

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**NORTHERN VALLEY REGIONAL
BOARD OF EDUCATION,**

Plaintiffs,

v.

T.P. o/b/o A.P.,

Defendant.

Civil Action No. 18-8840

ORDER

THIS MATTER comes before the Court by way of Plaintiff Northern Valley Regional Board of Education’s (“Plaintiff”) unopposed Motion for Default Judgment pursuant to Federal Rule of Civil Procedure 55(b), ECF No. 12, against Defendant T.P., on behalf of A.P., a minor;

and it appearing that before entering a default judgment, the Court must determine: (1) whether it has jurisdiction over the action and the parties, see Animal Sci. Prods., Inc. v. China Nat’l Metals & Minerals Imp. & Exp. Corp., 596 F. Supp. 2d 842, 848 (D.N.J. 2008), and (2) whether the plaintiff’s complaint sufficiently pleads a cause of action, see Chanel, Inc. v. Gordashevsky, 558 F. Supp. 2d 532, 536 (D.N.J. 2008);

IT IS on this 16th day of December, 2019;

ORDERED that Plaintiff’s Motion for Default Judgment, ECF No. 12, is hereby **DENIED** without prejudice to refile; and it is further

ORDERED that any renewed motion shall include a brief that sets forth why Plaintiff believes they are entitled to relief on the merits under the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1400 et seq., associated federal regulations, and corresponding state law, N.J.S.A. § 18A:46-1 et seq.; and it is further

ORDERED that Plaintiff show cause why the Complaint should not be dismissed as moot, since A.P., a senior at Plaintiff's Old Tappan High School as of May 2018, see ECF No. 1 ¶ 3, has likely graduated, and the only relief sought is declaratory, see id. at 22-23.

/s Madeline Cox Arleo _____
MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE