

PREPARED BY THE COURT:

NEW JERSEY TURNPIKE AUTHORITY	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION-SPECIAL CIVIL PART
	:	ATLANTIC COUNTY
Plaintiff,	:	
	:	Docket No.: ATL-DC-7956-25
vs.	:	
DEVON TYLER BARBER	:	<i>Civil Action</i>
	:	ORDER
Defendant.	:	
	:	

THIS MATTER having come before the Court on application of Plaintiff seeking damages of \$5,109.45 based upon alleged toll violations by Defendant; and Defendant having initially filed an Answer to the Complaint on September 3, 2025; and thereafter the Defendant having filed up to 6 separate Motions with the Court for alternate relief, all of which have been objected to by the Plaintiff; and thereafter the Defendant having filed an Answer and Counterclaim on October 8, 2025, without leave of the Court; and thereafter the Defendant failed to attend a Settlement Conference/Mediation via Zoom on October 9, 2025, and Default having been entered against him; and thereafter the Defendant having filed a Motion to Vacate the Default previously entered in this matter; and whereas this Court does hereby enter the following Order resolving all Motions filed in this matter; and for good cause shown;

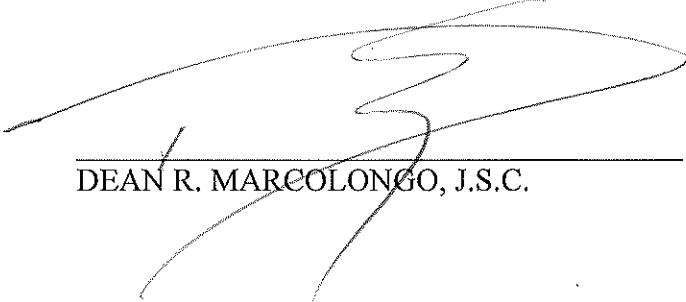
IT IS on this 27th day of October, 2025, **ORDERED and ADJUDGED** that:

1. Defendant's Motion to Vacate the Default previously entered is GRANTED and this matter is hereby restored to the active trial list
2. The Court does hereby authorize the filing of Defendant's Amended Answer and Counterclaim of October 8, 2025, and deems same to be Defendant's formal responsive pleading.

3. Plaintiff's counsel shall file an Answer to the Counterclaim within ten (10) days.
4. Defendant's Motion to Dismiss the Complaint for failure to state a cause of action pursuant to Rule 4:6-2(a)(e) is hereby DENIED. The Court has reviewed the Complaint and same clearly sets forth a legitimate cause of action for alleged toll violations. Printing Mart vs. Sharp Electronics, 116 N.J. 739 (1989). Defendant's Motions to Dismiss for alternate reasons are hereby DENIED without prejudice as premature pending discovery.
5. Defendant's Motion for the appointment of counsel is hereby DENIED without prejudice. The substance of the cause of action against the Defendant is a Civil matter, thus the appointment of counsel in this type of case is not authorized.
6. Defendant's Motion for the Court to recuse itself from this proceeding is hereby DENIED. The Court has reviewed the Defendant's rationale for recusal pursuant to the standard set forth in Rule 1:12-1 and finds that there is no grounds for this Court to recuse itself as the Court finds no legitimate reason for disqualification.
7. Defendant's request for an ADA Accommodation is hereby referred to the Atlantic County ADA Coordinator for review and further appropriate action. This matter is hereby stayed for a period of thirty (30) days to allow for said review to occur.
8. Defendant's Motion for the Plaintiff to provide certain documentation is GRANTED, in part. The Defendant may submit to Plaintiff's counsel appropriate Interrogatories, Request for Admissions and/or Notices to Produce within thirty (30) days of the date of this Order and Plaintiff shall respond to same within the timeframes set forth by the New Jersey Rules of Court. Similarly, the Defendant shall respond to any written discovery demands requested by Plaintiff's counsel within the timeframes set forth by the New Jersey Rules of Court.

9. This matter is hereby scheduled for a Settlement Conference/Mediation on January 8, 2026, at 9:00 a.m. via zoom.

10. This Order or Judgment shall be deemed automatically served upon all counsel of record simultaneously with its online posting in eCourts; otherwise, all other parties shall be served by the party obtaining this Order or Judgment within seven (7) days of its entry. See Rule 1:5-1(a).



DEAN R. MARCOLONGO, J.S.C.