

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

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| JOHN BRANDT, | : | |
| | : | |
| Plaintiff, | : | |
| | : | Case No. 10-4944(FLW)(DEA) |
| v. | : | |
| | : | |
| ELIZABETH HOGAN, <u>et al.</u> , | : | ORDER |
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| Defendants. | : | |
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THIS MATTER having been opened to the Court by Defendants Elizabeth Hogan, Patricia Foundas, Benito Marty, Reed Gladey, John Main, Jennifer Velez, and Susikala Pasupuleti (“Defendants”), through their counsel David L. DaCosta, Esq., on a motion for summary judgment on all counts of the Complaint; Plaintiff John Brandt, pro se, having submitted opposition thereto and a cross-motion for summary judgment on Count II of the Complaint; also pending before the Court is Plaintiff’s unopposed application for appointment of pro bono counsel; the Court having considered the moving, opposition, and reply papers filed by the parties; this matter being considered pursuant to Fed. R. Civ. P. 78; for the reasons stated in the Opinion filed on this date, and for good cause shown;

IT IS on this 18th day of April, 2013

ORDERED that Defendants’ motion for summary judgment is DENIED; and it is further

ORDERED that Plaintiff’s cross-motion for summary judgment is DENIED; and it is further

ORDERED that Plaintiff’s application for the appointment of pro bono counsel is GRANTED, with counsel to be determined in a subsequent order.

/s/ Freda L. Wolfson
Honorable Freda L. Wolfson
United States District Judge