

 KeyCite Yellow Flag - Negative Treatment
Distinguished by Hanisko v. Billy Casper Golf Management, Inc., N.J.Super.A.D., September 8, 2014

295 N.J.Super. 374
Superior Court of New Jersey,
Appellate Division.

Cynthia CUMMINGS and James
Cummings, Plaintiffs-Appellants,
v.

Harvey BAHR and Madeline
Bahr, Defendants-Respondents.

Argued Nov. 6, 1996.

|
Decided Dec. 3, 1996.

Synopsis

In personal injury/premises liability case, defendant moved for summary judgment, arguing that plaintiff was licensee when she was injured on defendant's land. In response, plaintiff admitted her status as licensee, but argued that summary judgment was nonetheless inappropriate. After defendant's motion was granted and plaintiff's first motion for reconsideration was denied, plaintiff filed second motion for reconsideration, arguing for first time that when she was injured she was invitee, rather than licensee. The Superior Court, Law Division, Gloucester County, denied motion. Plaintiff appealed. The Superior Court, Appellate Division, Kleiner, J.A.D., held that: (1) trial court properly applied reconsideration rule in denying plaintiff's second motion, and (2) plaintiff was judicially estopped from arguing invitee status.

Affirmed.

West Headnotes (17)

[1] **Motions**

 Reargument or Rehearing

267 Motions

267k39 Reargument or Rehearing

Reconsideration is matter within sound discretion of court, to be exercised in interest of justice. R. 4:49-2.

141 Cases that cite this headnote

[2] **Motions**

 Reargument or Rehearing

267 Motions

267k39 Reargument or Rehearing

Reconsideration should be utilized only for those cases which fall into that narrow corridor in which either (1) court has expressed its decision based upon palpably incorrect or irrational basis, or (2) it is obvious that Court either did not consider, or failed to appreciate significance of probative, competent evidence; alternatively, if litigant wishes to bring new or additional information to court's attention which it could not have provided on first application, court should, in interest of justice, and in exercise of sound discretion, consider such evidence. R. 4:49-2.

235 Cases that cite this headnote

[3] **Judgment**

 Hearing and Determination

228 Judgment

228V On Motion or Summary
Proceeding

228k182 Motion or Other Application

228k186 Hearing and Determination

Premises liability plaintiff who admitted in response to defendant's motion for summary judgment that, at time of her injury, she was on defendant's land as licensee, could not, in her second motion for reconsideration of order granting defendant summary judgment, assert for first time that she was actually invitee at time of her injury; factual predicates of plaintiff's new theory were available when plaintiff responded to defendant's motion for

summary judgment, no new facts had been uncovered which would warrant either first or second motion for reconsideration, and plaintiff did not point to decisions that motion judge overlooked or misapplied when he granted defendant summary judgment. R. 4:49-2.

85 Cases that cite this headnote

[4] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

“Judicial estoppel” operates to bar party to legal proceeding from arguing position inconsistent with one previously asserted.

9 Cases that cite this headnote

[5] Estoppel

🔑 Nature and Application of Estoppel in Pais

Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(A) Nature and Essentials in General

156k52 Nature and Application of Estoppel in Pais

156k52(1) In General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

“Judicial estoppel,” as distinguished from “equitable estoppel,” applies to

preclude party from assuming position in legal proceeding inconsistent with one previously asserted; judicial estoppel looks to connection between litigant and judicial system, while equitable estoppel focuses on relationship between parties to prior litigation.

5 Cases that cite this headnote

[6] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

Although “judicial estoppel” most often arises when party takes inconsistent positions in different litigation, it can be equally applicable where litigant asserts inconsistent legal positions in different proceedings in same litigation.

5 Cases that cite this headnote

[7] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

Party must successfully assert position in order for “judicial estoppel” to bar that party from asserting contrary position in future proceedings.

7 Cases that cite this headnote

[8] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General “Judicial estoppel” does not preclude inconsistent positions from being pleaded in alternative. R. 4:5-2.

2 Cases that cite this headnote

[9] **Estoppel**

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General “Judicial estoppel” does not bar every conceivable inconsistency in pleadings; rather, it is designed to prevent litigants from “playing fast and loose” with courts.

8 Cases that cite this headnote

[10] **Estoppel**

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General “Prior success,” for purposes of principle that doctrine of judicial estoppel applies to party who has successfully and unequivocally asserted position in prior proceeding, does not mean that party prevailed in underlying

action; rather, it means only that court allowed party to maintain that position.

12 Cases that cite this headnote

[11] **Estoppel**

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

For purposes of judicial estoppel, whether party benefitted from its earlier position or was motivated to seek such benefit may be relevant insofar as it evidences intent to play fast and loose with courts; it is not, however, independent requirement for application of doctrine of judicial estoppel.

5 Cases that cite this headnote

[12] **Estoppel**

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General

It is integrity of judicial process that is protected by doctrine of “judicial estoppel.”

14 Cases that cite this headnote

[13] **Action**

🔑 Splitting Causes of Action

13 Action

13III Joinder, Splitting, Consolidation, and Severance

13k53 Splitting Causes of Action

13k53(1) In General

Entire controversy doctrine acts to insure that entire controversy will be determined in single judicial proceeding; doctrine exists because fragmented and multiple litigation takes its toll on not only parties but judicial institution and public.

Cases that cite this headnote

[14] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General Position has been “successfully asserted,” for purposes of doctrine of “judicial estoppel,” if it has helped form basis of judicial determination; judicial determination does not have to be in favor of party making assertion, but if court has based final decision, even in part, on party's assertion, that same party is thereafter precluded from asserting contradictory position.

10 Cases that cite this headnote

[15] Motions

🔑 Reargument or Rehearing

267 Motions

267k39 Reargument or Rehearing

Courts have right to demand precision from counsel when making applications to court; thus, court should not be put in position of hearing new and contradictory theory at second motion for reconsideration. R. 4:49-2.

1 Cases that cite this headnote

[16] Estoppel

🔑 Claim Inconsistent with Previous Claim or Position in General

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k68 Claim or Position in Judicial Proceedings

156k68(2) Claim Inconsistent with Previous Claim or Position in General Doctrine of judicial estoppel precluded premises liability plaintiff from asserting for first time, in her second motion for reconsideration of order granting defendant summary judgment, that plaintiff was actually invitee when she was injured on defendant's land; plaintiff admitted in response to defendant's motion for summary judgment that she was on defendant's land as licensee, and final judicial determination was made which relied on that conceded fact. R. 4:49-2.

9 Cases that cite this headnote

[17] Appeal and Error

🔑 Refusal of New Trial

30 Appeal and Error

30XVI Review

30XVI(H) Discretion of Lower Court

30k976 New Trial or Rehearing

30k977 In General

30k977(5) Refusal of New Trial

Trial court's denial of motion for reconsideration is reviewed for abuse of discretion. R. 4:49-2.

136 Cases that cite this headnote

Attorneys and Law Firms

****62 *378** Michael D. Carroll, Northfield, for plaintiff-appellant Cynthia Cummings (Tomar, Simonoff, Adourian, O'Brien, Kaplan, Jacoby & Graziano, attorneys; Mr. Carroll, of counsel and on the brief; Julie L. Davis, on the brief).

John M. Amorison, Vineland, for defendants-respondents (Jay H. Greenblatt & Associates, attorneys; Nicholas Kierniesky, on the brief).

Before Judges MUIR, Jr.,¹ KLEINER and COBURN.

¹ Judge Muir did not participate in oral argument, but with the consent of the parties participated in the decision.

Opinion

The opinion of the court was delivered by

KLEINER, J.A.D.

Plaintiffs Cynthia Cummings and John Cummings, suing *per quod*, appeal from the denial of their second motion for reconsideration of a prior decision which granted summary judgment to *379 defendant Madeline Bahr.² Our decision, affirming the Law Division, is predicated upon the theory of judicial estoppel and its interrelationship with *R.* 4:49-2.

² Although the caption bears the name of Harvey Bahr, Harvey Bahr was deceased when plaintiff's complaint was filed. The record fails to explain why plaintiffs named Harvey Bahr as a party defendant. There is no order amending the caption within the record on appeal. Despite the caption, we have elected to treat defendant Madeline Bahr as the sole defendant and all references to the defense will be in the singular. Likewise, plaintiffs will be referred to in the singular for ease of description. A reference to "plaintiff" will refer to Cynthia Cummings even though James Cummings is a party.

I

Defendant, Madeline Bahr, is the widow of Harvey Bahr, who died of cancer in early 1992. Prior to the diagnosis of his fatal illness, Mr. Bahr performed all of the gardening chores on the ten-acre plot surrounding the family home. These chores included tending to rose bushes, planting fig

trees, and cultivating grapevines. After Mr. Bahr became ill, he prepared a list of chores which still needed to be attended to on the property. Mr. Bahr had recently acquired some new fig trees and grapevines but had not had the opportunity to plant them formally. One of the tasks on Mr. Bahr's list of chores was the planting of these recent acquisitions.

On April 5, 1992, plaintiff Cynthia Cummings, accompanied by two friends, visited her mother Mrs. Bahr, the defendant. The primary purpose of that visit is in dispute.

Plaintiff contends that she visited her mother for the primary purpose of moving **63 the fig trees and grapevines from where they had been placed by her father to the location where each tree or grapevine was to be permanently planted. As a secondary matter, she was going to partake in a spaghetti dinner. Upon her arrival at her mother's house, plaintiff and her friends were invited in, and refreshments were served. Later, defendant, plaintiff, and plaintiff's two friends walked to the rear of the property where the *380 fig trees and grapevines had been temporarily placed. Although plaintiff had lived with her parents on this property, she had not visited this rear area since moving away in 1974.

Defendant contends that plaintiff, whose husband and children were out of town, was invited to her home primarily for dinner. After dinner, defendant accompanied her daughter and her daughter's two friends to the rear of the property to inspect the fig trees and grapevines to ascertain whether it was feasible to move them.

To reach the rear of the property, the foursome was required to walk through an unkempt, grassy area described by plaintiff as being, more or less, "like a meadow." While the area is not wooded, plaintiff stated in her deposition that there were fruit trees planted in the area. Although the grass in the rear of the home had been regularly cut by Harvey Bahr prior to his final illness, it had not been maintained after his death. The grass was approximately three or four inches high on that afternoon.

While walking in this area, plaintiff's foot became entangled in a "rose runner," or "green rose cane," which was hidden under the grass. Plaintiff, unable to untangle her leg, fell and suffered severe leg injuries including two fractures of her right ankle.

Plaintiff's complaint, filed April 4, 1994, alleged that defendant was negligent in maintaining the property and in failing to warn her of the deteriorated condition of the rear yard including "ground tree roots." The words "invitee," "licensee," or "social guest" are not contained in the complaint. There is, in fact, no allegation or discussion of plaintiff's status on the land within the complaint. Defendant's answer consisted of a general denial of plaintiff's allegations and several separate defenses but did not specifically refer to plaintiff's status.

Defendant filed a motion for summary judgment, returnable December 1, 1995. In the brief in support of her motion, defendant, relying on *Snyder v. I. Jay Realty Co.*, 30 N.J. 303, 153 A.2d 1 (1959), asserted that plaintiff was a social guest at defendant's home and, as such, was a licensee. Defendant also cited *Berger v. *381 Shapiro*, 30 N.J. 89, 152 A.2d 20 (1959), which describes the duty owed by a landowner to a licensee:

A possessor of land is subject to liability for bodily harm caused to gratuitous licensees by a natural or artificial condition thereon if, but only if, he

(a) knows of the condition and realizes that it involves an unreasonable risk to them and has reason to believe that they will not discover the condition or realize the risk, and

(b) invites or permits them to enter or remain upon the land, without exercising reasonable care

(i) to make the conditions reasonably safe, or

(ii) to warn them of the condition and the risk involved therein.

[*Id.* at 99, 152 A.2d 20 (quoting *Restatement of Torts* § 342).]

Defendant also relied, in part, on defendant's deposition testimony indicating that her deceased husband maintained the grounds in the rear of her home, that she rarely frequented the rear ground, and had not personally maintained that area after her husband's death. Defendant contended that she was unaware that rose runners grew in that area or that rose runners had spread under and into the grass.

In plaintiff's response, it was admitted that plaintiff was a licensee:

Plaintiff recognizes that New Jersey law provides that a household social guest is generally classified as a licensee even when the guest is performing some incidental household task. Plaintiff also recognizes that defendant has no duty to discover latent defects when dealing with a licensee. However, the landowner *must* warn a social **64 guest of any dangerous condition which he or she had actual knowledge of and of which the guest is unaware. (Citations omitted).

Plaintiff then proceeded to cite various portions of defendant's deposition testimony to demonstrate that, despite defendant's disclaimer of knowledge, defendant had actual knowledge of the dangerous condition resulting from rose runners. Plaintiff's brief also stated that rose runners are a "dangerous natural condition."

In deciding the motion, Judge Holston concluded:

In this case it seems to me clear that the defendant, the mother, didn't know of the dangerous condition and even had she known would not likely have reasonably foreseen the danger. Plaintiff in the exercise of reasonable care should have been more cautious. An owner is not liable for

injuries to a social guest when the owner is not aware of the dangerous condition. I don't see how a reasonable jury could *382 find that the defendant mother owed a duty to warn her daughter in this case. Defendant's deceased husband had done all the gardening and the defendant simply had no responsibility toward the roses. In effect she didn't promise her daughter a rose garden.

Plaintiff, pursuant to *R. 1:7-4* and *R. 4:49-2*, filed a timely motion for reconsideration. *R. 4:49-2* provides, in part, “[t]he motion shall state with specificity the basis on which it is made, *including a statement of the matters or controlling decisions which counsel believes the court has overlooked or as to which it has erred.*” (Emphasis added).

Plaintiff's counsel's certification, filed in support of the motion for reconsideration, sets forth the following as the basis for reconsideration:

3. Prior [to the December 1, 1995 motion], an arbitration panel found the defendant and the plaintiff 50% negligent despite the argument made by defense counsel regarding liability.

4. Although the award was appealed de novo, and plaintiff's counsel realizes the Court cannot rely on the factual findings of the arbitrators, the fact that two arbitrators found liability in favor of the plaintiff, surely supports the conclusion that genuine issues of fact surrounding defendant's notice of the dangerous condition remain outstanding and should be left for the jury.

Plaintiff did not describe any “matters or controlling decisions which counsel believes the court has overlooked or as to which it has erred.” See *R. 4:49-2*

The very language cited in *R. 4:49-2* served as the response to plaintiff's motion for reconsideration

and again at oral argument on the return date for that motion.

In denying plaintiff's motion for reconsideration, Judge Holston repeated a portion of his factual conclusions from when he granted defendant's summary judgment motion. He then properly held that plaintiff was not entitled, pursuant to *R. 4:49-2*, to relief. Specifically, Judge Holston stated:

[T]his defendant neither knew nor had reason to know of a dangerous condition on her own property. She had no requirement to go back there and cut that grass and to ascertain whether or not underneath that grass there may have been rose runners. What she had an obligation to do would be to reveal to her daughter or any social guest that which could not have been seen and would constitute a *383 dangerous condition if she knew about it or had reason to know about it. I don't believe she had either.

I'm satisfied also that the standards for reconsideration haven't been met here, There is no new law cited nor has there-is no legal authorities about which this Court overlooked, nor do I believe any facts which this Court overlooked.

Plaintiff then filed her second motion for reconsideration. In addition to submitting a brief, plaintiff's counsel filed a certification which stated, in part:

2. Upon return to the office on January 19, 1996, [the associate who appeared on the motion for reconsideration] and I reviewed the denial [sic] of defendant's motion for summary judgement and the denial of plaintiff's motion for reconsideration.

****65**

4. Our review of the facts ... indicated that several legal issues are involved that had not been briefed or argued, and Counsel believes that the Court has overlooked the same.

5. I am filing this motion for reconsideration in order to allow this Court an opportunity to revisit the issue of plaintiff's status as an invitee vs. a licensee, as the case law establishes that the plaintiff

is an invitee and [sic] owed a higher standard of care than a licensee.

Defendant responded and once again renewed his contention that plaintiff was not entitled to relief, citing *R. 4:49-2*. In addition to the *R. 4:49-2* argument, defendant's letter brief also addressed the legal distinctions of invitee and licensee status.

Judge Holston again denied plaintiff's motion stating:

Now plaintiff argues at this second reconsideration that this Court erred notwithstanding plaintiff's own arguments, because plaintiff was not a social guest but was really an invitee because the purpose of plaintiff's visit was to move grapevines and figs for the defendant after plaintiff's father passed away. Since plaintiff was there to confer a benefit on the defendant, the plaintiff was an invitee. Defendant would infer that analysis be required to use reasonable care to make the premises safe, and this includes to make a reasonable inspection to discover defective conditions.... Plaintiff therefore argues that her mother had a duty to inspect and remedy the roots from the rose bushes.

Now the first opposition of the defendant is that the plaintiff is trying to get a second bite at the same apple, that plaintiff's brief is not directed at new law or facts which movant feels that the Court has overlooked or as to which it has erred. That's the requirement of *Rule 4:49-2*. Plaintiff's now attempting simply on a third argument, by the way, by a third lawyer, to argue a different legal theory than that which was proffered either in opposition or at the first reconsideration.

*384 II

[1] *R. 4:49-2* was thoroughly discussed in *D'Atria v. D'Atria*, 242 N.J.Super. 392, 576 A.2d 957 (Ch.Div.1990), where the court noted that "[r]econsideration is a matter within the sound discretion of the Court, to be exercised in the interest of justice." *Id.* at 401, 576 A.2d 957 (Citing *Johnson v. Cyclop Strapping Corp.*, 220 N.J.Super.

250, 257, 263, 531 A.2d 1078 (App.Div.1987), certif. denied, 110 N.J. 196, 540 A.2d 189 (1988); *Michel v. Michel*, 210 N.J.Super. 218, 509 A.2d 301 (Ch.Div.1985)).

[2] The Chancery Division judge in *D'Atria* specifically noted:

Reconsideration should be utilized only for those cases which fall into that narrow corridor in which either 1) the Court has expressed its decision based upon a palpably incorrect or irrational basis, or 2) it is obvious that the Court either did not consider, or failed to appreciate the significance of probative, competent evidence....

Alternatively, if a litigant wishes to bring new or additional information to the Court's attention which it could not have provided on the first application, the Court should, in the interest of justice (and in the exercise of sound discretion), consider the evidence. Nevertheless, motion practice must come to an end at some point, and if repetitive bites at the apple are allowed, the core will swiftly sour. Thus, the Court must be sensitive and scrupulous in its analysis of the issues in a motion for reconsideration.

[*Id.* at 401-02, 576 A.2d 957.]

[3] It is clear that Judge Holston correctly applied *R. 4:49-2* in denying plaintiff's second motion for reconsideration. Plaintiff offered a *new* theory as to liability premised on a *new* characterization of plaintiff's status. The factual predicates of plaintiff's new theory were available when plaintiff responded to defendant's motion for summary judgment. No new facts had been uncovered by plaintiff which would warrant either the first or second motion for reconsideration. Nor did plaintiff point to decisions that the motion judge had overlooked or misapplied when he **66 granted defendant summary judgment. We also note that in plaintiff's first motion for reconsideration counsel continued to assert that plaintiff was a licensee. It was only when plaintiff's counsel, an associate, discussed the matter with a senior partner in the same *385 law firm, that plaintiff's counsel concluded that plaintiff was an invitee.

III

[4] We also conclude that plaintiff's attempt to argue invitee status is barred by judicial estoppel. The doctrine of judicial estoppel operates to "bar a party to a legal proceeding from arguing a position inconsistent with one previously asserted." *N.M. v. J.G.*, 255 N.J.Super. 423, 429, 605 A.2d 709 (App.Div.1992). See also *Levin v. Robinson, Wayne & La Sala*, 246 N.J.Super. 167, 178, 586 A.2d 1348 (Law Div.1990); *Oneida Motor Freight, Inc. v. United Jersey Bank*, 848 F.2d 414 (3d Cir.), cert. denied, 488 U.S. 967, 109 S.Ct. 495, 102 L.Ed.2d 532 (1988); *Shell Oil Co. v. Trailer & Truck Repair Co., Inc.*, 828 F.2d 205, 209 (3d Cir.1987).

[5] As noted in *Oneida*, *supra*:

This doctrine, distinct from that of equitable estoppel, applies to preclude a party from assuming a position in a legal proceeding inconsistent with one previously asserted. Judicial estoppel looks to the connection between the litigant and the judicial system while equitable estoppel focuses on the relationship between the parties to the prior litigation.

[848 F.2d at 419 (citations omitted.)]

[6] Although judicial estoppel most often arises when a party takes inconsistent positions in different litigation, as in *Levin*, *supra*, or *N.M. v. J.G.*, *supra*, it can be equally applicable where a litigant asserts inconsistent legal positions in different proceedings in the same litigation.

At first blush, the doctrine of judicial estoppel appears to be well-defined. It is clear from precedent cases discussing judicial estoppel, however, that there are different theoretical notions about how to apply this important doctrine. See generally Douglas W. Henkin, Comment, *Judicial Estoppel-Beating Shields into Swords and Back Again*, 139 U. Pa. L.Rev. 1711 (1991); Rand G. Boyers, Comment, *Precluding Inconsistent Statements: The Doctrine of Judicial Estoppel*, 80 Nw. U.L.Rev. 1244 (1986).

*386 In particular, there is the oft-cited requirement that in order to be judicially estopped from asserting a position contrary to a previously asserted position, a party must have "succeeded in maintaining that position." ³ *Chattin v. Cape May Greene, Inc.*, 243 N.J.Super. 590, 620, 581 A.2d 91 (App.Div.1990), *aff'd o.b.*, 124 N.J. 520, 591 A.2d 943 (1991) (quoting *Brown v. Allied Plumbing & Heating Co.*, 129 N.J.L. 442, 30 A.2d 290 (Sup.Ct.), *aff'd*, 130 N.J.L. 487, 33 A.2d 813 (E. & A.1943)); *contra Levin*, *supra*, 246 N.J.Super. at 189-90, 586 A.2d 1348 ("no New Jersey court has ever adopted a requirement that a party must 'successfully assert' the prior position to be judicially estopped from later asserting a contrary position.").

³ Among the other factors that courts have analyzed in determining whether judicial estoppel should apply are: whether the party seeking estoppel was a party to the prior litigation; whether the opposing party relied on the prior statement; and whether the party asserting the inconsistent statement is attempting to "play fast and loose" with the judicial system. Henkin, *supra*, 139 U. Pa. L.Rev. at 1723-24.

[7] We agree that a party must successfully assert a position in order to be estopped from asserting a contrary position in future proceedings. What "successfully assert" means, however, needs further discussion.

A

[8] It is well established that a party can seek alternative forms of relief. See R. 4:5-2. Judicial estoppel does not preclude inconsistent positions from being pleaded in the alternative. The view espoused by some courts that judicial estoppel does not require prior success might be seen as infringing on the ability of parties to plead in the alternative. Judicial estoppel does not preclude such alternate pleadings because at the time that the pleadings are made, neither the **67 parties nor the court have relied on one theory over another.

*387 [9] Nor does judicial estoppel bar every conceivable inconsistency. "[R]ather, it is designed

to prevent litigants from ‘playing fast and loose with the courts.’ ” *Ryan Operations G.P. v. Santiam-Midwest Lumber Co.*, 81 F.3d 355, 358 (3d Cir.1996) (citation omitted).

[10] [11] Prior success does not mean that a party prevailed in the underlying action, it only means that the party was allowed by the court to maintain the position. “The doctrine of judicial estoppel applies to a party who has successfully and unequivocally asserted a position in a prior proceeding...” *Edwards v. Aetna Life Ins. Co.*, 690 F.2d 595, 598 (6th Cir.1982). “Whether the party ... benefitted from its earlier position or was motivated to seek such a benefit may be relevant insofar as it evidences an intent to play fast and loose with the courts. It is not, however, an independent requirement for application of the doctrine of judicial estoppel.” *Ryan Operations, supra*, 81 F.3d at 361.

[12] It is the integrity of the judicial process that is protected by the doctrine of judicial estoppel. *Edwards, supra*, 690 F.2d at 599. Parties should not be allowed “to play fast and loose” with the judicial system. *Levin, supra*, 246 N.J.Super. at 180, 586 A.2d 1348.

[13] The entire controversy doctrine acts to insure that an entire controversy will be determined in a single judicial proceeding. *Cogdell v. Hospital Ctr. at Orange*, 116 N.J. 7, 26, 560 A.2d 1169 (1989). The entire controversy doctrine exists because “fragmented and multiple litigation takes its toll on not only the parties but the judicial institution and the public.” *Id.* at 23, 560 A.2d 1169. It is this same policy concern that mandates our view of judicial estoppel.

[14] Thus, we conclude that a position has been “successfully asserted” if it has helped form the basis of a judicial determination. The judicial determination does not have to be in favor of the party making the assertion. If a court has based a final *388 decision, even in part, on a party's assertion, that same party is thereafter precluded from asserting a contradictory position.

[15] Courts have the right to demand precision from counsel when making applications to the court. A court should not be put in the position of hearing a new and contradictory theory at a second motion for reconsideration.

B

[16] In response to defendant's motion for summary judgment, plaintiff argued:

Plaintiff recognizes that New Jersey law provides that a household social guest is generally classified as a licensee even when the guest is performing some incidental household task. Plaintiff also recognizes that defendant has no duty to discover latent defects when dealing with a licensee. However, the landowner *must* warn a social guest of any dangerous condition which he or she had actual knowledge of and of which the guest is unaware.

When plaintiff returned to court on their second motion for reconsideration, counsel argued:

Of critical import to the matter at bar is determining the status of plaintiff at the time she was at the property. Was she an invitee or a licensee? Originally, in the motion for summary judgment, the defendant had claimed that the purpose of the plaintiff's visit was purely a social one and therefore, plaintiff's position was that of a mere social licensee. As a social licensee, the standard of care is significantly reduced. However, in *reviewing* the deposition transcripts of both plaintiff and defendant, it

is clear that the plaintiff is not a mere social licensee.

This new position is clearly antithetical to the position that plaintiff had held fast to from the time that the initial pleadings were filed through the first motion for reconsideration.

Clearly, plaintiff had the ability and the obligation to review defendant's deposition thoroughly *before* filing their brief in opposition to summary judgment. Plaintiff should not be permitted to pick and choose alternative **68 theories of liability and assert them *ad seriatim* in separate proceedings in the same litigation.

Plaintiff had conceded the fact that she was on her mother's property as a licensee. A final judicial determination was made which relied on this conceded fact. Therefore, plaintiff is judicially *389 estopped from claiming in this, or in any other, litigation that she was an invitee. Clearly, if she had plead her status in the alternative, she would not have had this problem. "A party cannot have its cake and eat it too." Duplan Corp. v. Deering Milliken, Inc., 397 F.Supp. 1146, 1177 (D.S.C.1975)

IV

[17] Plaintiff contends that the motion judge erred in failing to permit their second motion for reconsideration. We disagree. The judge abided by the clear meaning of R. 4:49-2 and, in doing so,

he clearly did not abuse his discretion. Although our reported decisions do not clearly articulate the standard of review where there is a denial of a motion for reconsideration, the standard in the Federal courts is "abuse of discretion." CNF Constructors, Inc. v. Donohoe Const. Co., 57 F.3d 395, 401 (4th Cir.1995). We now adopt that standard as the appropriate norm for appellate review of a denial of a motion for reconsideration.

Because we conclude that plaintiff was not entitled to a reconsideration of her claim based upon the standard of care owed to an invitee, it is unnecessary to consider whether the motion judge's remarks as to the legal efficacy of that claim were correct or incorrect. Nor do we need to consider whether defendant would have been entitled to summary judgment had plaintiff initially argued "invitee" status. Those arguments raised by plaintiff are irrelevant. Plaintiff originally argued the law relevant to a landowner's duty to a licensee. The motion judge fully and correctly applied the law to the facts as argued, and concluded that defendant was entitled to summary judgment. See Brill v. The Guardian Life Ins. Co., 142 N.J. 520, 523, 666 A.2d 146 (1995). The judge thereafter correctly applied R. 4:49-2 in denying plaintiff's consecutive motions for reconsideration and in so ruling he did not abuse his discretion.

Affirmed.

All Citations

295 N.J.Super. 374, 685 A.2d 60

Negative Treatment

Negative Citing References (1)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	1. <u>Hanisko v. Billy Casper Golf Management, Inc.</u> ” MOST NEGATIVE 98 A.3d 1192 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Workers' Compensation. Employee was barred by the Workers Compensation Act from maintaining tort suit against employers.	Sep. 08, 2014	Case		6 10 16 A.2d

Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	1. Hanisko v. Billy Casper Golf Management, Inc. ¶¶ 98 A.3d 1192, 1196+ , N.J.Super.A.D. LABOR AND EMPLOYMENT - Workers' Compensation. Employee was barred by the Workers Compensation Act from maintaining tort suit against employers.	Sep. 08, 2014	Case		6 10 16 A.2d
Discussed by	2. Taylor v. Jones ¶¶ 2017 WL 3707932, *4+ , N.J.Super.A.D. In this non-dissolution case, plaintiff appeals from the March 30, 2016 order of the Family Part denying his motion for reconsideration. We affirm substantially for the reasons...	Aug. 29, 2017	Case		1 2 17 A.2d
Discussed by	3. Upchurch v. City of Orange Township ¶¶ 2017 WL 2536361, *5+ , N.J.Super.A.D. Plaintiff Deborah Upchurch appeals from the April 29, 2015 Law Division order dismissing her action in lieu of prerogative writs against defendants City of Orange Township (City),...	June 12, 2017	Case		1 2 17 A.2d
Discussed by	4. Udechukwu v. Udechukwu ¶¶ 2017 WL 744691, *2+ , N.J.Super.A.D. Plaintiff appeals an October 23, 2015 Family Part order denying his motion for reconsideration of a September 4, 2015 order directing him to sign a qualified domestic relations...	Feb. 27, 2017	Case		2 17 A.2d
Discussed by	5. Colon v. World Mission Society Church of God ¶¶ 2016 WL 6994349, *4+ , N.J.Super.A.D. Plaintiff Michele Colón sued defendants World Mission Society Church of God (WMSCOG), the New Jersey branch of the church (World Mission N.J.), three enterprises alleged to be...	Nov. 29, 2016	Case		1 2 17 A.2d
Discussed by	6. Ged, LLC v. Township of East Hanover ¶¶ 2015 WL 7432421, *4+ , N.J.Super.A.D. Plaintiff GED, LLC (GED) appeals and defendants Township of East Hanover (the Township) and Zoning Officer John Orlich (Orlich) cross-appeal from various orders entered by the Law...	Nov. 24, 2015	Case		4 7 9 A.2d
Discussed by	7. Township of Mahwah v. Merrill ¶¶ 2015 WL 5309436, *2+ , N.J.Super.A.D. On leave granted, defendant John A. Merrill appeals from the trial court's September 5, 2014, order denying his motion to vacate entry of default and permit him to file a...	Sep. 10, 2015	Case		1 2 A.2d
Discussed by	8. M.C. v. F.C. ¶¶ 2015 WL 4742976, *2+ , N.J.Super.A.D. Defendant F.C. appeals from an August 7, 2014 matrimonial order denying his motion to reconsider an earlier order, which, in part, (1) denied defendant's motion to vacate or modify...	Aug. 12, 2015	Case		1 2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	9. <u>Wainco Partners, LLC v. Steve's Mobile Home Park, LLC</u> ¶¶ 2015 WL 4557772, *6+ , N.J.Super.A.D. Plaintiff Wainco Partners, LLC appeals from the November 8, 2013 order of the Chancery Division that denied its cross-motion for partial summary judgment, granted summary judgment...	July 30, 2015	Case		1 2 3 A.2d
Discussed by	10. <u>Happold v. Happold</u> ¶¶ 2014 WL 5393347, *4+ , N.J.Super.A.D. The opinion of the court was delivered by This divorce case returns to us after a remand. The parties had a long-term marriage, and the wife was substantially dependent on the...	Oct. 24, 2014	Case		1 2 17 A.2d
Discussed by	11. <u>Ray v. City of Brigantine</u> ¶¶ 2014 WL 1057151, *4+ , N.J.Super.A.D. Plaintiffs appeal from the summary judgment dismissal of their complaint alleging malicious interference with prospective economic advantage against defendants, the City of...	Mar. 20, 2014	Case		2 A.2d
Discussed by	12. <u>Goldsworthy v. Browndorf</u> ¶¶ 2011 WL 3687401, *7+ , N.J.Super.A.D. George Goldsworthy appeals from the November 4, 2010 summary judgment in favor of Eric Browndorf, Esq. and Cooper, Levenson, April, Niedelman & Wagenheim, P.A. (collectively "the...	Aug. 24, 2011	Case		2 3 16 A.2d
Discussed by	13. <u>Oaks Condominium Ass'n v. Abouelmaati</u> ¶¶ 2011 WL 2652134, *8+ , N.J.Super.A.D. Defendants Mohammed Abouelmaati and Pamela J. Krebs appeal a judgment of foreclosure in favor of the Oaks Condominium Association (Association). We reverse and remand. We discern...	July 08, 2011	Case		1 2 17 A.2d
Discussed by	14. <u>King v. Harmony Tp. Land Use Bd.</u> 2011 WL 1642188, *3+ , N.J.Super.A.D. Plaintiff, Michael J. King, who states that he serves as Coordinator of REALSmart, The League of Real Smart Growth, a committee of the non-profit Phillipsburg, New Jersey,...	May 03, 2011	Case		2 A.2d
Discussed by	15. <u>Menaged v. Menaged</u> ¶¶ 2011 WL 722022, *4+ , N.J.Super.A.D. Plaintiff, Jeffrey Menaged, appeals from portions of an October 30, 2009 post-judgment order that (1) denied his motion for reconsideration of a provision in a prior order that...	Mar. 03, 2011	Case		1 2 A.2d
Discussed by	16. <u>Chrisman v. Chrisman</u> ¶¶ 2010 WL 5376376, *3+ , N.J.Super.A.D. Defendant William M. Chrisman appeals from the Family Part's order of March 18, 2009 that denied his motion for reconsideration of an earlier order entered on January 12. We have...	Oct. 25, 2010	Case		2 3 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	17. <u>Overstreet v. Anderson</u> ” 2010 WL 1658226, *9+ , N.J.Super.A.D. HEALTH - Malpractice. Proofs at time of plenary hearing were sufficient to satisfy "extraordinary circumstances" requirement for filing a late Tort Claims Act notice.	Apr. 23, 2010	Case		2 3 A.2d
Discussed by	18. <u>Brookside Heights Condominium Ass'n v. Demartinis</u> ” 2010 WL 199420, *2+ , N.J.Super.A.D. BUSINESS ORGANIZATIONS - Association. The court did not err in awarding condominium association the amount of expenses and fees stated in the original complaint and denying the...	Jan. 22, 2010	Case		2 A.2d
Discussed by	19. <u>Aiello v. Aiello</u> ” 2009 WL 3079222, *1+ , N.J.Super.A.D. Plaintiff Patricia Aiello appeals from a post-judgment order entered in a matrimonial action. Her former husband, defendant Dennis Aiello, has not participated in the appeal. On...	Sep. 18, 2009	Case		2 A.2d
Discussed by	20. <u>Catanzareti v. Catanzareti</u> ” 2008 WL 782753, *3+ , N.J.Super.A.D. Plaintiff Patsy Allen Catanzareti appeals from a May 4, 2007 order that, with one exception, denied his motion for reconsideration of a January 12, 2007 order that held him in...	Mar. 26, 2008	Case		2 3 A.2d
Discussed by	21. <u>Goldsworthy v. Browndorf</u> ” 2008 WL 140819, *5+ , N.J.Super.A.D. Plaintiff George Goldsworthy (Goldsworthy) appeals from a summary judgment in favor of defendants Eric Browndorf, Esquire (Browndorf), and Cooper, Levenson, April, Niedelman &...	Jan. 16, 2008	Case		7 10 14 A.2d
Discussed by	22. <u>Padula Builders, Inc. v. Kostiha</u> ” 2007 WL 1930866, *8+ , N.J.Super.A.D. Defendant, Louisa J. Kostiha, appeals from four orders entered by the Chancery Division. The orders arise from the trial of plaintiff Padula Builders' complaint for specific...	July 03, 2007	Case		2 17 A.2d
Discussed by	23. <u>Fernandez v. Pathmark Stores, Inc.</u> ” 2006 WL 3093717, *7+ , N.J.Super.A.D. This is an appeal from the grant of summary judgment dismissing the first count claim of plaintiff, Rafaela Fernandez, against her employer, Pathmark Stores Incorporated...	Sep. 27, 2006	Case		14 15 A.2d
Discussed by	24. <u>Overstreet v. Senior High Rise Senior Center</u> ” 2005 WL 3533603, *4+ , N.J.Super.A.D. Plaintiff, John Overstreet, appeals the Law Division's September 10, 2004 order denying plaintiff's motion to file a late notice of tort claim and the Law Division's November 5,...	Dec. 28, 2005	Case		2 3 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	25. Kimball Intern., Inc. v. Northfield Metal Products ¶ 760 A.2d 794, 799+ , N.J.Super.A.D. TORTS - Contribution and Indemnity. Worker injured by chair could maintain indemnification claim against parts manufacturer despite judicial estoppel.	Oct. 24, 2000	Case		10 16 A.2d
Discussed by	26. State v. Abeskaron ¶ 740 A.2d 690, 695+ , N.J.Super.A.D. CRIMINAL JUSTICE - Traffic Offenses. Speed readings from laser speed detector are generally admissible without expert testimony.	Nov. 24, 1999	Case		6 10 14 A.2d
Discussed by	27. Bell Atlantic Network Services, Inc. v. P.M. Video Corp. ¶ 730 A.2d 406, 417+ , N.J.Super.A.D. ENERGY AND UTILITIES - Telecommunications. Lost profit damages were not recoverable in fraud action against regional telephone company.	June 11, 1999	Case		6 10 14 A.2d
Discussed by	28. Boruch v. Scharff ¶ 2006 WL 3350856, *1+ , N.J.Super. Currently before the court is Defendant's cross-motion for reconsideration. Judge Longhi will be deciding Plaintiff's motion to enforce litigants' rights. Judgment was entered...	Nov. 17, 2006	Case		2 A.2d
Discussed by	29. Toro v. Rodriguez ¶ 2006 WL 3350857, *1+ , N.J.Super. This matter arises from an automobile accident in which Plaintiff, a pedestrian, was struck by a vehicle owned by Defendant Jose Rodriguez and operated by Defendant Arnaldo...	Nov. 17, 2006	Case		2 A.2d
Discussed by	30. DelPrete v. Falciglia 2006 WL 724541, *1+ , N.J.Super.Ch. Before the court is the defendant's application seeking to have the court reconsider its written decision dated February 17, 2006, and the court order memorializing the same dated...	Mar. 21, 2006	Case		2 A.2d
Discussed by	31. Robinson v. Rea ¶ 2005 WL 3111011, *3+ , N.J.Super.Ch. This matter arises out of a suit filed by Granville Robinson ("Plaintiff") claiming easement rights by way of necessity over several properties, including John and Edith Rea's...	Nov. 04, 2005	Case		2 A.2d
Discussed by	32. Goldstein v. Deichl ¶ 2005 WL 1017612, *3+ , N.J.Super.Ch. This opinion addresses the motion for reconsideration filed by Plaintiffs, Gilbert Goldstein, Donald Drapkin and Howard Gittis (hereinafter "Plaintiffs"), regarding this court's...	Apr. 15, 2005	Case		2 A.2d
Discussed by	33. Salovaara v. Eckert ¶ 2002 WL 32507111, *4+ , N.J.Super.Ch. This matter, having come before the Court on the motion of plaintiff Mikael Salovaara for an Order seeking clarification of Paragraphs 1, 2 and reconsideration of Paragraph 4 of...	Dec. 10, 2002	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	34. <u>Borke v. Najar</u>  2006 WL 3199186, *2+ , N.J.Super.L. This matter arises from a hit and run car accident which occurred on February 4, 2003 in Asbury Park, New Jersey. Defendants Douglass Najar ("Najar") and his stepson William...	Nov. 03, 2006	Case		2 A.2d
Discussed by	35. <u>Wertheimer v. Singer</u> 2009 WL 10689671, *1+ , D.N.J. Dear Litigants: Defendant moves to amend this Court's earlier Order, which denied defendant's motion for summary judgment, to include a certification for interlocutory appeal. The...	Apr. 30, 2009	Case		—
Discussed by	36. <u>Millers Mutual Insurance Co. v. Euler</u>  1997 WL 1133683, *5+ , Pa.Com.Pl. Amy Eick engaged King Transportation Service Inc. on September 9, 1995 to transport her from her home to the airport for a trip to Europe, and then from the airport to her home...	Aug. 05, 1997	Case		4 11 14 A.2d
Discussed by	37. <u>LARRY J. YATES, Petitioner, v. PUBLIC SERVICE ELECTRIC AND GAS COMPANY, Respondent</u> 2012 WL 5354163, *3+ , N.J.Bd.Reg.Com. This matter involves a request by Larry J. Yates ("Petitioner") for a stay of the Board's Order filed July 20, 2012, which affirmed the Administrative Law Judge Kimberly A. Moss'...	Sep. 13, 2012	Administrative Decision		2 A.2d
Discussed by	38. <u>Salter v. Jersey Cent. Power & Light Co.</u> 2009 WL 4930276, *1+ , N.J.B.P.U. By petition filed on June 18, 2007, Robert and Kathleen Salter ('Petitioners ') filed a complaint with the Board of Public Utilities ('Board'). Petitioners alleged that on May 24,...	Aug. 19, 2009	Administrative Decision		—
Cited by	39. <u>Bhagat v. Bhagat</u> 84 A.3d 583, 591 , N.J. ESTATE PLANNING AND PROBATE - Gifts. Clear and convincing standard of proof applied to rebuttal of gift presumption for transfer between parent and child.	Jan. 30, 2014	Case		12 A.2d
Cited by	 40. <u>Ali v. Rutgers</u> 765 A.2d 714, 718 , N.J. LABOR AND EMPLOYMENT - Discrimination. Given that operative facts arose prior to Montells, two-year limitations period recognized in Montells did not govern employee's...	Nov. 30, 2000	Case		12 A.2d
Cited by	41. <u>HOA T. TRAN and DUY K. TRAN, Plaintiffs-Appellants, v. JENNY NGUYEN, PHUONG NGUYEN, BICH HA NGUYEN, CARDINAL SYSTEMS INC., and JET LINE PRODUCTS, INC., Defendants, and THE POOL & SPA DOCTOR, LLC, and POOL WORLD, INC., Defendants-Respondents.</u> 2018 WL 525321, *5 , N.J.Super.A.D. Plaintiffs Hoa T. Tran and his wife Duy K. Tran appeal the December 5, 2014 order barring the reports and testimony of plaintiffs' expert Maria Bella pursuant to N.J.R.E. 702....	Jan. 23, 2018	Case		17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	42. <u>MICHAEL BANDLER, Plaintiff-Appellant, v. JOANNA KOSTAS, Defendant-Respondent.</u> 2018 WL 482073, *1, N.J.Super.A.D. Plaintiff Michael Bandler appeals from an order entered by the Law Division on August 10, 2016, which denied his motion for reconsideration of an order filed on June 1, 2016. We...	Jan. 18, 2018	Case		3 17 A.2d
Cited by	43. <u>Robinson v. Phillips</u> 2018 WL 359536, *1, N.J.Super.A.D. This appeal arises out of a May 6, 2011 collision in Newark between vehicles driven by plaintiff Doris Robinson and defendant Frank Phillips. Plaintiff filed a complaint in the Law...	Jan. 11, 2018	Case		3 A.2d
Cited by	44. <u>Canales v. Yue Yu</u> 2018 WL 316849, *4, N.J.Super.A.D. Defendant Yue Yu appeals from the Law Division's October 21, 2016 order denying her motion for reconsideration of its August 31, 2016 judgment entered after a bench trial, awarding...	Jan. 08, 2018	Case		1 2 17 A.2d
Cited by	45. <u>Caballero-Gonzalez v. Harco National Insurance Company for State National Insurance Company</u> 2017 WL 6757232, *1, N.J.Super.A.D. The opinion of the court was delivered by Plaintiff Heriberto Caballero-Gonzalez appeals the August 26, 2016 order granting summary judgment to defendant Harco National Insurance...	Dec. 29, 2017	Case		3 16 A.2d
Cited by	46. <u>Marano v. Glancey</u> 2017 WL 6546901, *2+, N.J.Super.A.D. This matter returns to us after remand proceedings directed by our previous opinion. Marano v. Glancey, No. A-4955-14 (App. Div. Feb. 22, 2016) (slip op. at 1-2, 15-18). In...	Dec. 22, 2017	Case		2 17 A.2d
Cited by	47. <u>Brown v. Brown</u> 2017 WL 6421034, *1, N.J.Super.A.D. In these three appeals, which we have consolidated for purpose of this opinion, plaintiff Paul Brown challenges a series of post-judgment orders entered by the Family Part. We...	Dec. 18, 2017	Case		2 A.2d
Cited by	48. <u>Keller v. Keller</u> 2017 WL 6095450, *3, N.J.Super.A.D. The opinion of the court was delivered by Timothy Keller (defendant) appeals the February 17, 2016 order denying reconsideration of his request to terminate or reduce his payment...	Dec. 08, 2017	Case		2 A.2d
Cited by	49. <u>M.A.P. v. N.E.G.</u> 2017 WL 6095975, *3, N.J.Super.A.D. In this non-dissolution matter, defendant appeals from the Family Part's January 24, 2017 order denying her motion for reconsideration of an earlier order that granted plaintiff...	Dec. 08, 2017	Case		17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	50. <u>Widman, Cooney, Wilson, McGann & Fitterer v. Heck</u> ” 2017 WL 6032491, *4 , N.J.Super.A.D. Defendant Maureen Heck appeals from a June 29, 2016 order confirming an arbitration award granting summary judgment in plaintiff Widman, Cooney, Wilson, McGann & Fitterer's...	Dec. 06, 2017	Case		1 2 A.2d
Cited by	51. <u>U.S. Bank, N.A. v. Walsh</u> ” 2017 WL 5898551, *3+ , N.J.Super.A.D. David and Deborah Walsh (defendants) appeal from a May 8, 2015 order denying their motion to vacate default; and a July 10, 2015 order denying their motion to reconsider or vacate...	Nov. 30, 2017	Case		1 2 17 A.2d
Cited by	52. <u>Bank of America, N.A. v. Arteaga</u> 2017 WL 5478351, *2 , N.J.Super.A.D. Appellant third-party bidder, 4521 Smith Unit 6–1C Associates, LLC, moved to vacate an April 1, 2016 Chancery Division order setting aside a Sheriff's sale on the ground that...	Nov. 15, 2017	Case		17 A.2d
Cited by	53. <u>Pierson v. Pierson</u> ” 2017 WL 5171868, *4 , N.J.Super.A.D. In this post-judgment matrimonial matter, plaintiff John Pierson appeals from certain provisions of a January 29, 2016 order, and an April 26, 2016 order denying reconsideration....	Nov. 06, 2017	Case		2 A.2d
Cited by	54. <u>Chinwe Atuegwu v. East Orange General Hospital</u> ” 2017 WL 5076364, *1 , N.J.Super.A.D. Plaintiff appeals from an August 22, 2014 order denying her motion for reconsideration of a July 11, 2014 order, which denied an earlier motion for reconsideration of a March 14,...	Nov. 03, 2017	Case		2 3 A.2d
Cited by	55. <u>Robert J. Pacilli Homes, LLC v. Township of Harrison</u> 2017 WL 5076434, *3 , N.J.Super.A.D. This appeal involves the enforcement of a settlement agreement between plaintiff Robert J. Pacilli Homes, LLC, a developer, and defendants Township of Harrison (Township), the...	Nov. 01, 2017	Case		3 A.2d
Cited by	56. <u>Straus Associates II v. Berman</u> 2017 WL 4781699, *3 , N.J.Super.A.D. Plaintiffs Straus Associates II (Straus) and 11 History Lane Operating Company, LLC d/b/a CareOne at Jackson (CareOne) filed suit against defendants Murray Berman (Berman) and...	Oct. 24, 2017	Case		17 A.2d
Cited by	57. <u>Wong v. PNC Bank, National Association</u> ” 2017 WL 4531778, *2+ , N.J.Super.A.D. Plaintiff appeals from the July 28, 2016 order denying her motion for reconsideration. We affirm. The parties are fully familiar with the lengthy procedural history of this matter...	Oct. 11, 2017	Case		2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	58. <u>HSBC Bank USA v. Keane</u> ” 2017 WL 4413933, *3+ , N.J.Super.A.D. Michael Keane (defendant) appeals from a March 20, 2015 order denying his motion “to vacate judgment and reinstate defendant’s answer, affirmative defenses, and counterclaims...	Oct. 05, 2017	Case		1 2 17 A.2d
Cited by	59. <u>Rodano v. Kousmine</u> ” 2017 WL 4341824, *2+ , N.J.Super.A.D. Defendant Laura Kousmine appeals from an April 7, 2016 order denying reconsideration of an earlier decision enforcing a settlement agreement between her and plaintiff Robert...	Oct. 02, 2017	Case		2 A.2d
Cited by	60. <u>U.S. Bank Trust, N.A. for LSF8 Master Participation Trust v. Thomas</u> 2017 WL 4171614, *3 , N.J.Super.A.D. In this mortgage foreclosure case, defendants Nicole Thomas and Vincent A. Thomas, husband and wife, appeal from a December 4, 2015 order denying their motion to vacate default and...	Sep. 21, 2017	Case		2 A.2d
Cited by	61. <u>Frangipane v. Frangipane</u> 2017 WL 3811151, *2+ , N.J.Super.A.D. In these back-to-back appeals consolidated for the purpose of this opinion, plaintiff Bella Frangipane appeals from post-judgment Family Part orders. In light of our standard of...	Sep. 01, 2017	Case		1 2 17 A.2d
Cited by	62. <u>E.S. v. H.A.</u> ” 2017 WL 3622798, *11 , N.J.Super.A.D. The opinion of the court was delivered by Plaintiff E.S. and defendant H.A. are the parents of R.A. (Richard), born in 2004. The parties separated in December 2008, and after a...	Aug. 15, 2017	Case		1 2 A.2d
Cited by	63. <u>Luca v. Geico Indemnity Company</u> ” 2017 WL 2953056, *3+ , N.J.Super.A.D. In this automobile negligence action, plaintiff Jacqueline Luca and her spouse, Ernesto Luca, appeal from a November 6, 2015 Law Division order granting defendant Geico Indemnity...	July 11, 2017	Case		2 3 A.2d
Cited by	64. <u>Felegi v. Grille</u> 2017 WL 2730238, *3 , N.J.Super.A.D. Plaintiff Ryan Felegi appeals the trial court’s June 26, 2015 order, granting summary judgment in favor of defendant MK Food Service d/b/a Stoney Brooke Grille, improperly pled as...	June 26, 2017	Case		2 17 A.2d
Cited by	65. <u>Canon Financial Services, Inc. v. Linwood City Board of Education</u> ” 2017 WL 2535894, *4 , N.J.Super.A.D. Linwood City Board of Education (LBOE) appeals from the trial court’s order enforcing a settlement between LBOE and Canon Financial Services (CFS). Having reviewed the record in...	June 12, 2017	Case		1 2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	66. <u>U.S. Bank National Association for Citigroup Mortgage Loan Trust 2006-WFHE3 v. Sotillo</u> 2017 WL 2415022, *8 , N.J.Super.A.D. Defendant Silvana Sotillo appeals the September 1, 2015 final judgment of foreclosure was entered in favor of plaintiff, U.S. Bank National Association. Defendant challenges the...	June 05, 2017	Case		17 A.2d
Cited by	67. <u>Thompson v. Thompson</u> ” 2017 WL 2375688, *3+ , N.J.Super.A.D. In this post-judgment matrimonial matter, defendant appeals from paragraph eleven of the September 29, 2015 order of the Family Part, granting plaintiff's motion to require...	June 01, 2017	Case		2 17 A.2d
Cited by	68. <u>Bowen v. Hyundai Motor America</u> 2017 WL 2375707, *2 , N.J.Super.A.D. In this appeal, we address the issue of whether an aggrieved consumer of a new automobile, who successfully pursued and was granted a repurchase of her vehicle through a...	June 01, 2017	Case		17 A.2d
Cited by	69. <u>Blumberg v. Blumberg</u> ” 2017 WL 2255446, *5 , N.J.Super.A.D. In these three appeals, calendared back-to-back and consolidated for purpose of this opinion, defendant Girsh Blumberg challenges a series of post-judgment orders entered by the...	May 23, 2017	Case		2 A.2d
Cited by	70. <u>Obermayer Rebmann Maxwell & Hippel, LLP v. Kleiman</u> 2017 WL 2200727, *2 , N.J.Super.A.D. Defendants Brian and Rivka Basya Kleiman and Steven and Rivka Chaya Kleiman appeal from the trial court's denial of a motion seeking reconsideration of the denial of their...	May 19, 2017	Case		—
Cited by	71. <u>Mordan v. Meridia Park Avenue, LLC</u> 2017 WL 1788648, *7 , N.J.Super.A.D. Plaintiff Yoandra Mordan appeals from a January 8, 2016 Law Division order denying her motion for reconsideration. She asked the court to reconsider its refusal to vacate two...	May 05, 2017	Case		3 A.2d
Cited by	72. <u>Investors Bank v. Travelers Cable TV, Inc.</u> 2017 WL 1788649, *2 , N.J.Super.A.D. Defendant Tyler Bell appeals from two orders entered by the trial court. On February 10, 2015, the trial court entered judgment jointly and severally against various defendants,...	May 05, 2017	Case		17 A.2d
Cited by	73. <u>Bryant v. Goven</u> ” 2017 WL 1650150, *6+ , N.J.Super.A.D. On September 13, 2011, plaintiff Lorraine Bryant sustained bodily injuries and incurred medical expenses when her host driver, defendant John H. Goven, lost control of his truck...	May 02, 2017	Case		9 11 12 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	74. <u>Lequerica v. Metropolitan YMCA of Oranges</u> 2017 WL 1418370, *10 , N.J.Super.A.D. Plaintiff Evelyn Seda Lequerica was injured when she fell and hit her head on a concrete wall while participating in a fitness class at defendant Metropolitan YMCA of the Oranges...	Apr. 21, 2017	Case		1 2 A.2d
Cited by	75. <u>Yenzer v. Liquidity Solutions, Inc.</u> 2017 WL 1398821, *5 , N.J.Super.A.D. Plaintiff, Jim Yenzer, filed a complaint alleging his former employer, defendant Liquidity Solutions, Inc. (LSI), and its president, defendant David Fishel, violated the New Jersey...	Apr. 19, 2017	Case		—
Cited by	76. <u>Higgins v. Holiday Inn and Conference Center</u> ” 2017 WL 1228848, *4+ , N.J.Super.A.D. Ikeem Higgins, Richard Hoyte, and Cordero Russell (collectively plaintiffs) appeal from an order granting summary judgment in favor of Raritan Hospitality d/ b/a Holiday Inn...	Apr. 04, 2017	Case		1 2 17 A.2d
Cited by	77. <u>Wurzburg by Wurzburg v. Wurzburg</u> ” 2017 WL 1165009, *2 , N.J.Super.A.D. Defendants Robert A. Wurzburg and the Estate of Grace C. Wurzburg–Fauci appeal from the November 6, 2015 Law Division order denying their motion for reconsideration of the...	Mar. 29, 2017	Case		1 2 17 A.2d
Cited by	78. <u>Haftell by Cumberland Insurance Group v. Busch</u> 2017 WL 1077045, *2 , N.J.Super.A.D. Background: Insurer brought subrogation action against tenants based on a fire caused by one of the tenants at apartment complex in which insured leased an apartment. The Superior...	Mar. 22, 2017	Case		1 A.2d
Cited by	79. <u>Rucker v. Rucker</u> ” 2017 WL 957733, *4 , N.J.Super.A.D. In these consolidated matters, plaintiff Karen Levine Rucker appeals from three post-judgment matrimonial Family Part orders entered on August 15, 2014, October 31, 2014, and April...	Mar. 10, 2017	Case		2 A.2d
Cited by	80. <u>Penza v. Penza</u> 2017 WL 764497, *4+ , N.J.Super.A.D. Plaintiff Josephine Penza appeals from four Family Part orders that were in the main intended to reinstate defendant Robert Penza's parenting time with the parties' now...	Feb. 28, 2017	Case		17 A.2d
Cited by	81. <u>L.J.L. v. L.G.</u> ” 2017 WL 727798, *6+ , N.J.Super.A.D. Plaintiff L.J.L. appeals from the Family Part's May 19, 2015 order denying her motion for reconsideration of the trial judge's September 14, 2014 decision. In that decision, the...	Feb. 24, 2017	Case		2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	82. Wells Fargo Bank, N.A. v. Davis  2017 WL 476166, *5, N.J.Super.A.D. Defendant Kim Davis appeals from a February 24, 2015 Chancery Court order denying her motion for reconsideration of a December 5, 2014 order that also denied her motion for...	Feb. 06, 2017	Case		2 17 A.2d
Cited by	83. Atuegwu v. Felito and Brothers II, L.L.C. 2017 WL 461269, *1, N.J.Super.A.D. In this Special Civil Part matter, self-represented plaintiff Chinwe Atuegwu sued defendant Felito and Brothers II, L.L.C. alleging negligent repair of her motor vehicle. On April...	Feb. 03, 2017	Case		3 A.2d
Cited by	84. DOREEN HENWOOD, Plaintiff-Appellant, v. EDWIN RUBEN VILLA JUCA, Individually, Defendant-Respondent. 2017 WL 371478, *3, N.J.Super.A.D. Plaintiff, Doreen Henwood, appeals from the Law Division's July 10, 2015 order denying her motion for reconsideration of its earlier order enforcing a settlement of her personal...	Jan. 25, 2017	Case		1 2 17 A.2d
Cited by	85. Foster v. Rodriguez  2017 WL 344439, *4, N.J.Super.A.D. Plaintiff Toshiba Foster filed a verified complaint against defendants Alexandra Rodriguez and Morris Habitat for Humanity (Habitat), alleging violations of the New Jersey...	Jan. 24, 2017	Case		1 2 17 A.2d
Cited by	86. 39 Union Square Condominium Association, Inc. v. Kitrosser 2017 WL 85689, *3+, N.J.Super.A.D. Defendant Blaire Kitrosser appeals from the August 21, 2015 Law Division order, which denied her motion to vacate a consent order entered on March 12, 2012. Defendant also appeals...	Jan. 10, 2017	Case		2 17 A.2d
Cited by	87. State v. Lister 2017 WL 84860, *2, N.J.Super.A.D. Defendant Nizer Lister pled guilty to unlawful possession of a weapon, N.J.S.A. 2C:39-5(b), after his application for reconsideration of an August 2, 2013 decision denying his...	Jan. 09, 2017	Case		—
Cited by	88. 501 Washington Blvd LLC v. Sea Girt Borough Planning Board  2017 WL 83570, *3+, N.J.Super.A.D. Plaintiffs 501 Washington Blvd. LLC, 503 Washington Blvd. LLC, Sitar Sea Girt LLC, 900 Fifth Avenue LLC, and Sitco Sea Girt LLC (collectively "the applicant") appeal from a January...	Jan. 03, 2017	Case		1 2 17 A.2d
Cited by	89. Corrello v. Corrello 2016 WL 7474349, *5, N.J.Super.A.D. This post-judgment matrimonial matter returns to us after remand proceedings directed by our previous orders of April 16, 2013, September 27, 2013 and October 4, 2013. In his...	Dec. 29, 2016	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	90. <u>Cantillo v. Fraenkel</u> ¶¶ 2016 WL 7335811, *2 , N.J.Super.A.D. Plaintiff Angelo Cantillo filed a complaint alleging that, based upon the advice and representations of defendant Bart Fraenkel, he invested \$97,000 with Carr Miller Capital, LLC,...	Dec. 19, 2016	Case		1 2 A.2d
Cited by	91. <u>U.S. Bank National Association v. Beisser</u> 2016 WL 7233998, *1 , N.J.Super.A.D. In May 2008, an order was entered granting final judgment to Indymac, F.S.B. against defendant Jeffrey W. Beisser in this foreclosure action. U.S. Bank National Association was...	Dec. 14, 2016	Case		2 A.2d
Cited by	92. <u>Markiewicz v. Ramirez</u> 2016 WL 7175274, *1 , N.J.Super.A.D. Plaintiff, Zofia Markiewicz, appeals from an order denying reconsideration of the Law Division's earlier order denying her motion to reinstate her complaint against defendants,...	Dec. 09, 2016	Case		1 17 A.2d
Cited by	93. <u>King v. Hoboken Rent Leveling and Stabilization Board</u> 2016 WL 6502631, *6+ , N.J.Super.A.D. Defendant Kristin Brown ("Brown") is the owner of an apartment in Hoboken. Plaintiff J. Anthony King rented the apartment from 2010 through 2012, paying \$1950 per month. In 2012,...	Nov. 03, 2016	Case		5 10 12 A.2d
Cited by	94. <u>State in Interest of E.R.</u> ¶¶ 2016 WL 6407274, *5+ , N.J.Super.A.D. The opinion of the court was delivered by E.R. appeals from an adjudication of delinquency for acts which, if committed by an adult, would constitute second-degree robbery,...	Oct. 31, 2016	Case		1 A.2d
Cited by	95. <u>American Motorists Insurance Company v. North Plainfield Board of Education</u> ¶¶ 2016 WL 6122867, *4+ , N.J.Super.A.D. EDUCATION - Property and Contracts. Substantial performance doctrine applied to require board of education to provide payment to obligee under payment and performance bond.	Oct. 20, 2016	Case		1 2 17 A.2d
Cited by	96. <u>D.G. v. G.M.</u> ¶¶ 2016 WL 5854326, *4+ , N.J.Super.A.D. Defendant G.M. (Gaby) appeals from a December 3, 2014 Family Part order denying her motion for reconsideration and awarding attorney's fees to defendant D.G. (David). Gaby had...	Oct. 07, 2016	Case		1 2 17 A.2d
Cited by	97. <u>In Estate of Jones v. Jones</u> ¶¶ 2016 WL 5759484, *4+ , N.J.Super.A.D. This probate matter regards the administration of the estate of Hermeles O. Jones (decedent), who died on December 16, 2004. Defendant Perry T. Jones, Jr., decedent's nephew and a...	Oct. 03, 2016	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	98. Kaplan v. Kaplan 2016 WL 5417407, *3+ , N.J.Super.A.D. In this post-judgment dissolution matter, plaintiff Helena Kaplan appeals from the Family Part's December 5, 2014 order denying her motion for reconsideration of two orders the...	Sep. 29, 2016	Case		1 2 17 A.2d
Cited by	99. Anderson v. Aluminum Shapes, L.L.C. 2016 WL 5173416, *3 , N.J.Super.A.D. On April 29, 2013, nineteen plaintiffs filed a complaint in the Law Division, naming as defendants Aluminum Shapes, L.L.C. (Shapes), Global Aluminum, Inc. (Global), a California...	Sep. 22, 2016	Case		1 2 A.2d
Cited by	100. Caprio v. Caprio 2016 WL 4784100, *2 , N.J.Super.A.D. The parties married on December 3, 1989 and divorced on December 22, 2003. They have a daughter who is now twenty years old and attending college. Plaintiff Ray V. Caprio appeals...	Sep. 14, 2016	Case		2 A.2d
Cited by	101. US Bank Nat. Ass'n v. Soares 2016 WL 3961591, *2 , N.J.Super.A.D. Defendant Daniela Soares appeals the Chancery Division's judgment of foreclosure on real property located at Robin Road in Warren Township. On appeal, defendant argues the judgment...	July 25, 2016	Case		17 A.2d
Cited by	102. Knox v. Knox 2016 WL 3943386, *3+ , N.J.Super.A.D. In these two appeals, calendared back-to-back and consolidated for purposes of this opinion, defendant Roderick Knox appeals from a June 30, 2014 order, following a plenary...	July 22, 2016	Case		2 17 A.2d
Cited by	103. Thakkar v. Greystone Park Psychiatric Hosp. 2016 WL 3909553, *3 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Settlements. Agreement settling employee's employment discrimination claims would be enforced since there were no factual disputes that went to actual terms...	July 20, 2016	Case		1 A.2d
Cited by	104. Marjam Supply Co. v. Graveley Brothers Roofing Corp. 2016 WL 3884079, *3 , N.J.Super.A.D. Plaintiff Marjam Supply Company appeals from a February 6, 2015 order denying reconsideration of a December 5, 2014 order, which denied plaintiff's motion to enforce a settlement....	July 19, 2016	Case		1 2 A.2d
Cited by	105. Anderson v. Bryant 2016 WL 3369542, *8 , N.J.Super.A.D. Plaintiff Deborah Anderson was involved in an accident with defendant Tarance Bryant. Bryant, a Jersey City police officer, was driving his personal vehicle. After initially suing...	June 20, 2016	Case		5 7 8 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	106. <u>K.L. v. D.L.</u> 2016 WL 3199536, *3, N.J.Super.A.D. Plaintiff K.L. (husband) appeals from a November 21, 2014 order, insofar as it addresses his support obligation to defendant D.L. (wife) and insofar as it denied his...	June 10, 2016	Case		1 17 A.2d
Cited by	107. <u>Liberty Mut. Ins. v. Huggins</u> 2016 WL 3093127, *5, N.J.Super.A.D. Defendant Doris Huggins appeals from a May 30, 2014 Law Division order denying reconsideration of an April 7, 2014 order. The April order dismissed her uninsured (UM) or...	June 03, 2016	Case		1 2 A.2d
Cited by	108. <u>O'Donohue v. O'Donohue</u>  2015 WL 10767988, *3, N.J.Super.A.D. In this post-judgment dissolution matter, defendant Susanne O'Donohue appeals from the Family Part's August 8, 2014 order denying her motion for reconsideration of the court's June...	May 06, 2016	Case		1 2 17 A.2d
Cited by	109. <u>IFA Ins. Co. v. Government Employees Ins. Co.</u> 2016 WL 1948775, *2, N.J.Super.A.D. Background: Plaintiff automobile insurer brought action against defendant insurer, seeking contribution from defendant toward underinsured motorist (UIM) and personal injury...	May 04, 2016	Case		17 A.2d
Cited by	110. <u>Building Inspection Underwriters, Inc. v. Municipal Code Inspections, Inc.</u> 2016 WL 1589870, *5, N.J.Super.A.D. Building Inspection Underwriters, Inc. (BIU) brought suit against Municipal Code Inspections, Inc. (MCI), Michael Schaffer (Schaffer), Linda Schaffer, Luciano DiSalvatore...	Apr. 21, 2016	Case		17 A.2d
Cited by	111. <u>P.V.P. v. F.J.C.</u> 2016 WL 1454489, *7, N.J.Super.A.D. This is a post-judgment matrimonial matter. It involves modification of parenting time and custody of the parties' son J.C., born in June 2008. By leave granted, defendant F.J.C.,...	Apr. 13, 2016	Case		17 A.2d
Cited by	112. <u>State v. Lawrence</u> 137 A.3d 1200, 1202, N.J.Super.A.D. CRIMINAL JUSTICE - Appeals. Dismissal of defendant's municipal appeal erroneously barred her from access to the court, and represented an abuse of discretion.	Apr. 08, 2016	Case		1 A.2d
Cited by	113. <u>State v. Lawrence</u> 2016 WL 1387147, *2, N.J.Super.A.D. Defendant Gail Lawrence appeals from a January 29, 2013 Law Division order denying her motion for reconsideration to reinstate her municipal court appeal, dismissed for failure to...	Apr. 08, 2016	Case		1 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	114. Mikaeil v. Mikaeil 2016 WL 1387180, *5 , N.J.Super.A.D. In this post-judgment matrimonial matter, defendant Guirguis Mikaeil appeals from the June 19, 2014 Family Part orders denying his motion to vacate certain portions of an earlier...	Apr. 08, 2016	Case		1 2 A.2d
Cited by	115. Ferguson v. New Jersey Dept. of Corrections 2016 WL 1248598, *2+ , N.J.Super.A.D. Plaintiff Robert Ferguson appeals from the August 8, 2014 Law Division order, which dismissed the first amended complaint with prejudice pursuant to Rule 4:6-2(e). Plaintiff also...	Mar. 31, 2016	Case		2 17 A.2d
Cited by	116. Castro v. County of Bergen ” 2016 WL 1092605, *4+ , N.J.Super.A.D. Plaintiff Cindy Castro, a corrections officer employed by defendant Bergen County Sheriff's Office (BCSO), appeals from a December 5, 2014 order granting a motion for...	Mar. 22, 2016	Case		1 2 A.2d
Cited by	117. Marolda Farms, Inc. v. Maryland Cas. Ins. Co. 2015 WL 10384118, *5 , N.J.Super.A.D. This matter is before us a second time. We provided the factual background in our prior decision. South Jersey Clothing Company (SJCC) is a New Jersey partnership that had been...	Mar. 03, 2016	Case		1 A.2d
Cited by	118. Pickett v. Shoprite of East Norriton ” 2016 WL 782967, *2+ , N.J.Super.A.D. Plaintiff Alan Pickett appeals from a July 28, 2014 order denying his motion for reconsideration of an earlier order precluding his expert, Dr. Ki Soo Hwang, from testifying in...	Mar. 01, 2016	Case		2 17 A.2d
Cited by	119. New Jersey Higher Educ. Student Assistance Authority v. Krouse 2016 WL 715675, *2 , N.J.Super.A.D. EDUCATION - Scholarships and Loans. State Higher Education Student Assistance Authority failed to demonstrate its entitlement to attorney's fees in student-loan collection...	Feb. 24, 2016	Case		17 A.2d
Cited by	120. Orloff, Lowenbach, Stifelman & Siegel, P.A. v. Angrisani ” 2015 WL 10045172, *5+ , N.J.Super.A.D. Defendant and counterclaimant Frank Angrisani appeals from the November 26, 2013 summary judgment dismissal of the remaining count of his legal malpractice counterclaim against...	Feb. 12, 2016	Case		1 2 17 A.2d
Cited by	121. Lang v. Morristown Memorial Hosp. 2015 WL 9947696, *6 , N.J.Super.A.D. Plaintiffs, the parents and estate of Josef F. Lang, appeal from the July 12, 2013 order dismissing their complaint with prejudice for failing to state a claim, on the basis that...	Feb. 03, 2016	Case		3 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	122. <u>New Jersey Div. of Child Protection and Permanency v. H.R., Sr.</u> 2015 WL 9694394, *10 , N.J.Super.A.D. In A-4991-13 and A-4992-13 respectively, defendants H.R., Sr. (Harold) and F.D. (Felicia) appeal from the Family Part's June 4, 2014 order (the June 2014 order) that terminated...	Jan. 04, 2016	Case		1 2 A.2d
Cited by	123. <u>Novick v. Goldberg</u> 2015 WL 9103138, *3 , N.J.Super.A.D. In this dissolution action, defendant Todd Goldberg appeals from two July 17, 2014 orders; one denying his motion for reconsideration and the other granting plaintiff Deborah...	Dec. 17, 2015	Case		2 A.2d
Cited by	124. <u>Port Authority of New York and New Jersey v. Bear Metal Transport, Inc.</u> 2015 WL 7199677, *3+ , N.J.Super.A.D. In this property damage action arising out of a single-vehicle accident that occurred on December 7, 2009, plaintiff appeals the Law Division's order granting defendant Bear Metal...	Nov. 17, 2015	Case		2 A.2d
Cited by	125. <u>Daruwala v. Merchant</u> 2015 WL 6829646, *4 , N.J.Super.A.D. Plaintiff Farokh Daruwala appeals the Law Division's October 30, 2013 order denying him reconsideration of an earlier decision granting defendants' application to dismiss his third...	Nov. 09, 2015	Case		—
Cited by	126. <u>U.S. Bank, Nat. Ass'n v. Frassetto</u> ” 2015 WL 6394412, *4+ , N.J.Super.A.D. In this residential-foreclosure case, defendant Donna Marie Frassetto appeals from a January 11, 2013 order granting summary judgment on liability to plaintiff U.S. Bank, National...	Oct. 23, 2015	Case		1 2 17 A.2d
Cited by	127. <u>Fraternal Order of Police Camden Lodge #1, Inc. v. County of Camden</u> ” 2015 WL 6159530, *10 , N.J.Super.A.D. In this matter, we review plaintiffs' challenges to the creation and implementation of the Camden County Police Department, which was contracted to provide law enforcement services...	Oct. 21, 2015	Case		1 2 A.2d
Cited by	128. <u>Atlas v. Bolton</u> 2015 WL 5943556, *2 , N.J.Super.A.D. In this appeal, defendant Richard Bolton argues the trial judge erred in granting summary judgment in favor of plaintiff Sahin Atlas because, among other things, the judge, at...	Oct. 01, 2015	Case		3 A.2d
Cited by	129. <u>Migliore v. Wiersum</u> 2015 WL 5865241, *4 , N.J.Super.A.D. Defendant Marc Weirsum appeals from an order entered by the Family Part on December 5, 2013, which denied his motion for reconsideration of an order entered by the trial court on...	Sep. 29, 2015	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	130. <u>Elgart v. Elgart</u> 2015 WL 5446484, *3 , N.J.Super.A.D. This appeal requires us to consider the modification of a child support award where the incomes of the parties exceed the child support guidelines. Isaacson v. Isaacson, 348...	Sep. 14, 2015	Case		—
Cited by	131. <u>State v. Wilson</u> ” 121 A.3d 921, 927 , N.J.Super.A.D. Background: Defendant was convicted in the Superior Court, Law Division, Union County, of drug offenses, including second- degree possession of a controlled dangerous substance...	Sep. 10, 2015	Case		1 2 17 A.2d
Cited by	132. <u>State v. Wilson</u> ” 2015 WL 5313688, *4 , N.J.Super.A.D. The opinion of this court was delivered by The Union County grand jury returned an indictment charging defendant DeShaun Wilson with third-degree possession of a controlled...	Sep. 10, 2015	Case		1 2 A.2d
Cited by	133. <u>City of Jersey City v. 212 Marin Blvd., LLC</u> 2015 WL 9646816, *5 , N.J.Super.A.D. In 2005, Consolidated Rail Corporation (Conrail) sold fourteen properties in Jersey City, collectively known as the Embankment, to various limited liability companies (LLCs). The...	Aug. 28, 2015	Case		—
Cited by	134. <u>Grande v. Saint Clare's Health System</u> ” 2015 WL 13501191, *6 , N.J.Super.A.D. Plaintiff Maryanne Grande, R.N., filed a two count complaint against her former employer, defendant Saint Clare's Health System, alleging defendant terminated her from her...	Aug. 28, 2015	Case		1 2 17 A.2d
Cited by	135. <u>Bowen v. Bowen</u> 2015 WL 4999119, *4 , N.J.Super.A.D. Plaintiff Joseph D. Bowen appeals an August 1, 2014 Family Part order denying his motion for reconsideration of a May 9, 2014 order. The May 9, 2014 order denied plaintiff's motion...	Aug. 18, 2015	Case		1 2 A.2d
Cited by	136. <u>Anastasi v. Barmbatsis</u> 2015 WL 4742909, *4 , N.J.Super.A.D. Defendants Loukas Barmbatsis ("Mr.Barmbatsis") and his wife Theodora Barmbatsis ("Mrs.Barmbatsis") appeal from an order entered by the Law Division on February 14, 2014, following...	Aug. 12, 2015	Case		1 2 A.2d
Cited by	137. <u>Medina v. Pitta</u> 120 A.3d 944, 954 , N.J.Super.A.D. HEALTH - Judgment. Substantial compliance doctrine does not apply when summary judgment is sought based on failing to meet requirements for experts under Patients First Act.	Aug. 11, 2015	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	138. Cypress Point Condominium Ass'n, Inc. v. Adria Towers, L.L.C. 118 A.3d 1080, 1082 , N.J.Super.A.D. INSURANCE - Liability. Unexpected consequential damages caused by subcontractors' defective work constituted "property damage" and an "occurrence" under CGL policy.	July 09, 2015	Case		17 A.2d
Cited by	139. Board of Trustees of Intern. Union of Operating Engineers v. Hutt & Shimanowitz, P.C. 2015 WL 4112118, *4 , N.J.Super.A.D. Plaintiffs are a collection of "employee benefit" and "multi-employer" plans within the meaning of the Employee Retirement Income Security Act ("ERISA"), 29 U.S.C.A. §§ 1001 to...	July 09, 2015	Case		—
Cited by	140. Casser v. Township of Knowlton 118 A.3d 1071, 1077 , N.J.Super.A.D. REAL PROPERTY - Zoning and Planning. Failure to file timely action in lieu of prerogative writs following land use approvals barred subsequent complaint challenging zoning...	July 07, 2015	Case		17 A.2d
Cited by	141. Casser v. Township of Knowlton 2015 WL 4283337, *5 , N.J.Super.A.D. The opinion of the court was delivered by We have consolidated two appeals for purposes of this opinion. Appeal A-2127-14 concerns a 2010 complaint in which plaintiff Claudia...	July 07, 2015	Case		17 A.2d
Cited by	142. Cosco v. Cosco 2015 WL 3998966, *7 , N.J.Super.A.D. In this post-judgment dissolution matter, we once again address the issue of a child's emancipation, this time in the context of a parent who seeks to terminate his support...	July 02, 2015	Case		2 A.2d
Cited by	143. State v. Puryear 117 A.3d 1255, 1262+ , N.J.Super.A.D. CRIMINAL JUSTICE - Confessions. Detective's incorrect explanation regarding Miranda warning, that if defendant lied, it could be used against him, rendered confession involuntary.	June 24, 2015	Case		1 2 A.2d
Cited by	144. Puchalsky v. Puchalsky 2014 WL 9913174, *14 , N.J.Super.A.D. Defendant Craig Puchalsky appeals the Family Part's June 27, 2013 judgment of divorce (JOD), as well as the order denying his motion for reconsideration. We affirm the JOD, vacate...	June 22, 2015	Case		2 A.2d
Cited by	145. Kotula v. Hawkeye Developers, Inc. 2015 WL 3794577, *1 , N.J.Super.A.D. Plaintiff Rhonda Kotula appeals from two March 31, 2014 orders granting summary judgment and dismissing her complaint against defendants Freehold Township and the Freehold Township...	June 19, 2015	Case		17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	146. <u>Sahni v. Khanna</u> ” 2014 WL 9883908, *2+ , N.J.Super.A.D. Plaintiff Arti Sahni and defendant Raj Khanna divorced on December 18, 1997, and have since engaged in substantial motion practice. Sahni appeals from a June 11, 2013 order,...	June 12, 2015	Case		1 2 A.2d
Cited by	147. <u>Rivera v. City of Plainfield</u> 2015 WL 3476726, *1 , N.J.Super.A.D. GOVERNMENT - Immunity. City was immune from liability for injuries that occurred during altercation at dance held on private property to raise funds for sports program.	June 03, 2015	Case		1 2 A.2d
Cited by	148. <u>Tordella v. Infoshare, Inc.</u> ” 2014 WL 8844678, *5 , N.J.Super.A.D. Plaintiff Joseph R. Tordella, D.O., appeals a post-trial order dismissing in part his claim as being barred by the six-year statute of limitations, N.J.S.A. 2A:14-1, and denying...	May 19, 2015	Case		1 2 17 A.2d
Cited by	149. <u>Phillips v. Weichert</u> 2014 WL 8818280, *2 , N.J.Super.A.D. On December 7, 2012, a Law Division judge denied plaintiffs Kimberly Phillips (Kimberly) and Timothy Phillips's Rule 4:9-1 motion to amend their complaint to add a defendant,...	May 15, 2015	Case		3 A.2d
Cited by	150. <u>Dos Santos v. Yanez</u> 2015 WL 2164813, *4 , N.J.Super.A.D. Defendant Deborah Pancera Yanez appeals from a post-judgment Family Part order denying her motion for reconsideration. The order she sought to have the court reconsider denied her...	May 11, 2015	Case		2 17 A.2d
Cited by	151. <u>STATE OF NEW JERSEY, Plaintiff-Respondent/ Cross-Appellant, v. CHARLES PURYEAR, Defendant-Appellant/ Cross-Respondent. STATE OF NEW JERSEY, Plaintiff-Appellant, v. MARKUS BROWN, Defendant-Respondent.</u> , N.J.Super.A.D.	May 11, 2015	Case		1 2 A.2d
Cited by	152. <u>Cortopassi v. Cortopassi</u> 2014 WL 8773314, *3+ , N.J.Super.A.D. Plaintiff Thomas Cortopassi (Thomas) appeals from an August 23, 2013 Family Part order denying his request to reduce previously ordered reimbursement payable to defendant Gail...	May 08, 2015	Case		2 17 A.2d
Cited by	153. <u>McGrath v. Reilly-McGrath</u> ” 2015 WL 1879974, *8+ , N.J.Super.A.D. In July 2004, plaintiff Joseph McGrath commenced a divorce action against his wife of three years, defendant Lisa Reilly-McGrath (Reilly), that mainly concerned whether six pieces...	Apr. 27, 2015	Case		7 12 14 A.2d
Cited by	154. <u>State v. Menzopane</u> 2015 WL 1649252, *3 , N.J.Super.A.D. Defendant Eric Menzopane appeals from two Law Division orders: an October 17, 2013 order, following trial de novo, denying a request to vacate his conviction for driving while...	Apr. 15, 2015	Case		1 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	155. <u>Black Creek Sanctuary Condominium Ass'n, Inc. v. Fortress Inv. Group, L.L.C.</u> 2015 WL 1565644, *5 , N.J.Super.A.D. Plaintiffs appeal from a final judgment dismissing with prejudice all causes of action in their complaint and imposing massive attorneys' fees upon them under their contracts to...	Apr. 09, 2015	Case		2 A.2d
Cited by	156. <u>Callahan Bail Bonds v. Jeon</u> 2014 WL 8396814, *4 , N.J.Super.A.D. Defendant Matthew Jeon, Esq., appeals from the June 7, 2013 Law Division order, which denied his motion for reconsideration of the April 8, 2013 order granting judgment in favor of...	Apr. 06, 2015	Case		2 A.2d
Cited by	157. <u>Fringo v. Fringo</u> 2014 WL 8390328, *3 , N.J.Super.A.D. Plaintiff Myrna Fringo, n/k/a, Rivera appeals from the portion of the Family Part's July 19, 2013 post-judgment order that suspended her entitlement to alimony for a period of nine...	Apr. 02, 2015	Case		3 A.2d
Cited by	158. <u>Lizzie v. Fletcher Creamer, Jr.</u> 2015 WL 1442816, *2+ , N.J.Super.A.D. Plaintiffs appeal from an order dated October 25, 2013, granting defendants Fletcher Creamer, Inc., and New Jersey American Water summary judgment. Plaintiffs also appeal the...	Apr. 01, 2015	Case		2 A.2d
Cited by	159. <u>R.R. v. A.Y.</u> 2015 WL 1401035, *1 , N.J.Super.A.D. Plaintiff, a former student at Rutgers University (Rutgers), appeals from the Law Division's August 8, 2013 order granting summary judgment to Rutgers University, and dismissing...	Mar. 30, 2015	Case		17 A.2d
Cited by	160. <u>HSBC Bank USA, Nat. Ass'n v. Gonzalez</u> 2014 WL 8331839, *1 , N.J.Super.A.D. Defendant Amelsy Gonzalez (Amelsy) appeals from the Chancery Division's August 23, 2013, order denying her motion to vacate a final judgment of foreclosure entered October 6,...	Mar. 27, 2015	Case		—
Cited by	161. <u>HLP Associates, L.P. v. Carpet City Inc.</u> 2015 WL 1181271, *1 , N.J.Super.A.D. Defendant Zafar Iqbal appeals from the Law Division's February 28, 2014 order granting plaintiff HLP Associate's Inc.'s motion for summary judgment, and finding defendant liable...	Mar. 17, 2015	Case		3 A.2d
Cited by	162. <u>Bloom v. Morales</u> 2015 WL 966188, *2 , N.J.Super.A.D. Plaintiff Charles M.D. Bloom appeals from the October 25, 2013 Law Division order, which denied his motion for summary judgment and granted the cross-motion for summary judgment...	Mar. 06, 2015	Case		2 17 A.2d
Cited by	163. <u>Novel Laboratories, Inc. v. Shanmugam</u> 2015 WL 421758, *7 , N.J.Super.A.D. PATENTS - Drugs. Scope of settlement agreement precluded generic drug patent applicants from developing powder-based form of laxative.	Feb. 03, 2015	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	164. <u>D. Russo, Inc. v. Township of Union</u> 2014 WL 7723566, *7, N.J.Super.A.D. Plaintiffs D. Russo, Inc., d/b/a Hott 22 ("Russo"), Expo Video Unlimited, LLC ("Expo") and Bokram, Inc., d/b/a Video Extra ("Bokram") appeal from an order entered by the Law...	Feb. 02, 2015	Case		1 17 A.2d
Cited by	165. <u>Giannakopoulos v. Mid State Mall</u> 106 A.3d 507, 509, N.J.Super.A.D. LITIGATION - Limitations. Evidentiary hearing to evaluate plaintiff's claim that he was mentally incapacitated and entitled to tolling of statute of limitations.	Dec. 31, 2014	Case		17 A.2d
Cited by	166. <u>N.T. v. A.T.</u> 2014 WL 7343547, *3+, N.J.Super.A.D. Defendant A.T. appeals from the June 11, 2013 Family Part order denying his motion to vacate the 2008 final restraining order (FRO) entered in favor of his former spouse,...	Dec. 29, 2014	Case		3 A.2d
Cited by	167. <u>Abdalla v. Assadourian</u> 2014 WL 6390575, *2, N.J.Super.A.D. After a post-judgment plenary hearing at which both parties were represented by counsel, plaintiff Fatima Abdalla appeals pro se from a March 6, 2013 order denying reconsideration...	Nov. 18, 2014	Case		1 2 A.2d
