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JULY 20, 2020

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Richard J. Hughes Justice Complex
P.O. Box 112
25 Market Street
Trenton, New Jersey 08625
Attorney for Plaintiff

**SUPERIOR COURT OF NJ
MERCER VICINAGE
CHANCERY**

Judith M. Persichilli, R.N., B.S.N., M.A.,
In her official capacity as the Commissioner
Of the Department of Health

By: Stephen Slocum (907802012)
Deputy Attorney General
(609)376-3200
Stephen.slocum@law.njoag.gov

JUDITH M. PERSICHILLI,	:	SUPERIOR COURT OF NEW JERSEY
R.N., B.S.N., M.A., in	:	CHANCERY DIVISION - MERCER COUNTY
her official capacity as	:	GENERAL EQUITY PART
Commissioner of the New	:	DOCKET NO. MER-C-48- ²⁰ 29
Jersey Department of	:	
Health,	:	<u>CIVIL ACTION</u>
	:	
Plaintiff,	:	ORDER OF CONTEMPT
	:	AND ENFORCING LITIGANT'S RIGHTS
v.	:	
	:	
ATILIS GYM OF BELLMAWR,	:	
	:	
Defendant.	:	

This matter having been brought to the Court by Gurbis S. Grewal, Attorney General of New Jersey, by Stephen Slocum, Deputy Attorney General, attorney for Plaintiff Judith M. Persichilli, R.N., B.S.N., M.A., in her official capacity as Commissioner of the New Jersey Department of Health, on a motion for an Order of Contempt and Enforcing Litigant's Rights, on notice to Christopher Arzberger, Esq., counsel for Defendant Atilis Gym of Bellmawr, and

the court having considered the papers submitted and the arguments of counsel, if any, and for good cause shown:

It is on this 20th day of July, 2020 **ORDERED** that:

1. Defendant Amicus Cyber is found in contempt of the court's June 15, 2020 Amended Preliminary Restraining Order.

2. To ensure enforcement of the court's June 15, 2020 Amended Preliminary Restraining Order and this Order, Plaintiff may physically bar all entrances to Defendant's facility located at 363 West Browning Road, Bellmawr.

3. _____

~~The Court enforces the Commissioner's Order of July 1, 2020. Any violation of this Order of the Court shall subject Defendant to summary contempt-of-court proceedings per N.J. Court Rules 1:10-1, -3, and any sanctions, penalties, attorneys fees and costs, or other appropriate reliefs available to Plaintiff or the Court. Nothing in this Order constrains Plaintiff's rights or authorities to enforce her July 1, 2020 Order per R. 4:67-6 or the authorities enumerated in Paragraph 5 of the 7.1.20 Order. If Plaintiff returns to court to enforce this Order, counsel shall include a certification of attorney services and fees. See R. 1:10-3.~~

_____ .

4. Plaintiff's counsel shall serve a copy of this Order upon all interested parties and attorneys of record within 10 days from the receipt thereof.

5. This Order shall be deemed served upon receipt from a Judiciary email account (xxx@njcourts.gov).

/s/ Robert Lougy
ROBERT LOUGY, P.J. Ch.

Opposed

Unopposed