

**Motion Calendar – Judge Hyland – 4/13/18**

Prepared by Gordon Kessler, Law Clerk to the Hon. James F. Hyland, J.S.C.

Tel: (732) 645-4300 ext 88257

\*\*\* If the reasons for the Court's decision have been set forth on the record and you would like a copy of the transcript, please contact Linda Wood at (732) 645-4300 ext 88782 \*\*\*

<u>DOCKET #</u>	<u>MOTION TYPE</u>	<u>CASE TITLE</u>	<u>DISPOSITION</u>
MID L 001573-17	MOTION TO DISMISS WITH PREJUDICE	NYARKO FREDERICK VS ESURANCE	GRANT
MID L 000877-18	MOTION STAY PROCEEDING	RETAIL DESIGN SOLUTI ONS, LLC VS RUITENBERG PAUL injunction	DENY
MID L 000877-18	MOTION CORRECTING CLERICAL ERROR	RETAIL DESIGN SOLUTI ONS, LLC VS RUITENBERG PAUL ecourts	GRANT
MID DJ 79775-15	MOTION FOR TURNOVER	MIDLAND FUNDING LLC VS GRIFFIN ALICIA	GRANT
MID DJ 49272-18	MOTION DIRECTING NJPLIGA TO PAY	PSE&G VS VEARD DINA	GRANT

NIS0051048.2-113/4AM

Law Offices of Pamela D. Hargrove  
MARY LOU DENNIS-SUCKOW, ESQ.  
Identification No. 25871990  
65 Jackson Drive, Suite 302  
PO Box 2000  
Cranford, NJ 07016-0200  
Telephone: (908) 653-2188  
Attorneys for Defendant(s):  
ESURANCE INSURANCE COMPANY OF NEW JERSEY

NYARKO  
FREDERICK NYARCO,

Plaintiff,

vs.

ESURANCE INSURANCE  
COMPANY OF NEW JERSEY,

Defendant.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX  
COUNTY

DOCKET NO. MID-L-1573-17

CIVIL ACTION

ORDER TO DISMISS PLAINTIFF(S)  
COMPLAINT WITH PREJUDICE

This matter being opened to the Court, on December 01, 2017, pursuant to Rule 1:6-2 and Rule 1:6-3, by Mary Lou Dennis-Suckow, Esq. of the Law Offices of Pamela D. Hargrove attorney for the Defendant(s), ESURANCE INSURANCE COMPANY OF NEW JERSEY, for an Order:

TO DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE and there having been no opposition and good cause appearing;

It is on this 13h day of April, 2018, ORDERED that the Plaintiff(s), FREDERICK NYARKO, complaint be and hereby is dismissed with prejudice pursuant to Rule 4:23-5(a)(2).

IT IS FURTHER ORDERED that a copy of this Order be served on the attorney(s) for all parties within seven (7) days after the date it was signed.

/s/ James F. Hyland

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Honorable James F. Hyland J.S.C.

MOTION WAS:

  X   OPPOSED

       NOT OPPOSED

On this date, pursuant to R. 1:6-2 the Court's statement of reasons have been set forth on the record.

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

RETAIL DESIGN SOLUTIONS, LLC;  
RUITENBERG DESIGN GROUP, LLC  
d/b/a RUITENBERG LIND DESIGN  
GROUP; and K-FAB SERVICES, LLC,

Plaintiffs,

v.

PAUL RUITENBERG, III; ANTHONY  
ROSE; EDISON LITHOGRAPH &  
PRINTING CORP.; EDISON IN-STORE,  
LLC; and RUITENBERG DESIGN  
ASSOCIATES, LLC,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

Docket No. MID-L-877-18

*CIVIL ACTION*

**ORDER GRANTING  
PRELIMINARY INJUNCTION**

**DENIED**

THIS MATTER having been opened to the Court by Seidman & Pincus, LLC, counsel to plaintiffs Retail Design Solutions, LLC, Ruitenberg Design Group, LLC d/b/a Ruitenberg Lind Design, and K-Fab Services, LLC (collectively, "Plaintiffs"), upon Plaintiffs' motion (the "Motion") for entry of a preliminary injunction, enjoining and restraining:

(a) defendants Paul Ruitenberg ("Ruitenberg"), Ruitenberg Design Associates, LLC ("Ruitenberg Associates"), Edison Lithograph & Printing Corp. ("Edison"), and Edison In-Store, LLC ("Edison In-Store") from: (i) disseminating and/or using Plaintiffs' confidential and proprietary information, including their customer lists, customer contact information, design and/or manufacturing processes, and schedules of work in progress; (ii) poaching or pirating Plaintiffs' employees; (iii) completing or obtaining new contracts with Plaintiffs' existing customers; and/or (iv) otherwise engaging in unfair or improper practices to compete unfairly with Plaintiffs;

