

BARBER, DEVON TYLER, **Plaintiff**, *Pro Se*
325 E. Jimmie Leeds Rd., Suite 7-333
Galloway Township, Atlantic County, New Jersey
(609) 862-8808 — Tylersstead@ProtonMail.com

DEVON TYLER BARBER,
Plaintiff,

v.

JOHN W. TUMELTY and THE LAW
OFFICE OF JOHN W. TUMELTY,
Defendant(s).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ATLANTIC COUNTY

DOCKET NO.: ATL-L-002794-25

Civil Action

COVER LETTER /
CORRESPONDENCE

November 25, 2025

KAUFMAN DOLOWICH LLP

Iram P. Valentin, Esq. – Bar No. 010222002
David J. Gittines, Esq. – Bar No. 021422005
Court Plaza North
25 Main Street, Suite 500
Hackensack, New Jersey 07601
(201) 488-6655
Attorneys for Defendants
John W. Tumelty, Esq. and
The Law Office of John W. Tumelty

VIA JEDS FILING AND COURTESY COPY

Honorable Sarah B. Johnson, J.S.C.

Superior Court of New Jersey
Law Division – Civil Part
Atlantic County Civil Courthouse
1201 Bacharach Boulevard
Atlantic City, New Jersey 08401

Re: *Barber v. Tumelty*
Docket No. ATL-L-002794-25

Plaintiff's Filing of Second Amended Complaint and
Brief in Opposition to Defendants' Motion to Dismiss

Dear Judge Johnson:

Please accept this correspondence together with Plaintiff's filings submitted today via JEDS,
consisting of:

1. **Plaintiff's Second Amended Complaint**, with Certifications and Notice of Filing;
2. **Plaintiff's Brief in Opposition** to Defendants' Motion to Dismiss pursuant to R. 4:6-2(e), with Certifications and a Proposed Form of Order; and
3. **Plaintiff's Certification of Service**, including service of Plaintiff's withdrawal of a prior settlement proposal.

The Second Amended Complaint is filed pursuant to Rule 4:9-1 and clarifies Plaintiff's claims, including the separation of conviction-dependent allegations from independent tort, contract, fiduciary-duty, and consumer-fraud causes of action. The concurrently filed Opposition Brief explains why dismissal is improper under the liberal standard governing Rule 4:6-2(e).

Plaintiff respectfully requests that the Court deny Defendants' Motion to Dismiss, or deem the motion moot in light of the Second Amended Complaint.

Thank you for your time and consideration.

Respectfully submitted,

s/ **Devon Tyler Barber**
DEVON TYLER BARBER
Plaintiff, Pro Se