

Alan J. Baratz, Esq.
Attorney I.D. No: 031451982
WEINER LESNIAK LLP
629 Parsippany Road
P.O. Box 438
Parsippany, New Jersey 07054-0438
Phone: (973) 403-1100 Fax: (973) 403-0010
Attorneys for defendant, City of Englewood
Our File No. 88150
1774878v1 88150 order ajb 3-3-2020

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHUKWUEMEKA EZEKWO and
IFEOMA EZEKWO,

DOCKET NO: 2:15-cv-03167 (SDW)

Plaintiffs,

vs.

CHRISTOPHER QUIRK; MICHAEL
CHRISTIANSEN; THORNTON WHITE;
JOHN DOES 1-10, and the CITY OF
ENGLEWOOD, NEW JERSEY,

Defendants.

**ORDER ADOPTING
REPORT &
RECOMMENDATION
AND ENFORCING
SETTLEMENT OF
ALL CLAIMS**

THIS MATTER having come before the Court upon remand per the Judgment of the United States Court of Appeals for the Third Circuit dated September 9, 2019 for the limited purpose of allowing plaintiffs, Chukwuemeka Ezekwo and Ifoema Ezekwo, a final chance to submit their testimony on the record and allowing counsel for the City of Englewood to also cross-examine them on that testimony in regard to the City of Englewood's motion to enforce settlement, the Evidentiary Hearing having been scheduled for 11:00 a.m. on March 3, 2020, and Joshua Moskovitz, Esq., and Lance A. Clarke, Esq. of the

law firm Bernstein Clarke & Moskowitz appearing for plaintiffs, Alan J. Baratz, Esq., of Weiner Law Group LLP appearing for defendant, City of Englewood, David Pack, Esq. of Hanrahan Pack LLC appearing for defendant, Thornton White, and Brenda Coppola Cuba, Esq. of the Offices of Brenda Coppola Cuba appearing for defendant, Michael Christianson, plaintiffs' counsel, Mr. Moskowitz, having confirmed notice of the scheduled Evidentiary Hearing to both plaintiffs and their expressed intention not to appear and testify, and neither plaintiff appearing or contacting the Court by 11:30 a.m., and for good cause having been shown;

IT IS ON THIS 4th DAY OF March, 2020

ORDERED that the Report and Recommendation of U.S. Magistrate Judge Wettre (ECF No. 136) be and hereby is adopted as the conclusions of law of this Court; and it is further

ORDERED that the settlement of all claims reached between plaintiffs, Chukwuemeka Ezekwo and Ifeoma Ezekwo and the City of Englewood for the total sum of \$1.31M in exchange for them releasing all claims pled in their Complaint as against all named defendants be and hereby is enforced; and it is further

ORDERED that a copy of the within Order be served on all counsel of record within 5 days of its execution and filing with the Court.


Hon. Susan D. Wigenton, U.S.D.J.