

FILED

MAR 08 2016

Mark Neary
CLERK

BERMAN, SAUTER, RECORD & JARDIM, P.C.,
F/K/A RAMSEY BERMAN, P.C.,

PLAINTIFF,

V.

ART ROBINSON; AOR HOLDINGS, INC.; ET AL.,
DEFENDANTS,

AND

O R D E R

DTH15, LLC,
DEFENDANT/THIRD-PARTY PLAINTIFF-
RESPONDENT,

V.

HERSH, RAMSEY & BERMAN, P.C. ET AL.,
THIRD-PARTY DEFENDANTS-APPELLANTS,

AND

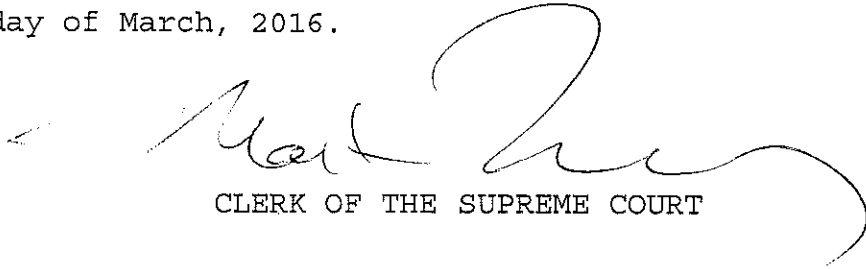
J. DAVID RAMSEY, ESQ.; AND EDWARD A. BERMAN, ESQ.,
THIRD-PARTY DEFENDANTS.

The Court having granted appellants' petition for certification; and having reviewed the briefs and heard argument of the parties; and the Court having determined that the trial judge was not precluded by Rule 1:12-1 or the Code of Judicial Conduct from presiding over this matter; and further the Superior Court, Appellate Division, having ruled on that issue sua sponte without notice to the parties and an opportunity to be heard (see Silviera-Francisco v. Board of Education of the City of Elizabeth, __ N.J. __ (2016) (slip. op. at 21)); and the Court having determined that this appeal can be disposed of summarily; it is therefore

ORDERED that the judgment of the Superior Court, Appellate Division is reversed, and the matter is remanded to that court

to address the substantive arguments of the parties on the merits. Jurisdiction is not retained.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at
Trenton, this 8th day of March, 2016.



CLERK OF THE SUPREME COURT

The foregoing is a true copy
of the original on file in my office.



CLERK OF THE SUPREME COURT
OF NEW JERSEY