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Superior Court of New Jersey

SEP 21 2015

CIVIL ASSIGNMENT  
UNION COUNTY

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Telephone No.: (732) 777-0444  
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Attorneys for Plaintiff(s),

Plaintiff(s),

MARTIN P. STARR,

vs.

Defendant(s),

ELIZABETH BOARD OF EDUCATION,  
PABLO MUNOZ, JOHN/JANE DOES (1-  
50) AND ABC CORP. (1-20) (fictitious  
parties whose identities are not now  
known).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY  
DOCKET NO.: UNN- L-003040-13

Civil Action

STIPULATION OF DISMISSAL WITHOUT  
PREJUDICE BETWEEN THE PARTIES  
WITH THE RIGHT TO REFILE A NEW  
COMPLAINT

The parties having recognized that additional discovery needs to take place; they hereby agree that the above-captioned matter will be dismissed without prejudice and costs to either party, but subject to all of the terms and conditions set forth herein.


1. Plaintiff shall be permitted to file a new complaint, within sixty (60) days from the date this Stipulation is filed by the court, under a new docket number and the defendants shall not be permitted to raise any statute of limitations or other affirmative defenses to any claims in the new complaint if they had not already been asserted in UNN-L-003040-13. Furthermore, for purposes of any affirmative defenses or any amendments to the new complaint

that may be raised or sought, the applicable date that will be used by the court and the parties as the "original filing date" for the new complaint will be that of August 27, 2013, which was the filing date for UNN-L-003040-13.

2. All discovery propounded and exchanged in UNN-L-003040-13 will be valid for use in the subsequent new filing and all parties will be under a continuing obligation to satisfy those discovery demands.
3. All Orders by the court in UNN-L-003040-13 with respect to any of the motions filed by the parties, other than discovery deadlines, will be applicable and enforceable in the new complaint as if decided under that new docket number.
4. All pleadings by the parties in UNN-L-003040-13 shall be available for use by the parties in the newly filed complaint.
5. In the event there is an award of attorneys' fees, expenses and costs of suit in the new complaint, it shall include, but not be limited to, all time, costs and expenses incurred in connection with UNN-L-003040-13 as well as the subsequent complaint, and any award of interest under the Rules of Court shall run from the date of August 27, 2013.

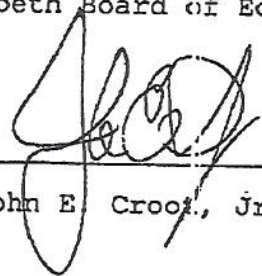
- 6. Plaintiff shall be permitted to serve the newly filed complaint, by mail, on counsel for the defendants, who shall accept service on behalf of all of the defendants.
- 7. The period of discovery will be shortened to seventy five (75) days from the date the answer is filed instead of the normal Track III Assignment of four hundred fifty days (450) days.

Law Offices of Phillip B. Linder, Esq., LLC  
 Attorneys for Plaintiff(s),  
 Martin P. Starr

By:   
 Phillip B Linder, Esq.

9/16/15  
 Date

Adams, Gutierrez & Lattiboudere, LLC  
 Attorneys for Defendant(s),  
 Elizabeth Board of Education and Pablo Munoz

By:   
 John E. Crook, Jr., Esq.

8/31/15  
 Date