(b) enjoining and restraining defendant Anthony Rose ("Rose") from: (i) working for or in connection with Ruitenberg, Ruitenberg Associates, Edison, Edison

In-Store, or any other company in direct or potential competition with Plaintiffs in violation of his Non-Compete Agreement with Plaintiffs; and (ii) disseminating or using any of Plaintiffs' confidential and proprietary information in violation of his Confidentiality Agreement with Plaintiffs;

and this Court having considered all of the papers submitted in support of the Motion, and all of the papers submitted in opposition to the Motion; and upon the arguments of counsel on the return date of the Motion; and due deliberation having been had thereon, and sufficient cause appearing therefor;

IT IS this 13th day of April, 2018,

~~ORDERED that the Motion is hereby granted, and it is further~~

~~ORDERED that Ruitenberg, Ruitenberg Associates, Edison, and Edison In-Store, be and hereby are enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from disseminating and/or using Plaintiffs' confidential and proprietary information, including their customer lists, customer contact information, design and/or manufacturing processes, and schedules of work in progress; and it is further~~

~~ORDERED that Ruitenberg, Ruitenberg Associates, Edison, and Edison In Store, be and hereby are enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from poaching or pirating Plaintiffs' employees or otherwise interfering with Plaintiffs' contractual relationship with their employees; and it is further~~

~~ORDERED that Ruitenberg, Ruitenberg Associates, Edison, and Edison In Store, be and hereby are enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from completing existing contracts with Plaintiffs' customers or clients, or obtaining new contracts with Plaintiffs' existing customers or clients; and it is further~~

~~ORDERED that Ruitenberg, Ruitenberg Associates, Edison, and Edison In Store, be and hereby are enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from otherwise engaging in unfair or improper practices to compete unfairly with Plaintiffs; and it is further~~

~~ORDERED that Rose be and hereby is enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from working for or in connection with Ruitenberg, Ruitenberg Associates, Edison, Edison In Store, or any other company in direct or potential competition with Plaintiffs in violation of his Non Compete Agreement with Plaintiffs; and it is further~~

~~ORDERED that Rose be and hereby is enjoined and restrained, during the pendency of this lawsuit, and pending further Order of the Court, from disseminating or using any of Plaintiffs' confidential and proprietary information in violation of his Confidentiality Agreement with Plaintiffs; and it is further~~

ORDERED that Plaintiffs' counsel shall serve a copy of this Order on Defendants within seven (7) days following their receipt hereof.

/s/ James F. Hyland  
Honorable James F. Hyland      J.S.C.

Opposed  
 Unopposed

On this date, pursuant to R. 1:6-2  
the Court's statement of reasons  
have been set forth on the record.

Mitchell B. Seidman (028301985)  
Andrew Pincus (039491992)  
**SEIDMAN & PINCUS, LLC**  
777 Terrace Avenue, Suite 508  
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*Attorneys for Plaintiffs*

RETAIL DESIGN SOLUTIONS, LLC;  
RUITENBERG DESIGN GROUP, LLC  
d/b/a RUITENBERG LIND DESIGN  
GROUP; and K-FAB SERVICES, LLC,

Plaintiffs,

v.

PAUL RUITENBERG, III; ANTHONY  
ROSE; EDISON LITHOGRAPH &  
PRINTING CORP.; EDISON IN-STORE,  
LLC; and RUITENBERG DESIGN  
ASSOCIATES, LLC,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

Docket No. MID-L-877-18

*CIVIL ACTION*

**ORDER DIRECTING CLERK  
TO REMOVE MOTION PAPERS  
FROM COURT FILE AND  
ELECTRONIC COURT DOCKET**

THIS MATTER having been opened to the Court by Seidman & Pincus, LLC, counsel to plaintiffs Retail Design Solutions, LLC, Ruitenberg Design Group, LLC d/b/a Ruitenberg Lind Design, and K-Fab Services, LLC (together, "Plaintiffs"), upon Plaintiffs' motion (the "Motion") for entry of an Order, pursuant to R. 1:38-8, removing certain motion papers from the Court's file and from the Court's electronic docket which allegedly contain sensitive information and were allegedly filed by Plaintiffs improperly; and the Court having considered all of the papers submitted in support of the Motion, and all of the papers submitted in opposition to the Motion (if any); and due deliberation having been had thereon, and sufficient cause appearing therefor;

