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Attorneys for Defendants, Robert Martin and Ann Martin

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Plaintiff

**LEE KENWORTHY as the administrator
of the ESTATE OF SHAYLING
KENWORTHY and LEE KENWORTHY,
individually,**

vs.

Defendants

**LYNDHURST POLICE DEPARTMENT;
POLICE OFFICER PHILLIP REINA, in
his individual capacity; POLICE
OFFICER HAGGERTY, in his individual
capacity, LYNDHURST POLICE
OFFICER PHILLIP REINA, in his
individual capacity; SERGEANT
RICHARD PIZZUTI, in his individual
capacity; LYNDHURST TOWNSHIP
AMBULANCE SQUAD; TOWNSHIP OF
LYNDHURST; ROBERT MARTIN; ANN
MARTIN; RICHARD ANDERSON;
LAUREN ANDERSON; HOUSING
AUTHORITY OF BERGEN COUNTY;
ADAPT PHARMA—Distributor of
Naloxene**

CASE NO. 2:18-cv-12822- MCA-JAD

CIVIL ACTION

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT
PURSUANT TO
FED. R. CIV. P. 12(b)(1)**

**MOTION RETURN DATE:
DECEMBER 17, 2018**

**TO: Plaintiff Lee Kenworthy, Pro Se
72 Constitution Blvd.
Whiting, New Jersey 08759**

Harry Norton J., Esq.
Norton Murphy
One Garret Mountain Plaza
PNC Bank – 5th Floor
Woodland Park, New Jersey 07424

SIR:

PLEASE TAKE NOTICE that on **Monday, December 17, 2018**, at 9:00 a.m. or as soon thereafter as counsel may be heard, the undersigned counsel for Defendants Robert Martin and Ann Martin shall move before United States District Court for the District of New Jersey for an Order dismissing Plaintiff's Complaint against her pursuant to *Fed. R. Civ. P.* 12(b)(1), with prejudice and with costs. Oral argument is respectfully requested if opposition is filed.

In support of this application, the undersigned shall rely upon the accompanying Brief and Certification of Counsel.

A proposed form of Order is also being submitted.

HARWOOD LLOYD, LLC
Attorneys for Defendants
Robert Martin and Ann Martin

By: /s Gregory J. Irwin
GREGORY J. IRWIN

Dated: November 15, 2018