

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, 17th 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.	:	CIVIL ACTION NO. MER-L-2106-10
	:	
STATE OF NEW JERSEY	:	ORDER GRANTING MOTION FOR
DEPARTMENT OF THE TREASURY	:	SUMMARY JUDGMENT IN FAVOR OF
	:	PLAINTIFF
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 \$ 343,000.⁰⁰, 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.

~~_____~~