Cited by	168. <u>L.G. v. M.B.</u> 🟢 2014 WL 5710052, *4, N.J.Super.A.D. Defendant M.B. (Blaine) appeals from the June 26, 2013 final restraining order (FRO) pursuant to the Prevention of Domestic Violence Act (PDVA), N.J.S.A. 2C:25-17 to -35, and the...	Nov. 06, 2014	Case		1 2 A.2d
Cited by	169. <u>J.H. v. R.J.H.</u> 2014 WL 5618582, *7, N.J.Super.A.D. Plaintiff J.H. appeals two orders of the Family Part. On October 11, 2013, among other things, the trial judge denied plaintiff's request for a reduction in the child support she...	Nov. 05, 2014	Case		2 A.2d
Cited by	170. <u>Shakoor v. Mohammadi</u> 2014 WL 5393508, *7, N.J.Super.A.D. The opinion of the court was delivered by Plaintiff Poroshat Shakoor and defendant Khashayar Mohammadi are the divorced mother and father of two special needs children, a son and a...	Oct. 24, 2014	Case		1 2 A.2d
Cited by	171. <u>Venezia v. Manasquan Police Dept.</u> 🟢 2014 WL 5343734, *2+, N.J.Super.A.D. On July 11, 2010, Jennifer Hilling was in the Borough of Manasquan when she allegedly witnessed plaintiff Suzanne Venezia strike two parked cars while attempting to parallel park...	Oct. 22, 2014	Case		1 2 17 A.2d
Cited by	172. <u>Hertzoff v. Hertzoff</u> 🟢 2014 WL 4916362, *4+, N.J.Super.A.D. This action returns to us after a remand to the Family Part. Following the parties' divorce in September 2009, defendant Clayton Hertzoff appealed from parts of the Dual Final...	Oct. 02, 2014	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	173. <u>Shearer v. Rodriguez</u> ” 2014 WL 4798786, *3 , N.J.Super.A.D. In this post-judgment divorce matter, defendant appeals the June 10, 2013 Family Part order denying his request for reconsideration of the April 16, 2013 order modifying the amount...	Sep. 29, 2014	Case		2 17 A.2d
Cited by	174. <u>Galfo v. Cumberland Mut. Fire Ins. Co.</u> ” 2014 WL 4251871, *4+ , N.J.Super.A.D. As framed in their Notice of Appeal filed pursuant to Rule 2:5-1, plaintiffs Gregory John and Patricia Ann Galfo appeal from the order of the Law Division dated September 21, 2012,...	Aug. 29, 2014	Case		1 2 17 A.2d
Cited by	175. <u>In re Fornaro</u> 2014 WL 3557678, *2 , N.J.Super.A.D. Plaintiff Maria Fornaro appeals from a March 27, 2013 amended judgment admitting to probate the will and codicil of Conchetta M. Grimes, deeming valid and enforceable a revocable...	July 21, 2014	Case		3 A.2d
Cited by	176. <u>Camacho v. Wells Fargo Bank, N.A.</u> 2014 WL 3510707, *5 , N.J.Super.A.D. In this premises liability action, plaintiff appeals from an order granting summary judgment to defendant Wells Fargo Bank, N.A. and dismissing her personal injury claim, and a...	July 17, 2014	Case		3 A.2d
Cited by	177. <u>State v. Campbell</u> 93 A.3d 416, 421 , N.J.Super.A.D. CRIMINAL JUSTICE - Driving While Intoxicated. Admitting breath-test results under clear-and-convincing standard does not relieve state from proving guilt beyond a reasonable doubt.	June 27, 2014	Case		—
Cited by	178. <u>Diaz v. Diaz</u> ” 2014 WL 2882502, *9+ , N.J.Super.A.D. In this post-judgment matrimonial action, plaintiff appeals from the Family Part's orders, finding defendant had established a prima facie showing of plaintiff's cohabitation with...	June 26, 2014	Case		1 2 A.2d
Cited by	179. <u>In re Flood Hazard Area Verification Approval & Freshwater Wetlands Letter of Interpretation</u> 2014 WL 2810153, *20 , N.J.Super.A.D. These two related appeals involve a local citizens group's challenges to approvals issued by the Department of Environmental Protection ("the Department" or "the DEP") for a...	June 20, 2014	Case		—
Cited by	180. <u>Martucci v. Vitale</u> ” 2014 WL 2742578, *2 , N.J.Super.A.D. Plaintiff William Martucci appeals from an order entered by the trial court on March 22, 2013, denying his motion to reconsider an earlier order granting the motion to dismiss by...	June 18, 2014	Case		2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	181. <u>Catullo v. Barton</u> 2014 WL 2679361, *4 , N.J.Super.A.D. Plaintiff Joseph G. Catullo appeals from the October 23, 2012 Law Division order denying his motion to vacate an earlier order, dated August 21, 2012, which had refused to...	June 16, 2014	Case		17 A.2d
Cited by	182. <u>Carney v. Cannon</u>  2014 WL 2533786, *3 , N.J.Super.A.D. Appellant, Brian P. Carney, the adult son of plaintiff Deborah A. Carney, and defendant, Thomas P. Cannon, appeals from that portion of a Family Part order entered on December 11,...	June 06, 2014	Case		2 17 A.2d
Cited by	183. <u>Gillikin v. Gillikin</u> 2014 WL 2440662, *6 , N.J.Super.A.D. Plaintiff Jennifer Conrad Gillikin appeals two post-judgment family court orders. The first denied her application for an order "[v]acating the settlement agreement and re-opening...	June 02, 2014	Case		1 2 A.2d
Cited by	184. <u>Herbruck v. Herbruck</u> 2014 WL 1647129, *9 , N.J.Super.A.D. The Family Part granted plaintiff Charles Herbruck a judgment of divorce (JOD) after a forty-two month marriage to defendant Maria Herbruck. Defendant appeals the trial court's...	Apr. 25, 2014	Case		17 A.2d
Cited by	185. <u>Merchant v. Vindick</u>  2014 WL 1647134, *9+ , N.J.Super.A.D. These related appeals, which we consolidate for purposes of this opinion, arise out of a multi-vehicle accident. On April 21, 2009, Brian Vindick, who was driving a school bus,...	Apr. 25, 2014	Case		1 17 A.2d
Cited by	186. <u>Perry v. Postal Transp., Inc.</u> 2014 WL 1622126, *2 , N.J.Super.A.D. Plaintiff Samuel Perry appeals the December 7, 2012 denial of reconsideration of an earlier grant of summary judgment to defendants Postal Transportation, Inc., and Clifford B....	Apr. 24, 2014	Case		2 A.2d
Cited by	187. <u>Soufanati v. Soufanati</u> 2014 WL 1356593, *3 , N.J.Super.A.D. Defendant, Abdelhamid S. Soufanati, appeals from (1) the provision in the Judgment of Divorce (JOD), dated November 13, 2012, awarding plaintiff, Samar Soufanati, \$300 per week in...	Apr. 08, 2014	Case		—
Cited by	188. <u>Geisler v. Leonard</u>  2014 WL 1302104, *2 , N.J.Super.A.D. Plaintiff appeals from the denial of her motion to reconsider an earlier order of the court denying her motion to "reinstate [the] case and enter judgment" against defendant....	Apr. 02, 2014	Case		2 17 A.2d
Cited by	189. <u>Garofalo v. East Whitehouse Fire Dept.</u>  2014 WL 1257123, *4 , N.J.Super.A.D. Plaintiff appeals from a February 28, 2013 order of the Division of Workers' Compensation (Division) dismissing his complaint for benefits. Plaintiff also appeals from a May 3,...	Mar. 28, 2014	Case		2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	190. <u>Sablon v. Perez</u> 2014 WL 958720, *3 , N.J.Super.A.D. Plaintiff Damian J. Sablon appeals from the Law Division's January 14, 2013 order dismissing his complaint with prejudice pursuant to Rule 1:13–7 and a subsequent February 22, 2013...	Mar. 13, 2014	Case		17 A.2d
Cited by	191. <u>Raza v. Muhammad</u> 2014 WL 813857, *4 , N.J.Super.A.D. Defendants appeal from an order entered on December 7, 2012, denying their motion to vacate judgment entered against them on February 23, 2012, and denying consolidation with...	Mar. 03, 2014	Case		1 2 A.2d
Cited by	192. <u>Brown v. Brown</u> 2014 WL 620691, *2 , N.J.Super.A.D. Defendant appeals from orders that denied his post-judgment motions for a change of custody, and for reconsideration, and awarded a counsel fee to plaintiff. We affirm the denial...	Feb. 19, 2014	Case		2 A.2d
Cited by	193. <u>Universal Missionary Pentecostal Assembly v. NJ Conference of Seventh Day Adventists, Inc.</u> 2014 WL 476349, *1 , N.J.Super.A.D. Plaintiff Universal Missionary Pentecostal Assembly commenced this action on April 21, 2011, against defendant NJ Conference of Seventh Day Adventists, and others, seeking damages...	Feb. 07, 2014	Case		2 A.2d
Cited by	194. <u>Mulholland v. Khan</u> 2014 WL 289342, *5 , N.J.Super.A.D. Plaintiff, Katherine Wheeler, and defendant, Micah Khan, have one daughter from their prior relationship, presently age nine. Plaintiff appeals the Family Part order denying her...	Jan. 28, 2014	Case		1 2 A.2d
Cited by	195. <u>S.D. v. M.J.R.</u> 2014 WL 289435, *2 , N.J.Super.A.D. This matter was before us previously, resulting in a published opinion in which we reversed the Family Part's dismissal of the domestic violence complaint filed by plaintiff S.D....	Jan. 28, 2014	Case		1 2 A.2d
Cited by	196. <u>New Jersey Higher Educ. Assistance Authority v. Amagsila</u> 2014 WL 242997, *2+ , N.J.Super.A.D. Plaintiff New Jersey Higher Education Student Assistance Authority (the Authority) brought suit to recover the amounts due on student loans made to defendant Jean Amagsila. The...	Jan. 23, 2014	Case		2 17 A.2d
Cited by	197. <u>Junior v. Dezao</u> 2014 WL 145312, *3 , N.J.Super.A.D. Plaintiff Daniel Junior and defendant Christine Dezao were married in 2001, had a child in 2005 and divorced in 2010. The final judgment of divorce incorporated a property...	Jan. 16, 2014	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	198. <u>Rivera v. Rivera</u> 2014 WL 103213, *2 , N.J.Super.A.D. Plaintiff Herminio Rivera, Jr., and defendant Katosca Rivera (now known as Katosca Aponte) are the parents of two children, a daughter ("Alice"), born in 1990, and a son...	Jan. 13, 2014	Case		1 2 17 A.2d
Cited by	199. <u>New Jersey Div. of Youth and Family Services v. K.S.</u>  2014 WL 17781, *10 , N.J.Super.A.D. Defendant K.S. appeals from a June 22, 2012 order of the Family Part finding that he neglected his minor son, Q.J. We affirm. K.S. is the father and C.J. is the mother of Q.J.,...	Jan. 02, 2014	Case		1 2 A.2d
Cited by	200. <u>Newman v. Marquez</u> 2013 WL 6839552, *2 , N.J.Super.A.D. On November 7, 2012, plaintiff Andrew Newman filed a verified complaint in the Special Civil Part pursuant to the Forcible Entry and Detainer Act, N.J.S.A. 2A:39-1 to -8, alleging...	Dec. 30, 2013	Case		1 2 A.2d
Cited by	201. <u>Baldinger v. Baldinger</u> 2013 WL 6765351, *4 , N.J.Super.A.D. Plaintiff Beth G. Baldinger and defendant Bruce E. Baldinger entered into a Supplemental and Amended Dual Final Judgment of Divorce (JOD). Plaintiff appeals from the denial of...	Dec. 24, 2013	Case		2 17 A.2d
Cited by	202. <u>D.W. v. P.W.</u> 2013 WL 6670278, *2 , N.J.Super.A.D. These parties have engaged in extensive trial and appellate litigation resulting in three prior appellate decisions. [D.W. v. P.W.], No. A-1449-03 (App.Div. July 7, 2005) (D.W.I.);...	Dec. 19, 2013	Case		17 A.2d
Cited by	203. <u>Bradford v. Gleason</u> 2013 WL 6081697, *4 , N.J.Super.A.D. On December 12, 2011, the trial court denied plaintiff Drew Bradford's motion to adjourn the trial and dismissed his malicious prosecution claim against defendant Diane Gleason...	Nov. 20, 2013	Case		1 2 17 A.2d
Cited by	204. <u>Werosta v. Werosta</u> 2013 WL 6063595, *6 , N.J.Super.A.D. Plaintiff Joann K. Karnavas (formerly Werosta) attempts to appeal from a number of orders entered in litigation with defendant Karl R. Werosta following their judgment of divorce....	Nov. 19, 2013	Case		17 A.2d
Cited by	205. <u>George v. Naurang</u> 2013 WL 6036666, *3 , N.J.Super.A.D. Defendant Muneshwar Naurang appeals from a September 14, 2012 Special Civil Part order denying his motion for reconsideration of an August 1, 2012 judgment for \$15,000 entered in...	Nov. 15, 2013	Case		1 2 A.2d
Cited by	206. <u>Sovereign Bank v. Feng Yang</u> 2013 WL 5925760, *3 , N.J.Super.A.D. Defendant Feng Yang appeals from a September 5, 2012 Law Division order denying his motion to vacate a May 2010 default judgment or, alternatively, for a proof hearing, and an...	Nov. 06, 2013	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	207. <u>Miranda v. MarineMax, Inc.</u> 2013 WL 5508045, *7 , N.J.Super.A.D. Plaintiff, Ronald Miranda, appeals from the December 16, 2011 Law Division order that dismissed his consumer fraud and rescission claims against defendant, MarineMax, Inc., who had...	Oct. 07, 2013	Case		3 A.2d
Cited by	208. <u>State v. Long</u> 2013 WL 5354512, *2 , N.J.Super.A.D. Defendant Ronald Long appeals from the October 3, 2011 Law Division order, which denied his motion for reconsideration of the August 17, 2011 order denying his motion for...	Sep. 26, 2013	Case		1 2 17 A.2d
Cited by	209. <u>Frangella v. Frangella</u> 2013 WL 4792863, *4 , N.J.Super.A.D. This appeal presents an issue of contract interpretation. The parties dispute the meaning of the insurance paragraph of their property settlement and support agreement (PSSA),...	Sep. 10, 2013	Case		1 2 17 A.2d
Cited by	210. <u>Del Mastro v. Grimado</u> 2013 WL 4746486, *9 , N.J.Super.A.D. In 2005, plaintiff Rhonda Del Mastro secured a judgment against defendant Philip B. Grimado. While attempting to obtain payment, plaintiff learned Grimado had closed his business,...	Sep. 05, 2013	Case		12 A.2d
Cited by	211. <u>Gemignani v. Gemignani</u> 2013 WL 4746533, *3 , N.J.Super.A.D. In this post-matrimonial matter, plaintiff Michaela Gemignani appeals the denial of her motion for reconsideration of the court's order reducing defendant Robert Gemignani's child...	Sep. 05, 2013	Case		2 17 A.2d
Cited by	212. <u>Grunfeld v. Seltzer</u> 2013 WL 4515998, *4 , N.J.Super.A.D. Plaintiffs appeal from an order of the Law Division denying reconsideration of an earlier order dismissing their complaint with prejudice and denying their cross-motion to...	Aug. 27, 2013	Case		2 17 A.2d
Cited by	213. <u>State v. Torres</u> 2013 WL 4004002, *6 , N.J.Super.A.D. This matter is before us on remand from the Supreme Court. We affirmed the convictions of defendants Jonathan and Esterlin Torres. State v. Esterlin M. Torres and Jonathan Torres,...	Aug. 07, 2013	Case		2 A.2d
Cited by	214. <u>Glikin Bros., Inc. v. Jallo</u> 2013 WL 3867832, *2+ , N.J.Super.A.D. Plaintiff, Glikin Brothers, Inc., appeals from a June 29, 2012 order, denying plaintiff's motion for reconsideration of an order dated May 11, 2012 granting summary judgment in...	July 29, 2013	Case		3 A.2d
Cited by	215. <u>Sunkavally v. Kommineni</u> 2013 WL 3448283, *6 , N.J.Super.A.D. Defendants Kaylan Kommineni and Padma Chava appeal from a portion of a January 17, 2012 final judgment, granting plaintiff Srinivas Sunkavally \$246,759 in damages, following a...	July 10, 2013	Case		17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	216. <u>Taffaro v. Borough of Ridgefield</u> 2013 WL 3186597, *4 , N.J.Super.A.D. Plaintiff Michael Taffaro filed a complaint against defendants Borough of Ridgefield (Ridgefield) and Anthony R. Suarez (Suarez), alleging false arrest, false imprisonment,...	June 21, 2013	Case		2 17 A.2d
Cited by	217. <u>Hughes v. Mainka</u> 2013 WL 2660541, *5 , N.J.Super.A.D. Defendants appeal three orders entered by the Law Division: (1) the October 30, 2009 order denying their cross-motion to dismiss plaintiffs' complaint; (2) the March 24, 2011 order...	June 14, 2013	Case		1 2 A.2d
Cited by	218. <u>Croghan v. Croghan</u> 2013 WL 2631329, *10 , N.J.Super.A.D. In this opinion we address several post-judgment matrimonial orders in two appeals by defendant Joseph Croghan that were calendared back-to-back. The first appeal (A-2389-11T4)...	June 13, 2013	Case		—
Cited by	219. <u>Hinojosa v. Castaldo</u>  2013 WL 2435244, *7 , N.J.Super.A.D. Plaintiffs, Marcelino Hinojosa and Rosa Hinojosa, appeal from the Law Division order dismissing the personal injury and per quod complaint they filed under the Tort Claims Act...	June 06, 2013	Case		1 2 A.2d
Cited by	220. <u>Thomas v. Thomas</u> 2013 WL 2395040, *3 , N.J.Super.A.D. This matter involves the distribution of the proceeds of the \$1 million life insurance policy (the policy) maintained by the decedent, Scott Thomas (Scott Sr.). The trial judge...	June 04, 2013	Case		—
Cited by	221. <u>Metta v. Middletown Tp.</u> 2013 WL 2258870, *7 , N.J.Super.A.D. In this personal injury case, plaintiff Dante Metta appeals the December 2, 2011 order of the Law Division granting the municipal defendants' motion for summary judgment. He also...	May 24, 2013	Case		1 2 A.2d
Cited by	222. <u>Budhan v. TruGreen Corp.</u> 2013 WL 2096348, *4 , N.J.Super.A.D. Defendants TruGreen Corporation, TruGreen Limited Partnership, (collectively TruGreen), and Scott Heist appeal from an April 30, 2012 order of the Law Division, granting...	May 16, 2013	Case		2 A.2d
Cited by	223. <u>RJM Acquisitions, LLC v. Ngo</u> 2013 WL 1875955, *3 , N.J.Super.A.D. Defendant Alexis Ngo appeals from two May 20, 2011 Special Civil Part orders, denying, for a second time, his request to vacate or amend a judgment in favor of plaintiff RJM...	May 07, 2013	Case		3 17 A.2d
Cited by	224. <u>Heine v. State</u> 2013 WL 1759939, *2+ , N.J.Super.A.D. Plaintiff Ellen Heine appeals from the trial judge's June 29, 2012 order. That order denied her motion to reconsider the judge's May 11, 2012 order. In the May 11 order, the court...	Apr. 25, 2013	Case		17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	225. <u>Concord Technology Services, LLC v. Securities America Advisors, Inc.</u> 2013 WL 1629062, *2 , N.J.Super.A.D. This case requires us to interpret an arbitration clause of a contract. Plaintiff Concord Technology Services, LLC (Concord) filed suit in the Law Division, Monmouth County,...	Apr. 17, 2013	Case		2 A.2d
Cited by	226. <u>Soho Properties, L.L.C. v. Centex Homes, L.L.C.</u> 2013 WL 1196667, *7+ , N.J.Super.A.D. On this appeal and cross-appeal, we affirm the Chancery Division's October 18, 2011 decision granting interior lot owners who are parties in this suit a private right-of-way over...	Mar. 26, 2013	Case		1 2 A.2d
Cited by	227. <u>State v. Basko</u> 2013 WL 1003538, *7 , N.J.Super.A.D. On leave granted, the State appeals from an order suppressing drugs and drug paraphernalia seized by police from a minivan that defendant Larry Basko had been driving. Although...	Mar. 15, 2013	Case		17 A.2d
Cited by	228. <u>John Cilo, Jr., Associates, Inc. v. Stephenson</u> 2013 WL 827714, *3+ , N.J.Super.A.D. Plaintiff John Cilo, Jr., Associates, Inc. (CAI) appeals from three trial court orders related to its effort to obtain a warrant to arrest defendant, an alleged judgment debtor. We...	Mar. 07, 2013	Case		1 2 17 A.2d
Cited by	229. <u>Chelsea View Condominium Ass'n, Inc. v. Beyer</u> 2013 WL 425163, *2 , N.J.Super.A.D. Plaintiff, Chelsea View Condominium Association, Inc., appeals from orders that denied its motion to permit the sale of defendant's real property to satisfy its docketed judgment...	Feb. 05, 2013	Case		2 A.2d
Cited by	230. <u>Davidson v. City of Atlantic City</u> 2013 WL 425171, *4 , N.J.Super.A.D. Plaintiff Bridget Davidson appeals the October 14, 2009 order of the Law Division denying her motion to amend her complaint to add direct claims against the Atlantic County...	Feb. 05, 2013	Case		1 A.2d
Cited by	231. <u>Greenpoint Mortg. Funding, Inc. v. Friedman</u> ” 2013 WL 375567, *2 , N.J.Super.A.D. In these appeals, which we have consolidated for purposes of decision, defendant Chaim Friedman (Friedman) challenges orders entered by the Chancery Division, which denied his...	Feb. 01, 2013	Case		1 2 A.2d
Cited by	232. <u>Mederos v. H & C Development Corp.</u> 2013 WL 257244, *3 , N.J.Super.A.D. Plaintiffs Ciro Mederos, Eugene Vasquez, Cesar Ramos and Juan Castillo entered into a contract of sale with H & C Development Corp ., Marshall Weisman, Hudson 3312 LLC, Palisades...	Jan. 24, 2013	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	233. <u>Edwards v. Edwards</u> 2012 WL 6698711, *2 , N.J.Super.A.D. On August 9, 2011, plaintiff Wayne Edwards' motion to reduce child support was granted as to the parties' remaining unemancipated son, a college student. Defendant Janet Edwards'...	Dec. 27, 2012	Case		2 A.2d
Cited by	234. <u>State v. Howard</u> 2012 WL 6681918, *2 , N.J.Super.A.D. Defendant Olivia Howard appeals from an October 21, 2011 order denying reconsideration of an April 21, 2011 order, which in turn denied her petition for expungement of her 1991...	Dec. 26, 2012	Case		—
Cited by	235. <u>International Ass'n of Machinists and Aerospace Workers v. Werner-Masuda</u> ” 2012 WL 6115720, *13+ , N.J.Super.A.D. Defendants Union of Independent Flight Attendants (UIFA) and McCormick Advisory Group (MAG) appeal orders entered by the Law Division in connection with UIFAs' claims against MAG...	Dec. 11, 2012	Case		4 7 10 A.2d
Cited by	236. <u>State v. Clement</u> 2012 WL 5845641, *2 , N.J.Super.A.D. Defendant Courtney Clement appeals from a June 18, 2010 order denying her motion for reconsideration of a September 15, 2009 order denying her second petition for post-conviction...	Nov. 20, 2012	Case		17 A.2d
Cited by	237. <u>Rozier v. Byrd</u> 2012 WL 5274575, *3 , N.J.Super.A.D. In this post-judgment matrimonial matter, plaintiff Lanette Rozier appeals from the trial court's order denying her motion to enforce a provision in the parties' Matrimonial...	Oct. 26, 2012	Case		1 17 A.2d
Cited by	238. <u>Dong Hyun Lee v. Receivable Management Services</u> 2012 WL 4896572, *2+ , N.J.Super.A.D. Plaintiffs Dong Hyun Lee (Lee) and L & K Dental, P.A. (L & K) appeal from the August 26, 2011 Law Division order, which denied their motion for reconsideration of the July 6, 2011...	Oct. 17, 2012	Case		2 17 A.2d
Cited by	239. <u>State v. Hertz</u> 2012 WL 4867474, *3+ , N.J.Super.A.D. Defendant Barbara Hertz appeals from her conviction following a trial de novo in the Law Division for violating Borough of Lincoln Park Municipal Ordinance 144-4, and from the...	Oct. 16, 2012	Case		17 A.2d
Cited by	240. <u>C.C. v. G.C.</u> 2012 WL 4795588, *2 , N.J.Super.A.D. Defendant G.C. appeals the October 21, 2011 denial of his application for reconsideration of a prior order denying his motion to vacate an April 24, 2000 post-judgment, no-contact...	Oct. 10, 2012	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	241. <u>Luzuriaga v. Copacabana Nightclub</u> 2012 WL 4475432, *3 , N.J.Super.A.D. In this matter, third-party defendants Hermitage Insurance Company (Hermitage) and United States Liability Insurance Company (United) claimed they had no duty to defend...	Oct. 01, 2012	Case		1 2 17 A.2d
Cited by	242. <u>Balmaceda v. Pelosi</u> 2012 WL 4344095, *4 , N.J.Super.A.D. By leave granted, defendant Ahmad Khalili, M.D. appeals the trial court's orders denying his motion to dismiss and motion for reconsideration related to plaintiffs' complaint...	Sep. 25, 2012	Case		—
Cited by	243. <u>Dr. Zhu Inv. Trade Corp. v. Natural Food Import USA, Inc.</u> 2012 WL 3236111, *3+ , N.J.Super.A.D. Defendant Liu Xu (defendant) appeals from an order of the Law Division granting plaintiff Dr. Zhu Investment Trade Corp.'s motion for reconsideration and awarding punitive damages...	Aug. 10, 2012	Case		2 A.2d
Cited by	244. <u>Herm Realty Group, LLC v. Land Use Bd. of Borough of Beach Haven</u> 2012 WL 3205481, *5+ , N.J.Super.A.D. Intervenors-appellants, Marguerite E. Royer, Francesco Racanelli, and RRR Associates, LLC (RRR) (hereafter collectively referred to as appellants), appeal from the August 25, 2010...	Aug. 09, 2012	Case		—
Cited by	245. <u>Repole v. Gawrysiak</u> 2012 WL 3192668, *2 , N.J.Super.A.D. Defendant Danielle Gawrysiak appeals from the Law Division's October 21, 2011 order entering final judgment in favor of plaintiffs William and Maria Repole in the amount of \$4025....	Aug. 08, 2012	Case		1 2 17 A.2d
Cited by	246. <u>Slatina v. D. Const. Corp.</u> 2012 WL 3140233, *5+ , N.J.Super.A.D. Dashi Slatina suffered serious injuries when a masonry wall he was erecting toppled on him. He timely filed suit against Newport Associates Development Company (Newport), who he...	Aug. 03, 2012	Case		2 17 A.2d
Cited by	247. <u>Kurtz v. Burt</u> 2012 WL 2873731, *4 , N.J.Super.A.D. Plaintiff Jeff Kurtz appeals from an interlocutory trial court order dated June 28, 2010, granting summary judgment. That order became appealable as of right after the court...	July 16, 2012	Case		17 A.2d
Cited by	248. <u>Krueger v. Krueger</u> 2012 WL 2529259, *2 , N.J.Super.A.D. Defendant Mark Krueger appeals from the September 8, 2011 order of the court denying his application to rescind or invalidate the parties' property settlement agreement (PSA) and...	July 03, 2012	Case		3 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	249. <u>Doblin v. Doblin</u>  2012 WL 2377825, *2 , N.J.Super.A.D. Following defendant Linda Doblin's motion that sought to compel plaintiff Michael Doblin to resume alimony payments he had ceased paying approximately two years earlier, the Family...	June 26, 2012	Case	   	2 A.2d
Cited by	250. <u>Lipscomb v. Lipscomb</u>  2012 WL 2160250, *2 , N.J.Super.A.D. Plaintiff appeals from the denial of his motion for reconsideration of a post-judgment matrimonial order. We affirm. The parties were married on July 7, 1956, and divorced on April...	June 15, 2012	Case	   	1 2 A.2d
Cited by	251. <u>Taylor v. American Home Mortgage Servicing Inc.</u> 2012 WL 2076560, *3 , N.J.Super.A.D. Plaintiff Elaine Taylor appeals from separate orders granting summary judgment in favor of defendants American Home Mortgage Servicing, Inc. (AHMSI), and Wells Fargo Bank, N.A.,...	June 11, 2012	Case	   	9 A.2d
