

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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ERIC HINES,	:	
	:	
Plaintiff,	:	Civ. No. 17-2864 (NLH) (JS)
	:	
v.	:	MEMORANDUM ORDER
	:	
GARY M. LANIGAN, et al.,	:	
	:	
Defendants.	:	

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APPEARANCES:

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Attorneys for Plaintiff

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Attorneys for Defendant Dr. Miller

HILLMAN, District Judge

WHEREAS, Defendant Dr. Miller filed a motion for summary judgment on the grounds that Plaintiff had not provided him an affidavit of merit, ECF No. 67; and

WHEREAS, Defendant Dr. Miller subsequently filed a letter asking to withdraw his motion after discussing the matter with plaintiff's counsel and "agree[ing] that the filing date of our Answer to the Third Amended Complaint, November 3, 2020 is the appropriate date for determining when the affidavit of merit is due." ECF No. 72,

THEREFORE, IT IS on this 24th day of November, 2020

ORDERED that the request to withdraw the motion for summary judgment, ECF No. 72, is granted. The Clerk shall administratively terminate the motion; and it is further

ORDERED that motion may be renewed, if necessary, at the conclusion of the time for filing an affidavit of merit.

At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.