IT IS, this 13th day of April, 2018,

**ORDERED** that:

1. The Motion is granted in its entirety;
2. The Clerk of the Court is hereby directed to remove from the Court's files and destroy the entirety of Plaintiff's application for entry of an Order to Show Cause why a preliminary injunction should not be granted (the "OSC Application"), comprised of the following documents: (i) the proposed form of Order to Show Cause; (ii) the moving certification of Jill Ruitenbergh, dated February 8, 2018, and all of the exhibits annexed thereto; (iii) Plaintiffs' moving brief, dated February 8, 2018; and (iv) the proposed form of Order granting a preliminary injunction, which were filed electronically on February 9, 2018 along with the filing of the Complaint, and again on February 12, 2018;
3. The Clerk of the Court is further directed to permanently remove and delete from the Court's electronic docket all references to the OSC Application, as it presently appears in a docket entry on February 9, 2018 in connection with the filing of the Complaint, and again in a separate docket entry on February 12, 2018;
4. The Clerk of the Court is further authorized and directed to take any and all action, to the extent not included in the above, to ensure that the transcripts of the audio recordings and the information gleaned therefrom, as set forth in the OSC Application, are removed permanently from the record and can never be accessed by the public;
5. Plaintiffs' counsel shall serve a copy of this Order on all parties hereto within seven (7) days following Plaintiffs' counsel's receipt of same.

/s/ James F. Hyland

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Hon. James F. Hyland, J.S.C.

Opposed  
 Unopposed



PRESSLER & PRESSLER, L.L.P.

ATTORNEYS AT LAW

7 Entin Rd.

Parsippany, NJ 07054-5020

(973) 753-5100

Attorney for Plaintiff

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MIDLAND FUNDING LLC

Plaintiff

vs.

ALICIA GRIFFIN

Defendants

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: MIDDLESEX

County

DOCKET NO. DJ-079775-15 ( DC-006149-11 )

Civil Action

ORDER TURNOVER

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THIS MATTER having been opened to the Court by Pressler and Pressler, LLP , Attorneys for Plaintiff and no objection having been made, and it appearing that levy was made under a Writ of Execution issued in this cause upon the monies and credits due to defendant(s) ALICIA GRIFFIN from PROVIDENT BANK in the sum of \$627.14 , and it appearing from the moving papers that said amount does not exceed the remaining balance on the judgment due from said defendant(s) in the above entitled cause, including costs, interest and Sheriff's fees.

IT IS on the 13<sup>th</sup> day of April 2018

ORDERED THAT PROVIDENT BANK 1000 WOODBRIDGE CENTER DRIVE WOODBRIDGE NJ 07095 turnover to Pressler and Pressler, LLP, Attorneys for Plaintiff , the sum of \$627.14 to be credited to the judgment and

costs, which is the amount of garnishee's indebtedness to the defendant(s) previously levied upon, as appears from the Sheriff's return annexed hereto.

A copy of this Order shall be served upon the garnishee by Pressler and Pressler, LLP.

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

Opposed

Unopposed

17-2018RJR860  
LAW OFFICES OF ROBERT J. REILLY, III, LLC - ID NO. 003701973  
Murray Hill Office Center  
571 Central Avenue, Suite 120  
New Providence, N.J. 07974  
(908) 665-1166  
Attorney for Plaintiff

PSE&G

Plaintiff,

-v-

DINA VEARD AND ROSETTE  
VEARD-JULIAN

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO. MID-DC-016310-17  
**JUDGMENT NO. DJ-049272-18**

Civil Action

**ORDER DIRECTING NJPLIGA TO  
PAY PLAINTIFF PURSUANT TO  
N.J.S.A. 39:6-69**

This matter having been opened to the Court by Motion of Robert J. Reilly, III, Esq. of the Law Offices of Robert J. Reilly, III, LLC, on behalf of Plaintiff PSE&G, and the Court having considered the matter and having heard oral argument, if any, and for good cause being shown; and

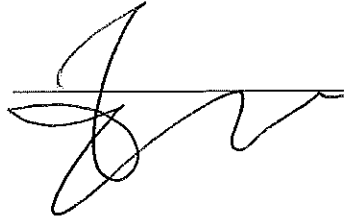
**IT APPEARING**, that a Judgment was entered in favor of the Plaintiff, PSE&G, and against Defendants, Dina Veard and Rosette Veard-Julian, on **February 28, 2018**, in the amount of **\$5,197.42**; and

**THAT**, as a condition precedent to receiving the aforesaid monies from New Jersey Property-Liability Insurance Guaranty Association, the Plaintiff shall make an Assignment of the above-referenced Judgment in accordance with N.J.S.A. 39:6-77;

**IT IS** on this 13<sup>th</sup> day of April, 2018,

**ORDERED** that NJPLIGA be and is hereby directed to pay to PSE&G, pursuant to N.J.S.A. 39:6-69 out of the Fund, the sum of **\$4,500.00**; and it is further,

**ORDERED** a copy of this Order shall be served upon New Jersey Property-Liability Insurance Guaranty Association, within seven (7) days from the date of this Order.

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

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