

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

GERALD DEARIE and	:	
JERMAINE MILLS, on behalf of	:	Civ. No. 15-8785(RMB/JS)
themselves and all other	:	
similarly situated persons,	:	MEMORANDUM AND ORDER
	:	APPLIES TO ALL ACTIONS
and FREDERICK SCHATNER,	:	
individually,	:	
	:	
Plaintiffs	:	
v.	:	
	:	
CAPE MAY COUNTY;	:	
CAPE MAY COUNTY SHERIFF'S	:	
DEPARTMENT; and UNKNOWN	:	
CORRECTIONS OFFICERS, in	:	
their individual capacities,	:	
	:	
Defendants	:	

In re Cape May County	:	Civ. No. 15-8745(RMB/JS)
Correctional Center	:	
	:	
	:	

This matter comes before the Court upon the letter request of class counsel for Plaintiffs in Dearie v. Cape May County, Civil Action No. 15-8785(RMB/JS), to reopen the related individual lawsuits that were consolidated and stayed in Welch v. Cape May

County Correctional Center, Civil No. 15-8745 (RMB/JS) (Letter, Dkt. No. 115.)

WHEREAS Dearie 15cv8785(RMB-JS) was certified as a class action and Magistrate Judge Joel Schneider granted final approval to the class action settlement on September 28, 2020 (Dkt. No. 247), the time for appeal has expired, and settlement has been consummated;

WHEREAS, with respect to the forty-four consolidated individual lawsuits, Attorney Surinder K. Aggarwal represents twenty of those plaintiffs and the remaining twenty-four plaintiffs are pro se;

WHEREAS Cape May County is defended in all matters by Richard L. Goldstein, Esquire;

WHEREAS eleven of the individual plaintiffs represented by Attorney Aggarwal have agreed to dismiss their individual lawsuits based on the class action settlement reached in Dearie;

WHEREAS Attorney Aggarwal's attempts to contact the remaining nine of his clients have been unsuccessful because his phone calls and his letters remain unanswered;

IT IS therefore on this **16th day of November 2020**,

ORDERED that the stay of the consolidated action in Welch, 15cv8745(RMB/JS), is lifted; and it is further

ORDERED that the Clerk of the Court shall reopen the following

actions so that Stipulations of Dismissal with prejudice may be filed based on the class action settlement:

- Jose Saez v. County of Cape May, Civil No. 16-1351 (RMB/JS)
- John Hewett v. County of Cape May, Civil No. 16-1352 (RMB/JS)
- Lawrence V. Sheeron v. County of Cape May, Civil No. 16-1478 (RMB/JS)
- David Fessler v. County of Cape May, Civil No. 16-1865 (RMB/JS)
- Brett Delaney v. County of Cape May, Civil No. 16-2380 (RMB/JS)
- Michael Kelly v. County of Cape May, Civil No. 16-2447 (RMB/JS)
- Arthur Schellinger v. County of Cape May, Civil No. 16-2584 (RMB/JS)
- Paul Alexander v. County of Cape May, Civil No. 16-4253 (RMB/JS)
- Thomas Chanoux v. County of Cape May, Civil No. 16-5606 (RMB/JS)
- Miguel Redway v. County of Cape May, Civil No. 16-5898 (RMB/JS)
- Erik Meyer v. County of Cape May, Civil No. 16-5899 (RMB/JS)

ORDERED that the Clerk of Court shall reopen the individual lawsuits in the following actions, for possible dismissal under Local Civil Rule 10.1(a):

- Edward Reichle v. County of Cape May, Civil No. 16-1465 (RMB/JS)
- Eric Konczyk v. County of Cape May, Civil No. 16-1526 (RMB/JS)
- Thomas McNamar v. County of Cape May, Civil No. 16-1974 (RMB/JS)
- Christopher Weldon v. County of Cape May, Civil No. 16-2164 (RMB/JS)
- Adrian Mowery v. County of Cape May, Civil No. 16-3016 (RMB/JS)
- Jason Madkiff v. County of Cape May, Civil No. 16-3488 (RMB/JS)
- Harry Angstadt v. County of Cape May, Civil No. 16-5607 (RMB/JS)
- Ronald Rivers v. County of Cape May, Civil No. 16-6615 (RMB/JS)
- Alfred Nelson v. County of Cape May, Civil No. 16-7361 (RMB/JS);

ORDERED that the Clerk shall reopen the individual lawsuits filed by the following pro se plaintiffs:

- Thomas M. Rodier v. County of Cape May, Civil No. 16-1464 (RMB/JS)
- Jermaine Mills v. County of Cape May, Civil No. 16-1466 (RMB/JS)
- Sean Hillegass v. County of Cape May, Civil No. 16-1687 (RMB/JS)
- Alex Vasquez Gonzalez v. County of Cape May, Civil No. 16-1768 (RMB/JS)

- Derick L. Fitzpatrick v. County of Cape May, Civil No. 16-1769 (RMB/JS)
- Khamal Smith v. County of Cape May, Civil No. 16-1866 (RMB/JS)
- Sean Tomes v. County of Cape May, Civil No. 16-1912 (RMB/JS)
- Kenneth Richardson v. County of Cape May, Civil No. 16-1939 (RMB/JS)
- Charles R. Harris, III v. County of Cape May, Civil No. 16-1976 (RMB/JS)
- Zachary English v. County of Cape May, Civil No. 16-2100 (RMB/JS)
- Dana M. Buddenhagen v. County of Cape May, Civil No. 16-2237 (RMB/JS)
- Jimmy Testa v. County of Cape May, Civil No. 16-2299 (RMB/JS)
- Richard Parker v. County of Cape May, Civil No. 16-3393 (RMB/JS)
- Bobby Love v. County of Cape May, Civil No. 16-3461 (RMB/JS)
- Jonathan Bateman v. County of Cape May, Civil No. 16-3432 (RMB/JS)
- Eric Chester v. County of Cape May, Civil No. 16-3563 (RMB/JS)
- Serafin Garcia-Morales v. County of Cape May, Civil No. 16-3564 (RMB/JS)
- Harry Wolf v. County of Cape May, Civil No. 16-3565 (RMB/JS)

- John Lloyd v. County of Cape May, Civil No. 16-3717 (RMB/JS)
- Michael Conklin v. County of Cape May, Civil No. 16-4954 (RMB/JS)
- Frank Pattitucci v. County of Cape May, Civil No. 16-5661 (RMB/JS)
- Jason Popplewell v. County of Cape May, Civil No. 16-5662 (RMB/JS)
- Barry Bump v. County of Cape May, Civil No. 16-5758 (RMB/JS)
- Brian Duley v. County of Cape May, Civil No. 16-6287 (RMB/JS);

ORDERED that the Clerk shall reopen the individual lawsuit filed by Christopher Welch, Civ. No. 15-8745 (RMB/JS), Attorney Agarwal is permitted to withdraw as counsel for Mr. Welch; and it is further

ORDERED that these actions are no longer consolidated and shall proceed individually.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE