198	adj 4/13

L-110-16	Rodriguez-Mosquera v Wisniewski	Ext Disc	894	GRANT
L-1701-16	Salib vs Castlepoint Ins Co	Change Counsel	742	GRANT
L-1701-16	Salib vs Castlepoint Ins Co	MTD w/P	296	WD
L-1909-16	Sangiovanni vs Kalman	MTD	554	GRANT
L-108-16	Saunders-Cudjoe vs Blenderman	Dismiss Comp w/P	474	WD
L-1601-16	Shiu vs Ayers	Ext Disc.	1002	GRANT
L-5809-16	Stafford vs Cirrincione	Sub Service	229	GRANT
L-4401-14	Stevens vs Katz	Withdraw Funds	666	GRANT
L-6010-16	Stranburg v. Ford Motor Co	Amend Comp +3P	855	GRANT
L-6403-16	Suarez vs Vallone	MTD	946	WD
L-5805-15	Suriel v Sanchez	SJ	51	GRANT
L-5511-15	Sutkowski vs NJM Ins Co	Ext Disc; Adj Arb	782	WD
L-2507-16	Synatek vs RS Land Design LLC	Enter Default Judgment	766	GRANT
L-5805-04	Thomas Broccoletti	Expungement	614	ORDER TO BE POSTED
L-1509-16	Toyota Motor Credit Cop vs Padilla	Default Judgment	526	GRANT
L-803-16	Troche vs Prospect Pointe	SJ	104	DENY
L-803-16	Troche vs Prospect Pointe	MTD	703	GRANT
L-7008-16	Upshur vs Firmenich Inc	MTD	129	adj 4/13
DJ-227211-16	Westlake Services, LLC vs JNM Auto Inc	Turnover Funds	1107	GRANT
L-3501-16	Whelan vs Simon	Enf Lit Rights	330	adj 4/13

FILED  
MAR 3 1 2017  
JUDGE MICHAEL A. TOTO

#961  
3-31-17

Pamela Brown-Jones, Esq.  
NJ ID#: 008961998  
WEISS & PAARZ  
2600 New Road, Suite A  
(609)641-8400  
ATTORNEYS FOR PLAINTIFFS

FELIX ACEBAL Individually & as ADMINISTRATOR  
Ad PROSEQUENDUM of the ESTATE OF  
ANNA ACEBAL, Deceased

Plaintiffs,

v.

MARITZA PARRENO, M.D.; PRESTIGE MEDICAL  
CARE, LLC; JOHN DOE PHYSICIAN A-Z (multiple  
fictitious physicians) JOHN DOE EMPLOYER A-Z  
(multiple fictitious entities); JOHN DOE MEDICAL  
PROVIDER A-Z (multiple fictitious persons and/or  
entities) j/s/a,

Defendants.

SUPERIOR COURT  
OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

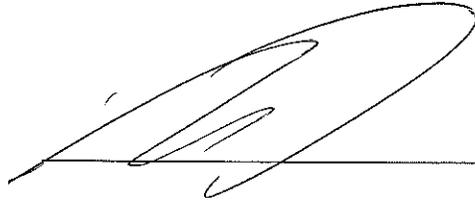
DOCKET #: L-3105-16

ORDER

This matter having been brought to the attention of the Court by Pamela Brown-Jones, Esq. of the law offices of Weiss & Paarz, attorneys for plaintiffs, and the Court having read and considered the moving papers and any and all responses thereto; and for good cause shown;

IT IS, on this 31 day of March 2017, hereby ORDERED that plaintiffs be and hereby are given permission to amend their existing Amended Complaint to add Jose Costa, M.D. and Digestive Health & Nutrition Center, LLC. as defendants as represented in plaintiffs' moving papers provided said 2nd Amended Complaint be filed within the next 14 days.

IT IS further ORDERED that a copy of the foregoing Order be provided to all parties within seven (7) days.



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J.S.C.

MICHAEL A. TOTO, J.S.C.

PAPERS CONSIDERED

<input checked="" type="checkbox"/> Notice of Motion	<input type="checkbox"/> Answering Brief
<input type="checkbox"/> Movant's Affidavits	<input type="checkbox"/> Cross Motion
<input type="checkbox"/> Movant's Brief	<input type="checkbox"/> Movant's Reply
<input type="checkbox"/> Answering Affidavits	<input type="checkbox"/> Other

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

Firm Code: H21  
File No.: 141830869  
Cooper Maren Nitsberg Voss & DeCoursey  
Andrew V. Ha, Esq.  
Bar #: 01001999  
485 Route 1 South  
Building A, Suite 200  
Iselin, NJ 08830  
Ph: 732-362-3400; Direct dial: (732) 362-3348  
Fax: (866) 827-4716

Attorneys for Defendants, Pedro A. Duque and Cesar Perez-Angel

ANDRE J. ALFRED,

Plaintiff,

v.

CESAR PEREZ-ANGEL, PEDRO A. DUKE and  
JOHN DOE DEFENDANTS 1-50,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

CIVIL ACTION

DOCKET NO.: MID-L-7310-15

**ORDER COMPELLING DEPOSITION AND  
EXTENDING DISCOVERY FOR 90 DAYS**

THIS MATTER having been opened to the Court by Andrew V. Ha, attorney for Defendants, Pedro A. Duque and Cesar Perez-Angel, for an Order compelling the deposition of Plaintiff, Andre J. Alfred, and Extending Discovery for 90 days, and the Court having reviewed the moving papers submitted, and any opposition thereto, and for good cause appearing;

IT IS on this 31<sup>st</sup> day of March, 2017.

ORDERED AS FOLLOWS:

- a. The time for completion of discovery is hereby extended for 90 days from the previous discovery end date.
- b. The new discovery end date is July 4, 2017
- c. Plaintiff, Andre J. Alfred, shall appear for deposition on April 17, 2017 at 10:00 A.M. at the offices of Cooper Maren Nitsberg Voss & DeCoursey, 485 Route 1 South, Building A, Suite 200, Iselin, NJ 08830

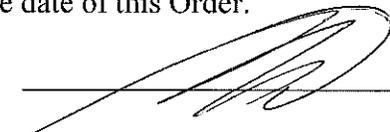
**FILED**  
**MAR 31 2017**  
**JUDGE MICHAEL A. TOTO**

Outstanding Discovery	Discovery Shall Be Completed By Date Listed Below
Deposition of the Plaintiff by	April 17, 2017
IME of Plaintiff by	May 30, 2017
Defendant shall serve expert report(s) by	June 30, 2017
Plaintiff shall serve expert rebuttal report	July 4, 2017

IT IS FURTHER ORDERED that in the event that, Plaintiff, Andre J. Alfred fails to appear, except for good cause shown, Plaintiff, Andre J. Alfred, shall be barred from testifying at the Trial of this matter.

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

       Opposed  
 Unopposed

  
 \_\_\_\_\_  
 J.S.C.  
 MICHAEL A. TOTO, J.S.C.

(*) Party/Parties Requesting Discovery Extension	
<u>90 days</u>	for ___ plaintiff <input checked="" type="checkbox"/> defendant
_____	for ___ plaintiff ___ defendant

**ORDERED THAT ARBITRATION  
 SHALL BE SCHEDULED FOR  
August 22, 2017**

CHRISTOPHER S. PORRINO  
ATTORNEY GENERAL OF NEW JERSEY  
R.J. Hughes Justice Complex  
P.O. Box 116  
Trenton, New Jersey 08625  
Attorney for Defendant,  
New Jersey Department of Transportation

**FILED**  
MAR 3 2017  
JUDGE MICHAEL A. TOTO

By: Bryan E. Lucas (108462015)  
Deputy Attorney General  
(609)292-8565  
Bryan.Lucas@lps.state.nj.us

JOANNE BETHEA,

Plaintiff,

v.

CITY OF RAHWAY, COUNTY OF UNION,  
UNITED WATER, NEW JERSEY  
DEPARTMENT OF TRANSPORTATION,  
SUEZ ENVIRONMENTAL NA INC.,  
UNITED WATER ENVIRONMENTAL  
SERVICES, INC., JOSEPH DEFINO  
TRUCKING, and JOHN DOES (1-5),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION MIDDLESEX COUNTY

Docket No. MID-L-7107-16

CIVIL ACTION

ORDER DISMISSING PLAINTIFF'S  
COMPLAINT WITH PREJUDICE

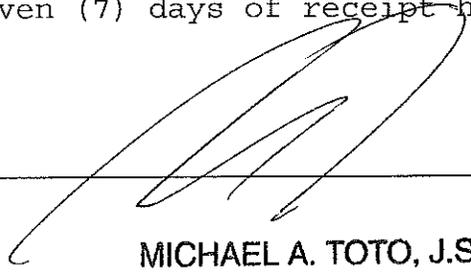
This matter having been opened to the Court on application of Christopher S. Porrino, Attorney General of New Jersey, Bryan E. Lucas, Deputy Attorney General, appearing on behalf of Defendant New Jersey Department of Transportation, for an Order dismissing Plaintiff's Complaint with prejudice, and the Court having considered the moving papers and for good cause shown,

It is on this 31 day of March, 2017;

ORDERED that Defendant's Motion for Summary Judgment is GRANTED, and it is further

ORDERED that Plaintiff's Complaint is hereby dismissed with prejudice, and it is further

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

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C.

\_\_\_\_ Opposed

Unopposed

#815  
03/31/17

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

Kevin J. McGee - 039991992  
McDermott & McGee LLP  
75 Main Street  
POB 192  
Millburn, New Jersey 07041  
973/467-8080

Attorneys for Defendants Anthony Sims and Twana Felder  
Our File No. 85654 KJM

<p>ODALIS BRITO,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>ANTHONY SIMS, TWANA FELDER, JOHN DOE 1-4, JANE DOE 1-4, XYZ CORP. 1-10 and ABC CO. 1-10 (said names being fictitious),</p> <p style="text-align: center;">Defendants.</p>	<p>: SUPERIOR COURT OF NEW JERSEY : LAW DIVISION - MIDDLESEX COUNTY : DOCKET NO. MID-L-3505-16 : : <i>Civil Action</i> : : <b>ORDER</b> : : : : :</p>
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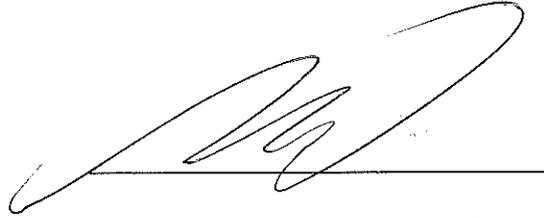
THIS MATTER having been presented to the Court on Motion by the Law Office of McDERMOTT & McGEE, counsel for defendants Anthony Sims and Twana Felder, seeking an Order compelling plaintiff to appear for the taking of her deposition on April 12, 2017 at 10:00AM at the office of plaintiff's counsel; and the Court having reviewed the Certification of Counsel submitted in connection herewith; and good cause having been shown:

IT IS ON THIS 31 day of MARCH, 2017,

**ORDERED:**

1. That plaintiff <sup>and Defendants</sup> be and is hereby compelled to appear for the taking of her deposition on April 12, 2017 at 10:00AM at the office of plaintiff's counsel;

2. That a copy of this Order shall be served upon all counsel of record within \_\_\_\_\_ days of the date of entry hereof.

A handwritten signature in black ink, appearing to read 'M. A. Toto', is written over a horizontal line.

MICHAEL A. TOTO, J.S.C.

Opposed  
 Un-Opposed

#.6604  
03/31/17

WILLIAM J. POLLINGER, P.A.  
Claridge Plaza  
302 Union Street  
Hackensack, New Jersey 07601  
(201) 487-5666  
Attorney ID # 253861969  
Attorney for Plaintiff  
Our File No. P-22,004

**FILED**  
**MAR 31 2017**  
**JUDGE MICHAEL A. TOTO**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. L-7506-16

B & L Towing, )  
 )  
 )  
 Plaintiff, )  
 )  
 )  
 v. )  
 )  
 )  
 GWA LOGISTICS, INC.; TOUISSAINT )  
 Z. TERRELL; and BIG HEARTS, )  
 )  
 )  
 Defendants. )

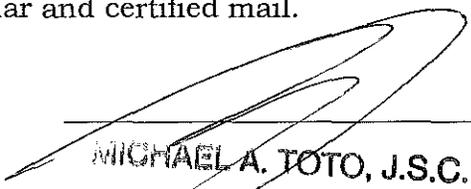
Civil Action

ORDER

This matter having been placed before the Court by William J. Pollinger, P.A., attorneys for Plaintiff, and the Court having considered all documents submitted and for good cause shown;

It is on this 31 day of March, 2017

Ordered that plaintiff is hereby authorized to serve defendant, GWA Logistics, Inc., by substituted service upon its insurers, the New Jersey Commercial Automobile Insurance Plan and FTP Insurance, by regular and certified mail.

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J.S.C.

**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 Defendant, New Jersey Manufacturers Insurance Company  
Our File: IC.7578CMB

#306 3-3-17  
**FILED**  
MAR 3 4 2017  
JUDGE MICHAEL A. TOTO

MONICA BATES,  
  
Plaintiff(s),  
  
v.  
  
SOMYA AGARWAL, GAURAV MITTAL, NEW  
JERSEY MANUFACTURERS INSURANCE  
COMPANY, JOHN DOE 1-X (said names being  
fictitious, true names presently unknown) ABC  
CORP. 1-X (said names being fictitious, true name  
presently unknown),  
  
Defendant(s),

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-6709-16

Civil Action

**ORDER**

THIS MATTER having been open to the Court by the Camassa Law Firm, P.C., attorneys for the defendant New Jersey Manufacturers Insurance Company, and the Court having reviewed the moving papers and the opposition, if any, and the Court having found that the proper venue for the resolution of Personal Injury Protection (PIP) disputes is Forthright, and for good cause shown,

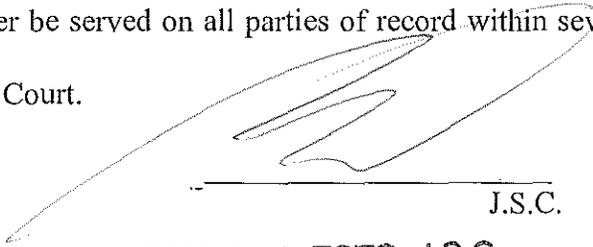
It is this 31 day of March, 2017

ORDERED that the Third Count of the Complaint of Plaintiff is dismissed, without prejudice, against New Jersey Manufacturers Insurance Company; and it is further

ORDERED that Plaintiff is required to institute the proceedings in Forthright concerning the dispute of PIP benefits; and it is further

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

Opposed  
 Unopposed



\_\_\_\_\_ J.S.C.

MICHAEL A. TOTO, J.S.C.



# 1213  
03/31/17

**David M. Wasserman – Attorney ID 013622006**  
**STEVEN P. HADDAD, P.C.**  
Attorneys at Law  
510 Thornall Street, Suite 270  
Edison, New Jersey 08837  
Tel: (732) 933-3535/ Fax: (732) 933-3536  
Attorneys for Plaintiffs

**FILED**  
**MAR 31 2017**  
**JUDGE MICHAEL A. TOTO**

<p>MILLICENT COPES-ADAMS and ZEMIRA ADAMS, a Minor, by her Guardian Ad Litem, Tierra Adams,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>FAUSTINO CORREA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time), and JESSICA REBOLLEDO and/or JANE DOES 1-10, (being fictitious persons unknown at this time),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY MIDDLESEX COUNTY - LAW DIVISION DOCKET NO.: MID-L-3301-14</p> <p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;"><b>ORDER</b></p>
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**THIS MATTER** having been opened to the Court by Steven P. Haddad, P.C., attorneys for the Plaintiffs, on notice to the Defendants' attorney, and the Court having reviewed the moving papers and opposing papers (if any), and for good cause shown,

**IT IS** on this 31 day of MARCH, 2017,

**ORDERED**, that the Plaintiffs' Complaint is reinstated to the active trial calendar; and it is further

**ORDERED** that the trial date is hereby rescheduled to May 1, 2017, and it is further

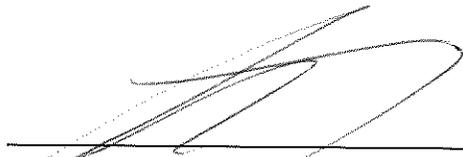
**ORDERED**, that a copy of the within Order be served upon all counsel within 7 days of the date hereof.

Unopposed

  x  

Opposed

\_\_\_\_\_



MICHAEL A. TOTO, J.S.C.

J.S.C.

CAMPBELL, FOLEY, DELANO & ADAMS, L.L.C.  
MARIO J. DELANO-031531992  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendant  
Our File No. 1-38,310-MJD(KOK)

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

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Plaintiff

TRAVIS K. EVANS

vs.

Defendant

GEICO INDEMNITY COMPANY

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-2306-16

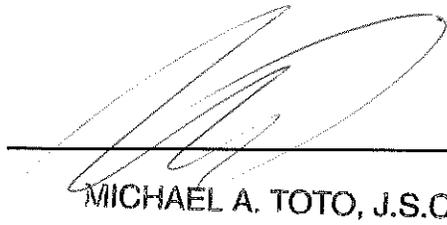
Civil Action #943

ORDER TO DISMISS THE  
COMPLAINT FOR FAILURE OF THE  
PLAINTIFF, TRAVIS K. EVANS, TO  
APPEAR FOR A DEPOSITION ON  
JANUARY 24, 2017, APPEAR FOR AN  
IME WITH DR. LOPEZ ON FEBRUARY  
3, 2017 AND FAILURE TO PROVIDE  
MORE SPECIFIC ANSWERS TO  
INTERROGATORY #13

The above entitled matter having been opened to the Court on March 31, 2017 by Campbell, Foley, Delano & Adams, Esqs., attorneys for the defendant, GEICO Indemnity Company, on motion to dismiss the Complaint for failure of the plaintiff, Travis K. Evans, to appear for a deposition on January 24, 2017, appear for an IME with Dr. Lopez on February 3, 2017 and failure to provide more specific answer to interrogatory #13, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this 31<sup>st</sup> day of March, 2017, that the plaintiff, Travis K. Evans', Complaint is dismissed without prejudice for failure to appear for depositions scheduled on January 24, 2017, appear for an IME with Dr. Lopez on February 3, 2017 and failure to provide a more specific answer to interrogatory #13; 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.

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J.S.C.

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

PAPERS CONSIDERED

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

Dated: March 10, 2017

#078  
03/31/17

**BUCHANAN INGERSOLL & ROONEY PC**

David L. Gordon (019961989)  
Philip J. Anderson (012002005)  
Andrew T. Lambert (170982016)  
700 Alexander Park, Suite 300  
Princeton, New Jersey 08540  
(609) 987-6800

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

*Attorneys for Defendants*, Care One at East Brunswick, LLC d/b/a Care One at East Brunswick; DES Holding Co, Inc.; DES-2009 GRAT; Daniel Straus; Care One Management, LLC; and Care One, LLC

Maria Riporti as Substituted Administrator ad Prosequendum for the Estate of Anna Trivisano,  
  
Plaintiff,  
  
vs.  
  
Golden Living Center — Old Bridge; GGNSC Old Bridge, LLC; Drum Corp; Silva Family Trust; Golden Gate National Senior Care, LLC; Golden Gate National Senior Care Holdings, LLC; Care One at East Brunswick, LLC d/b/a Care One at East Brunswick; DES Holding Co, Inc.; DES-2009 GRAT; Daniel Straus; Care One Management, LLC; Care One, LLC; Owners 1-10; Administrators 1-10; Physicians 1-10; Nurses 1-10; Dieticians 1-10; CNA's 1-10; and ABC Corporations 1-10; (the aforesaid names being fictitious and their true names being unknown),  
  
Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:  
MIDDLESEX COUNTY

DOCKET NO.: MID-L-1802-14

CIVIL ACTION

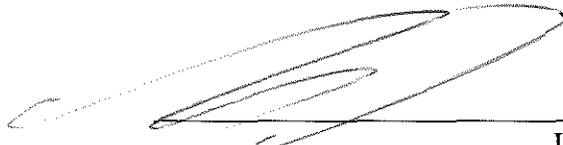
**ORDER GRANTING  
SUMMARY JUDGMENT**

**THIS MATTER**, having been opened to the Court by Buchanan Ingersoll & Rooney PC, Attorneys for Defendants, Care One at East Brunswick, LLC d/b/a Care One at East Brunswick; DES Holding Co, Inc.; DES-2009 GRAT; Daniel Straus; Care One Management, LLC; and Care One, LLC (“Moving Defendants”), on their Notice of Motion for Summary Judgment Dismissing Plaintiff’s Amended Complaint for Failure to File Expert Reports (“Motion”); and good and sufficient notice of the Motion having been afforded to all parties; and the Court

having considered all papers submitted in support of the Motion, and all papers submitted in opposition thereto, together with all pleadings and all materials of record in this action; and for good cause shown;

**IT IS** on this 31 day of MARCH, 2017, **ORDERED** as follows:

1. Defendants' Motion is hereby <sup>Denied</sup> **GRANTED**.
2. ~~Plaintiff's Amended Complaint Shall be Dismissed, with prejudice.~~ *Done*
3. A copy of this Order shall be served upon all parties within seven (7) calendar days from entry hereof.

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J.S.C.

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

#1160  
03/31/17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

**GARTENBERG HOWARD LLP**  
Two University Plaza, Suite 400  
Hackensack, New Jersey 07601  
(201) 488-4644  
Id. No. 037441987  
*Attorneys for Plaintiffs*

-----X  
MARIA RIPORTI as Administrator ad  
Prosequendum for the Estate of Anna Trivisano,

Plaintiffs,

-against-

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

DOCKET NO. MID-L-001802-14

Civil Action

GOLDEN LIVING CENTER – OLD BRIDGE;  
GGNSC OLD BRIDGE, LLC; DRUM CORP;  
SILVA FAMILY TRUST; GOLDEN GATE  
NATIONAL SENIOR CARE, LLC; GOLDEN  
GATE NATIONAL SENIOR CARE HOLDINGS,  
LLC; CARE ONE AT EAST BRUNSWICK; CARE  
ONE AT EAST BRUNSWICK, LLC; DES  
HOLDING CO, INC.; DES-2009 GRAT, DANIEL  
STRAUS; CARE ONE MANAGEMENT, LLC;  
CARE ONE, LLC; Owners 1-10; Administrators 1-  
10; Physicians 1-10; Nurses 1-10; Dieticians 1-10;  
CNA's 1-10; and ABC Corporations 1-10; (*the  
aforesaid names being fictitious and their true  
names being unknown*),

**ORDER**

Defendants.

-----X

This matter having been opened to the Court by Thomas S. Howard of Gartenberg  
Howard LLP, attorneys for plaintiff, on notice to defendants, on a motion for an Order: (a)  
reopening discovery for the limited purpose of investigating newly discovered evidence of  
fraudulent concealment by the Care One defendants, (b) scheduling a case management  
conference, (c) adjourning the trial now scheduled for May 8, 2016, and (d) granting plaintiff  
leave to serve a Second Amended Complaint in the form submitted herewith to add a claim for

fraudulent concealment; and the Court having reviewed the papers submitted, and for good cause shown;

IT IS on this 31 day of March, 2017 hereby:

ORDERED that:

1. Plaintiff's motion is granted to permit the reopening of discovery for the limited purpose of investigating newly discovery evidence of fraudulent concealment by defendants Care One at East Brunswick, LLC d/b/a Care One at East Brunswick; DES Holding Co., Inc.; DES-2009 GRAT; Daniel Straus; Care One Management, LLC; and Care One, LLC in accordance with a schedule to be set by the Court at a Case Management Conference to be held on \_\_\_\_\_, 2017 at \_\_\_\_\_ m.,

*October 16, 2017*

2. The currently scheduled trial is adjourned to a date to be set by the Court.

3. Plaintiff's is granted leave to file and serve a Second Amended Complaint in the form submitted, which Second Amended Complaint shall be deemed served as of the date hereof. Defendants shall serve and file an Answer on or before April 5, 2017.

4. The motion for summary judgment filed by the Care One defendants is denied without prejudice.

5. A copy of this Order be served on all counsel within 7 days of *its posting online.*



MICHAEL A. TOTO, J.S.C.

Opposed  
 Unopposed

s:\travisano 4279-00\motions\second motion to amend complaint\order.docx

*\* Discovery Order  
1) Plaintiff's handwriting expert report served by May 1, 2017.  
2) Defendant's medical and handwriting expert reports served by June 15, 2017.  
3) All expert depositions conducted by July 15, 2015.  
4) Defendant's motion for summary judgment may be filed by August and heard in September of 2017.*

Nicholas Caruso, Esq.  
25 Murray Hill Square  
P.O. Box 1022  
New Providence, New Jersey 07974  
201 874 5440  
Attorney ID # 041561985  
Attorney for Plaintiffs (superseding attorney)

**FILED**  
**MAR 31 2017**  
JUDGE MICHAEL A. TOTO

**Dunia Funez; Glenda Funez-Ramirez;  
Adela Funez-Ramirez**

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

Plaintiffs

Docket No.: MID L 5302-15

vs.

**Alberto Maximo-Calderon; Javier  
Medina-Machado; John / Jane Doe,  
ABC CORP, CO. 1 – 3 Co(s) --  
(Fictitious names and unknown)**

Defendants

and

**Alberto Maximo-Calderon; Javier  
Medina-Machado**

Third Party Plaintiffs

vs.

**ORDER ON MOTION**

**John T. McCabe**

Third Party Defendant

**THIS MATTER** brought before the Court by Nicholas Caruso, Esq., Attorney ID #041561985, as the new attorney of record for the Plaintiffs, by Notice of Motion, the Court having considered all papers filed and served herewith, and for good cause shown:

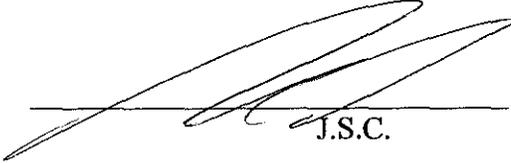
IT IS ON THIS 31 DAY of MARCH 2017

**ORDERED**, Nicholas Caruso, Esq. shall be named as the Attorney of Record for the Plaintiffs, and his name, as such, shall be filed with the Clerk's Office, upon the filing of this Order.

**ORDERED**, the dispute over attorney fees between Nicholas Caruso, Esq. and Raquel Romero, Esq. shall be addressed upon the conclusion / resolution of this lawsuit *and NO attorney fees shall be*  
*disputed without Agreement between attorney's Caruso and Romero and for order of the court, and*  
**ORDERED**, Raquel Romero, Esq. shall – within five (5) days fully and completely comply with the Transfer of File signed by Plaintiffs, dated February 21, 2017.

~~**ORDERED**, Raquel Romero, Esq. shall – within five (5) days issue payment of \$500.00 to Nicholas Caruso, Esq. for the fee and cost of this motion.~~ *Daw*

**ORDERED**, service of this Order shall be served immediately after receipt by Mr. Caruso to all counsel.

  
J.S.C.

MICHAEL A. TOTO, J.S.C.

Motion was:

  X  

Opposed

Unopposed

#690  
3-31-17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

Nicholas Caruso, Esq.  
25 Murray Hill Square  
P.O. Box 1022  
New Providence, New Jersey 07974  
201 874 5440  
Attorney ID # 041561985  
**Attorney for Plaintiffs (superseding attorney)**

**Dunia Funez; Glenda Funez-Ramirez;  
Adela Funez-Ramirez**

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

Plaintiffs

**Docket No.: MID L 5302-15**

vs.

**Alberto Maximo-Calderon; Javier  
Medina-Machado; John / Jane Doe,  
ABC CORP, CO. 1 – 3 Co(s) --  
(Fictitious names and unknown)**

Defendants

and

**Alberto Maximo-Calderon; Javier  
Medina-Machado**

Third Party Plaintiffs

vs.

**ORDER ON MOTION**

**John T. McCabe**

Third Party Defendant

**THIS MATTER** brought before the Court by Nicholas Caruso, Esq., Attorney ID #041561985, attorney for the Plaintiffs, by Notice of Motion TO EXTEND DISCOVERY per **R. 4:24-1(c)**, the Court having considered all papers filed and served herewith, and for good cause shown:

**IT IS ON THIS** 31 **DAY of MARCH 2017**

**ORDERED**, Discovery is extended to **October 16, 2017**.

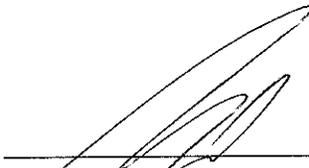
**ORDERED**, all of Plaintiff's Narrative Medical Expert Reports shall be served no later than **July 31, 2017**.

**ORDERED**, Plaintiff's Accident Reconstruction / Liability Expert Report shall be served no later than **July 31, 2017**.

**ORDERED**, all of Defendants' Expert Reports shall be served no later than **October 16, 2017**.

**ORDERED**, any party, before the expiration of the Discovery End Date, may request a Case Management Conference or file for additional discovery time upon a showing of good cause.

**ORDERED**, a copy of this Order shall be served to counsel for the defendants within FIVE days of receipt of this Order by counsel for the plaintiffs.

  
\_\_\_\_\_  
J.S.C.  
**MICHAEL A. TOTO, J.S.C.**

Motion was:

UNOPPOSED

  
\_\_\_\_\_

OPPOSED

\_\_\_\_\_

#877  
3-31-17

Law Offices of Raquel Romero, Esq.  
Attorney ID #011421983  
11 Sayre Street  
P.O. Box 2205  
Elizabeth, New Jersey 07207  
(908) 820 9770  
rromerolaw@gmail.com  
Withdrawing Attorney

**FILED**  
**MAR 31 2017**  
JUDGE MICHAEL A. TOTO

Dunia Funez; Glenda Funez-  
Ramirez; Adela Funez-Ramirez,  
Plaintiffs

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO.: MID-L-5302-15

v.

CIVIL ACTION

Alberto-Maximo-Calderon; Javier  
Medina-Mechado; John/Jane Doe,  
ABC Corp, Co. 1-3 Co (s)  
(Fictitious names and unknow),  
Defendants

ORDER

This matter having come before the Court upon the application of Raquel Romero, Esq., former attorney for Plaintiffs, Dunia Funez, Glenda Funez-Ramirez, and Adela Funez-Ramirez, upon notice for an order to perfect and enforce attorney fee lien pursuant to N.J.S.A 2A: 13-5 and for other relief and the Court having considered the moving papers submitted herein and any opposition filed thereto and with no cause being shown to the contrary;

It is on this 31 day of March, 2017, ~~ORDERED~~ that Raquel Romero, Esq., former attorney for Plaintiffs, motion be and is hereby granted;

~~IT IS FURTHER ORDERED~~ succeeding attorney, Nicholas Caruso, shall remit to Raquel Romero, Esq. the amount representing sixty (60) percent of the counsel fee generated for each Plaintiff at completion of case; *Done*

IT IS FURTHER ORDERED that attorney Nicholas Caruso shall remit \$549.00 as reimbursement for costs to Raquel Romero, Esq. within ten (10) days from date of this ORDER;

IT IS FURTHER ORDERED that attorney Raquel Romero shall forward signed Substitution of Attorney within ten (10) days;

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

  
\_\_\_\_\_  
, J.S.C.  
MICHAEL A. TOTO, J.S.C.

- (  ) Opposed  
(  ) Unopposed

A written finding of fact is is not attached and/or and oral decision is / is not set forth on the record on this date.

CAMPBELL, FOLEY, DELANO & ADAMS, L.L.C.  
STEPHEN J. FOLEY, JR.-001211985  
601 BANGS AVENUE  
P. O. Box 1040  
ASBURY PARK, NEW JERSEY 07712-1040  
Telephone: (732) 775-6520  
Attorneys for Defendants, Olivera  
Our File No. 70-38,357-FJR(KOK)

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

---

Plaintiff

LORI FRIIS

vs.

Defendants

MIGUEL A. OLIVERA, GLORIA OLIVERA,  
MICHAEL WYLNANOWITZ, ANKURKUMA PATEL,  
RA 300 EXECUTIVE DRIVE, LLC., REX CORP.,  
RXR PARTNERS, LLC., JOHN DOE 1-X and  
JANE ROE 1-X, said names being fictitious

---

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO. MID-L-02101-16

Civil Action

ORDER TO COMPEL PLAINTIFF TO  
APPEAR FOR A PHYSICAL  
EXAMINATION WITH DR. JOSEPH  
DRYER ON APRIL 6, 2017

The above entitled matter having been opened to the Court on March 31, 2017 by Campbell, Foley, Delano & Adams, L.L.C., attorneys for the defendants, Miguel A. Olivera and Gloria Olivera, on motion to compel the plaintiff, Lori Friis, to appear for a physical examination with Dr. Joseph Dryer on April 6, 2017, and it appearing to the satisfaction of the Court that the motion may be granted, it is hereby

ORDERED on this 31 day of March, 2017, that the plaintiff, Lori Friis, shall appear on April 6, 2017 at 10:00 a.m. for an IME with Dr. Joseph Dryer at 303 George Street, Suite 105A, New Brunswick, New Jersey; 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.

---

MICHAEL A. TOTO, J.S.C.

PAPERS CONSIDERED

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

Dated: March 13, 2017

# 580  
03/31/17

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

PAUL MANCUSO -021761982

**DEBRA HART**  
ALLAIRE CORPORATE CAMPUS  
5006 BELMAR BLVD SUITE A  
WALL, NEW JERSEY 07727  
(732) 378-4600  
FAX: (732) 378-4426

ATTORNEY FOR: Defendants, RONALD PARIA and SELMA PARIA

BARKISU FORTENBERRY

Plaintiff

vs.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-3806-16

Civil Action

RONALD PARIA and SELMA PARIA

Defendants.

**ORDER COMPELLING  
PLAINTIFFS' DEPOSITION**

SANA TAAL SMITH

Plaintiff

vs

RONALD PARIA and SELMA PARIA

Defendants/Third Party Plaintiffs,

vs

BARKISU FORTENBERRY

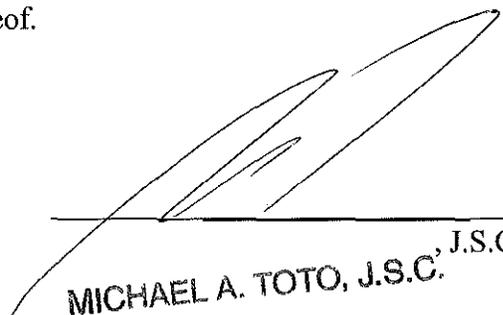
Third Party Defendant.

**THIS MATTER** having been placed before the Court by the LAW OFFICE OF DEBRA HART, attorney for the defendants, RONALD PARIA and SELMA PARIA ; and the Court having considered the moving papers of the parties; and for good cause shown;

IT IS, on this 31 day of MARCH, 2017;

**ORDERED** that plaintiffs, BARKISU FORTENBERRY and SANAL TALLA SMYTH, be and are compelled to appear for a deposition on Wednesday, April 19, 2017, at 10:00 AM at the Office of Hendricks & Hendricks, 73 Paterson Street, New Brunswick NJ; and

**IT IS FURTHER ORDERED** that a copy of the within Order be served upon all parties of record within 2 days of the date hereof.



MICHAEL A. TOTO, J.S.C., J.S.C.

336001413160 PM

Robert T. Szyba, Esq. - ID No. 020082009  
SEYFARTH SHAW LLP  
620 Eighth Avenue, 32nd Floor  
New York, New York 10018-1405  
Tel: (212) 218-5500  
Fax: (212) 218-5526  
*Attorneys for Defendants*

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

DEBORAH GANZ,

Plaintiff,

-vs-

THE AMERICAN BOTTLING COMPANY;  
JAMES CASSIDY and JOHN DOES 1-5 and  
6-10,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-4406-15

Civil Action

#861

**[PROPOSED]**  
**ORDER COMPELLING DISCOVERY**  
**PURSUANT TO RULE 4:23-5(c) &**  
**AWARDING COSTS PURSUANT TO**  
**RULE 4:23-4**

This matter being opened to the Court by Defendants The American Bottling Company and James Cassidy (collectively "Defendants"), by and through their attorneys, for an order compelling discovery in the form of compelling Plaintiff to complete her deposition, and for an order awarding costs to Defendants for having to incur unnecessary expense as a result of Plaintiff's unilateral adjournment and stoppage of her deposition, and the Court having considered all papers submitted by all parties and oral argument, if any, and for good cause shown:

IT IS this 31 day of MARCH, 2017, hereby

**ORDERED** that the Plaintiff complete her deposition examination on or by April 10, 2017, pursuant to R. 4:14 and 4:23-5; and it is further

**ORDERED** that the Plaintiff pay Defendants for reasonable expenses incurred by Defendants in connection with her deposition on February 27, 2017, as submitted by Defendants

in the Declaration of Harold Busch and totaling \$585.82, appended to Defendants' motion; and it is further

~~ORDERED that Plaintiff reimburse Defendants for all attorney's fees and costs incurred in obtaining this Order to compel pursuant to R. 4:23-4, as shall be submitted to Plaintiff by Defendants within thirty (30) days of the date of this Order, and it is further~~

**ORDERED** that a copy of this Order shall be served on all parties within seven (7) days of the date of this Order.

  
\_\_\_\_\_  
THE HONORABLE MICHAEL A. TOTO, J.S.C.

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

Robert T. Szyba, Esq. - ID No. 020082009  
SEYFARTH SHAW LLP  
620 Eighth Avenue, 32nd Floor  
New York, New York 10018-1405  
Tel: (212) 218-5500  
Fax: (212) 218-5526  
*Attorneys for Defendants*

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

DEBORAH GANZ,

Plaintiff,

-vs-

THE AMERICAN BOTTLING COMPANY;  
JAMES CASSIDY and JOHN DOES 1-5 and  
6-10,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION; MIDDLESEX COUNTY  
DOCKET NO. MID-L-4406-15

Civil Action #865

**[PROPOSED]**  
**ORDER EXTENDING THE**  
**DISCOVERY END DATE PURSUANT**  
**TO RULE 4:24-1**

This matter being opened to the Court by Defendants The American Bottling Company and James Cassidy (collectively "Defendants"), by and through their attorneys, for an order extending the discovery end date through and including June 16, 2017 to complete outstanding discovery, which, among other things, includes the completion of Plaintiff's deposition, and the Court having considered all papers submitted by all parties and oral argument, if any, and for good cause shown:

IT IS this 31 day of MARCH, 2017, hereby

**ORDERED** that the discovery end date in this matter be extended sixty (60) days from April 17, 2017 through and including June 16, 2017, and it is further

**ORDERED** that a copy of this Order shall be served on all parties within seven (7) days of the date of this Order.

Opposed   X    
Unopposed       

  
MICHAEL A. TOTO, J.S.C.

#413  
3-31-17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

DAVID CORVASCE - 022812011

**DEBRA HART**  
ALLAIRE CORPORATE CAMPUS  
5006 BELMAR BLVD SUITE A  
WALL, NEW JERSEY 07727  
(732) 378-4600  
FAX: (732) 378-4426

ATTORNEY FOR: Defendant/s, JOYCE KIM and SUNGHO KIM

LARRY GOMEZ and EDITHA  
GOMEZ

Plaintiffs,

vs.

JOYCE KIM, SUNGHO KIM, JOHN  
DOE (A FICTITIOUS NAME) ABC-  
XYZ (A SERIES OF FICTITIOUS  
NAME)

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-5301-15

Civil Action

**ORDER TO COMPLY WITH  
NOTICE TO PRODUCE**

**THIS MATTER** having been placed before the Court by the LAW OFFICE OF DEBRA HART, Esq., attorney for the defendant/s, JOYCE KIM and SUNGHO KIM ; and the Court having considered the moving papers of the parties; and for good cause shown;

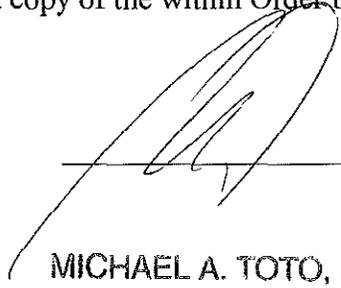
IT IS, on this 31 day of March, 20 ;

**ORDERED** that EDITHA GOMEZ and LARRY GOMEZ, comply with the Notice To Produce within 20 days; and

**IT IS FURTHER ORDERED** that if plaintiffs shall fail to comply with the terms of this Order, the moving party may ~~have the right to submit an Ex Parte Affidavit requesting~~ the dismissal of plaintiffs' Complaint; and

**IT IS FURTHER ORDERED** that a copy of the within Order be served upon all parties of record within 2 days of the date hereof.

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

  
\_\_\_\_\_, J.S.C.  
MICHAEL A. TOTO, J.S.C.

#670  
03/31/17

**SPEAR, GREENFIELD, RICHMAN & WEITZ, P.C.**

**BY: MARC F. GREENFIELD, ESQUIRE**

**ID # 033261991**

10,000 Lincoln Drive East  
One Greentree Centre, Suite 201  
Marlton, New Jersey 08053  
(856) 985-4663

**FILED**

Attorney for Plaintiff

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

WARREN GITTENS, :  
 :  
 :  
 v. :  
 :  
 ELIDA GARCIA and :  
 JOHN DOE #1-10 and :  
 ABC CORP. #1-10 :

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION  
  
DOCKET NO.: L-2503-16  
CIVIL ACTION  
  
**ORDER**

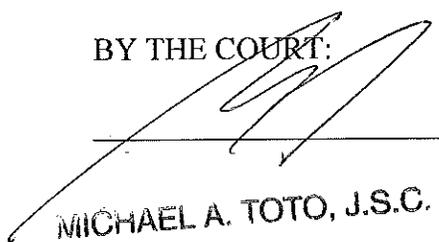
The above matter having been brought before the Court upon motion by **SPEAR, GREENFIELD, RICHMAN & WEITZ, P.C.**, Marc F. Greenfield, Esquire, attorney for Plaintiff, Warren Gittens, for an Order to Reinstate Plaintiff's Complaint as to all Defendants and to enter Default against all Defendants, the Court having considered the moving papers and oral argument, if any;

**IT IS THEREFORE** on this 31 day of MARCH, 2017, **ORDERED** and **ADJUDGED** that Plaintiff's Complaint is hereby Reinstated as to all Defendants; and it is

**FURTHER ORDERED** that Default is hereby entered against all Defendants; and it is

**FURTHER ORDERED**, that a copy of this Order be served upon all counsel and pro se parties in this matter within 7 days from the date hereof.

BY THE COURT:

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C.

Opposed  
 Unopposed

J.S.C.

#115  
3-31-17

Kevin D. London, Esq. - 020231992  
LAW OFFICES OF WILLIAM E. STAEHLE  
445 South Street  
P.O. Box 1938  
Morristown, New Jersey 07962-1938  
(973) 631-7300  
Attorneys for Defendant, Hardik Patel  
File No.: 2017009029-MX-KDL

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

<p>JUAN GONZALEZ, BRYANA MOLINA by her g/a/l Seidy Molina and SEIDY MOLINA, individually,</p> <p>Plaintiffs,</p> <p>vs.</p> <p>HARDIK PATEL, et al.,</p> <p>Defendants</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO.: MID-L-7308-16</p> <p>CIVIL ACTION</p> <p><u>ORDER DEPOSITING POLICY LIMITS</u></p>
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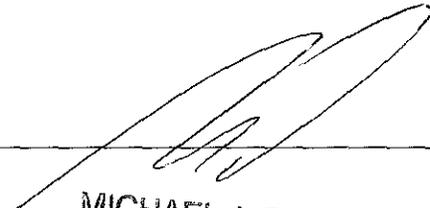
**THIS** matter having been opened to the Court on a Motion by the Law Offices of William E. Staehle, attorneys for defendant, Hardik Patel, for an Order permitting defendant, Hardik Patel, to deposit the limits of his automobile liability policy with the Court, and the Court having considered the motion papers, and for good cause shown;

**IT IS** on this 31 day of MARCH, 2017;

**ORDERED** that, St. Paul Protective Insurance Company, the insurance carrier for defendant, Hardik Patel, be and the same is hereby permitted to deposit its policy limits of \$100,000.00, solely as to plaintiff Juan Gonzalez with the Clerk of the Superior Court; and it is further

**ORDERED** that this sum of money represents the full extent of the obligation of the insurer to pay money to plaintiff, Juan Gonzalez, and is inclusive of any obligation to pay pre-judgment interest; 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.

  
\_\_\_\_\_  
J.S.C.  
MICHAEL A. TOTO, J.S.C.

       Opposed  
  X   Unopposed

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

Michael J. McCaffrey, Esq.  
Attorney ID #019831982  
PURCELL, MULCAHY, HAWKINS & FLANAGAN, LLC  
One Pluckemin Way  
P.O. Box 754  
Bedminster, New Jersey 07921  
(908) 658-3800  
Attorneys for Defendant, New Jersey Manufacturers Insurance Company  
Our File No. (637) 23542-RFB

HAWA GEORGE,

Plaintiff,

v.

NEW JERSEY MANUFACTURERS  
INSURANCE COMPANY, JOHN and  
JANE DOES (1-10), ABC and XYZ  
CORPORATIONS (1-10) (these names  
being fictitious, real names being  
unknown),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-510-15

Civil Action

**ORDER FOR REDACTION OF THE  
VIDEOTAPED *DE BENE ESSE*  
DEPOSITION OF DR. CICCONE,  
PURSUANT TO R. 4:14-9(F)**

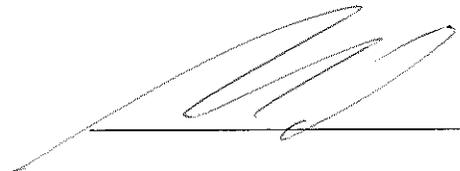
**THIS MATTER's** having been opened to the court by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendant, New Jersey Manufacturers Insurance Company, for an order for redaction of the videotaped *de bene esse* deposition of Dr. Antonio Ciccone, and ordering that the videotape be edited in accordance with the court's rulings, pursuant to R. 4:14-9(f); and the court's having considered the moving papers of the parties, and for good cause shown;

IT IS on this 31 day of March, 2017;

**ORDERED** that lines T37:15 to 19 in the transcript of videotaped *de bene esse* deposition testimony of Dr. Antonio Ciccone's be redacted from that video; and it is further

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

( ) opposed  
(~~→~~) unopposed



---

J.S.C.

MICHAEL A. TOTO, J.S.C.



("defendants"), on notice to Niraj Karki ("Karki"), appearing pro se, for an Order dismissing the Complaint with prejudice pursuant to R. 4:23-5(a)(2); and the Court having read and considered the motion papers, and papers filed in opposition, if any, and good cause having been shown,

IT IS on this 31 day of March, 2017,

ORDERED:

1. The Complaint of plaintiff Karki, be and is hereby dismissed with prejudice pursuant to R. 4:23-5(a)(2); and

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties or their counsel within ten (10) days of receipt of this Order by counsel for defendants.



HON. JOSEPH REA, J.S.C.

Michael A. To T

       opposition to motion received and considered

  X   no opposition to motion received

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

**ROBERT T, BERNARD, ESQ., #145492015  
CAMASSA LAW FIRM, P.C.**

1800 Route 34

Building 3, Suite 303

Wall, New Jersey 07719

(732) 749-3313

Attorney for Defendants, Kevin J. Moran and Joseph M. Moran

Our File: 1C.5817-1J

MANAL ABDEL KHALEK,

Plaintiff(s),

v.

KAREN ABDEL KHALEK, KEVIN J. MORAN,  
JOSEPH M. MORAN 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-2811-14

Civil Action

**ORDER**

MANAL ABDEL KHALEK,

Plaintiff(s),

v.

GEICO,

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No.: MID-L-7362-15

MANAL ABDEL KHALEK,

Plaintiff(s),

v.

DORIS B. LAW, et al,

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No.: MID-L-7363-15

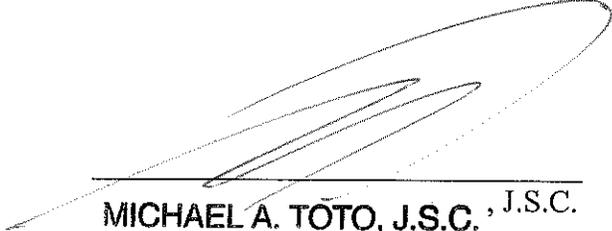
THIS MATTER, having been opened to the Court by Camassa Law Firm, P.C. for an Order barring any reference at trial of evidence of plaintiff's 2006 MRI films and report, and the Court having reviewed the moving papers and opposing papers, if any, and for good cause having been found:

IT IS on this 31<sup>st</sup> day of March, 2014;  
*Defendant's motion to bar testimony and evidence is DENIED*

ORDERED that ~~plaintiff's 2006 cervical and lumbar MRI reports, and any evidence and testimony related thereto, is hereby barred at trial;~~ and it is further *without prejudice for the reasons set forth on the record.*

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

OPPOSED  
 UNOPPOSED

  
MICHAEL A. TOTO, J.S.C., J.S.C.

BY ORDER OF THE COURT

State of New Jersey,

Louis J. Lockamy

Plaintiff(s),

v.

Darin Figueroa, Darren Figueroa,  
et al

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF MIDDLESEX  
LAW DIVISION

CIVIL ACTION

# 819

Docket No. MID- L-5306-15

ORDER

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

**THIS MATTER** being brought before the Court upon the Notice of Motion of Dean S. Pashaian, Esq., attorney for plaintiff, for an Order, and the Court having considered the matter and for good cause shown,

IT IS ON THIS 31<sup>st</sup> DAY OF MARCH, 2017,

**ORDERED** that this case is STAYED IN ITS ENTIRETY for ninety (90) days, pending the resolution of the underlying criminal charges against defendant Darren Figueroa; and it is further

**ORDERED** that parties shall continue to conduct discovery; and it is further

**ORDERED** that the discovery time period is hereby extended for ninety (90) days until **August 30, 2017**, with deadlines scheduled as follows:

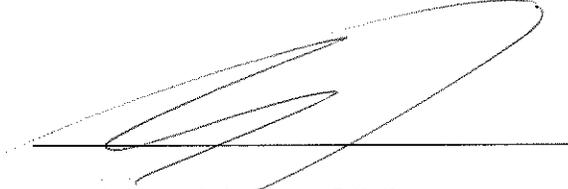
1. All depositions to be completed on or before **April 30, 2017**;
2. Plaintiff's expert reports to be served on or before **June 1, 2017**;
3. Defendant's expert reports to be served on or before **July 1, 2017**;
4. All expert depositions to be completed on or before **August 1, 2017**;
5. All additional forms of discovery to be completed on or before **August 30,**

2017;

6. The discovery end date is **August 30, 2017**; and it is further

**ORDERED** that a copy of this Order shall be served upon opposing counsel within seven (7) days of the date hereof.

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



Hon. Michael A. Toto, J.S.C.

#922  
3-19-17

21257-00948 CKB  
MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN  
BY: M. SCOTT GEMBERLING, ESQUIRE and  
CAROLYN KELLY BOGART, ESQUIRE - NJ Attorney ID 003961996  
Woodland Falls Corporate Park  
200 Lake Drive East - Suite 300  
Cherry Hill, NJ 08002 856-414-6000  
Attorney for Defendant(s) I&K SHOP, LLC, d/b/a TJ'S BAR & LIQUOR

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

LOUIS J. LOCKAMY  
Plaintiff  
v.  
DARIN FIGUEROA, DARREN FIGUEROA,  
JOHN DOE(S) 1-10, CONTROL  
ASSOCIATES INCORPORATED, TJ'S BAR  
& LIQUOR, BUDDY'S TAVERN &  
CATERING, RICHARD ROE(S), JANE  
DOE(S) 1-10, XYZ COMPANY, ABC  
COMPANY (S) 1-10, DEF COMPANY 1-10,  
JANE DOE(S) 10-20, JOHN DOE(S) 10-20  
(said names being fictitious), (said names  
being fictitious)  
Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CIVIL ACTION  
MIDDLESEX COUNTY

DOCKET NO.: MID-L-5306-15

**CIVIL ACTION**  
**ORDER**

**THIS MATTER** having been brought before the Court by Eric Schlessinger, Esquire, of the Law firm Golden, Rothschild, et als. on behalf of Defendant Buddies Tavern and upon cross motion by Defendant, I&K SHOP, LLC, d/b/a TJ'S BAR & LIQUOR, on a motion to bar the admission of any evidence, testimony and/or reference to the results of the Alcotest 7110MKIII-C breath test administered to Defendant, Darren Figueroa on or about July 19, 2015.

It is on this 31 day of March, 2017; ~~ORDERED and ADJUDGED~~ <sup>DENIED without</sup> ~~that~~ <sup>prejudice</sup> the admission of any evidence or testimony related to the results of the Alcotest 7110MKIII-C test administered to Defendant, Darrin Figueroa is hereby barred.

**IT IS FURTHER ORDERED AND ADJUDGED** that a copy of this order shall be served upon all counsel within 7 days of the date of its entry.

Opposed   
Unopposed

  
MICHAEL A. TOTO, J.S.C. , J.S.C.

Eric S. Schlesinger/ID 037361997  
Golden, Rothschild, Spagnola, Lundell, Boylan & Garubo, P.C.  
1011 Route 22 West, Suite 300  
P.O. Box 6881  
Bridgewater, NJ 08807  
Telephone: 908-722-6300  
Attorneys for Defendant, Buddie's Tavern  
Our File No. 4347.96650

#255 3-17-17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

**Louis J Lockamy**

**Plaintiff,**

**vs.**

**Darin Fugueroa, Darren Fugueroa, John Doe(s) 1-10,  
Control Associates Inc., TJ's Bar & Liquor, Buddy's  
Tavern & Catering, Richard Roe(s), Jane Doe(s)  
1-10, XYZ Company, ABC Company(s) 1-10, DEF  
Company 1-10, Jane Doe(s) 10-20 (said names being  
fictitious), (said names being fictitious),**

**Defendants.**

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

**DOCKET NO. MID-L-005306-15**

**Civil Action**

**ORDER**

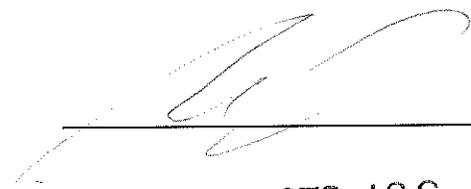
This matter having been opened to the Court on Friday, March 17, 2017, by Golden, Rothschild, Spagnola, Lundell, Boylan & Garubo, P.C., Attorneys for the Defendant, Buddie's Tavern, in the above captioned matter, pursuant to Rule 1:6-2, and it appearing that no objections have been entered to same and the Court having considered the proofs submitted and for good cause having been shown;

IT IS ON THIS 31<sup>st</sup> day of March, 2017;

ORDERED that Defendant, Buddie's Tavern's Motion to Bar, be and hereby is ~~GRANTED~~ <sup>DENIED</sup>; and it is further <sup>Without prejudice</sup>

ORDERED that ~~all parties are barred from admitting any evidence, testimony, and/or reference to, the results of the Alcotest 7110 MKIII-C administered to Defendant, Darin Fugueroa and/or Darren Fugueroa, on or about July 19, 2015;~~ <sup>Denied</sup> and it is further

ORDERED that a true copy of this Order shall be served upon all parties to this action within  
\_\_\_\_ days of receipt hereof.

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C.

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

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

Michael J. McCaffrey, Esq.  
Attorney ID #019831982  
PURCELL, MULCAHY, HAWKINS & FLANAGAN, LLC  
One Pluckemin Way  
P.O. Box 754  
Bedminster, New Jersey 07921  
(908) 658-3800  
Attorneys for Defendant, Charles Trucillo  
Our File No. (637) 24390-A

ALFREDO LUNA-MATEO,  
  
Plaintiff,

v.

CHARLES TRUCILLO; JOHN  
DOE(S) 1-5 (fictitious individuals);  
and ABC COMPANIES 1-5  
(fictitious business entities),  
  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No. MID-L-1511-16

Civil Action

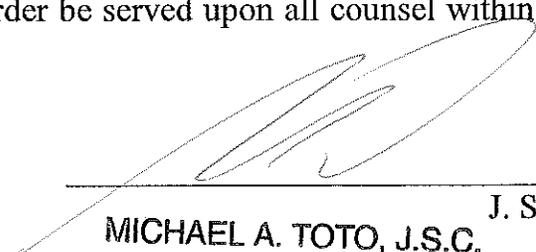
**ORDER EXTENDING THE PERIOD FOR  
DISCOVERY, FOR GOOD CAUSE,  
PURSUANT TO R. 4:24-1(c)**

**THIS MATTER's** having been opened to the court by Purcell, Mulcahy, Hawkins & Flanagan, LLC, attorneys for defendant, Charles Trucillo, 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 31 day of March, 2017;

**ORDERED** that the period for discovery be and hereby is extended sixty (60) days to June 10, 2017, for defendant to obtain imaging studies of Ambulatory Surgical Center of New Jersey, Advanced Imaging Center, and Advanced Orthopaedics & Sports, for defendant to forward the imaging studies to his expert, and for defendant to receive his expert's supplemental report and amend answers to interrogatories, all of which shall be completed by June 10, 2017; and it is further

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

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J. S. C.

- opposed
- unopposed

**PAPERS CONSIDERED:**

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

#550  
3-31-17

Maurice Jefferson - ID #016881980  
METHFESSEL & WERBEL, ESQS.  
2025 Lincoln Highway, Suite 200  
PO Box 3012  
Edison, New Jersey 08818  
(732) 248-4200  
1(732) 248-2355  
jefferson@methwerb.com  
Attorneys for Stone Age Artisan Concrete, Inc. and Andre  
Garrote, Individually  
Our File No. 81783 MJE

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

HENRY LEHMANN AND ROSEMARIE  
GIGLIO  
  
Plaintiff,  
  
V.  
  
STONE AGE ARTISAN CONCRETE,  
INC., STONEAGE RESTORATION,  
LLC AND ANDRE GARROTE,  
INDIVIDUALLY  
  
Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION:MIDDLESEX COUNTY  
DOCKET NO.: MID-L-4309-15

Civil Action

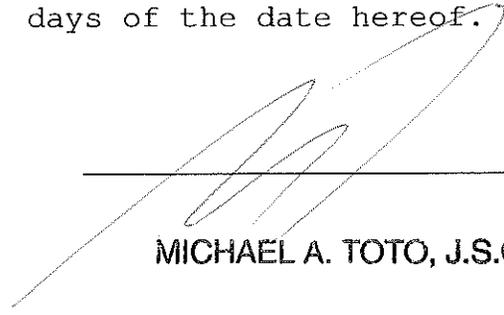
**ORDER**

**THIS MATTER** having been brought before the Court on the Motion of Methfessel & Werbel attorneys for defendant(s), Stone Age Artisan Concrete, Inc. and Andre Garrote, Individually for a Motion to Dismiss without prejudice, and the Court having considered the matter and for good cause shown;

**IT IS** on this 31 day of March 2017;

**ORDERED** that plaintiff's Complaint be and is hereby dismissed without prejudice as to all defendants; and it is further

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

  
\_\_\_\_\_  
J.S.C.  
MICHAEL A. TOTO, J.S.C.

- ( ) Opposed
- (  ) Unopposed

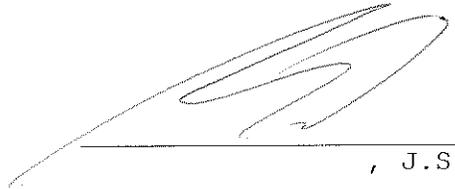


and it is

**FURTHER ORDERED** that a copy of this Order be served on all parties within 7 days of the date of receipt by Plaintiff's counsel.

  /   Unopposed

       Opposed by:

  
\_\_\_\_\_, J.S.C.

**MICHAEL A. TOTO, J.S.C.**

Sponder & Sellitti  
Damian A. Scialabba, Esq. - ID 027221987  
13 Roszel Road, Suite C207  
Princeton, NJ 08540  
609-651-8597  
F: 609-435-1789  
Attorneys for Defendant Citizens United Reciprocal Exchange  
Claim No. 13-5111

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

<p>WALDEMAR MAZUR,  Plaintiff,  v.  CURE AUTO INSURANCE,  Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION-MIDDLESEX COUNTY DOCKET NO.: MID-L-4008-15  CIVIL ACTION  <b>ORDER EXTENDING DISCOVERY</b></p>
---	---

**THIS MATTER HAVING** been opened to the Court by SPONDER & SELLITTI, attorneys for defendant, **Citizens United Reciprocal Exchange**, for an Order extending discovery for 120 days until August 7, 2017, to complete plaintiff's deposition on April 12, 2017, to obtain and serve report of the defense expert, Dr. Steven Robbins and to obtain additional medical records, and the Court having reviewed the moving papers, and the oral argument of counsel, if any, and for good cause shown;

**IT IS ON THIS** 31 day of *MARCH*, 2017; hereby,

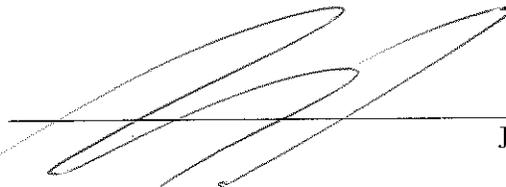
**ORDERED** that discovery is extended 120 days from April 8, 2017 to **August 7, 2017** in order to obtain and serve report of the defense expert Dr. Steven Robbins, to complete deposition of the plaintiff, and to obtain additional medical records; and it is further,

**ORDERED** that the following discovery will take place:

1. Plaintiff shall attend the IME with Dr. Steven Robbins, (Brunswick Orthopaedics, 303 George Street, Suite 105-A, New Brunswick, NJ) on June 1, 2017 at 11:00 a.m.;

2. Defendant shall serve defense report of Dr. Steven Robbins by August 7, 2017;
3. The deposition of the plaintiff shall take place on April 12, 2017;
4. Defendant shall obtain and serve all medical records by August 7, 2017;
5. Discovery end date shall be August 7, 2017; and it is further,

**ORDERED** that a copy of this Order shall be served upon all  
counsel of record within seven days of the date hereof.



J.S.C.

MICHAEL A. TOTO, J.S.C.

Opposed

Unopposed

VINCENT R. GLORISI, ESQ.  
1816 Englishtown Road, Suite 104  
Old Bridge, New Jersey 08857  
(732) 251-3333  
NJ Attorney ID #: 012331982  
Attorney for Defendant, Diana Cavallo

MAGALY MAURICIO,  
Plaintiff,  
v.

MAYEL GUERRERO-OSOMO a/k/a  
MAYEL GUERRERO-OSONO, WALTER  
CASTILLO, DIANA CAVALLO, NEW  
JERSEY PROPERTY LIABILITY  
INSURANCE GUARANTY ASSOCIATION  
as statutory administrator for the Unsatisfied  
Claim and Judgment Fund, JOHN and JANE  
DOES 1-10 (fictitious unidentified individuals)  
AND ABC CORPORATIONS 1-10, (fictitious  
individuals, corporations or other business  
entities presently unidentifiable)  
Defendants.

DIANA CAVALLO,  
Plaintiff,  
v.

MAYEL J. GUERRERO-OSORNO,  
WALTER J. CASTILLO, JANE DOE (NAME  
BEING FICTITIOUS), ABC CORP. (NAME  
BEING FICTITIOUS), AND NEW JERSEY  
MANUFACTURERS INSURANCE  
COMPANY  
Defendants.

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-5409-15

Civil Action

**ORDER**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-3178-16

Civil Action

This matter having been opened to the Court by Vincent R. Glorisi, Esq., attorney for the Defendant, Diana Cavallo, and the Court having read and reviewed the papers submitted regarding this motion; and for good cause shown

IT IS on this 31 day of MARCH, 2017

ORDERED that the discovery end date be extended ninety (90) days to July 1, 2017 in the above matter, and it is further

ORDERED that the following discovery be completed:

DISCOVERY

TO BE COMPLETED BY

~~Depositions of all parties and fact witnesses~~

~~Independent Medical Re-Examination~~

Service of any and all expert reports by *any party* *July 1, 2017*  
and it is further

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

\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J.S.C.

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

ORDERED THAT ARBITRATION  
SHALL BE SCHEDULED FOR  
August 15, 2017

Patrick M. Metz, Esq. - 0005961992  
DARIO, ALBERT, METZ & EYERMAN LLC  
345 Union Street  
Hackensack, New Jersey 07601  
(201)968-5800  
Attorneys for Plaintiff, Michael McAuliffe  
Our File No.:24132

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

MICHAEL McAULIFFE,  Plaintiff,  vs.  JACKLEEN ALVARADO, et al.,  Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO.: MID-L-2501-15  CIVIL ACTION  <b>ORDER</b> (Returnable: MARCH 31, 2017)
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**THIS** matter having been opened to the Court on a Notice of Motion by the Law Offices of Dario Albert Metz & Eyerma, attorneys for Plaintiff MICHAEL McAULIFFE, for an Order reopening and extending the time to complete discovery, pursuant to R. 4:24-1, and adjourning Arbitration, due to exceptional circumstance, and the Court having considered the motion papers, and good cause appearing;

**IT IS** on this 31 day of MARCH, 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 May 4, 2017;

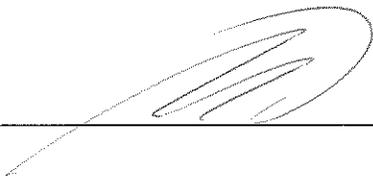
**ORDERED** that discovery will end on May 4, 2017;

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.

X Opposed

       Unopposed

  
\_\_\_\_\_  
J.S.C.

MICHAEL A. TOTO, J.S.C.

#350  
3-31-17

Joshua E. Dvorin, Esq. ID#: 037371992  
SHEFFET & DVORIN, P.C.  
88 Pompton Avenue  
Verona, NJ 07044  
(908) 755-8919  
Our File No.: 2639-002  
Attorneys for Plaintiff(s): Keith & Mary Morin

**FILED**

**MAR 31 2017**

JUDGE MICHAEL A. TOTO

KEITH MORIN and Mary Morin, his wife,

Plaintiff,

vs.

J. FLETCHER CREAMER & SONS, 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-209-16

CIVIL ACTION

**ORDER**

THIS MATTER having been opened to the Court on application of Joshua E. Dvorin, Esq. of the law firm of Sheffet & Dvorin, P.C., attorneys for Plaintiffs, and the Court having read the papers filed on behalf of the respective parties and the Court having heard argument of counsel and for good and sufficient cause having been shown,

It is on this 31 day of MARCH 2017;

ORDERED that Plaintiffs shall be granted leave to file an Amended Complaint to name Quality Enterprises as a direct party defendant within 14 days; and it is further

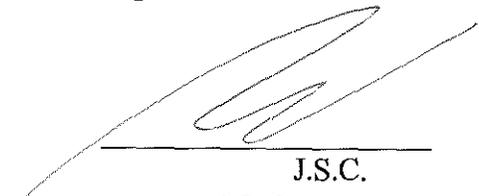
ORDERED that the discovery end date is extended sixty (60) days pursuant to Rule 4:24-1(b); and it is further

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

7 days from the above date hereof.

Opposed           

Unopposed           

  
\_\_\_\_\_  
J.S.C.  
MICHAEL A. TOTO, J.S.C.

It is ORDERED that movant shall serve, or make available, to any new party, a copy of all discovery materials within 20 days after the service of the new party's initial pleading.

It is ORDERED that all discovery in this case shall end on July 21 2017 unless further extended by court order.

#709  
3-31-17

**TOMES & HANRATTY P.C.**  
Edward Hanratty, Esq.  
Attorney I.D.: 052151997  
1 West Main Street, 3<sup>rd</sup> Fl.  
FREEHOLD NJ, 07728  
(732) 333-0681  
Attorney for Plaintiff(s)

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

Carl & Lisa Marcelino  
  
Plaintiff(s)  
  
Vs.  
  
Allied Mortgage Group, Christopher Russo, Russo Appraisals Inc., Donna Tennaro, ERA Designs, Dennis Kessler, Century 21, Charles Smith, JOHN DOES 1-10  
  
Defendant(s))

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
Middlesex County  
DOCKET NO.: L-5703-16

**CIVIL ACTION**

ORDER IN SUPPORT OF  
NOTICE OF MOTION FOR  
SUBSTITUE SERVICE

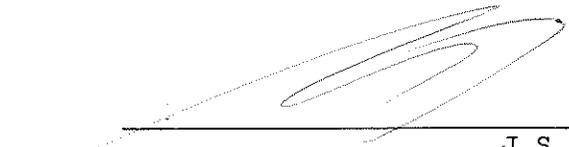
THIS MATTER being opened to the Court by Tomes & Hanratty, P.C., Attorneys for Plaintiff, on March 31, 2017, and the Court having read and considered the moving papers and for good cause having been show:

IT IS on this 31 day of March, 2017, ORDERD as follows:

1. Plaintiffs are permitted to effectuate service upon the defendants, Christopher Russo and Russo Appraisals Inc., be allowed via certified mail/return receipt requested and ordinary mail.

2. A copy of this Order shall be served upon all counsel and/or parties of record within 7 days of the date of this Order.

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

  
\_\_\_\_\_  
J.S.C.  
MICHAEL A. TOTO, J.S.C.

#105  
3-31-17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

Joseph V. Leone, Esq. (ID# 24142002)  
HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP  
40 Paterson Street, PO Box 480  
New Brunswick, NJ 08903  
(732) 545-4717

Attorneys for Defendant, RTM Entertainment, LLC d/b/a Amsterdam Alley Bar and Lounge

Plaintiff,  
  
XIOMARA MARRERO  
  
vs.  
  
Defendants,  
  
AMSTERDAM ALLEY BAR AND LOUNGE,  
JOSEPH F. MORIN, ERIK MORIN, PULASKI  
MEAT PRODUCTS, DOWN TO THE FELT  
POKER LEAGUE, JOHN DOE (name being  
fictitious, real name unknown at present time)  
and ABC COMPANY 1-5 (name being  
fictitious, real name unknown at present time)

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

DOCKET NO. MID-L-6902-15

CIVIL ACTION

**ORDER**

THIS MATTER having been brought before the Court on Motion of Hoagland, Longo, Moran, Dunst & Doukas, LLP, attorneys for Defendant, RTM Entertainment, LLC d/b/a Amsterdam Alley Bar and Lounge, for an Order compelling Plaintiff, Xiomara Marrero, to produce signed medical authorizations, demanded in this Defendant's letter dated December 8, 2016 and February 23, 2017 as well as a response to Notice to Produce dated December 23, 2016, and the Court having reviewed the moving papers and for good cause shown;

IT IS ON THIS 31 day of MARCH, 2017,

ORDERED that Plaintiff, Xiomara Marrero, be and is hereby compelled to produce the signed medical authorizations demanded in Defendant, RTM Entertainment, LLC d/b/a Amsterdam Alley Bar and Lounge's, of December 8, 2016 and February 23, 2017, within seven (7) days of the date hereof;

IT IS FURTHER ORDERED that Plaintiff, Xiomara Marrero, be and is hereby compelled to respond to the Defendant, RTM Entertainment, LLC d/b/a Amsterdam Alley Bar and Lounge's Notice to Produce of December 23, 2016, within seven (7) days of the date hereof; and

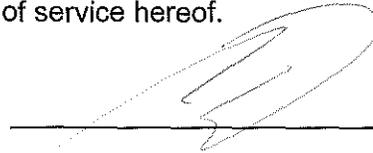
HOAGLAND, LONGO  
MORAN, DUNST &  
DOUKAS, LLP  
ATTORNEYS AT LAW

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

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

IT IS FURTHER ORDERED that should Plaintiff, Xiomara Marrero, fail to comply with this Order, she Complaint shall be dismissed upon the submission of an ex parte Affidavit attesting to she failure to comply with this Order; and

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.



MICHAEL A. TOTO, J.S.C.

J.S.C.

Papers filed with the Court:

- Answering Papers
- Reply Papers

The within Notice of Motion was:

- Opposed
- Unopposed

HOAGLAND, LONGO  
MORAN, DUNST &  
DOLKAS, 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

Kathleen S. Murphy, Esq. 017991977  
CONNELL FOLEY LLP  
85 Livingston Avenue  
Roseland, New Jersey 07068  
(973) 535-0500  
(973) 535-9217

Attorneys for Defendants, Cecile Malinit and Kaylin-Jacele Malinit  
Our File No. 06046/114231

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

ANDREA P. PUJOLS,

Plaintiff(s),

vs.

CECILE MALINIT, KAYLIN-JACELE  
MALINIT, JOHN DOE I-X, JANE ROE I-X,  
ABC CORP., I-X AND XYZ CORP., said names  
being fictitious,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION MIDDLESEX COUNTY  
Docket No.: MID-L-5903-14

CIVIL ACTION #667

**ORDER**

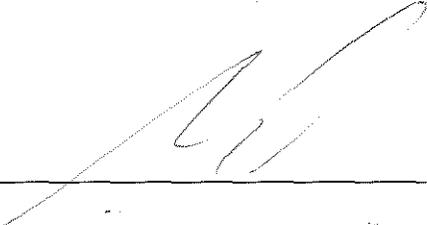
THIS MATTER having been brought before the Court by the firm of Connell Foley, LLP, attorneys for defendants, and on notice to counsel for plaintiff and to Anita Vaughn, M.D., and the Court having read the moving papers, and any opposition thereto, and for good having been shown;

IT IS on this 31 day of March, 2017,

ORDERED that Anita Vaughn, M.D. is held in contempt pursuant to Rule 1:9-5 for failing to abide by a subpoena properly served upon her and that she shall serve the entirety of the documents requested within ten (10) days of the date hereof; and it is further

~~ORDERED that Anita Vaughn, M.D. must pay the defendant reasonable attorney's fees in the amount of \$600.00 and costs in the amount of \$200.00 resulting from her failure to comply with the Subpoena; and it is further~~ *Deed w/o prejudice.*

ORDERED that a copy of this Order shall be served upon all parties within ten (10) days of the date hereof.

  
\_\_\_\_\_, J.S.C.

MICHAEL A. TOTO, J.S.C.

\_\_\_\_\_  
Opposed

\_\_\_\_\_  
Unopposed

# 966  
03/31/17

**FILED**  
**MAR 31 2017**  
**JUDGE MICHAEL A. TOTO**

Law Office of Robert A. Raskas  
371 Hoes Lane, Suite 105  
Piscataway, NJ 08854  
(732) 981-1649 (Telephone)  
(732) 981-1657 (Fax)

By: Adam Carman, Esq., 02136-2011  
Attorney for Defendants, Kalphaben Patel and Vanisha Patel

JAIMY PATEL,  
  
Plaintiff,

-vs-

ILIRAN ERBELI, VANISH PATEL,  
KALPNABEN PATEL, JOHN DOE I  
THROUGH JOHN DOE X (being  
fictitious) and ABC CORPORATION  
THROUGH XYZ CORPORATION,  
(being fictitious).

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-7207-15

Civil Action

**ORDER**

VANISHA PATEL

Plaintiff,

-vs-

ILIRAN ERBELLI

Defendant

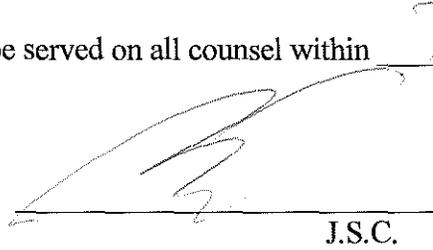
SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
Docket No.: MID L-1414-16

This matter having been opened to the Court on Motion of Adam Carman, Esq., attorney for defendant, Kalphaben Patel Vanisha Patel, for an Order to compel co-defendant Iliran Erbeli to appear for a deposition on May 5, 2017 and the Court having read and considered the moving papers, and for good cause appearing;

IT IS on this 31 day of MARCH, 2017:

ORDERED that co-defendant Iliran Erbeli shall appear for a deposition on May 5, 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.



J.S.C.

MICHAEL A. TOTO, J.S.C.

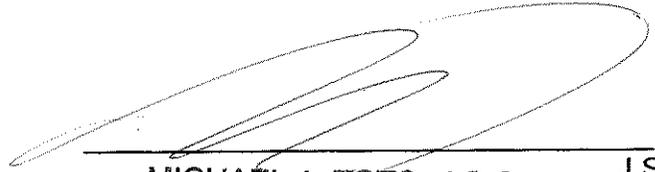
Opposed  
 Unopposed



IT IS FURTHER ORDERED that defendant is producing an expert then the expert report is to be produced by ~~March 16~~ <sup>May 31 June 15</sup>, 2017; and July 15  
~~June~~

IT IS FURTHER ORDERED that all expert depositions must be completed by ~~May~~ <sup>30</sup> 2017 16, 2017; and

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



MICHAEL A. TOTO, J.S.C. J.S.C.

It is further ordered that the court's order entered January 6, 2017 compelling Defendant to provide more specific answers to Interrogatory 15 is vacated; and

It is further ordered that Defendant shall produce, in response to interrogatory questions no 60 and 61, within 30 days, or provide for inspection, Buyer's orders, Retail contract and down payment receipts, and all vehicles sold, thirty day prior and thirty days following the sale in question. Plaintiff's attorney shall sign a protective order with regard to the information to be disclosed and shall keep same confidential except as it relates to this litigation.

X opposed

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

Robert S. Helwig, Esq. (ID# 19311985)  
HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP  
40 Paterson Street, PO Box 480  
New Brunswick, NJ 08903  
(732) 545-4717  
Attorneys for Defendant, New Jersey Manufacturers Insurance Company

Plaintiffs,

ALAN L. RICH and GLORIA F. BEHLING-  
RICH, his wife, per quod

vs.

Defendant,

NEW JERSEY MANUFACTURERS  
INSURANCE COMPANY

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY-LAW DIVISION  
DOCKET NO. MID-L-1007-16

CIVIL ACTION

**ORDER**

THIS MATTER having been brought before the Court on Motion of Hoagland, Longo, Moran, Dunst & Doukas, LLP, attorneys for Defendant, New Jersey Manufacturers Insurance Company, for an Order to extend time for discovery to be completed, and the Court having reviewed the moving papers and for good cause shown;

IT IS ON THIS 31 day of MARCH, 2017,

**ORDERED** that the discovery end date shall be extended until June 23, 2017, to allow the following discovery to be completed:

1. All exchange of written discovery to be completed by May 15, 2017; and
2. Defendant shall serve expert reports by June 23, 2017; and 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.S.C.

Papers filed with the Court:

- ( ) Answering Papers
- ( ) Reply Papers

MICHAEL A. TOTO, J.S.C.

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

Ann M. Merritt, Esq. - ID#028551999  
TOBIN, KESSLER, GREENSTEIN, CARUSO,  
WIENER & KONRAY  
A Professional Corporation  
136 Central Avenue  
Clark, New Jersey 07066  
1-732-388-5454  
Attorneys for Plaintiff

#894  
03/31/17

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

**Plaintiff,**  
  
LINA RODRIGUEZ-MOSQUERA

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Mid-L-110-14  
DOCKET NO.: UNN-3026-15

vs.

**CIVIL ACTION**

**Defendants,**  
  
LEIGH A. WISNIEWSKI, WARREN  
WISNIEWSKI, JOHN DOE #1-10,  
JANE ROE #1-10, and ABC CORP.  
#1-10, said names being  
fictitious,

ORDER EXTENDING DISCOVERY

This matter having been opened to the Court by Ann M. Merritt, Esq. of the law firm of Tobin, Kessler, Greenstein, Caruso, Wiener & Konray, P.C., attorneys for Plaintiff, Lina Rodriguez-Mosquera, on notice to Arthur Arnold, Esq. of the Law Offices of Pamela D. Hargrove, attorneys for the Defendants, for an Order extending discovery, and the Court having had the opportunity to review the moving papers, and for good cause having been shown;

IT IS on this 31 day of March, 2017

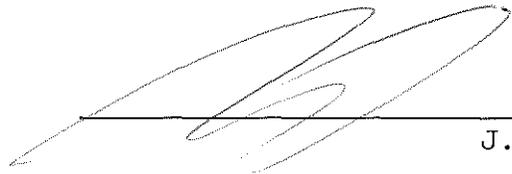
ORDERED that the discovery end date be and is hereby extended to June 11, 2017, as follows:

- 1) Plaintiff is to obtain and serve her medical expert report by May 10, 2017; and

- 2) The depositions of all parties are to be completed by May 25, 2017;
- 3) Defendant is to obtain and serve any supplemental expert reports by June 11, 2017; and
- 4) Any and all other discovery which may be required in order to adequately prepare this matter for trial shall be completed by June 11, 2017; and

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

**ORDERED THAT ARBITRATION  
SHALL BE SCHEDULED FOR  
July 27, 2017**

  
\_\_\_\_\_  
J.S.C.

**MICHAEL A. TOTO, J.S.C.**

- ( ) opposed  
() unopposed

Chiesa Shahinian & Giantomasi PC  
David M. Dugan, Esq. (027172002)  
Bisola Taiwo, Esq. (032362011)  
One Boland Drive  
West Orange, NJ 07052  
(973) 325-1500  
Attorneys for Defendant  
New Jersey Turnpike Authority

#143  
3-31-17

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

PATRICIA ROCK,

Plaintiff,

vs.

NEW JERSEY TURNPIKE AUTHORITY, and  
John Does 1-10 (fictitious names, real names  
unknown),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-2803-16

Civil Action

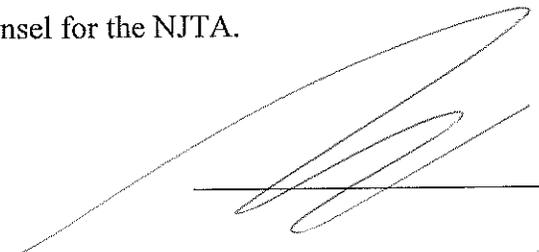
**ORDER GRANTING SUMMARY  
JUDGMENT**

**THIS MATTER** having been opened to the Court upon the motion of defendant New Jersey Turnpike Authority ("NJTA"), through its attorneys, Chiesa Shahinian & Giantomasi, PC, for entry of an Order granting summary judgment, dismissing the complaint with prejudice, and the Court having considered the papers submitted, and oral argument, if any, and for good cause shown,

IT IS on this day 31 of MARCH, 2017

**ORDERED** as follows:

1. NJTA's motion for summary judgment is hereby granted;
2. The Complaint is hereby dismissed with prejudice; and
3. A copy of this Order shall be served upon all parties or their counsel within 7 days of receipt by Counsel for the NJTA.



J.S.C.

MICHAEL A. TOTO, J.S.C.

This motion was:

Opposed

Unopposed

The Court's decision was:

Written

Oral and placed on the record on \_\_\_\_\_

#633  
03/17/17

PAUL MANCUSO - 021761982

DEBRA HART  
ALLAIRE CORPORATE CAMPUS  
5006 BELMAR BLVD SUITE A  
WALL, NEW JERSEY 07727  
(732) 378-4600  
FAX: (732) 378-4426

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

ATTORNEY FOR: Defendant, HIGH POINT PROPERTY & CASUALTY INSURANCE  
COMPANY JOSEPH CALDERONE

ROBERT WOOD JOHNSON  
UNIVERSITY HOSPITAL

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-L-4307-16

Plaintiff

Civil Action

vs

*Doing*

**ORDER GRANTING SUMMARY JUDGMENT**

PLYMOUTH ROCK ASSURANCE  
INSURANCE COMPANY, HORIZON  
NJ HEALTH and JOSEPH  
CALDERONE

Defendants.

**THIS MATTER** having been placed before the Court by the LAW OFFICE OF DEBRA HART, Esq., attorney for the defendants, HIGH POINT PROPERTY & CASUALTY INSURANCE COMPANY and JOSEPH CALDERONE ; and the Court having considered the moving papers of the parties; and for good cause shown;

**IT IS**, on this 31 day of March, 2017 ;

**ORDERED** that Summary Judgment be and is hereby <sup>*denied*</sup>~~granted~~ in favor of the defendants, HIGH POINT PROPERTY & CASUALTY INSURANCE COMPANY and JOSEPH CALDERONE

~~and~~ *FOR REASONS SET FORTH ON RECORD, ad*

~~IT IS FURTHER ORDERED~~ that the plaintiff's Complaint and any and all cross-claims against the defendants, ~~HIGH POINT PROPERTY & CASUALTY INSURANCE COMPANY~~ and ~~JOSEPH CALDERONE~~, are hereby dismissed with prejudice; and

**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.

  
\_\_\_\_\_, J.S.C.  
MICHAEL A. TOTO, J.S.C.