Cited by	252. <u>Zera v. Krushinski</u> 2012 WL 1836255, *5+ , N.J.Super.A.D. In this post-judgment matrimonial matter, plaintiff Dawn Zera, appeals from portions of a March 30, 2011 order addressing visitation, tax deductions, and access to frequent flier...	May 22, 2012	Case	   	17 A.2d
Cited by	253. <u>Curley v. Curley</u> 2012 WL 1605207, *8 , N.J.Super.A.D. In this matrimonial matter, plaintiff Edward Curley (husband) appeals from a pre-judgment order granting the motion of defendant Roberta Curley (wife) for reconsideration of a...	May 09, 2012	Case	   	—
Cited by	254. <u>American Exp. Centurion Bank v. Kalugin</u> 2012 WL 1192028, *2 , N.J.Super.A.D. Defendant Eric Kalugin appeals from a November 3, 2010 order denying his motion for reconsideration of a motion to vacate a default judgment for \$24,995.91, entered on behalf of...	Apr. 11, 2012	Case	   	3 17 A.2d
Cited by	255. <u>Bongiovanni v. Peterson</u> 2012 WL 716031, *4+ , N.J.Super.A.D. Defendant Robert Peterson appeals from an April 1, 2011 order denying his motion for reconsideration of a February 4, 2011 order granting summary judgment in favor of plaintiff...	Mar. 07, 2012	Case	   	17 A.2d
Cited by	256. <u>Pediatric Surgical Associates v. Brennan</u> 2012 WL 652484, *2 , N.J.Super.A.D. Defendant William J. Brennan appeals from the order of the Special Civil Part entered October 22, 2010, denying his motion to vacate a July 28, 2010 default judgment. We reverse....	Mar. 01, 2012	Case	   	2 A.2d
Cited by	257. <u>Martinovich v. Iglesias</u> 2012 WL 570053, *2+ , N.J.Super.A.D. Plaintiff John Martinovich appeals from an order denying reconsideration of an order dismissing with prejudice his complaint seeking underinsured motorist (UIM) benefits for...	Feb. 23, 2012	Case	   	3 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	258. <u>Statt v. Knox-Statt</u> 2012 WL 555319, *1, N.J.Super.A.D. Defendant Karen Knox–Statt appeals the provisions of the December 23, 2010 order which deny her application for sole custody of the parties' daughter and termination of plaintiff...	Feb. 22, 2012	Case		2 A.2d
Cited by	259. <u>Davidowski v. Davidowski</u> 2012 WL 254236, *6+, N.J.Super.A.D. Plaintiff Louise Davidowski appeals from dismissal at trial of her cause of action for fraud. Defendants are her son, Alan Davidowski, and his friend, Gail Dellaira, who is a...	Jan. 30, 2012	Case		5 9 12 A.2d
Cited by	260. <u>Martin v. Quick Chek Corp.</u> 2012 WL 127530, *3+, N.J.Super.A.D. Plaintiffs Erik W. Martin and his wife, Lynn Debbe–Martin, appeal from a October 1, 2010 discovery order, the subsequent November 12, 2010 order granting summary judgment to...	Jan. 18, 2012	Case		3 A.2d
Cited by	261. <u>Romano v. Romano</u> 2012 WL 86965, *2+, N.J.Super.A.D. Plaintiff John Romano, IV (John), appeals from the January 3, 2011 judgment of divorce, which divided the marital assets disproportionately in favor of defendant Dana Romano...	Jan. 12, 2012	Case		4 12 A.2d
Cited by	262. <u>Z.H. v. R.H.</u> 2011 WL 6820317, *15, N.J.Super.A.D. In this post-judgment matrimonial matter, plaintiff Z.H. (appellant) appeals from three orders entered by two Family Part judges pertaining to the dismissal of defendant's claims...	Dec. 29, 2011	Case		2 A.2d
Cited by	263. <u>Sullivan v. New Jersey Transit</u> 2011 WL 6341093, *3+, N.J.Super.A.D. Plaintiff Ronald Sullivan was injured as he entered a Comet V railcar manufactured by defendant ALSTOM Transportation, Inc. (ALSTOM) and operated by defendant New Jersey Transit...	Dec. 20, 2011	Case		2 A.2d
Cited by	264. <u>State v. Raymond</u> 2011 WL 6260660, *4, N.J.Super.A.D. Appellant First Indemnity of America Insurance Company, which issued a bail bond to secure the release of defendant Christopher Raymond from custody, appeals from a January 12,...	Dec. 16, 2011	Case		—
Cited by	265. <u>Swannack v. Township of Neptune</u> 2011 WL 6111641, *4, N.J.Super.A.D. Plaintiff Captain Edward Swannack appeals from the dismissal of his action and the denial of the subsequently filed motion for reconsideration. Plaintiff's complaint alleged...	Dec. 09, 2011	Case		17 A.2d
Cited by	266. <u>Dipietro v. Vassallo</u> 2011 WL 5573668, *3, N.J.Super.A.D. Plaintiff Peter DiPietro, who was self-represented in the Law Division proceedings from which this appeal is taken, seeks to set aside two orders dated April 12, 2010, and May 14,...	Nov. 17, 2011	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	267. <u>Stabile v. Benson</u> 2011 WL 4483580, *4 , N.J.Super.A.D. Intervenor Scott Harris, by his guardian ad prosequendum, Betty Harris (Harris), appeals from the denial of his application to modify or vacate a judgment approving the settlement...	Sep. 29, 2011	Case		1 A.2d
Cited by	268. <u>D'Alessio v. Stawski</u> 2011 WL 3890234, *3 , N.J.Super.A.D. Defendant Robert R. Stawski appeals from a post-judgment Family Part order dated October 1, 2010, denying his request to reduce child support, alimony payments, and contribution...	Sep. 06, 2011	Case		3 A.2d
Cited by	269. <u>Werosta v. Werosta</u> 2011 WL 3611335, *2 , N.J.Super.A.D. Plaintiff Joann Werosta appeals from an August 16, 2010 order denying her motion for reconsideration of a June 14, 2010 order, which decreased by more than one half the child...	Aug. 18, 2011	Case		17 A.2d
Cited by	270. <u>Ruggiero v. Ruggiero</u> 2011 WL 3107782, *5 , N.J.Super.A.D. In this post-judgment matrimonial matter defendant appeals from the November 20, 2009 order denying his requests to decrease his alimony obligation to plaintiff and to eliminate...	July 27, 2011	Case		2 A.2d
Cited by	271. <u>Slater v. Hardin</u> 2011 WL 3108049, *4 , N.J.Super.A.D. Plaintiff Glenn B. Slater appeals from the Law Division's order of May 28, 2010 denying his motion for reconsideration. We have considered the arguments plaintiff has raised in...	July 27, 2011	Case		1 A.2d
Cited by	272. <u>Greenberg v. Pro Shares Trust</u> 2011 WL 2636990, *6 , N.J.Super.A.D. Plaintiffs Richard Greenberg (Greenberg) and Epic, LLC (Epic), appeal from the dismissal of their second amended complaint against defendants Pro Shares Trust (Pro Shares) and Pro...	July 07, 2011	Case		1 2 17 A.2d
Cited by	273. <u>Ralda DeLeon v. Graco Inc.</u> 2011 WL 2636993, *6 , N.J.Super.A.D. In this products liability matter, plaintiff Erick Ralda DeLeon appeals from the denial of his motion for reconsideration of the grant of summary judgment to defendant Graco, Inc....	July 07, 2011	Case		2 17 A.2d
Cited by	274. <u>Mandorlo v. Endo</u> 2011 WL 2610567, *2 , N.J.Super.A.D. Nicholas Mandorlo and his wife Deborah Mandorlo (collectively "plaintiffs") sued Enrique T. Endo, alleging negligence, which caused an automobile accident on February 14, 2000,...	July 05, 2011	Case		2 A.2d
Cited by	275. <u>Ford Motor Credit Co., LLC v. Calandra</u> 2011 WL 2566076, *6 , N.J.Super.A.D. Defendant Sharon Calandra appeals, on behalf of herself and a class of similarly situated consumers, from an order entered by the Law Division on a motion for reconsideration,...	June 30, 2011	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	276. <u>J.M. v. J.R.</u> 2012 WL 1548064, *3 , N.J.Super.A.D. Defendant J.R. appeals from the Family Part's order of January 29, 2010 that ordered him to pay plaintiff's counsel fees in the amount of \$3156.35. We have considered the arguments...	June 29, 2011	Case		2 A.2d
Cited by	277. <u>Calco Hotel Management Group, Inc. v. Gike</u> 22 A.3d 60, 67+ , N.J.Super.A.D. REAL PROPERTY - Landlord and Tenant. Renter, who allowed her guest to use hotel room, was an "occupant" within meaning of the Hotel and Multiple Dwelling Law.	June 28, 2011	Case		3 A.2d
Cited by	278. <u>Haz v. Tomon</u> 2011 WL 2447931, *2 , N.J.Super.A.D. Plaintiff appeals from the grant of summary judgment dismissing her complaint against defendants brought pursuant to the Automobile Insurance Cost Reduction Act (AICRA), N.J.S.A....	June 21, 2011	Case		3 A.2d
Cited by	279. <u>Cuevas v. Chrysler Corp.</u> 2011 WL 2410343, *4 , N.J.Super.A.D. On August 24, 2005, defendant Edi M. Barrera–Gonzalez struck a car driven by Lindawati Tan, who died from the injuries sustained in the collision. Defendant Barrera–Gonzalez was...	June 10, 2011	Case		1 17 A.2d
Cited by	280. <u>Essex Pain Management Group, P.C. v. Gildawie</u> 2011 WL 2304172, *2 , N.J.Super.A.D. Defendant/third-party plaintiff Clifford Gildawie appeals from the denial of his motion for reconsideration of a prior order dated June 2, 2010, as amended on June 8, 2010, which...	May 25, 2011	Case		2 A.2d
Cited by	281. <u>State v. Heisler</u> 29 A.3d 320, 329 , N.J.Super.A.D. CRIMINAL JUSTICE - Discovery. Ten-day in which defendant was required to object to admission of lab certificate began when related reports were submitted.	May 17, 2011	Case		7 10 14 A.2d
Cited by	282. <u>Capital One Bank, (U.S.A), N.A. v. Red Industries, Inc.</u> 2011 WL 2320897, *4+ , N.J.Super.A.D. Defendant, Varoujan Panossian, is a part-owner of Red Industries, Inc. Plaintiff, Capital One Bank, (U.S.A.), N.A. (Capital One) sued Panossian and Red Industries for the unpaid...	May 17, 2011	Case		1 2 A.2d
Cited by	283. <u>South Washington Avenue, LLC v. Township of Piscataway</u> 2011 WL 2305611, *3 , N.J.Super.A.D. Petitioner Laurence Halper appeals from final administrative action of the Department of Community Affairs (DCA) denying his motion for reconsideration of earlier final agency...	May 11, 2011	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	284. <u>Comes v. New Jersey Transit Rail Operations, Inc.</u> 2011 WL 2305429, *4+ , N.J.Super.A.D. Plaintiff, Thomas W. Comes, appeals the denial of his motions for a new trial on damages only and to amend the judgment by molding the jury verdict on the Locomotive Inspection Act...	May 06, 2011	Case		1 A.2d
Cited by	285. <u>Dover-Chester Associates v. Randolph Tp.</u> 16 A.3d 467, 474 , N.J.Super.A.D. TAXATION - Real Property. Interests of justice did not require denial of motions to dismiss, on grounds of nonpayment of taxes, taxpayer's appeals of property tax assessments.	Apr. 20, 2011	Case		1 2 A.2d
Cited by	286. <u>Dover-Chester Associates v. Randolph Tp.</u> , N.J.Super.A.D.	Apr. 20, 2011	Case		1 2 17 A.2d
Cited by	287. <u>Ruderman v. Ruderman</u> 2011 WL 2713434, *3 , N.J.Super.A.D. In these appeals calendared back-to-back, we review challenges by defendant to certain terms of a judgment of divorce (JOD) entered following a trial and by plaintiff to a...	Apr. 17, 2011	Case		2 A.2d
Cited by	288. <u>Aslanian v. Borough of River Edge</u> 2011 WL 1434076, *2 , N.J.Super.A.D. Defendant Ian Doris (Doris) appeals from two orders entered on December 8, 2009, and February 11, 2010. The 2009 order denied Doris's application for counsel fees pursuant to Rule...	Apr. 15, 2011	Case		2 17 A.2d
Cited by	289. <u>Kitele v. Kitele</u> 2011 WL 1434606, *1 , N.J.Super.A.D. Defendant Josephat Kitele appeals from the April 1, 2010 order of the Family Part denying his motion for reconsideration and granting plaintiff Francisca Kitele's motion to enforce...	Apr. 15, 2011	Case		17 A.2d
Cited by	290. <u>Galaida v. Galaida</u> 2011 WL 1404937, *1 , N.J.Super.A.D. Plaintiff Katherine S. Galaida appeals from an order denying her motion for reconsideration of a prior order and enforcing provisions of the parties' property settlement agreement....	Apr. 14, 2011	Case		3 A.2d
Cited by	291. <u>Polito v. Millburn Tp.</u> 2011 WL 1405044, *6+ , N.J.Super.A.D. After he was injured when a large tree branch fell on his truck, plaintiff Terry Polito brought a lawsuit against the private owners of the property on which the tree fell, also...	Apr. 14, 2011	Case		3 A.2d
Cited by	292. <u>Rosenblum v. Borough of Closter</u> 2011 WL 1135131, *8 , N.J.Super.A.D. Plaintiff Jesse Rosenblum appeals from an October 30, 2009, final order denying "all applications for reconsideration, re-opening, or amendment of findings and judgments [in Tax...	Mar. 30, 2011	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	293. <u>Lutz v. Depiano</u> 2011 WL 691645, *2+ , N.J.Super.A.D. In this post-judgment matrimonial matter, defendant husband only appeals from the January 8, 2010 order denying reconsideration of the November 20, 2009 order denying his motion to...	Mar. 01, 2011	Case		2 17 A.2d
Cited by	294. <u>Owens v. Owens</u> 2011 WL 336848, *3 , N.J.Super.A.D. Defendant Martin Owens appeals from certain provisions in post-judgment orders entered by the Family Part in this matrimonial action on August 19, 2009, and November 20, 2009. We...	Feb. 04, 2011	Case		1 17 A.2d
Cited by	295. <u>Wall Tp. Bd. of Educ. v. Wall Tp. Information Technology Ass'n</u> 2011 WL 204895, *2 , N.J.Super.A.D. The Wall Township Board of Education appeals from a final determination of the Public Employee Relations Commission (PERC) decision denying the Board's motion for reconsideration....	Jan. 26, 2011	Case		17 A.2d
Cited by	296. <u>Wall Tp. Bd. of Educ. v. Wall Tp. Information Technology Ass'n</u> , N.J.Super.A.D.	Jan. 26, 2011	Case		17 A.2d
Cited by	297. <u>Nead v. Union County Educational Services Com'n</u>  2011 WL 166245, *4+ , N.J.Super.A.D. Plaintiff Marco Nead was a physical education teacher employed by defendant Union County Educational Services Commission (UCESC) from 1992 until 2006. He appeals from the dismissal...	Jan. 20, 2011	Case		1 2 17 A.2d
Cited by	298. <u>Gorjuice Wrap, Inc. v. Okin, Hollander & De Luca, LLP</u> 2011 WL 92957, *10+ , N.J.Super.A.D. This is a legal malpractice case in which plaintiffs asserted that their lawyer negligently failed to seek emergent relief when plaintiffs' commercial landlord locked them out of...	Jan. 12, 2011	Case		4 5 12 A.2d
Cited by	299. <u>Mangano v. Agm Development Co., Llc</u>  2010 WL 5173839, *2 , N.J.Super.A.D. Defendant AGM Development Co., LLC appeals from the December 11, 2009 Law Division order denying its motion for reconsideration of an order granting the unopposed motion of...	Dec. 22, 2010	Case		2 A.2d
Cited by	300. <u>Hunter v. Rowan University</u> 2010 WL 5109995, *4 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Discrimination. Employee's complaint alleging violations of federal civil rights law failed to appraise her employer of a civil rights claim under New Jersey...	Dec. 16, 2010	Case		1 2 A.2d
Cited by	301. <u>Torres v. Tamburri Associates, Inc.</u> 2010 WL 4905069, *9+ , N.J.Super.A.D. The opinion of the court was delivered by Defendant Penntex Construction Co., Inc. (Penntex), appeals from several orders for summary judgment dismissing its claims against...	Dec. 03, 2010	Case		3 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	302. <u>Bielecki v. Executive Property Management</u> 2010 WL 4672561, *4, N.J.Super.A.D. TORTS - Conversion. Management company was legally within its rights to tow condominium unit-owner's unregistered car from condominium's parking lot.	Nov. 18, 2010	Case		3 A.2d
Cited by	303. <u>McGee v. Township of East Amwell</u> 7 A.3d 785, 790, N.J.Super.A.D. GOVERNMENT - Records. "Personnel records" exception in Open Public Records Act is not limited to the items included in a personnel file.	Nov. 16, 2010	Case		2 A.2d
Cited by	304. <u>Onuigbo v. American Export Lines</u> 2011 WL 13762, *2+, N.J.Super.A.D. Plaintiff sued defendant for damages allegedly arising from the shipment of one of three motor vehicles from New Jersey to Nigeria. Contrary to the court rules, plaintiff did not...	Nov. 01, 2010	Case		2 A.2d
Cited by	305. <u>Horizon Blue Cross Blue Shield Of New Jersey v. Avolio</u> 2010 WL 5348786, *3, N.J.Super.A.D. Defendants Louis Avolio (Avolio) and Wood-Ridge Chiropractic Center, Inc. (Wood-Ridge Chiropractic) appeal from the March 5, 2010 Law Division order denying their motion for...	Oct. 22, 2010	Case		17 A.2d
Cited by	306. <u>Central Jersey Airport v. Jones</u> 2010 WL 3933248, *6, N.J.Super.A.D. REAL PROPERTY - Landlord and Tenant. The court did not err in ordering the ejectment of tenant after the parties were unable to otherwise resolve unpaid rent.	Sep. 29, 2010	Case		2 A.2d
Cited by	307. <u>Feldman v. Feldman</u> 2010 WL 3834635, *3, N.J.Super.A.D. In this post-judgment matrimonial matter, defendant Gregory L. Feldman appeals from numerous provisions of an order denying reconsideration entered in the Family Part on December...	Sep. 27, 2010	Case		—
Cited by	308. <u>Widney v. Widney</u> 2010 WL 3418283, *3, N.J.Super.A.D. Plaintiff Lloyd Widney appeals from an order of the Family Part dated July 24, 2009, which denied his motion for reconsideration and granted defendant Diane Widney's motion for...	Aug. 31, 2010	Case		3 A.2d
Cited by	309. <u>Modern Technologies Group, Inc. v. Danzi</u> 2010 WL 4107747, *3+, N.J.Super.A.D. Defendant Michael R. Danzi appeals from an order entered on June 15, 2007, reinstating the complaint filed by plaintiff Modern Technologies Group, Inc., and from a judgment entered...	Aug. 12, 2010	Case		3 16 A.2d
Cited by	310. <u>Seidman v. Spencer Sav. Bank, S.L.A.</u> 2010 WL 2990302, *9, N.J.Super.A.D. SECURITIES REGULATION - Investment Companies. Directors breached their fiduciary duty to depositors by keeping outside investors from gaining participation on the board.	July 27, 2010	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	311. <u>Shoreline Elec. Contractors, Inc. v. Hafen</u> 2010 WL 2794607, *2, N.J.Super.A.D. LITIGATION - Judgment. Project owner had meritorious defense to support vacation of default judgment based on failure to file timely answer.	July 16, 2010	Case		17 A.2d
Cited by	312. <u>ASHI-GTO Associates v. Irvington Pediatrics, P.A.</u> ” 998 A.2d 535, 541, N.J.Super.A.D. LITIGATION - Discovery. Denial of tenant's motion for extension of discovery was justified in landlord-tenant dispute.	July 15, 2010	Case		2 3 A.2d
Cited by	313. <u>Prezant v. Jegou</u> 2010 WL 2556882, *7, N.J.Super.A.D. TORTS - Fraud. Homeowners failed to present evidence to permit jury to quantify or measure loss of benefit of bargain resulting from contractor's misrepresentations, requiring...	June 23, 2010	Case		3 A.2d
Cited by	314. <u>Orr v. Orr</u> ” 2010 WL 2471416, *4, N.J.Super.A.D. REAL PROPERTY - Attorney Fees. Ex-wife's motion for reconsideration of denial of her request seeking reimbursement of legal fees should have been considered on the merits.	June 17, 2010	Case		2 A.2d
Cited by	315. <u>Housing Authority of Tp. of Franklin v. Adams</u> 2010 WL 2011030, *2, N.J.Super.A.D. The Franklin Township Housing Authority (FTHA) brought a summary dispossess action against its tenant, defendant George W. Adams. Attached to the verified complaint that it served...	May 17, 2010	Case		1 17 A.2d
Cited by	316. <u>O.R. ex rel. O.R. v. Rudnick</u> 2010 WL 1753320, *1+, N.J.Super.A.D. This is the seventh appeal to reach this court in a long-running saga relating to events that occurred in 2004 at the Community Middle School in Plainsboro. This current appeal...	May 04, 2010	Case		3 A.2d
Cited by	317. <u>First Horizon Home Loan Corp. v. Brown</u> 2010 WL 1426714, *3, N.J.Super.A.D. Defendants Brenda Brown and William Brown appeal from the April 24, 2009 order that denied their motion for reconsideration of the February 9, 2009 order denying their motion...	Apr. 12, 2010	Case		3 A.2d
Cited by	318. <u>Cully v. Cully</u> 2010 WL 816621, *4, N.J.Super.A.D. Defendant Kathleen G. Cully appeals from an order for DeAnne DeFuccio, Esq., to draft a Qualified Domestic Relations Order (QDRO) providing plaintiff Patrick C. Cully with a...	Mar. 10, 2010	Case		4 A.2d
Cited by	319. <u>Barzda v. Clemente</u> 2010 WL 770424, *2, N.J.Super.A.D. REAL PROPERTY - Deeds. Co-tenant was judicially estopped from seeking a judicial declaration that he continued to have an interest in real property he had at one time jointly owned...	Mar. 03, 2010	Case		4 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	320. <u>Caba v. Ferencz</u> 2010 WL 624127, *2 , N.J.Super.A.D. LITIGATION - Process. Driver failed to show good cause for failure to prosecute after car accident.	Feb. 24, 2010	Case		—
Cited by	321. <u>Doll v. Doll</u> 2010 WL 457628, *2 , N.J.Super.A.D. Plaintiff, Deborah Doll, appeals from the December 4, 2008 order of the Family Part, which denied her motion to stay an order of October 23, 2008, enforcing her obligation to pay a...	Feb. 10, 2010	Case		1 2 A.2d
Cited by	322. <u>Noren v. Heartland Payment Systems, Inc.</u> 2010 WL 183891, *3 , N.J.Super.A.D. Plaintiff Greg Noren appeals from the November 7, 2008 order dismissing his complaint with prejudice pursuant to Rule 4:23-2 for failure to comply with discovery orders, and the...	Jan. 21, 2010	Case		3 A.2d
Cited by	323. <u>Diernisse v. Borough of Westwood</u> 2009 WL 4981200, *3 , N.J.Super.A.D. GOVERNMENT - Experts. The trial judge did not abuse his discretion by refusing to allow a property owner, with no background in engineering, to testify as an expert witness.	Dec. 24, 2009	Case		3 A.2d
Cited by	324. <u>Ramirez v. Ramirez</u> 2009 WL 4251088, *5+ , N.J.Super.A.D. The parties were divorced by a Dual Final Judgment of Divorce entered on January 29, 2007, which incorporated the settlement agreement set forth in their Dual Final Judgment of...	Nov. 24, 2009	Case		2 3 A.2d
Cited by	325. <u>Joseph v. Dennis</u> 2009 WL 3849663, *10 , N.J.Super.A.D. REAL PROPERTY - Mortgages and Deeds of Trust. Lender's \$1,500 contribution to borrower at the real estate closing did not entitle lender to an equitable interest in the property.	Nov. 16, 2009	Case		1 2 A.2d
Cited by	326. <u>Williams v. Nunn</u> 2009 WL 3078661, *3 , N.J.Super.A.D. Plaintiff Robert Williams appeals from the August 1, 2008 order that denied his motion for reconsideration of a prior order denying his motion to reinstate his complaint against...	Sep. 28, 2009	Case		2 A.2d
Cited by	327. <u>Portis v. Strain</u> 2009 WL 2461053, *4+ , N.J.Super.A.D. Plaintiff Mary Portis appeals from the May 11, 2007 order of the trial court granting summary judgment to Aaron H. Chevinsky, M.D., dismissing her complaint against him with...	Aug. 13, 2009	Case		3 A.2d
Cited by	328. <u>Kern v. Huettl</u> 2009 WL 2461074, *4 , N.J.Super.A.D. Appellants Thomas L. Kern and Debra L. Kern, individually and as guardians ad litem for Robert A. Fox (collectively "the Kerns"), appeal from: (a) the March 2, 2007 order,...	Aug. 13, 2009	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	329. <u>Sinwan Ho v. Kluger</u> 2009 WL 2431591, *1+ , N.J.Super.A.D. Plaintiffs appeal from orders of April 5, 2007, denying reconsideration of orders granting summary judgment to defendants and dismissing the complaint with prejudice on February...	Aug. 11, 2009	Case		3 16 A.2d
Cited by	330. <u>Piren v. City of Trenton</u> ” 2009 WL 2168319, *2 , N.J.Super.A.D. Plaintiff Karen Piren appeals from an order dated September 7, 2007, denying her motion for reconsideration of an order dated June 22, 2007, which granted summary judgment in favor...	July 22, 2009	Case		1 2 A.2d
Cited by	331. <u>Spiewak v. Borough Of Stone Harbor</u> 2009 WL 1790855, *3 , N.J.Super.A.D. Plaintiff Elaine Spiewak appeals from a summary judgment in favor of defendant Borough of Stone Harbor dismissing her complaint seeking damages under the Tort Claims Act (TCA),...	June 25, 2009	Case		3 A.2d
Cited by	332. <u>Kaspersetz v. Clarks Landing Marina, Inc.</u> ” 2009 WL 1687321, *3+ , N.J.Super.A.D. Plaintiff Hans J. Kaspersetz filed a seven-count complaint against defendants, including Clarks Landing Marina, Inc., alleging, among other things, breach of contract, breach of...	June 18, 2009	Case		1 2 A.2d
Cited by	333. <u>Bove v. Bove</u> 2009 WL 1011233, *6 , N.J.Super.A.D. This case arises from a dispute between former spouses, defendant, Diane M. Bove, and plaintiff, Philip A. Bove. Defendant appeals an order requiring her to pay counsel fees for a...	Apr. 15, 2009	Case		2 A.2d
Cited by	334. <u>Allman v. Allman</u> 2009 WL 874499, *2 , N.J.Super.A.D. Defendant, Jeffrey Allman, appeals from the July 3, 2008 denial of his motion for reconsideration of a March 28, 2008 order that awarded counsel fees of \$5,000 to plaintiff, Lara...	Apr. 03, 2009	Case		1 17 A.2d
Cited by	335. <u>In re Estate of Mandeng</u> 2009 WL 425611, *3+ , N.J.Super.A.D. Petitioner Tebeyene Mamo (Mamo) appeals from a summary judgment of the Chancery Division, Probate Part, dismissing her verified complaint. By way of summary judgment, the court...	Feb. 24, 2009	Case		17 A.2d
Cited by	336. <u>LiPira v. Maron</u> 2009 WL 62926, *2 , N.J.Super.A.D. Plaintiff Pamela LiPira appeals from the December 13, 2007, denial of her motion for reconsideration of an order entered on November 2, 2007. The earlier order granted summary...	Jan. 12, 2009	Case		1 2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	337. <u>Ruffin v. Kinder Morgan Liquids Terminal, LLC</u> 2009 WL 17887, *5+ , N.J.Super.A.D. In this matter, we review whether judicial estoppel precludes plaintiff's Law Division personal injury action, because he failed to disclose the claim in a previously filed...	Jan. 02, 2009	Case		9 11 A.2d
Cited by	338. <u>Chabad of Randolph, Inc. v. Township of Randolph</u> 2008 WL 5411971, *3 , N.J.Super.A.D. Defendant Township of Randolph appeals from a judgment entered by the Tax Court on November 16, 2007, granting plaintiff Chabad of Randolph, Inc. (Chabad) a tax exemption for a...	Dec. 31, 2008	Case		—
