HARRY D. NORTON, JR.
BRIAN M. MURPHY*
WILLIAM M. SHEEHY
KELLY P. CORRUBIA*
LYNDA S. KORFMANN
MICHELLE SURALIK-HORVATH
JESSICA J. CENTAURO-PETRASSI*
MICHAEL R. RUDOLPH

OF COUNSEL
JOANN RICCARDI-SCHUMAN

*ALSO MEMBER OF NEW YORK BAR

NORTON, MURPHY, SHEEHY & CORRUBIA, P.C.

Attorneys at Law
PNC Bank Building
One Garret Mountain Plaza (5th Floor)
Woodland Park, New Jersey 07424-3396

TELEPHONE: (973) 881-1101
FAX: (973) 881-1369

REPLY TO:

X Woodland Park

Bergen County Office
50 Chestnut Ridge Road, Suite 115
Montvale, New Jersey 07645
Telephone: (201) 930-9799
Fax: (201) 930-9191
E-mail: bmurphy500@msn.com

New York Office
119 North Park Avenue, 4th Floor
Rockville Centre, New York 11570
Telephone: (212) 532-4826

January 23, 2019

Honorable Madeline Cox-Arleo, U.S.M.J.
District Court of New Jersey, Newark
Martin Luther King Building &
U.S Courthouse
50 Walnut Street, Room 4015
Newark, New Jersey 07101

RE: Kenworthy vs. Lyndhurst Police Department, et als.
Case No.: 2:18-cv-12822-MCA-JAD
Our File No.: H17BR-007-HDN

Dear Judge Cox-Arleo:

I am in receipt of what purports to be a "Motion for Leave to File an Amended Complaint" by the Pro Se Litigant, Lee Kenworthy. Please note that the document number is 30 on the Pacer System.

As you are aware, our office represents the Township of Lyndhurst Police Department and various officers named together with the EMS of the Township of Lyndhurst. I write to the Court for guidance based upon the fact that I am uncertain as to how to address this latest salvo by Mr. Kenworthy. Specifically, we have previously filed a Motion to Dismissal the original Complaint filed by Mr. Kenworth which he initially asked for additional time for the purposes of obtaining counsel. The Court provided him with the opportunity to respond to the Motion passed the original return date presumably to allow him to do one of two things, get an attorney on his own or file Opposition to the Motion to Dismiss. I would note that all other codefendants have also filed their own respective Motions to Dismiss.

Instead, we receive the document without the plaintiff seeking the appropriate leave from the Court to file an Amended Complaint. Based upon the fact that the plaintiff has not sought appropriate leave, we would object to the Court considering what purports to be a Motion for Leave to file the Amended Complaint as well as the Amended Complaint.

If the Court feels that we need to affirmatively object, I would appreciate it if you would kindly let me know since to be frank, I have never seen a situation while there is a pending Motion to Dismiss a Complaint that an Amended is sought to be filed. I thank the Court for its review of this matter.

Very truly yours,

Harry D. Norton, Jr.
HNORTON@NASHNJ.COM
Direct Dial: 973-881-1102

HDN, Jr.:sbp
cc: Mr. Lee Kenworthy – CMRR & US Mail
All Counsel of Record
McTigue/Barbire, Esq., File No.: 001264539