Opposed   X    
Unopposed

BY ORDER OF THE COURT

State of New Jersey,

Robert Wood Johnson University  
Hospital

Plaintiff(s),

v.

Plymouth Rock Assurance Insurance  
Company, Horizon NJ Health,  
Joseph Calderone

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF MIDDLESEX  
LAW DIVISION

CIVIL ACTION

Docket No. MID- L-4307-16

**Decision on Motion for  
Summary Judgment**

**FILED**

**MAR 31 2017**

JUDGE MICHAEL A. TOTO

**I. Introduction**

Defendant Plymouth Rock Assurance Insurance Company (“High Point”) and Joseph Calderone (“Calderone”) move for summary judgment in connection with Plaintiff Robert Wood Johnson University Hospital’s (“RWJUH”) Complaint, which seeks declaratory judgment regarding PIP coverage.

**II. Facts**

On September 16, 2015, Defendant Calderone was involved in an auto accident and received inpatient services from Plaintiff RWJUH. Defendant Calderone had an automobile insurance policy with High Point, which provided PIP coverage up to the maximum amount of \$250,000.00. Plaintiff RWJUH alleges that the total charges for hospital services amount to \$393,774.72. On the contrary, Defendant High Point alleges that the total charges are \$190,933.79. Defendant High Point did not pay any portion of the bill as Defendant Calderon sought to invoke his rights under Bailey v. Garden State Hospital Plan, 280 N.J. Super. 206

(Law.Div. 1994), aff'd 0.b. 290 N.J. Super. 277 (App. Div. 1996) in order to have Horizon New Jersey Health ("Horizon"), his health carrier, pay his bill. Plaintiff RWJUH seeks to have the Court declare that Bailey does not apply in this case, and to direct High Point to pay its bill.

### III. Analysis

Defendant High Point moves for summary judgment asserting that the issues raised in Plaintiff's Complaint are moot because High Point has paid out its \$250,000 PIP limit in this matter. In opposition, Plaintiff argues that Defendant Calderone's health plan, Horizon New Jersey Health, cannot be his primary for no-fault claims because Horizon is a Medicaid HMO. Specifically, Plaintiff contends that under the terms of the State's contract with the Medicaid HMO, Horizon is not liable for any benefits covered or payable under no-fault claims. Plaintiff also argues that summary judgment is premature at this point, as Defendant High Point has just begun to comply with discovery requests.

Pursuant to N.J.S.A. 39:6A-4.3d, an insured is presented with the option of designating a health insurer as his primary source of PIP benefits. "The 'primary' carrier merely denotes the carrier first required to pay PIP benefits, preserving its right of contribution from other insurers also liable for such payments." Bailey 280 N.J. Super at 214 (citing USF&G v. Industrial Indem., 254 N.J. Super. 379, 385 (App.Div. 1993)). However, the "primary" designation does not render an *ultimate* responsibility for such expenses, but is designated so that prompt payment may be made when multiple insurers are unable to agree as to their contributions. Bailey 290 N.J. Super at 215.

However, New Jersey Courts normally "will not entertain cases when a controversy no longer exists and the disputed issues have become moot." De Vesa v. Dorsey, 134 N.J. 420, 428 (N.J. 1993) (citing Oxford v. New Jersey State. Bd. of Educ., 68 N.J. 301, 303-04 (N.J. 1975)). "A

case is technically moot when the original issue presented has been resolved, at least concerning the parties who initiated the litigation. ”De Vesa 134 N.J. at 428 (citing Oxford 68 N.J. at 303). Courts will rule on matters that “are of substantial importance and are capable of repetition yet evade review.” In re J.I.S. Industrial Service Co. Landfill, 110 N.J. 101, 104 (N.J. 1988) (citing Matter of Conroy, 98 N.J. 321, 342 (N.J. 1985). Plaintiff argues that under N.J.A.C. 11:3-14.5(a) the Health First option does not apply to any coverage or benefits provided to Medicare or Medicaid. Between Medicaid and No-Fault insurance, No-Fault is primary and Personal Injury Protection benefits are primary source of medical expense payment. Plaintiff seeks to have this Court find that High Point improperly refused to pay PIP benefits to RWJUH and direct High Point to pay PIP benefits to RWJUH, and then High Point can seek to recoup the money it paid out to other medical providers. However, High Point has already paid \$250,000.00 in PIP, the maximum amount of PIP coverage allowable under Calderone’s policy.

This case is in the early stage of discovery, which includes discovery into the medical payments and charges, and the defendants allegedly, erroneously, allowing Joseph Calderone to invoke Bailey, which caused High Point to deny payment to RWJUH’s bill. Accordingly, Defendant’s motion for summary judgment is DENIED without prejudice.

#### **IV. Conclusion**

For the foregoing reasons, Defendant’s motion for summary judgment is DENIED without prejudice.

The Ibrahim Law Firm  
910 Bergen Avenue, Suite 203  
Jersey City, New Jersey 07306  
(855) 529-0030  
*Attorneys for Plaintiffs*

**FILED**

MAR 31 2017

JUDGE MICHAEL A. TOTO

#742  
03/30/17

HANY SALIB and MIRIAM MIKHAEL ,  
  
*Plaintiffs,*

v.

CASTLEPOINT INSURANCE COMPANY,  
TOWER GROUP COMPANIES, TOWER  
NATIONAL INSURANCE COMPANY,  
INTERGON NATIONAL INSURANCE  
COMPANY, NATIONAL GENERAL  
HOLDINGS COMPANY, and ABC  
CORPORATIONS 1-10 (NAMES BEING  
FICTITIOUS AND /OR REPRESENTING  
BUSINESS ENTITIES WHOSE NAMES ARE  
UNKNOWN) JOINTLY, SEVERALLY AND /  
OR IN THE ALTERNATIVE,  
*Defendants.*

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, CIVIL PART  
MIDDLESEX COUNTY

Docket No.: MID-L-1701-16

CIVIL ACTION

**PROPOSED ORDER**

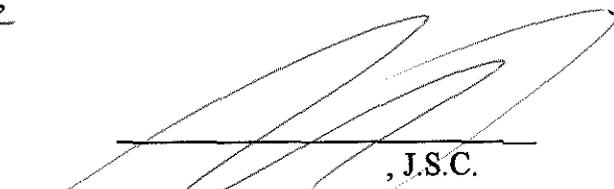
**THIS MATTER** having been brought before the court by attorney for Plaintiffs Hany Salib and Miriam Mikhaeil, for a Motion for Plaintiffs to Change Counsel,

AND THE COURT having considered the papers submitted in support of this Motion and the papers submitted in opposition thereto, if any;

IT IS on this 31 day of MARCH, 2017 **HEREBY ORDERED** that Motion for Plaintiffs to Change Counsel is **GRANTED**.

**IT IS FURTHER ORDERED THAT** The Ibrahim Law Firm shall be the "superseding" counsel on this matter, replacing Plaintiffs' prior counsel, Mr. Mr. Suarez-Silverio, as the "withdrawing counsel."

Opposed  Unopposed

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C.

File No.: BW010764  
MORGAN, BORNSTEIN & MORGAN  
ANDREW SELKOW 037461991  
1236 Brace Road - Suite K  
Cherry Hill, NJ 08034  
(856) 795-2200

Attorneys for Plaintiff  
SYNATEK

Plaintiff  
vs.

RS LAND DESIGN LLC and  
RICHARD SNEDIKER  
Defendant(s)

) SUPERIOR COURT OF NEW JERSEY  
) LAW DIVISION-MIDDLESEX COUNTY  
)  
)  
) Docket Number L-002507-16  
)

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

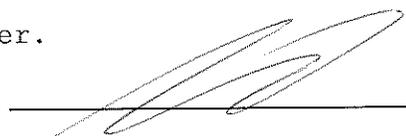
FINAL JUDGMENT  
BY DEFAULT

#766p  
63/31/17

The defendant RS LAND DESIGN LLC and RICHARD SNEDIKER 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 31 day of MARCH, 2017 signed and entered in the sum of \$27,480.80 plus costs, in favor of the plaintiff SYNATEK and against the defendant RS LAND DESIGN LLC and RICHARD SNEDIKER .

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

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C. J.S.C.

This Order was/was not opposed  
NOMDJMT:jmw

#6666  
03/31/17

WISHNIC & JERUSHALMY  
Stephanie M. Lockspeiser, Esq.  
Attorney ID No.: 018172012  
146 Livingston Avenue  
New Brunswick, NJ 08901  
(732) 448-1700  
Attorneys for Plaintiff

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

CRAIG STEVENS,

Plaintiff,

vs.

EDWARD M. KATZ, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION

MIDDLESEX COUNTY

DOCKET NO. MID-L-4401-14

CIVIL ACTION

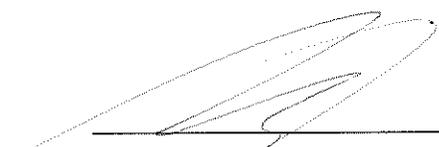
**ORDER**

THIS MATTER having been brought before the Court on Motion of Wishnic & Jerushalmy Law Group, P.C., for an Order withdrawing funds deposited with the Superior Court of New Jersey, and the Court having reviewed the moving papers and for good cause shown;

IT IS ON THIS 31 day of March, 2017,

ORDERED that the Supervisor of the Trust Fund Unit of the Superior Court of the State of New Jersey, shall disburse all funds in the amount of \$15,000.00 deposited to the firm of Wishnic & Jerushalmy Law Group, P.C. located at 146 Livingston Avenue, New Brunswick, NJ 08901 as follows: "Wishnic & Jerushalmy Trust Account;" and

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 hereof.



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MICHAEL A. TOTO, J.S.C. J.S.C.

Papers filed with the Court:

Answering Papers

Reply Papers

The within Notice of Motion was:

Opposed

Unopposed

Dennis B. O'Brien, Esq. – 035271985.  
**Law Office of Bobbi J. Vilachá**  
10 Lanidex Plaza West  
Parsippany, NJ 07054  
716-932-5950  
Attorneys for Defendants, Jose Sanchez and Naomi Sanchez

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

Nazaria Suriel,

Plaintiff,

v.

Jose Sanchez, Naomi Sanchez,  
John Does 1-10 (being unknown  
fictitious names) ; XYZ Corps.  
1-10 (being Unknown fictitious  
names),

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: Middlesex County  
DOCKET NO. MID-L-5808-15

Civil Action

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**ORDER GRANTING SUMMARY JUDGMENT AS  
TO DEFENDANTS JOSE SANCHEZ AND NAOMI SANCHEZ**

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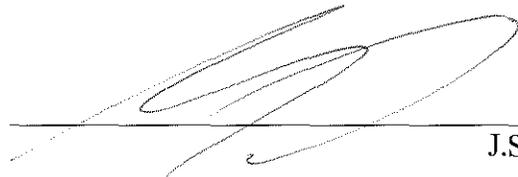
THIS MATTER having been opened to the court by the Law Office of Bobbi J. Vilachá, attorneys for defendants Jose Sanchez and Naomi Sanchez in the above-captioned action, upon said defendants' motion for summary judgment, dismissing the complaint and all cross-claims; and having reviewed the moving and opposing papers; and the court having made findings of fact and conclusions of law, which have been placed on the record in open court or appended hereto; and having heard oral argument, if scheduled; and for good cause shown:

IT IS, on this 31 day of March, 2017,

ORDERED that defendants' motion for summary judgment be, and the same is herewith granted; and it is further,

ORDERED that the complaint and any and all cross-claims be, and the same are herewith dismissed with <sup>out</sup> prejudice as to defendants Jose Sanchez and Naomi Sanchez; and it is further,

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

  
\_\_\_\_\_  
J.S.C.  
MICHAEL A. TOTO, J.S.C.

\_\_\_\_ OPPOSED

UNOPPOSED

#229  
03/31/17

Christian P. Fleming, Esq.  
Attorney ID: 019251996  
JABIN & FLEMING, L.L.C.  
530 Highway 18  
East Brunswick, New Jersey 08816  
(732) 257-1044  
Attorney for Plaintiff

**FILED**  
**MAR 31 2017**  
**JUDGE MICHAEL A. TOTO**

EBONY J. STAFFORD,  
:  
:  
Plaintiff,  
:  
v. :  
:  
MICHAEL T. CIRRINCIONE,  
:  
JOHN DOES, 1-10, and ABC CORPS, INC :  
1-10 (Said names being fictitious;  
:  
real names unknown), :  
:  
Defendants. :  
:

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO.: MID-L-5809-16

Civil Action

ORDER

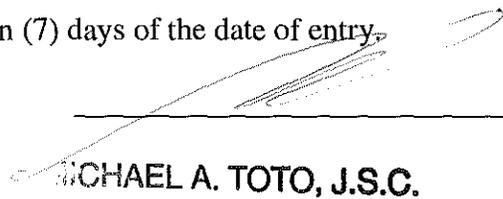
**THIS MATTER** having been brought before the Court, pursuant to Rule 1:62, having been submitted for ruling on the papers by Christian P. Fleming, Esq., attorney for plaintiff, Ebony J. Stafford, by way of Notice of Motion for an Order for substituted service upon defendant Michael Cirrincione's insurance carrier, GEICO or in the alternative, allowing for service to be effectuated upon the defendant, and the Court having considered the documents submitted; and for good cause shown;

**IT IS** on this 31 day of March 2017;

**ORDERED** that plaintiff, Ebony J. Stafford, be and hereby granted leave to serve the Summons and Complaint upon defendant Michael Cirrincione's insurance carrier, GEICO, or in the alternative, allow for service to be effect rated upon the defendant, Michael Cirrincione, directly, and;

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon the

attorney for said defendant within seven (7) days of the date of entry.

  
\_\_\_\_\_  
MICHAEL A. TOTO, J.S.C.

J.S.C.

- opposed
- unopposed

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, Patricia L. Kalman  
Our File: 1C.7486J

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

DAWN M. SANGIOVANNI and RHODA L. CULBERTSON,  
  
Plaintiff(s),  
  
v.  
  
