

A True Copy

*Sue Regan*

SUE REGAN  
Deputy Clerk of Superior Court

RECEIVED  
SEP 02 2011

SEP 02 2011

*Sue Regan*

Jerome A. Ballarotto, Esq.  
Law Office of Jerome A. Ballarotto  
143 Whitehorse Avenue  
Trenton, New Jersey 08610  
(609) 581-8555

Timothy J. McInnis, Esq.  
McInnis Law  
521 Fifth Avenue, 17<sup>th</sup> Floor  
New York, New York 10175-0038  
(212) 292-4573  
(Pro Hac Vice Application Granted)

*Attorneys for Plaintiff-Claimant*

PAUL KAMIENSKI,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION – MERCER COUNTY
Plaintiff-Claimant,	:	
	:	
v.	:	<b>CIVIL ACTION NO. MER-L-2106-10</b>
	:	
STATE OF NEW JERSEY	:	<b>ORDER GRANTING MOTION FOR</b>
DEPARTMENT OF THE TREASURY	:	<b>SUMMARY JUDGMENT IN FAVOR OF</b>
	:	<b>PLAINTIFF</b>
Defendant.	:	

This matter being opened to the Court by counsel for Plaintiff-Claimant Paul Kamienski, pursuant to Rule of Court 4:46 for summary judgment in favor of Plaintiff and against the State under New Jersey's mistaken imprisonment act, N.J.S.A. § 52:4C; and it appearing that there are no material facts in dispute and Plaintiff is entitled to entry of summary judgment as a matter of law, and for other good cause shown:

It is on this 2nd day of September, 2011,

ORDERED that Kamienski's motion for summary judgment under N.J.S.A. § 52:4C is granted;

IT IS FURTHER ORDERED that judgment shall be entered in favor of Kamienski and against the State in the amount of \$ 343,000.<sup>00</sup>, as statutory damages under § 52:4C-5(a). Said amount shall be immediately due and payable to Jerome Ballarotto as attorney for Paul Kamienski upon Plaintiff serving a copy of this Order upon State.

~~IT IS FURTHER ORDERED that the State shall pay Kamienski all reasonable attorney fees incurred in this action pursuant to § 52:4C-5(b).~~

*DENIED without prejudice / no certification of services provided.*

*Marlene J. Pereksta*  
MARLENE J. PEREKSTA, J.S.C.

*Opposed*

**The reasons for this order have been set forth on the record, by the court.**

~~\_\_\_\_\_~~