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COPY

FILED  
 FEB 15 2018  
 Hon. Robert J. Brennan, P.J.Ch.

FOX HILLS AT ROCKAWAY  
 CONDOMINIUM ASSOCIATION, INC.,

Plaintiff,

vs.

BARBARA APPLEBAUM, PAUL KARDOS,  
 and ALAN ROTHSTEIN,

Defendants,

SUPERIOR COURT OF NEW JERSEY  
 CHANCERY DIVISION  
 MORRIS COUNTY  
 DOCKET NO: C-130-17

Civil Action

ORDER DISMISSING THE COMPLAINT  
 AS TO BARBARA APPLEBAUM

*[Handwritten scribbles and initials]*

This matter being opened to the Court by Robyn Ann Valle, attorney for defendant Barbara Applebaum, on notice to all counsel of record, on motion returnable February 16, 2018, for an Order to dismiss the Verified Complaint against said defendant for failure to state a claim upon which relief may be granted, and the Court having considered the motion and good cause appearing, it is on this 15<sup>th</sup> day of February 2018,

ORDERED that the Verified Complaint of the plaintiff is hereby stricken, and the action against this defendant shall be dismissed with prejudice.

*Reasons on record*  
*2/15/18*

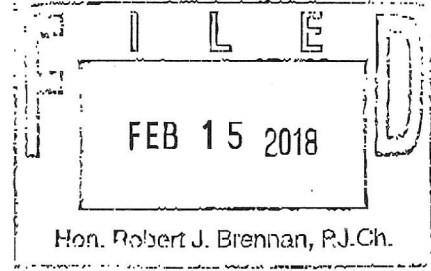
*[Signature]*  
 Robert J. Brennan, J.S.C.

This motion was:

Opposed

Unopposed

COPY



Michael A. Saffer, Esq. (ID #023191981)  
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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

**ORDER DISMISSING THE  
COMPLAINT WITH PREJUDICE**

THIS MATTER having been opened to the Court on February 16, 2018 by Mandelbaum Salsburg, PC (Michael A. Saffer, Esq. appearing), attorneys for defendant Alan B. Rothstein ("Rothstein"), on application for the for entry of an order granting dismissing the Verified Complaint, with prejudice, pursuant to Rule 4:6-2(e), on notice to Ansell Grimm & Aaron, LLP (David J. Byrne, Esq. appearing), attorneys for plaintiff Fox Hills at Rockaway Condominium Association, Inc. ("Plaintiff"), Robyn Ann Valle, P.C. (Robyn Ann Valle, Esq. appearing), attorneys for defendant Barbara Appelbaum, and Gary Wm. Moylen, Esq., attorney for defendant Paul Kardos; and the Court having considered the papers filed in support of and in opposition to the within application, having heard the arguments of counsel, for the reasons stated on the record and for good cause shown;

IT IS, on this 15<sup>th</sup> day of February, 2018,

**ORDERED AND ADJUDGED**, as follows:

1. Defendant Rothstein's Rule 4:6-2(e) motion to dismiss the Verified Complaint for failure to state a claim is hereby **GRANTED**, and the Verified Complaint is hereby dismissed with prejudices to Rothstein.

2. Defendant Rothstein's counsel shall serve a copy of this Order within (7) days of receipt of this Order.

*Reasons on record  
2/15/18.*




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ROBERT J. BRENNAN, P.J. Ch.

Opposed  
 Unopposed

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