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Attorneys for Defendant Alan Rothstein

FOX HILLS AT ROCKAWAY
CONDOMINIUM ASSOCIATION, INC.

Plaintiff,

v.

BARBARA APPELBAUM, PAUL
KARDOS, and ALAN ROTHSTEIN,

Defendants.

SUPERIOR COURT OF NEW JERSEY,
CHANCERY DIVISION: MORRIS COUNTY

DOCKET NO.: MRS-C-130-17

Civil Action

**NOTICE OF MOTION
TO DISMISS THE VERIFIED
COMPLAINT WITH PREJUDICE**

Oral Argument Requested

TO: Clerk, Morris County
Superior Court of New Jersey
Washington & Court Streets
Morristown, New Jersey 07963

David J. Byrne, Esq.
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214 Carnegie Center, Suite 112
Princeton, New Jersey 08540
Attorneys for Plaintiff

Gary Wm. Moylen, Esq.
90 Maple Avenue
Morristown, New Jersey 08960
Attorneys for Defendant Paul Kardos

The Honorable Robert J. Brennan, P.J. Ch.
Superior Court of New Jersey
Washington & Court Streets, 4th Floor
Morristown, New Jersey 07963

Robyn Ann Valle, Esq.
Robyn Ann Valle, P.C.
12 Second Ave
Denville, New Jersey 07834
Attorneys for Defendant Barbara Appelbaum

PLEASE TAKE NOTICE that on Friday, February 16, 2018 at 9:00 a.m. or as soon thereafter as counsel may be heard, Defendant Alan B. Rothstein ("Rothstein") shall move before The Honorable Robert J. Brennan, P.J. Ch., Superior Court of New Jersey, Chancery Division, Morris County Courthouse, Washington & Court Streets, 4th Floor, Morristown, New Jersey,

pursuant to Rule 4:6-2(e), in lieu of Answer, for the entry of an Order granting Mr. Rothstein's motion to dismiss the Verified Complaint, with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of the motion, Mr. Rothstein shall rely upon the Memorandum of Law, Certification of Michael A. Saffer, Esq. with Exhibit A, Certification of Alan B. Rothstein, Esq., Esq., with Exhibit A, submitted herewith. A proposed form of Order is also included.

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested.

Respectfully,

MANDELBAUM SALSBERG PC

By: 

MICHAEL A. SAFFER

Dated: January 30, 2018

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