

File No. 13212-0002-JCG

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Attorneys for Defendant(s), The City of Camden, Camden City Police Department, Edwin Figueroa and Edward Hargis (incorrectly plead Edwin Hargis)

LAVERNE HICKS, and MICHAEL VELEZ, both individually and on behalf of a Class of others similarly situated,

Plaintiff(s),

vs.

COUNTY OF CAMDEN, CAMDEN COUNTY CORRECTIONAL FACILITY, ERIC TAYLOR, both individually and in his official Camden County Warden of the Correctional Facility, JAMES SIMON, both individually and in his official capacity as Deputy Warden of the Camden County Correctional Facility, ANTHONY PIZARRO, both individually and in his official capacity as Deputy Warden of the Camden County Correctional Facility, FRANK LOBERTO, both individually and in his official capacity as Deputy Warden of the Camden County Correctional Facility, CAMDEN COUNTY SHERIFF'S DEPARTMENT, MICHAEL

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY HONORABLE JOSEPH H. RODRIGUEZ CIVIL ACTION NO. 05-cv-1857 (JHR) JBR

CIVIL ACTION

**ORDER OF DISMISSAL WITHOUT PREJUDICE AS TO DEFENDANTS, THE CITY OF CAMDEN, CAMDEN CITY POLICE DEPARTMENT, EDWIN FIGUEROA and EDWARD HARGIS, (incorrectly plead Edwin Hargis) ONLY**

MCLAUGHLIN, both individually and in his official capacity of Sheriff of the County of Camden, JOSEPH WOLF, both individually and in his official capacity as a Deputy Sheriff of the County of Camden, JOSEPH DOUGHERTY, both individually and in his official capacity as Deputy Sheriff of the County of Camden, ARTHUR MICKLES, both individually and in his official capacity as a Deputy Sheriff of the County of Camden, THE CITY OF CAMDEN, CAMDEN CITY POLICE DEPARTMENT, EDWIN FIGUEROA, both individually and in his official capacity as Chief of Police of the Camden City Police Department, EDWIN HARGIS, individually and in his official capacity as Deputy Chief of Police of the Camden City Police Department,

Defendant(s).

THIS MATTER having been opened by the Court for purposes of a settlement conference, in the presence of counsel for the Plaintiffs, Seth R. Lesser, Esquire, Charles LaDuca, Esquire and William A. Riback, Esquire; and in the presence of the counsel for the Defendants, County of Camden and related Camden County Defendants, Donna M. Whiteside, Esquire/Assistant County Counsel, and Richard M. Howard, Esquire (via telephone); and in the presence of counsel for the City of Camden and the City of Camden Defendants, John C. Gillespie, Esquire; and the parties having consented based upon the terms set forth below, to the dismissal without prejudice of all Plaintiffs' claims against this City of Camden, the City of Camden Police Department, Chief Edwin Figueroa and Deputy Chief Edward Hargis;

IT IS on this 27 day of MARCH, 2006, ORDERED that the Plaintiffs' Complaint against the Defendants, City of Camden, the City of Camden Police Department, Chief Edwin Figueroa and Deputy Chief Edward Hargis, (collectively "The City of Camden Defendants") be and the same is hereby dismissed without prejudice subject to the following terms and conditions:

1. In the event that Plaintiffs determine that facts exist which warrant pursuit of a claim against any of the City of Camden Defendants, or any of them, Plaintiffs shall file a Motion with the Court on notice to all parties, setting forth the affirmative facts which they believe supports a cause of action against The City of Camden Defendants;
2. Should the matter not be disposed of prior to such Motion being filed, the statute of limitations governing the cause of action asserted by the current Plaintiffs, Hicks and Velez, shall be tolled.

  
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THE HONORABLE JOEL B. ROSEN, MAGISTRATE

ALL PARTIES CONSENT