Cited by	339. <u>Maximum Quality Foods, Inc. v. Imbriano</u> 2008 WL 5083621, *3 , N.J.Super.A.D. This is an appeal from an April 27, 2007 order suppressing defendant Salvatore Imbriano's answer for failure to comply with discovery, a June 22, 2007 order denying him summary...	Dec. 04, 2008	Case		2 3 A.2d
Cited by	340. <u>Mack v. Hoffman</u> 2008 WL 4949849, *8+ , N.J.Super.A.D. Defendant Jennifer K. Hoffman appeals from a September 25, 2007 order of the Family Part denying, among other claims for relief, her request to remove a parent coordinator, and...	Nov. 21, 2008	Case		2 3 A.2d
Cited by	341. <u>Herega v. Figueroa</u> 2008 WL 4820785, *7 , N.J.Super.A.D. Defendant Neyda L. Figueroa appeals from a final order entered on August 17, 2007, denying her motion for reconsideration of certain paragraphs contained in an order entered on May...	Nov. 07, 2008	Case		—
Cited by	342. <u>In re Estate of Salzer</u> 2008 WL 4630563, *2+ , N.J.Super.A.D. Beverly Flowers, the former guardian of decedent Ronald M. Salzer and the former administratrix ad prosequendum of his estate, appeals from a Probate Part order entered April 30,...	Oct. 08, 2008	Case		3 A.2d
Cited by	343. <u>Alayna Homeowners Ass'n, Inc. v. Sukiennik</u> 2008 WL 4345653, *1 , N.J.Super.A.D. Defendants Ruth and Richard Sukiennik are owners of a condominium unit who appeal from the October 19, 2007 denial of their motion for reconsideration. In particular, they argue...	Sep. 25, 2008	Case		3 A.2d
Cited by	344. <u>Laubach v. Quinn</u> 2008 WL 4057746, *2 , N.J.Super.A.D. This appeal requires us to address the parameters of discovery concerning the notes of a party's psychotherapist when the psychotherapist is a licensed physician (psychiatrist)...	Aug. 28, 2008	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	345. <u>Gallagher v. Cocozza</u> 2008 WL 2840691, *5 , N.J.Super.A.D. Plaintiff Paula J. Gallagher appeals from the following orders of the Family Part: 1) order of July 10, 2007, which, among other matters, granted plaintiff parenting time in...	July 25, 2008	Case		3 A.2d
Cited by	346. <u>Howe v. New Jersey Transit Corp.</u> 2008 WL 2796462, *3 , N.J.Super.A.D. Plaintiff James Howe appeals from the May 11, 2007 order, which granted summary judgment to defendant New Jersey Transit Corporation (NJT) due to plaintiff's failure to file a...	July 22, 2008	Case		—
Cited by	347. <u>Peck v. City Of Hoboken</u> 2008 WL 2788172, *5+ , N.J.Super.A.D. The City of Hoboken and the Hoboken Police Department (collectively referred to as the City, except where otherwise indicated explicitly or by context) appeal from an April 13,...	July 21, 2008	Case		1 3 A.2d
Cited by	348. <u>Holiday Medical Center, Inc. v. Weisman</u> 2008 WL 2677504, *6 , N.J.Super.A.D. Plaintiff Arlene Markind, a minority shareholder in Holiday Medical Center, Inc. (HMC), a New Jersey for-profit corporation, which until March 2005, owned and operated a nursing...	July 10, 2008	Case		17 A.2d
Cited by	349. <u>Carf Realty 1997, L.L.C. v. Strauss</u> 2008 WL 2435913, *3 , N.J.Super.A.D. In this tax sale certificate foreclosure case, defendant Steven Strauss appeals from the orders denying his motion to vacate the default judgment against him and of his two motions...	June 18, 2008	Case		1 2 A.2d
Cited by	350. <u>Ashby v. City of East Orange</u> 2008 WL 1968832, *10+ , N.J.Super.A.D. Background: Bar operators brought action against city and police department to recover following police raids on bar. The Superior Court, Law Division, Essex County, entered...	May 08, 2008	Case		—
Cited by	351. <u>Swicinski v. Maul</u> 2008 WL 1744505, *3 , N.J.Super.A.D. Defendant Elizabeth Welham, now known as Elizabeth Maul, appeals from a July 16, 2007 order that extended plaintiff Scott Swicinski's parenting time with the parties' son for one...	Apr. 17, 2008	Case		3 A.2d
Cited by	352. <u>In re Estate of McGuire</u> 2008 WL 794542, *2 , N.J.Super.A.D. Robert W. McGuire, the son of decedent George C. McGuire, appeals from a January 25, 2007 order denying his motion for reconsideration of the denial of his December 14, 2006 motion...	Mar. 27, 2008	Case		—
Cited by	353. <u>Perno, Inc. v. Mathew</u> 2008 WL 782700, *2+ , N.J.Super.A.D. Defendant Thomas Mathew appeals from orders of the Special Civil Part denying his motion to vacate a default judgment and his motion for reconsideration. The default judgment was...	Mar. 26, 2008	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	354. Capital Finance Co. of Delaware Valley, Inc. v. Asterbadi 942 A.2d 21, 27, N.J.Super.A.D. REAL PROPERTY - Joint Tenancies and Tenancies in Common. Creditor was obligated to account for payments on mortgage for property it held as tenants by entirety with debtor's wife.	Feb. 19, 2008	Case		3 A.2d
Cited by	355. Gofman v. Dell'Aquila 2008 WL 281586, *7, N.J.Super.A.D. Defendants Joseph and Maureen Dell'Aquila appeal from a January 3, 2007 order denying reconsideration of two earlier orders, dated June 8, 2006, that (1) granted summary judgment...	Feb. 04, 2008	Case		2 A.2d
Cited by	356. J.L.W. v. V.W. 2008 WL 245878, *5, N.J.Super.A.D. Appellant J.L.W. appeals from: 1) the June 7, 2006, order of the Family Part, which dismissed the complaint he had filed against respondent, V.W., his wife, pursuant to the...	Jan. 31, 2008	Case		3 A.2d
Cited by	357. W.H. Industries, Inc. v. Fundicao Balancins, Ltda 937 A.2d 1022, 1025, N.J.Super.A.D. COMMERCIAL LAW - Judgment. Dismissal of breach of contract action against Brazilian corporation was justified on grounds of comity.	Jan. 10, 2008	Case		—
Cited by	358. Lasluisa v. Lasluisa 2007 WL 4410258, *2, N.J.Super.A.D. Defendant, Raul O. Lasluisa, appeals from the June 28, 2006 Chancery Division, Family Part, order denying his motion to reconsider the court's March 31, 2006 order transferring the...	Dec. 19, 2007	Case		2 A.2d
Cited by	359. D.W. v. R.B. 2007 WL 3404158, *3, N.J.Super.A.D. Defendant R.B. appeals from two Family Part orders. The first, entered on February 10, 2006, denied his application to vacate accumulated child support arrearages, complete...	Nov. 16, 2007	Case		—
Cited by	360. WHP 9, Inc. v. Centennial Ins. Co. 2007 WL 3071128, *3+, N.J.Super.A.D. Plaintiffs, WHP 9, Inc., and the El-Ad Group ("WHP"), sued defendant Centennial Insurance Company in the Law Division. WHP claimed that it was entitled to coverage for losses...	Oct. 23, 2007	Case		1 2 A.2d
Cited by	361. Celler v. Celler 2007 WL 2891083, *3, N.J.Super.A.D. Defendant Shari Celler appeals from a May 2, 2006, order denying her post-judgment motion to compel her former husband, plaintiff Philip Celler, to pay their son's tuition costs,...	Oct. 05, 2007	Case		1 2 A.2d
Cited by	362. Preserver Group v. Bragin 2007 WL 2593089, *6+, N.J.Super.A.D. Plaintiff Preserver Group (Preserver) appeals from that portion of the May 19, 2006 order entered by the Law Division granting summary judgment to defendants Al Bragin and RAM...	Sep. 11, 2007	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	363. <u>Lai v. Dick</u> 2007 WL 2471293, *2, N.J.Super.A.D. Plaintiff Katherine Lai appeals pro se from the December 14, 2006 order denying her motion for reconsideration of the court's order granting summary judgment dismissing her...	Sep. 04, 2007	Case		2 A.2d
Cited by	364. <u>Wagenhoffer v. State</u> 2007 WL 2323440, *5, N.J.Super.A.D. Plaintiff, Mark Wagenhoffer, appeals from an order denying his motion to file a late notice of claim pursuant to N.J.S.A. 59:8-9 and an order entered denying his motion for...	Aug. 16, 2007	Case		2 A.2d
Cited by	365. <u>Schneider v. Township of Dover</u> 2007 WL 2275182, *3, N.J.Super.A.D. Plaintiffs Morton and Barbara Schneider, husband and wife, appeal from the March 17, 2006 order granting defendant Township of Dover (Township) reconsideration and vacating the...	Aug. 10, 2007	Case		1 2 A.2d
Cited by	366. <u>Chase Manhattan Mortg. Corp. v. Harris</u> 2007 WL 2262896, *1, N.J.Super.A.D. Defendant Tonia Harris appeals from the Chancery Division order denying her motions to vacate a sheriff's sale and for reconsideration. We affirm. Final Judgment of foreclosure in...	Aug. 09, 2007	Case		3 A.2d
Cited by	367. <u>Kilpatrick v. Kilpatrick</u> 2007 WL 2254493, *2, N.J.Super.A.D. Defendant, James Kilpatrick, appeals from a July 17, 2006, order denying reconsideration of a May 12, 2006, order denying his motion to have his son, Brian Kilpatrick, emancipated...	Aug. 08, 2007	Case		1 2 A.2d
Cited by	368. <u>New Jersey Turnpike Authority v. Forsgate Indus. Complex</u> 2007 WL 2238817, *10, N.J.Super.A.D. Appellant, New Jersey Turnpike Authority ("NJTA"), appeals from a final judgment awarding respondent, Forsgate Industrial Complex ("Forsgate"), \$3,954,000 as just compensation...	Aug. 06, 2007	Case		8 A.2d
Cited by	369. <u>Convent Mews Ass'n, Inc. v. Benson</u> 2007 WL 2089288, *3, N.J.Super.A.D. Defendant James Benson appeals from the Chancery Division's November 13, 2006 order, which denied his motion to reconsider and vacate an order of September 18, 2006 as well as...	July 24, 2007	Case		3 A.2d
Cited by	370. <u>Commercial Ins. Co. of Newark v. Steiger</u> 928 A.2d 126, 129, N.J.Super.A.D. LITIGATION - Privileges. Expert who provided opinion in support of claim for uninsured motorist benefits was immune from liability to UM carrier.	July 20, 2007	Case		12 A.2d
Cited by	371. <u>Schetlick v. Schetlick</u> 2007 WL 1855374, *3, N.J.Super.A.D. After a trial in which both parties chose to be self-represented, the Family Part entered a final restraining order (FRO) on February 23, 2006 in favor of plaintiff Debra Schetlick...	June 29, 2007	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	372. <u>Smith v. Smith</u> 2007 WL 1790748, *5 , N.J.Super.A.D. Defendant, Gregory G. Smith ("father"), appeals a May 8, 2006 order of the Family Part concerning child support and college expenses, and the Family Part's subsequent July 24,...	June 22, 2007	Case		3 A.2d
Cited by	373. <u>Branas v. Neiman Marcus Group, Inc.</u> 2007 WL 1468641, *5 , N.J.Super.A.D. Plaintiff, Celia Andrea Branäs, appeals the Law Division's dismissal with prejudice of her wrongful discharge complaint against defendants Neiman Marcus Group, Inc. ("Neiman...	May 22, 2007	Case		3 A.2d
Cited by	374. <u>Maddox v. Maddox</u> 2007 WL 1308683, *4 , N.J.Super.A.D. Plaintiff appeals from the January 25, 2006 order of Judge Vincent Segal ordering him to pay \$5,989.21 at the rate of \$100 per week, representing his one-half share of his...	May 07, 2007	Case		3 A.2d
Cited by	375. <u>Pinho v. Fonseca</u> 2007 WL 1201743, *8 , N.J.Super.A.D. This appeal concerns a personal injury case that was tried twice on damages, after summary judgment on liability had been entered in favor of plaintiff Maria Pinho. In the first...	Apr. 25, 2007	Case		3 A.2d
Cited by	376. <u>Ginsberg v. Bistricher</u> 2007 WL 987162, *12+ , N.J.Super.A.D. This appeal and the appeal under Docket No. A-5751-03T5 arise out of a single Chancery Division action. The two appeals were argued back-to-back before this court on October 24,...	Apr. 04, 2007	Case		3 A.2d
Cited by	377. <u>Steinberg v. Grasso</u> 2007 WL 701689, *6 , N.J.Super.A.D. Plaintiff Fredrick Steinberg, D.O. (Steinberg), appeals from a summary judgment dismissing his complaint against defendant Donald Grasso, Esquire (Grasso), which alleged legal...	Mar. 09, 2007	Case		1 2 A.2d
Cited by	378. <u>Ellman v. Hinkes</u> 2007 WL 632968, *5 , N.J.Super.A.D. Plaintiffs initiated this action on February 18, 2004 against the Town of Newton, members of its governing body, its town manager, and its attorneys. The nine-count complaint...	Mar. 05, 2007	Case		3 A.2d
Cited by	379. <u>NL Industries, Inc. v. New Jersey Dept. of Environmental Protection</u> 2007 WL 622216, *5 , N.J.Super.A.D. In this consolidated appeal, we are called upon to consider the interplay between a municipality's efforts to redevelop land contaminated through years of industrial use and the...	Mar. 02, 2007	Case		12 A.2d
Cited by	380. <u>Webb v. Webb</u> 2007 WL 517345, *5+ , N.J.Super.A.D. Sarah Gorham Webb (Sally) and James E. Webb, Jr. (Jim) are the adult children of Patsy Douglas Webb (Patsy), age ninety-six. Sally and Jim are co-fiduciaries under a general...	Feb. 21, 2007	Case		3 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	381. <u>Amboy Nat. Bank v. Ahmed</u> 2007 WL 397055, *4, N.J.Super.A.D. Plaintiff, Amboy National Bank, appeals the Law Division's April 12, 2006 order granting summary judgment in favor of defendants, Zahoor Ahmed and Iffat Ahmed, dismissing...	Feb. 07, 2007	Case		4 A.2d
Cited by	382. <u>Shuali v. Dunkel</u> 2007 WL 188012, *5, N.J.Super.A.D. Plaintiff, Ronit Shuali, appeals the Law Division's September 23, 2005 order granting summary judgment in favor of defendant, David Dunkel, dismissing with prejudice the second and...	Jan. 26, 2007	Case		—
Cited by	383. <u>Kneller v. Ganesan</u> 2006 WL 3732954, *7+, N.J.Super.A.D. This is an appeal from the grant of summary judgment in favor of defendant New Jersey Manufacturers Insurance Company (NJM) and from the denial of plaintiff Alex Kneller's motion...	Dec. 20, 2006	Case		2 A.2d
Cited by	384. <u>Craner, Satkin & Scheer, PC v. Gilgallon</u> 2006 WL 3408109, *2, N.J.Super.A.D. Defendant Eileen Gilgallon appeals from the denial of a motion to vacate a judgment entered against her by default on August 30, 2002. We affirm. Defendant is the president and...	Nov. 28, 2006	Case		3 A.2d
Cited by	385. <u>Spanos v. Antonakakis</u> 2006 WL 3371584, *4+, N.J.Super.A.D. Plaintiff Dennis Spanos appeals from a summary judgment dismissing his legal malpractice claims against defendant Linda Antonakakis on the ground that the claims were barred by the...	Nov. 22, 2006	Case		10 A.2d
Cited by	386. <u>Wildes v. Liebowitz</u> 2006 WL 3093157, *2+, N.J.Super.A.D. Plaintiff appeals from the denial of her motion seeking reconsideration of the summary judgment granted to defendants in a legal malpractice action. Plaintiff claims that her...	Nov. 02, 2006	Case		2 A.2d
Cited by	387. <u>Pasumarty v. Pasumarty</u> 2006 WL 2992905, *4, N.J.Super.A.D. Plaintiff Kishore Pasumarty appeals from the October 21, 2005 order of the Chancery Division, Family Part, dismissing his complaint for divorce from defendant Deepa Pasumarty on...	Oct. 23, 2006	Case		3 A.2d
Cited by	388. <u>Fornaro v. Payret</u> 2006 WL 2872496, *2, N.J.Super.A.D. Plaintiff Maria P. Fornaro appeals the trial court orders denying her motion to amend her tort complaint and granting the summary judgment motion of defendants, Mario Payret, Marc...	Oct. 11, 2006	Case		3 A.2d
Cited by	389. <u>Covenant Management Group, LLC v. Sellers</u> 2006 WL 2787401, *1, N.J.Super.A.D. Defendant, Courtenay Sellers, appeals from the October 21, 2005 order denying reconsideration of her second motion to vacate the June 10, 2005 summary judgment against her, in the...	Sep. 29, 2006	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	390. <u>Bloyd v. Bloyd</u> 2006 WL 2472914, *3 , N.J.Super.A.D. Defendant, Lee Bloyd, appeals that portion of the Family Part's June 20, 2005 order denying reconsideration of the Family Part's April 22, 2005 order, which denied a post dual...	Aug. 29, 2006	Case		1 A.2d
Cited by	391. <u>Eng v. Nguyen</u> ” 2006 WL 1651040, *18+ , N.J.Super.A.D. In this divorce action, defendant Linda Nguyen appeals from a post-judgment order denying reconsideration of the Family Part judge's original determinations regarding equitable...	June 16, 2006	Case		1 2 A.2d
Cited by	392. <u>Moore v. Passaic County Technical Institute</u> 2006 WL 1585706, *7 , N.J.Super.A.D. Plaintiff, Abraham Moore, an African American, appeals from summary judgment dismissal of his suit against his former employer, several of its management employees and his union....	June 12, 2006	Case		—
Cited by	393. <u>Morrison v. Morrison</u> 2006 WL 1236662, *2 , N.J.Super.A.D. Defendant appeals the entry of the order dated March 4, 2005, denying his post-judgment motion seeking reconsideration of the court's order dated November 22, 2004, which ordered...	May 10, 2006	Case		2 A.2d
Cited by	394. <u>Archie Schwartz Co. v. Eden Wood Realty</u> 2005 WL 3987718, *5 , N.J.Super.A.D. Plaintiff Archie Schwartz Company and third-party defendant Elmer Schwartz appeal from the July 23, 2004 order of the Law Division granting summary judgment in favor of defendants...	May 04, 2006	Case		2 A.2d
Cited by	395. <u>Tartaglione v. Amtrak</u> 2006 WL 1194530, *2 , N.J.Super.A.D. Plaintiffs Kathleen Tartaglione and Anthony Tartaglione appeal from the February 4, 2005 order of the Law Division granting summary judgment in favor of defendant American Building...	May 03, 2006	Case		3 A.2d
Cited by	396. <u>Tyminski v. Environmental Contractors, Inc.</u> 2006 WL 1041840, *1 , N.J.Super.A.D. Plaintiff Stanley Tyminski appeals from the July 11, 2003 order of the Law Division granting summary judgment in favor of defendant Environmental Contractors, Inc. We affirm. The...	Apr. 21, 2006	Case		3 A.2d
Cited by	397. <u>Konner v. Hudson United Bank</u> 2005 WL 3954742, *5 , N.J.Super.A.D. Background: Account holder brought action against bank that froze certain accounts pursuant to restraining order, alleging wrongful dishonor, negligence, breach of contract, and...	Apr. 12, 2006	Case		14 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	398. <u>Siegel v. Siegel</u> 2006 WL 931971, *3 , N.J.Super.A.D. Defendant Robert Siegel appeals the trial court's July 7, 2004, order denying his motion for reconsideration of certain provisions of the dual judgment of divorce (JOD) entered on...	Apr. 12, 2006	Case		1 2 A.2d
Cited by	399. <u>Stoeckel v. Township of Knowlton</u> 902 A.2d 930, 938+ , N.J.Super.A.D. CIVIL RIGHTS - Appeals. Federal court dismissal of civil rights claim had preclusive effect, and was not subject to review by state court.	Mar. 23, 2006	Case		2 3 A.2d
Cited by	400. <u>Left Field Properties, L.L.C. v. James F. Keeney, L.L.C.</u> 2006 WL 630864, *8 , N.J.Super.A.D. Background: Tax sale foreclosure action was brought with respect to property that mortgage broker, with whom alleged owner-occupants consulted, purchased at sheriff's sale. In...	Mar. 15, 2006	Case		2 A.2d
Cited by	401. <u>Nuremberg v. Dave Johnstone Const.</u> 2006 WL 572347, *3 , N.J.Super.A.D. Defendant, Dave Johnstone Construction, appeals from the February 10, 2005 judgment of the Special Civil Part, Small Claims Division, awarding damages in favor of plaintiff Phyllis...	Mar. 10, 2006	Case		17 A.2d
Cited by	402. <u>Sydlar v. Sydlar</u> 2006 WL 552500, *3 , N.J.Super.A.D. Defendant George Sydlar appeals from three separate orders of the Chancery Division, Family Part in this post-judgment matrimonial matter. The June 11, 2004 order denied...	Mar. 08, 2006	Case		—
Cited by	403. <u>Ferdinand v. Ferdinand</u> 2006 WL 3025504, *4 , N.J.Super.A.D. In an unpublished opinion dated December 4, 2003, we addressed a variety of issues raised by plaintiff Kelly Ferdinand in connection with the parties' September 5, 2002 final...	Feb. 21, 2006	Case		16 A.2d
Cited by	404. <u>Finamore v. Aronson</u> 889 A.2d 1114, 1119 , N.J.Super.A.D. FAMILY LAW - Visitation. Denial of ex-husband's motion to attend child's activities when ex-wife was present, based on ex-wife's restraining order, was error.	Feb. 02, 2006	Case		16 A.2d
Cited by	405. <u>Bania v. Bania</u> 2006 WL 158638, *3+ , N.J.Super.A.D. Defendant Gloria Bania appeals from the April 2, 2004 order of the Chancery Division, Family Part, denying her motion for reconsideration. We affirm. Defendant Gloria Bania and...	Jan. 20, 2006	Case		—
Cited by	406. <u>Brimmer v. Melendez</u> 2005 WL 3676808, *2 , N.J.Super.A.D. Background: Motorist brought personal injury action against defendant driver. The Superior Court, Law Division, Mercer County, granted driver's motion for summary judgment, then...	Jan. 19, 2006	Case		16 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	407. Prudential Property and Cas. Ins. Co. v. New Jersey Mfrs. Ins. Co. 2005 WL 3501767, *5, N.J.Super.A.D. Prudential Property and Casualty Insurance Company of New Jersey (Prudential) appeals from two orders entered in the Law Division on July 23, 2004, granting summary judgment to...	Dec. 23, 2005	Case		—
Cited by	408. Conte v. Koslowski 2005 WL 3338315, *3, N.J.Super.A.D. On the day of trial, plaintiff Janine Conte requested an adjournment to obtain sufficient medical evidence to demonstrate compliance with the limitation on lawsuit threshold,...	Dec. 09, 2005	Case		3 A.2d
Cited by	409. Nuckel v. Borough of Little Ferry Planning Bd. 2005 WL 3196583, *4, N.J.Super.A.D. Plaintiff Donald Nuckel appeals from an order of summary judgment dismissing his complaint in lieu of prerogative writs based on his failure to join an indispensable party. We...	Nov. 30, 2005	Case		3 A.2d
Cited by	410. Harvey v. Lupinacci 2005 WL 2588271, *3, N.J.Super.A.D. Defendant Alan L. Lupinacci (a.k.a. A. Louis Lupinacci) appeals from a final order of the Chancery Division entered after a summary proceeding on the Attorney General's complaint...	Oct. 14, 2005	Case		3 A.2d
Cited by	411. Town of Phillipsburg v. Block 1508, Lot 12 881 A.2d 749, 759, N.J.Super.A.D. TAXATION - Collection. Holder of tax sale certificates failed to demonstrate a basis to vacate a foreclosure judgment.	Sep. 08, 2005	Case		2 A.2d
Cited by	412. Cole v. Laughrey Funeral Home 869 A.2d 457, 459, N.J.Super.A.D. COMMERCIAL LAW - Consumer Protection. Consumer Fraud Act (CFA) did not apply to misrepresentations alleged against provider of funeral services.	Mar. 22, 2005	Case		3 A.2d
Cited by	413. Newell v. Hudson 868 A.2d 1149, 1160, N.J.Super.A.D. LEGAL SERVICES - Malpractice. Former client was judicially estopped from asserting malpractice action based on property settlement in divorce.	Mar. 16, 2005	Case		14 A.2d
Cited by	414. Raspantini v. Arocho 837 A.2d 417, 419, N.J.Super.A.D. LITIGATION - Motion Practice. Court should have entertained oral argument at plaintiff's request on defendant's summary judgment motion.	Dec. 10, 2003	Case		—
Cited by	415. Puder v. Buechel 828 A.2d 957, 965, N.J.Super.A.D. LEGAL SERVICES - Malpractice. Entering into new divorce settlement agreement did not preclude legal malpractice action.	Aug. 05, 2003	Case		12 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 416. <u>Fusco v. Board of Educ. of City of Newark</u> ” 793 A.2d 856, 860+ , N.J.Super.A.D. EDUCATION - Labor and Employment. Principal's eligibility for unemployment compensation did not establish constructive discharge.	Apr. 01, 2002	Case		2 3 A.2d
Cited by	 417. <u>Ricci v. Corporate Express of The East, Inc.</u> ” 779 A.2d 1114, 1119 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Wrongful Discharge. Employee's critical letters to management were not good cause for dismissal.	Sep. 28, 2001	Case		2 A.2d
Cited by	 418. <u>Country-Wide Ins. Co. v. Allstate Ins. Co.</u> 765 A.2d 266, 270+ , N.J.Super.A.D. INSURANCE - Automobile. Pedestrian's insurer was entitled to seek contribution of no-fault benefits from driver's foreign insurer.	Jan. 23, 2001	Case		9 11 A.2d
Cited by	 419. <u>Ramer v. New Jersey Transit Bus Operations, Inc.</u> 762 A.2d 297, 300 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Discrimination. Doctrine of judicial estoppel did not apply to bar employee's Law Against Discrimination complaint.	Dec. 05, 2000	Case		12 A.2d
Cited by	 420. <u>Gilbert v. Electro-Steam Generator Corp.</u> 745 A.2d 568, 569 , N.J.Super.A.D. PRODUCTS LIABILITY - Sanctions. Steam valve manufacturer was not entitled to costs and attorney fees under frivolous litigation statute.	Feb. 10, 2000	Case		3 A.2d
Cited by	 421. <u>Morey v. Wildwood Crest Borough</u> 18 N.J.Tax 335, 341 , N.J.Super.A.D. TAXATION - Real Property. Taxpayers waived their right to challenge assessment.	Oct. 08, 1999	Case		3 A.2d
Cited by	422. <u>Glass v. Suburban Restoration Co., Inc.</u> 722 A.2d 944, 947+ , N.J.Super.A.D. LEGAL SERVICES - Malpractice. Trial court acted within its discretion in dismissing vague legal malpractice counterclaim.	Dec. 30, 1998	Case		3 A.2d
Cited by	 423. <u>Pukowsky v. Caruso</u> 711 A.2d 398, 405 , N.J.Super.A.D. LABOR AND EMPLOYMENT - Discrimination. Independent contractors are not "employees" within meaning of Law Against Discrimination.	June 10, 1998	Case		—
Cited by	424. <u>Fineberg v. Fineberg</u> 706 A.2d 1144, 1149 , N.J.Super.A.D. FAMILY LAW - Judgment. Judicial estoppel precluded former husband from seeking to vacate judgment of divorce and other financial awards based on his mental state.	Mar. 06, 1998	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	425. <u>Naporano Associates, L.P. v. B & P Builders</u> 706 A.2d 1123, 1127 , N.J.Super.A.D. REAL PROPERTY - Vendor and Purchaser. Judicial estoppel did not preclude buyer from seeking enforcement of liquidated damages clause.	Mar. 05, 1998	Case		7 10 14 A.2d
Cited by	426. <u>Mid-State Securities Corp. v. Edwards</u> 706 A.2d 773, 776 , N.J.Super.A.D. SECURITIES REGULATION - Arbitration. Whether investor's arbitration claim against brokerage firm was time barred under NASD rules was question for arbitrator, rather than court.	Mar. 03, 1998	Case		10 A.2d
Cited by	427. <u>Marinelli v. Mitts & Merrill</u> 696 A.2d 55, 63+ , N.J.Super.A.D. LABOR AND EMPLOYMENT - Workers' Compensation. Employees' personal injury claim against employer did not fall within intentional injury exception to workers' compensation immunity.	July 03, 1997	Case		—
Cited by	428. <u>Matter of Adoption of a Child by E.T.</u> 695 A.2d 734, 737 , N.J.Super.A.D. FAMILY LAW - Adoption. Adoptive parents were judicially estopped from denying liability for law guardian's fees.	June 26, 1997	Case		—
Cited by	429. <u>Teva Pharmaceuticals USA, Inc. v. Stop Huntingdon Animal Cruelty USA</u> 2006 WL 289110, *1 , N.J.Super. Background: Pharmaceutical company, one of its affiliates, and president of affiliate brought action against animal rights organization asserting various torts, including trespass...	Feb. 03, 2006	Case		3 A.2d
Cited by	430. <u>Wilmington Savings Fund Society, FSB for Stanwich Mortgage Loan Trust A v. Zimmerman</u> 163 A.3d 362, 363 , N.J.Super.Ch. REAL PROPERTY - Mortgages and Deeds of Trust. Appointment of a custodial receiver was not warranted in mortgagee's assignee's foreclosure action on a single-family residential...	Mar. 06, 2017	Case		2 A.2d
Cited by	431. <u>Roth v. Gandhi</u> 2006 WL 3020944, *3+ , N.J.Super.Ch. Before the court is defendant, Mona Gandhi's ("Mona", or "defendant") motion to reconsider and vacate a prior judgment and orders entered by this court . The matter is opposed....	Oct. 23, 2006	Case		2 A.2d
Cited by	432. <u>Grow Co., Inc. v. Chokshi</u> 2006 WL 551367, *2+ , N.J.Super.Ch. This matter is before the court by way of Grow Company, Inc.'s ["Grow" or "plaintiff"] Notice of Motion for Leave to Amend and for Reconsideration of the October 19, 2005 Order: On...	Mar. 03, 2006	Case		2 A.2d
Cited by	433. <u>In re Estate of Fenton</u> 2005 WL 3005773, *1+ , N.J.Super.Ch. Before the court is Defendants' motion for reconsideration and modification of this court's order of October 3, 2005. Based on the papers submitted by counsel for both parties and...	Nov. 04, 2005	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	434. <u>Unanue v. Goya Foods, Inc.</u> ” 2005 WL 2360568, *3 , N.J.Super.Ch. This litigation involves the claim of Joseph Unanue ("Joseph"), former President and CEO of Goya Foods, Inc. (Goya), for salary continuation. Goya moves to dismiss the complaint...	Sep. 23, 2005	Case		4 6 A.2d
Cited by	435. <u>C.R. v. J.G.</u> 703 A.2d 385, 397+ , N.J.Super.Ch. FAMILY LAW - Paternity. Former husband failed to rebut presumption of paternity as required to entitle him to order mandating administration of blood test.	Apr. 17, 1997	Case		5 6 10 A.2d
Cited by	436. <u>Garden State Equality v. Dow</u> ” 2012 WL 540608, *3+ , N.J.Super.L. FAMILY LAW - Marriage. Civil rights organization, same-sex couples, and their children stated equal protection claim against state.	Feb. 21, 2012	Case		1 2 17 A.2d
Cited by	437. <u>In re Estate of Balgar</u> 944 A.2d 734, 739 , N.J.Super.L. ESTATE PLANNING AND PROBATE - Attorney Fees. Attorney was not entitled to pre-judgment attachment of executrix's share of estate in the amount of unpaid legal fees.	Sep. 18, 2007	Case		3 A.2d
Cited by	438. <u>My Way B & G, Inc. v. Director, Division of Taxation</u> 2017 WL 4018022, *3 , N.J.Tax THIS MATTER having been open to the Court upon the application of Law Offices of Lawrence W. Luttrell, P.C. attorneys for plaintiff, (Lawrence W. Luttrell, Esq. appearing) on...	Sep. 11, 2017	Case		2 A.2d
Cited by	439. <u>Scotty Pine, Inc. v. Director, Division of Taxation</u> ” 2017 WL 1228859, *2 , N.J.Tax The Director, Division of Taxation conducted an audit of the taxpayer for the period covering April 1, 2008 through March 31, 2012. As a result of said audit, the Director issued a...	Mar. 30, 2017	Case		1 2 17 A.2d
Cited by	440. <u>Trocki Hotels LP v. Egg Harbor Township</u> ” 2017 WL 510543, *3 , N.J.Tax This letter constitutes the court's opinion with respect to Trocki Hotels LP's ("plaintiff") motion for reconsideration of the court's November 30, 2016 letter opinion following...	Feb. 03, 2017	Case		1 2 17 A.2d
Cited by	441. <u>Berkeley Heights Township v. Connell Corporate Center I, LLC</u> ” 2016 WL 5377910, *2 , N.J.Tax This letter constitutes the court's opinion with respect to defendants', Connell Corporate Center I, LLC and The Connell Company (collectively referred to as "defendants"), motion...	Sep. 23, 2016	Case		1 2 17 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	442. <u>Ruskowski v. Director, Division of Taxation</u> ” 2016 WL 4474321, *3 , N.J.Tax Dear Mr. Ruskowski and Deputy Attorney General Buonaguro: This constitutes the court's decision on plaintiff's motion for reconsideration of the court's June 7, 2016 letter opinion...	Aug. 22, 2016	Case		1 2 17 A.2d
Cited by	443. <u>Purcell v. Borough of Woodcliff Lake</u> ” 2014 WL 7206381, *2 , N.J.Tax This letter serves as the court's opinion with respect to Plaintiffs Richard and Elizabeth Purcell's ("Plaintiff" or "Plaintiffs") motion for reconsideration of this court's Order...	Dec. 12, 2014	Case		1 2 A.2d
Cited by	444. <u>D'Agostino v. Township of Barnegat</u> ” 2014 WL 2700856, *6 , N.J.Tax This constitutes the court's opinion with respect to: (1) plaintiff's motion pursuant to R. 4:49–1 for a new trial, R. 4:49–2 to alter or amend the court's April 3, 2014 Judgment...	June 12, 2014	Case		2 A.2d
Cited by	445. <u>Andre v. Borough of Lawnside</u> ” 2013 WL 3337949, *3 , N.J.Tax This letter constitutes the court's opinion granting defendant's motion pursuant to R. 4:49–2 to amend the May 3, 2013 Judgment reducing the assessment on plaintiffs' real property...	June 27, 2013	Case		1 2 A.2d
Cited by	446. <u>Millburn Tp. v. Short Hills Associates/Taubman Co.</u> ” 23 N.J.Tax 311, 315 , N.J.Tax TAXATION - Real Property. Adoption of a zoning change prevented application of the Freeze Act on taxpayer's property assessments.	Feb. 06, 2007	Case		1 2 A.2d
Cited by	447. <u>West Colonial Enterprises, LLC v. City of East Orange</u> 20 N.J.Tax 576, 578 , N.J.Tax TAXATION - Real Property. Taxpayer offered insufficient evidence to overcome presumption of validity of property tax assessment.	Jan. 29, 2003	Case		—
Cited by	448. <u>Heico Corp. v. Director, Div. of Taxation</u> ” 20 N.J.Tax 106, 111+ , N.J.Tax TAXATION - Sales and Use. Tax court lacked jurisdiction to hear complaint of taxpayer which was not timely filed.	Apr. 24, 2002	Case		1 2 A.2d
Cited by	449. <u>Longport Ocean Plaza Condominium, Inc. v. Robert Cato & Associates, Inc.</u> ” 2002 WL 2013925, *1 , E.D.Pa. Operator and manager of residential ocean front condominium brought action against designer and manufacturer of windows and doors alleging breach of warranty over products used in...	Aug. 29, 2002	Case		9 11 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	450. <u>IN THE MATTER OF CRAIG D. WILLIAMS, TOWNSHIP OF SPARTA, DEPARTMENT OF PUBLIC WORKS.</u> ” 2013 WL 3958808, *3+ , N.J. Adm. On April 10, 2012, the Township of Sparta (Township) issued a Final Notice of Disciplinary Action (FNDA) wherein the charges of inability to perform job duties due to a lack of a...	July 29, 2013	Administrative Decision		3 A.2d
Cited by	451. <u>Bd of Educ of the Hunterdon Reg'l School Dist v. E.F. and G.F.</u> 1999 WL 1279876, *4 , N.J. Adm. Petitioner, a regional school district board of education, filed a petition of appeal on June 11, 1998, requested a declaration that respondents were not legally domiciled within...	Dec. 21, 1999	Administrative Decision		—
Cited by	452. <u>IN THE MATTER OF THE CLEAN ENERGY PROGRAMS AND BUDGET FOR FISCAL YEAR 2017: BLOOM ENERGY CORPORATION</u> 2016 WL 5468361, *3 , N.J.Bd.Reg.Com. This order concerns a Motion for Reconsideration (Motion) by Bloom Energy Corporation (Bloom or Petitioner) requesting that the Board of Public Utilities (Board) reconsider the...	Sep. 23, 2016	Administrative Decision		3 A.2d
Cited by	453. <u>IN THE MATTER OF THE PETITION OF JERSEY CENTRAL POWER & LIGHT COMPANY PURSUANT TO N.J.S.A. 40:55D-19 FOR A DETERMINATION THAT THE MONTVILLE-WHIPpany 230 KV TRANSMISSION PROJECT IS REASONABLY NECESSARY FOR THE SERVICE, CONVENIENCE OR WELFARE OF THE PUBLIC</u> 2016 WL 454273, *6 , N.J.Bd.Reg.Com. On or about March 27, 2015, Jersey Central Power & Light Company (“JCP&L” or “Company”) filed a petition with the New Jersey Board of Public Utilities (“Board” or “BPU”) pursuant...	Jan. 28, 2016	Administrative Decision		2 A.2d
Cited by	454. <u>IN THE MATTER OF MICHAEL MANIS AND MANIS LIGHTING, LLC - NEW JERSEY CLEAN ENERGY PROGRAM RENEWABLE ENERGY INCENTIVE PROGRAM</u> 2015 WL 1848155, *3 , N.J.Bd.Reg.Com. Michael Manis and Manis Lighting LLC (collectively “Manis”) filed a motion for reconsideration with the New Jersey Board of Public Utilities (“Board”) seeking reversal of part of...	Apr. 15, 2015	Administrative Decision		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	455. <u>IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C.24, THE SOLAR ACT OF 2012 IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, N.J.S.A. 48:3-87(Q)(R) AND (S)- PROCEEDINGS TO ESTABLISH THE PROCESSES FOR DESIGNATING CERTAIN GRID-SUPPLY PROJECTS AS CONNECTED TO THE DISTRIBUTION SYSTEM - SUBSECTION (Q) ROUND TWO APPLICATIONS BRICKYARD LLC - MOTION FOR RECONSIDERATION</u> 2014 WL 3811645, *6 , N.J.Bd.Reg.Com. Brickyard LLC ("Brickyard") has filed a motion for reconsideration ("Motion") with the New Jersey Board of Public Utilities ("Board") seeking reversal in part of the Board's...	July 23, 2014	Administrative Decision		2 A.2d
Cited by	456. <u>IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, THE SOLAR ACT OF 2012 IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, N.J.S.A. 48:3-87(T) - A PROCEEDING TO ESTABLISH A PROGRAM TO PROVIDE SOLAR RENEWABLE ENERGY CERTIFICATES TO CERTIFIED BROWNFIELD, HISTORIC FILL AND LANDFILL FACILITIES PENNONI ASSOCIATES, INC. 1845 DELSEA DRIVE - MOTION FOR RECONSIDERATION MILLENIUM LAND DEVELOPMENT, LLC LOVE LANE - MOTION FOR RECONSIDERATION</u> 2014 WL 2568088, *8 , N.J.Bd.Reg.Com. Millenium (sic) Land Development, LLC ("Millenium"), and Pennoni Associates, Inc. ("Pennoni") have moved for reconsideration of the Board's Order dated July 19, 2013, in the...	May 21, 2014	Administrative Decision		2 A.2d
Cited by	457. <u>IN THE MATTER OF THE PETITION OF FISHERMENS ATLANTIC CITY WIND FARM, LLC FOR THE APPROVAL OF THE STATE WATERS PROJECT AND AUTHORIZING OFFSHORE WIND RENEWABLE ENERGY CERTIFICATES</u> 2014 WL 1877363, *2 , N.J.Bd.Reg.Com. Fishermen's Atlantic City Windfarm, LLC ("FACW") moved to reopen the proceedings to supplement the record and for reconsideration of the March 28, 2014 Order ("March 28 Order")...	Apr. 28, 2014	Administrative Decision		2 A.2d
Cited by	458. <u>IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, THE SOLAR ACT OF 2012 IN THE MATTER OF THE IMPLEMENTATION OF L. 2012, C. 24, N.J.S.A. 48:3-87(T) - A PROCEEDING TO ESTABLISH A PROGRAM TO PROVIDE SOLAR RENEWABLE ENERGY CERTIFICATES TO CERTIFIED BROWNFIELD, HISTORIC FILL AND LANDFILL FACILITIES VANGUARD ENERGY PARTNERS, LLC INDUSTRIAL LAND RECLAIMING LANDFILL</u> 2014 WL 1394343, *5+ , N.J.Bd.Reg.Com. Vanguard Energy Partners, LLC ("Vanguard") moves for reconsideration of the January 29, 2014 Order issued by the New Jersey Board of Public Utilities ("Board") in the...	Mar. 19, 2014	Administrative Decision		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<u>459. IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY AND ATLANTIC CITY ELECTRIC COMPANYS REQUEST FOR DEFERRAL ACCOUNTING AUTHORITY FOR STORM DAMAGE RESTORATION COSTS; IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANYS REQUEST FOR DEFERRAL ACCOUNTING AUTHORITY FOR STORM DAMAGE RESTORATION COSTS</u> 2013 WL 792421, *4 , N.J.Bd.Reg.Com. On August 26, 2011, the New Jersey Board of Public Utilities ("Board") received a joint petition filed by Public Service Electric and Gas Company ("PSE&G" or "Company") and...	Feb. 20, 2013	Administrative Decision		2 A.2d
Cited by	<u>460. IN THE MATTER OF THE PETITION OF FIBER TECHNOLOGIES NETWORKS, LLC, FOR AN ORDER FINDING UNREASONABLE THE MAKE-READY COSTS IMPOSED BY VERIZON NEW JERSEY INC. ON FIBER TECHNOLOGIES, L.L.C., REQUIRING REFUNDS, AND ESTABLISHING REASONABLE MAKE-READY RATES, TERMS, AND CONDITIONS</u> 2012 WL 6057050, *5 , N.J.Bd.Reg.Com. 1. Commissioner Mary-Anna Holden did not participate. This matter comes before the New Jersey Board of Public Utilities ("Board") by Verizon New Jersey Inc.'s ("Verizon") September...	Oct. 23, 2012	Administrative Decision		2 A.2d
Cited by	<u>461. Larry J. Yates, Petitioner, v. Public Service Electric and Gas Company, Respondent.</u> 2012 WL 3646773, *3+ , N.J.Bd.Reg.Com. On December 2, 2010, Larry J. Yates ("Petitioner") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to the billing dispute with...	July 20, 2012	Administrative Decision		2 A.2d
Cited by	<u>462. IN THE MATTER OF THE PETITION OF NEW JERSEY-AMERICAN WATER COMPANY, INC. FOR APPROVAL OF MUNICIPAL CONSENT GRANTED BY THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET-RUSSO DEVELOPMENT</u> 2012 WL 3646805, *1 , N.J.Bd.Reg.Com. By this Order, the New Jersey Board of Public Utilities ("Board") considers a letter brief filed as a "motion" by the Division of Rate Counsel ("Rate Counsel") asking the Board to...	June 18, 2012	Administrative Decision		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	463. <u>IN THE MATTER OF STANDARD OFFER CAPACITY AGREEMENTS BETWEEN NEW JERSEY POWER DEVELOPMENT LLC AND PUBLIC SERVICE ELECTRIC & GAS COMPANY; JERSEY CENTRAL POWER & LIGHT COMPANY; ATLANTIC CITY ELECTRIC; AND ROCKLAND ELECTRIC COMPANY; SUBMISSION OF A DISPUTE TO THE BOARD FOR RESOLUTION and IN THE MATTER OF STANDARD OFFER CAPACITY AGREEMENTS BETWEEN CPV SHORE LLC AND PUBLIC SERVICE ELECTRIC & GAS COMPANY; JERSEY CENTRAL POWER & LIGHT COMPANY; ATLANTIC CITY ELECTRIC; AND ROCKLAND</u> 2012 WL 2499311, *5 , N.J.Bd.Reg.Com. This matter comes before the Board on separate applications by New Jersey Power Development ("NJPD") and CPV Shore, LLC ("CPV"), seeking Board assistance in resolving a purported...	May 07, 2012	Administrative Decision		2 A.2d
Cited by	464. <u>IN THE MATTER OF THE BOARDS REVIEW OF THE RETAIL MARGIN AND THE COMMERCIAL AND INDUSTRIAL ENERGY PRICING (CIEP) THRESHOLD - PETITION FOR RECONSIDERATION</u> 2011 WL 2599809, *1 , N.J.Bd.Reg.Com. By this Order, the New Jersey Board of Public Utilities ('Board ') considers a letter brief filed as a 'petition' by the Retail Energy Supply Association ('RESA'), asking the Board...	June 15, 2011	Administrative Decision		2 A.2d
Cited by	465. <u>In re Verizon New Jersey Inc.</u> 2006 WL 1750091, *2+ , N.J.Bd.Reg.Com. On May 12, 2006, XO Communications Services, Inc., ("XO") filed a motion for reconsideration with the New Jersey Board of Public Utilities ("Board"), seeking modification of the...	June 22, 2006	Administrative Decision		2 A.2d
Cited by	466. <u>Congregation of Yetev Lev, Petitioner v. New Jersey American Water Company, Respondent.</u> 2009 WL 3049241, *3 , N.J.B.P.U. On April 27, 2009, the Board of Public Utilities ("Board") issued an Order adopting in part and modifying in part the Initial Decision of Administrative Law Judge ("ALJ") Douglas...	July 31, 2009	Administrative Decision		2 A.2d
Cited by	467. <u>In re United Telephone Co. of New Jersey, Inc.</u> 2006 WL 768811, *1+ , N.J.B.P.U. On December 28, 2005, MCImetro Access Transmission Services ("MCI") filed a motion for reconsideration as to an Order issued by the Board of Public Utilities ("Board"), under the...	Mar. 22, 2006	Administrative Decision		2 A.2d
Cited by	468. <u>In re Comcast Cablevision of South Jersey, Inc.</u> 2003 WL 25454017, *2+ , N.J.B.P.U. The New Jersey Board of Public Utilities (Board) and its Office of Cable Television (OCTV), pursuant to N.J.S.A. 48:5A-1 et seq., have been granted general supervision and...	Nov. 17, 2003	Administrative Decision		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	469. <u>Proceedings by the Commissioner of Banking and Insurance, State of New Jersey to Fine and Revoke the Insurance Producer Licenses of Richard Cecere & Buyer Defender Inc.</u> 2015 WL 2452717 (NJ Dept. of Bank & Ins.), *5 This matter comes before the Commissioner of the Department of Banking and Insurance. FINAL ORDER NO. E14-ce ("the Commissioner") pursuant to a motion by the Respondent, Richard...	May 11, 2015	Administrative Decision		2 A.2d
Cited by	470. <u>IN THE MATTER OF WALL TOWNSHIP BOARD OF EDUCATION, Appellant, v. WALL TOWNSHIP INFORMATION TECHNOLOGY ASSOCIATION, Respondent</u> 37 NJPER P 23	Jan. 26, 2011	Administrative Decision		—
Cited by	471. <u>BOROUGH OF EAST NEWARK</u> 25 NJPER P 30086+	Jan. 12, 1999	Administrative Decision		4 15 A.2d
Mentioned by	472. <u>Murphy v. Mountain Creek Resort, Inc.</u> 2017 WL 6421104, *2 , N.J.Super.A.D. Plaintiff Karen Murphy appeals from a January 28, 2016 order granting defendants summary judgment, and a June 10, 2016 order denying her motion for reconsideration. We affirm. The...	Dec. 18, 2017	Case		1 17 A.2d
Mentioned by	473. <u>D.M. v. K.M.</u> 2017 WL 5186287, *2 , N.J.Super.A.D. Defendant appeals from the February 23, 2016 Family Part order denying reconsideration of the court's October 8, 2014 and December 16, 2014 orders. The October 8, 2014 order...	Nov. 09, 2017	Case		—
Mentioned by	474. <u>K.W. v. J.W.</u> 2017 WL 2854440, *2 , N.J.Super.A.D. Defendant J.W. is self-represented in this proceeding, as he was during trial. He appeals a November 16, 2015 decision denying reconsideration of a September 24, 2015 final...	July 05, 2017	Case		—
Mentioned by	475. <u>Dionyssiou v. City of Jersey City</u> 2017 WL 372147, *1 , N.J.Super.A.D. Plaintiff Maria Dionyssiou was injured on March 27, 2012, when she tripped and fell on a defective sidewalk while walking towards the bus terminal at the Journal Square...	Jan. 25, 2017	Case		—
Mentioned by	476. <u>Old Bridge Township Raceway Park, Inc. v. Township of Old Bridge Zoning Board of Adjustment</u> 2017 WL 83606, *6 , N.J.Super.A.D. Plaintiff Old Bridge Township Raceway, Inc. (Raceway) appeals from three orders entered in this action by the Law Division: (1) a December 19, 2014 order directing Raceway to file...	Jan. 06, 2017	Case		1 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	477. <u>Sanderson v. Schoick</u> 2016 WL 6518600, *2, N.J.Super.A.D. Defendants appeal a May 13, 2015 Chancery Division order denying their motion for reconsideration and for a new trial. We affirm. Defendant Van Schoick and her associated entities,...	Nov. 03, 2016	Case		—
Mentioned by	 478. <u>Thomas v. Dion</u> 2015 WL 6394443, *5, N.J.Super.A.D. Plaintiff, Michael Thomas, was injured when he fell off a scaffold while employed by a subcontractor retained by the general contractor, Prestigious Homes, Inc. (Prestigious)....	Oct. 23, 2015	Case		1 17 A.2d
Mentioned by	 479. <u>Meehan v. Antonellis</u> 2014 WL 5800811, *2, N.J.Super.A.D. In this dental malpractice case, plaintiff Stephen Meehan appeals from a March 20, 2013 order dismissing his complaint against defendant Peter Antonellis, D.M.D., for failure to...	Aug. 21, 2014	Case		—
Mentioned by	480. <u>In re Fisher</u> 2014 WL 463312, *3, N.J.Super.A.D. This appeal arises from guardianship proceedings brought on behalf of Florence Fisher (Florence), eighty-nine years of age and suffering from Alzheimer's Disease and dementia....	Feb. 06, 2014	Case		17 A.2d
Mentioned by	481. <u>Salama v. Salama</u> 2013 WL 5268967, *5, N.J.Super.A.D. Plaintiff Nadeen Salama appeals from a February 3, 2012 Family Part order, which entered an amended dual judgment of divorce (ADJD) incorporating an oral settlement agreement and a...	Sep. 19, 2013	Case		1 17 A.2d
Mentioned by	482. <u>Lau v. Lara</u> 2013 WL 1858894, *4, N.J.Super.A.D. After an adverse jury verdict, defendant Seabring Associates—owner of the two-building high-rise apartment complex in Hackensack known as the Excelsior—appeals from the final...	May 06, 2013	Case		2 A.2d
Mentioned by	483. <u>State v. Bernard</u> 2013 WL 598983, *2, N.J.Super.A.D. On leave to appeal, the State seeks reversal of the Law Division's June 21, 2011 grant of defendant Vincent Bernard's motion to suppress arising from a motor vehicle stop. As a...	Feb. 19, 2013	Case		1 2 A.2d
Mentioned by	484. <u>Sheridan v. Heritage Gateway, LLC</u> 2012 WL 6554231, *5, N.J.Super.A.D. Third-party plaintiffs TPE Gateway III, LLC; Gateway III Newark, LLC; and Tahl Propp Equities, LLC (collectively Gateway) appeal from the Law Division's two December 2, 2011 orders...	Dec. 17, 2012	Case		2 A.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	485. <u>Proetto v. Proetto</u> 2012 WL 5372055, *2 , N.J.Super.A.D. Plaintiff Philip M. Proetto appeals from the three provisions of a post-judgment Family Part order that: denied reconsideration of a previous order that dismissed his motion to...	Nov. 02, 2012	Case		2 A.2d
Mentioned by	486. <u>Heller v. Lauren J. Gardner Trust</u> 2012 WL 2401675, *8 , N.J.Super.A.D. This case arises from a dispute over a shopping center owned by Nelson's Corner Associates, L.L.C. (hereafter, Nelson's Corner Associates or the L.L.C.). Three members of the...	June 27, 2012	Case		—
Mentioned by	487. <u>Hayes v. Hayes</u> 2012 WL 1380039, *1 , N.J.Super.A.D. Plaintiff Thomas M. Hayes, Jr. appeals from the July 21, 2011 Family Part order that directed him to comply with paragraph 2.3 of the parties' Property Settlement Agreement (PSA)...	Apr. 23, 2012	Case		17 A.2d
Mentioned by	488. <u>Amir v. Amir</u> 2011 WL 6003957, *2 , N.J.Super.A.D. In this matrimonial case, defendant Yehuda A. Amir seeks to appeal several post-judgment orders entered by the Family Part. This is the second time defendant has appealed the...	Dec. 02, 2011	Case		2 A.2d
Mentioned by	489. <u>City of Trenton v. Cannon Cochran Management Services, Inc.</u> 2011 WL 3241579, *3 , N.J.Super.A.D. The City of Trenton filed a complaint against two contractors it retained as third-party administrators —defendant Inservco Insurance Carriers, Inc. (Inservco) and defendant Cannon...	Aug. 01, 2011	Case		—
Mentioned by	490. <u>King Transcription Service, LLC v. Ali</u> 2010 WL 3932429, *1 , N.J.Super.A.D. Defendant Shaukat Ali appeals from orders of the Special Civil Part denying his motion to reinstate his counterclaim and his motion for reconsideration. Because the trial court did...	Oct. 07, 2010	Case		1 A.2d
Mentioned by	 491. <u>Hinton v. Meyers</u> 3 A.3d 601, 606 , N.J.Super.A.D. TORTS - Emotional Distress. Father did not perceive daughter's fatal injury, as required to recover for negligent infliction of emotional distress.	Sep. 07, 2010	Case		1 A.2d
Mentioned by	492. <u>Suarez v. Sainato</u> 2010 WL 3516886, *2 , N.J.Super.A.D. Plaintiffs, Felix and Iris Suarez, appeal from orders of the Law Division that denied their motion for leave to amend their complaint in order to name First Trenton Indemnity...	Sep. 03, 2010	Case		2 A.2d
Mentioned by	 493. <u>Palombi v. Palombi</u> 997 A.2d 1139, 1147 , N.J.Super.A.D. FAMILY LAW - Spousal Support. Former husband was not entitled to plenary hearing on his motion to terminate his alimony obligation.	July 08, 2010	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	494. <u>Raimo v. 3332-34 West Ave. Condominium Ass'n</u> 2010 WL 1189781, *10 , N.J.Super.A.D. TORTS - Negligence. Condominium association was not liable for negligence as the result of injuries an individual sustained by tripping over the edge of a sidewalk.	Mar. 26, 2010	Case		1 17 A.2d
Mentioned by	495. <u>Growney v. Glassman</u> 2010 WL 909602, *5 , N.J.Super.A.D. TRANSPORTATION - Motor Vehicles. The trial court did not err in denying a plaintiff's motion for reconsideration of the summary dismissal of his personal injury suit.	Mar. 12, 2010	Case		3 A.2d
Mentioned by	496. <u>Herder v. J.P. Morgan Chase Bank</u> 2009 WL 1617735, *4 , N.J.Super.A.D. Plaintiffs Dana Fine Herder and Peter Fine are the remainder beneficiaries of a trust created by Aaron Helwitz, of which defendant J.P. Morgan Chase Bank (Chase) is the trustee....	June 11, 2009	Case		1 17 A.2d
Mentioned by	497. <u>Lopez v. Vespa</u> 2008 WL 2491984, *6 , N.J.Super.A.D. Plaintiff Nicholas Lopez appeals from a March 16, 2007 order denying a motion to reconsider an order dated January 5, 2007 that denied plaintiff's motion to reinstate his...	June 24, 2008	Case		1 A.2d
Mentioned by	498. <u>State v. Grimes</u> 2008 WL 2415087, *3 , N.J.Super.A.D. Defendant Raymond Grimes, Jr. seeks to have his municipal appeal of a drunk driving conviction reinstated in the Law Division. For the reasons that follow, we deny that request and...	June 17, 2008	Case		3 A.2d
Mentioned by	499. <u>Estate of Adiguzelli v. Adiguzelli</u> 2007 WL 4335443, *3 , N.J.Super.A.D. The litigation that led to this appeal and cross-appeal involves a dispute over real estate and business interests of members of the Adiguzelli family. The defendants, Mehmet and...	Dec. 13, 2007	Case		—
Mentioned by	500. <u>Dwyer v. George Didden Greenhouses, Inc.</u> 2007 WL 2215388, *2 , N.J.Super.A.D. In this action to recover damages sustained in a motor vehicle accident, the jury determined that plaintiff John G. Dwyer failed to establish that the accident was the proximate...	Aug. 03, 2007	Case		17 A.2d