

FILED
AUGUST 10, 2022
HON. ALBERTO RIVAS, J.S.C.

MARLON VALDEZ-MARTINEZ, and
IRMA CHINCHILLA, his wife,

Plaintiffs,

v.

PARKSITE, INC.; SEAGIS PROPERTY GROUP,
LP; SEAGIS NORTH BRUNSWICK, LLC;
DELEO-BRAM & CO. PROPERTY
MANAGEMENT SERVICES; JOHN DOE #1-10;
ABC CORP# 1-10,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MIDDLESEX COUNTY
DOCKET NO. MID-L-5894-17

CIVIL ACTION

ORDER

THIS MATTER has been brought before this Court by Defendants Seagis Property Group, LP, Seagis North Brunswick, LLC (“SNB”) and NAI DiLeo-Bram Property Management Services (“NAI”), by and through their attorneys, seeking a motion for directed verdict pursuant to Rule 4:40-1.

Motions for a directed verdict at the close of plaintiff’s case-in-chief, Rule 4:40-1, are governed by the same standard as motions for involuntary dismissal made pursuant to Rule 4:37-2(b). Alves v. Rosenberg, 400 N.J. Super. 553, 565 (App. Div. 2008). In such an analysis, the trial court must accept as true all evidence presented by the plaintiff and the legitimate inferences drawn therefrom to determine whether the proofs are sufficient to sustain a judgment in his favor. Monaco v. Hartz Mountain Corp., 178 N.J. 401, 413 (2004). “The judicial function here is quite a mechanical one. The trial judge is not concerned with the worth, nature or extent of the evidence, but only with its existence, viewed most favorably to the party opposing the motion.” Dolson v. Anastasia, 55 N.J. 2, 5-6 (1969).

Under Rule 4:37-2(b), a trial judge will grant a motion for a directed verdict only if, accepting the non-moving party’s facts and considering the applicable law, “no

rational jury could draw from the evidence presented” that the non-moving party is entitled to relief. Pitts v. Newark Bd. of Educ., 337 N.J. Super. 331, 340 (App. Div. 2001). If reasonable minds could reach different conclusions, the motion must be denied. Id.

The Court having considered the papers submitted in connection with this motion, and having heard the arguments of counsel, and for good cause shown;

IT IS ON THIS 10th DAY OF AUGUST 2022, ORDERED AS FOLLOWS:

ORDERED that the motion for a directed verdict submitted on behalf of Defendants Seagis Property Group, LP, Seagis North Brunswick, LLC (“SNB”) and NAI DiLeo-Bram Property Management Services (“NAI”) is hereby **GRANTED**; and it is further

ORDERED that the court will provide a written opinion denoting the factual and legal rationale for its decision within seven (7) days of the filing of this Order.



Hon. Alberto Rivas, J.S.C.