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February 13, 2020

Sergeant Michael Mariaschin
Flemington Police Department
100 Main Street
Flemington, NJ 08822

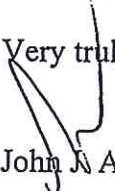
Re: Megan & Tony Clark and Tony D's Enterprise Driving School
v. Borough Officer Michael Mariaschin, *et als*
Docket No. HNT-DC-002023-19
Statewide Insurance File No. 070448

Dear Sgt. Mariaschin:

Enclosed herewith please find an Order granting our motion to dismiss the Plaintiffs' Complaint. As such, this matter is effectively terminated.

It was a pleasure speaking with you. Should you have any questions, please let me know.

Very truly yours,


John J. Abromitis

JJA/clp
Enclosure

cc: Richard Hazard, Senior Claims Adjuster, Statewide Insurance Fund

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TONY D'S ENTERPRISE DRIVING
SCHOOL,

Plaintiff,

v.

SUSANNA J. PETERS, MICHAEL
MARIASCHIN and NEW JERSEY
MANUFACTURERS INSURANCE CO.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: HUNTERDON COUNTY
SPECIAL CIVIL PART
DOCKET NO. HNT-DC-002023-19

Civil Action

**ORDER DISMISSING COMPLAINT FOR
FAILURE TO STATE A CLAIM UPON
WHICH RELIEF MAY BE GRANTED**

THIS MATTER having been opened to the Court upon the motion of Defendant Michael Mariaschin ("Defendant Mariaschin"), by and through his attorneys herein, Lavery, Selvaggi, Abromitis & Cohen, P.C., John J. Abromitis, Esq., appearing; and upon notice to *Pro Se* Plaintiff, Tony D's Enterprise Driving School ("Plaintiff"), upon notice to Plaintiff's owners Megan Clark and Tony Clark; and the Court having considered the moving papers and any papers filed in opposition to the within motion, if any; as well as the arguments of counsel, if any; and for other good cause having been shown;

IT IS ON THIS 11th day of February, 2020;

ORDERED that Defendant Mariaschin's motion to dismiss Plaintiff's Complaint for failure to state a claim upon which relief may be granted shall be and the same is hereby granted for the reasons set forth on the record; and it is further

ORDERED that Plaintiff's Complaint be and the same hereby is dismissed with prejudice; and it is further

ORDERED that a fully conformed copy of the within Order shall be served upon interested parties within seven (7) days of its receipt from the Court.

/s/ MICHAEL F. O'NEILL, J.S.C.

MICHAEL F. O'NEILL, J.S.C.

RECORD NOTATION

___ On _____, 2020 oral findings of fact and conclusions of law were made by the Court.

___ On _____, 2020 written findings of fact and conclusions of law were made by the Court

___ The Court did not make oral or written findings. The Court concludes that no explanation is necessary or appropriate.

___ The Court did not make oral or written findings. Appended hereto is a written statement of reasons by the Court for the entry of this Order.

___ This motion was opposed.

X This motion was unopposed.

The within form of Order is submitted pursuant to R. 1:6-2(a) and R. 4:42-1(e).

Defendant's motion to dismiss is GRANTED, due to plaintiff's failure to comply with the requirements of N.J.S.A. 59:8-8.