PATRICIA L. KALMAN and JOHN DOE 1-5  
(fictitious names),  
  
Defendant(s),

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

Docket No: MID-L-01909-16

Civil Action

ORDER DISMISSING PLAINTIFF,  
RHONDA CULBERTSON'S  
COMPLAINT FOR FAILURE TO  
APPEAR AT NEUROLOGICAL  
EXAMINATION, PAY THE NO SHOW  
FEE OR FOR THE ALTERNATIVE  
RELIEF

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 shown, It is this 31 day of MARCH, 2017

ORDERED that the Complaint of plaintiff, Rhonda Culbertson, should be and is hereby dismissed, for failure of the plaintiff to appear at the February 16, 2017 neurological examination with Dr. Eric Fremed; and it is in the alternative

ORDERED that the Plaintiff, Rhonda Culbertson be Compelled to undergo a neurological examination with Dr. Eric Fremed on June 8, 2017, at 12:00 P.M.; and it is further

ORDERED that plaintiff is compelled to pay the \$300.00 missed appointment fee directly to Dr. Geron within fifteen (15) days of the date of this Order; and it is further

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

Opposed

Unopposed

  
\_\_\_\_\_  
,J.S.C.

**MICHAEL A. TOTO, J.S.C.**

LEVINSON AXELROD, P.A.  
David A. Cook, Esq., Attorney License No.: 013332010  
124 Route 31  
Flemington, NJ 08822  
Attorney for Plaintiff

**FILED**  
MAR 31 2017  
JUDGE MICHAEL A. TOTO

KEITH STRANBURG,  
  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY  
Docket No.: MID-L-6010-16

v.

FORD MOTOR COMPANY, and JOHN DOES 1-10 and/or ABC Corporations 1-10 (representing presently unknown individuals, businesses, partnerships, and/or corporations who own, operate, supervise, control, and/or maintain the premises in question),

Civil Action

Defendant(s)

ORDER ALLOWING PLAINTIFF TO FILE  
AN AMENDED COMPLAINT

11835

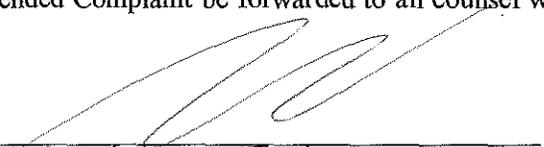
This matter being brought before the Court on Notice of Motion by Levinson Axelrod, P.A., attorneys for plaintiff, and the Court having considered the pleadings filed herein, and good cause having been shown;

IT IS on this 31 day of March, 2017

ORDERED that the plaintiff be and hereby is permitted to file an Amended Complaint naming Cranbury Sixty, LLC, as a direct defendant; and it is further

ORDERED that a copy of this Order, a Summons and Amended Complaint be served upon the defendant, Cranbury Sixty, LLC within 14 days of the filing date hereof; and it is further

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

  
HONORABLE MICHAEL A. TOTO J.S.C.

PAPERS CONSIDERED:  
 Moving Papers  
 Responding Papers  
 Other

It is ORDERED that movant shall serve, or make available, to any new party, a copy of all discovery materials within 20 days after the service of the new party's initial pleading.

It is ORDERED that all discovery in this case shall end on January 25 2017 unless further extended by court order.

By James J. Pieper, Esq. [State Bar No.: 012691994]  
 LITVAK & TRIFIOLIS, P.C.  
 45 HORSEHILL ROAD  
 CEDAR KNOLLS, NJ 07927  
 (973) 359-0090  
 Our File No.: 50225.MCT

**FILED**  
 MAR 31 2017  
 JUDGE MICHAEL A. TOTO

**Attorneys for Defendants, Andrew Ayers and Timothy Ayers**

Mei Shiu, Administrator Ad Prosequendum and Limited Administrator of the Estate of Christina Shiu, deceased	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
	:	DOCKET NO.: MID-L-1601-16
	:	
Plaintiff(s),	:	
	:	ORDER
vs.	:	
	:	
Andrew Ayers, Timothy Ayers, et al.	:	
	:	
Defendants.	:	
	:	

**THIS MATTER** have been brought before the Court by Litvak & Trifiolis., attorneys for Defendants, **Andrew Ayers and Timothy Ayers**, seeking an Order extending discovery, and the Court having considered the matter and for good cause shown;

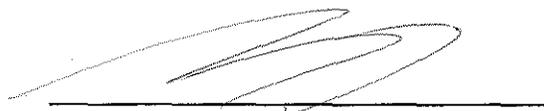
IT IS on this 31 day of MARCH, 2017

**ORDERED** that the discovery end date in this matter be extended to June 23, 2017; and it is

**FURTHER ORDERED** that plaintiff Mei Shiu, Administrator Ad Prosequendum and Limited Administrator of the Estate of Christina Shiu be compelled to appear for deposition before April 30, 2017,

**FURTHER ORDERED** that plaintiff return executed HIPAA authorizations by April 15, 2017, and it is,

**ORDERED** that a copy of the within Order be served within seven (7) days of receipt thereof.



MICHAEL A. TOTO, J.S.C. J.S.C.

#703  
3-31-17

Joseph K. Cobuzio, Esq. - NJ Attorney ID 022091988  
Kelly Jackson Cozza, Esq. - NJ Attorney ID 016242007  
Robert N. Ward, Esq. - NJ Attorney ID 162632015  
TOMPKINS, McGUIRE, WACHENFELD & BARRY LLP  
3 Becker Farm Road, Suite 402  
Roseland, New Jersey 07068  
(973) 622-3000  
Attorneys for Defendant, U.S. Lawns, Inc.

**FILED**

**MAR 31 2017**

JUDGE MICHAEL A. TOTO

MIRIAM C. TROCHE,

Plaintiff(s),

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY

v.

DOCKET NO.: MID-L-803-16

PROSPECT POINTE; AG LAWN &  
LANDSCAPE; LGA GROUP, LLC; LGA  
GROUP PROPERTY MAINTENANCE; GAIA  
REGENCY JACKSON, LLC; LINCOLN  
APARTMENT MANAGEMENT LIMITED  
PARTNERSHIP; LIGHT FX, LLC; U.S.  
LAWNS, INC.; U.S. LAWNS TEAM 311 d/b/a  
U.S. LAWNS; JOHN/JANE DOES (1-10);  
ABC CORPORATIONS (1-10); DEF  
PARTNERSHIPS (1-10); and GHI LIMITED  
LIABILITY COMPANIES (1-10),

Defendants.

**CIVIL ACTION – ORDER DISMISSING COMPLAINT**

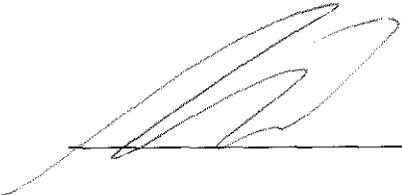
**THIS MATTER** having been opened to the Court by Tompkins, McGuire, Wachenfeld & Barry, LLP, attorneys for defendant, U.S. Lawns, Inc., for an Order dismissing plaintiff's complaint, and notice having been given to all counsel of record, and the Court having considered the papers submitted in support of and in opposition to this application, and for good cause shown;

**IT IS** on this 31 day of March 2017;

**ORDERED** that defendant's motion, be and is hereby GRANTED; and it is

**FURTHER ORDERED** that the Complaint be and is hereby dismissed without prejudice as to U.S. Lawns, Inc.;

**FURTHER ORDERED** that a copy of this Order shall be served on all counsel of record and pro se parties within seven days of receipt of this Order by Tompkins, McGuire, Wachenfeld & Barry.

  
\_\_\_\_\_, J.S.C.

**MICHAEL A. TOTO, J.S.C.**

Opposed  
 Unopposed

#104  
3-31-17

03147-00197-WJK

**MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN**

BY: Walter J. Klekotka, Esquire; 015931987  
Woodland Falls Corporate Park  
200 Lake Drive East  
Suite 300  
Cherry Hill, NJ 08002  
856-414-6000

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

Attorney for Defendant(s), MMR Group, LLC a/k/a LGA Group Property Maintenance (incorrectly designated as LGA Group Property Maintenance in plaintiff's Complaint)

MIRIAM C. TROCHE,  
  
Plaintiff(s),  
  
v.  
  
PROSPECT POINTE; AG LAWN &  
LANDSCAPE; LGA GROUP, LLC; LGA  
GROUP PROPERTY MAINTENANCE;  
GAIA REGENCY JACKSON, LLC;  
LINCOLN APARTMENT MANAGEMENT  
LIMITED PARTNERSHIP; LIGHT FX, LLC;  
U.S. LAWNS, INC.; U.S. LAWNS TEAM 311  
d/b/a U.S. LAWNS; JOHN/JANE DOES (1-  
10); ABC CORPORATIONS (1-10); DEF  
PARTNERSHIPS (1-10); GHI LIMITED  
LIABILITY COMPANIES (1-10);  
  
Defendant(s),

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

DOCKET NO.: MID-L-803-16

**CIVIL ACTION**  
**DENYING**  
**ORDER GRANTING SUMMARY**  
**JUDGMENT TO DEFENDANT WITH**  
**SANCTIONS**

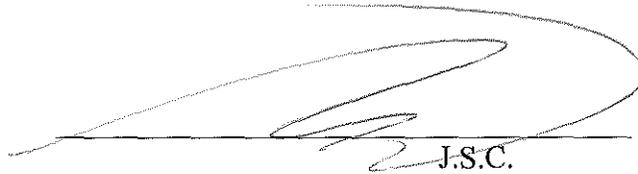
THIS MATTER having been opened to the Court by Marshall, Dennehey, Warner, Coleman & Goggin, counsel for defendants MMR Group, LLC a/k/a LGA Group Property Maintenance, and the Court having reviewed the moving papers and opposition, if any, and for good cause shown;

IT IS on this 31<sup>st</sup> day of March, 2017 ORDERED that the motion for summary judgment on behalf of defendant, MMR Group, LLC a/k/a LGA Group Property Maintenance is ~~granted~~ <sup>deny</sup> ~~without prejudice~~ <sup>FOR REASONS SET FORTH ON RECORD;</sup> and ~~dismissing plaintiff's Complaint and any cross-claims with prejudice; and~~

~~IT IS FURTHER ORDERED~~ that attorneys' fees and costs in the amount of \$\_\_\_\_\_ be awarded to \_\_\_\_\_, Esq., for representation of the defendant in connection with defending the ~~Second Count of the Complaint~~; and *David Michael Pajula*

~~IT IS FURTHER ORDERED~~ that the allegations set forth in the Complaint against defendants MMR Group, LLC a/k/a LGA Group Property Maintenance are deemed frivolous litigation and that the plaintiff and \_\_\_\_\_, Esq., are jointly and severally liable to defendant for the attorneys' fees and costs awarded herein. *David Michael Pajula*

IT IS FURTHER ORDERED that a copy of this Order shall be served within 7 days from the date of receipt of the executed Order of the Court.



J.S.C.

Opposed     
Unopposed   

MICHAEL A. TOTO, J.S.C.

RUBIN & ROTHMAN, LLC  
A Limited Liability Company of NY & NJ 1132459  
1787 Veterans Highway  
Islandia, NY 11749  
631-234-1500  
Attorneys for Plaintiff  
Filed By: David K. Kowalenko, Esq. ID# 019512010

R&R File No. 1116577

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

TOYOTA MOTOR CREDIT  
CORPORATION as Assignee of  
SANSONE'S ROUTE 1 TOYOTA SCION  
INC.,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO L-001509-16

Civil Action

#526

Plaintiff,

vs.

**ORDER**

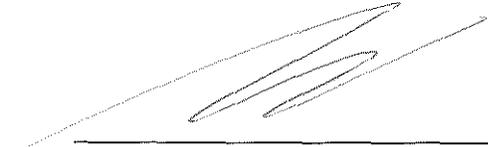
ANTHONY PADILLA,  
Defendant.

This matter having been opened to the Court by Rubin & Rothman, attorneys for the Plaintiff, and the Court having considered the proofs submitted by Plaintiff, and it appearing that the Defendant was duly served with process and a copy of the complaint, has not filed an answer or other responsive pleading and is now in default, and the Defendant not being an infant or incompetent person, and for good cause shown,

It is on this 31 day of March 2017

ORDERED that judgment by default be and is hereby entered in favor of the Plaintiff and against the Defendant, ANTHONY PADILLA in the amount of \$ 22,114.97 plus costs, pursuant to R. 4:43-2(a).

IT IS FURTHER ORDERED that a copy of this Order shall be served upon the Defendant within ten days of its receipt by Plaintiff's counsel.

  
MICHAEL A. TOTO, J.S.C. J.S.C.

[ ] Opposed  
[ X ] Unopposed

#1101  
3-31-17

**FILED**

**MAR 31 2017**

**JUDGE MICHAEL A. TOTO**

JEFFREY H. WARD, ESQ. ATTY ID# 015651998  
Attorney at Law  
2 Village Court  
Hazlet, New Jersey 07730  
(732) 888-2003  
Attorney for Plaintiff

WESTLAKE SERVICES, LLC

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX COUNTY  
LAW DIVISION

Plaintiff,

Docket No. DJ-227211-16

Civil Action

vs.

TURNOVER ORDER

JNM AUTO, INC. and CYRIL NOEL

Defendants.

THIS MATTER being opened to the Court upon application by Jeffrey H. Ward, Esq., attorney for Plaintiff, Westlake Services, LLC, for an Order requiring turnover of the sum of \$3,463.62 of Defendants' funds held by Chase Bank, and the Court having read the moving papers, and having heard the arguments of counsel, if any, and for good cause shown;

IT IS on this 31 day of MARCH, 2017,

- 1.) ORDERED that the motion of the Plaintiff, be and the same is hereby granted, and it is further
- 2.) ORDERED that the sum of \$3,463.62 held by Chase Bank, which has been levied upon by a Sheriff's Officer of the Middlesex County Sheriff's Office, be forthwith turned over by Chase Bank to Jeffrey H. Ward, Esq., and shall be sent to the Law Offices of Jeffrey H. Ward, at 2 Village Court, Hazlet, NJ 07730, to satisfy all or part of the Judgment of the Plaintiff herein, and it is further
- 3.) ORDERED that a copy of the within order be served upon all parties within 7 days of the filing date hereof.

  
MICHAEL A. TOTO, J.S.C.

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