

FILED

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BRIAN R. MARTINOTTI, J.S.C.

MCELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
570 Broad Street, Suite 1500
Newark, New Jersey 07102-4560
(973) 622-7711
John P. Dwyer Attorney ID No. 209881965

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP
1899 Wynkoop Street
Suite 800
Denver, Colorado 80202
(303) 592-3100

Attorneys for Defendant
E. I. du Pont de Nemours and Company

In re Alleged
Environmental Contamination of
Pompton Lakes

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

CASE NO. 290 (Hon. Brian R. Martinotti)

Civil Action

**ORDER GRANTING SUMMARY
JUDGMENT TO E. I. DU PONT DE
NEMOURS AND COMPANY**

THIS DOCUMENT APPLIES TO:

Dnistran, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-12339-10 CM

Magee, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-10722-10 CM

Monico, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-10670-10 CM

Recca, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-10576-10 CM

Felicetta, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-6506-11 CM

Stursberg, et al. v. E. I. du Pont de Nemours and Company
Docket No. BER-L-10691-10 CM

THIS MATTER having been opened to the Court by McElroy, Deutsch, Mulvaney, & Carpenter, LLP and Bartlit Beck Herman Palenchar & Scott LLP, attorneys for Defendant, E. I. du Pont de Nemours and Company ("DuPont"), for an Order granting summary judgment, pursuant to Rule 4:46-1 and 4:46-2(c), as to 24 properties; and the Court having been advised that the claims as to 18 of those properties have been resolved by the parties; and as to the remaining 6 properties the Court considered the briefs and other papers submitted by the parties and heard oral argument; and announced its decision on the record on August 6, 2015;

NOW THEREFORE IT IS on this 17th day of August, 2015,

ORDERED that summary judgment is granted in favor of Defendant DuPont, dismissing with prejudice the complaints in their entirety filed by plaintiffs in the following actions:

| NAME | DOCKET NO. |
|----------------------|-------------------|
| Monico, Joseph (Jr.) | BER-L-10670-10 CM |
| Monico, Darlene | BER-L-10670-10 CM |
| Recca, Suzanne | BER-L-10576-10 CM |

IT IS FURTHER ORDERED that summary judgment is granted in favor of Defendant DuPont, dismissing with prejudice the property damage claims including all claims for diminution in property value and the loss of use and enjoyment claims of the following plaintiffs:

| NAME | DOCKET NO. |
|--------------------|-------------------|
| Dnistran, John | BER-L-12339-10 CM |
| Dnistran, Barbara | BER-L-12339-10 CM |
| Magee, Michael | BER-L-10722-10 CM |
| Magee, Karen | BER-L-10722-10 CM |
| Felicetta, Anthony | BER-L-6506-11 CM |

IT IS FURTHER ORDERED that summary judgment is granted in favor of Defendant DuPont, dismissing with prejudice the property damage claim for diminution in property value of the following plaintiff:

| NAME | DOCKET NO. |
|-------------------|-------------------|
| Stursberg, Werner | BER-L-10691-10 CM |



HONORABLE BRIAN R. MARTINOTTI, J.S.C.