



New Jersey Judiciary  
 Superior Court - Appellate Division  
**Civil Case Information Statement**

AMENDED FOR: Changing proposed point headers and other information set forth in original CIS.

Title in Full <b>AMELIA MANYA EMILY ORT,                  V.                  ABRAHAM ORT</b>	Trial Court or Agency Docket Number <b>FM-15-990-00</b>
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• Attach additional sheets as necessary for any information below.

**Appellant's Attorney**      Email Address: **APPDIV@DPDLAW.COM**  
**DPD@FAMILYLAWNJ.PRO (\*)**

Plaintiff     Defendant     Other (Specify)

Name <b>DAVID PERRY DAVIS, Esq.</b>		Client <b>ABRAHAM ORT</b>		
Street Address <b>57 HAMILTON AVE STE 301</b>	City <b>HOPEWELL</b>	State <b>NJ</b>	Zip <b>08525</b>	Telephone Number <b>609-466-1222</b>

**Respondent's Attorney**      Email Address: **TERRYB@PAONEZALESKI.COM**  
**JPP3@PAONEZALESKI.COM (\*)**

Plaintiff     Defendant     Other (Specify)

Name <b>JOHN P PAONE, Esq.</b>		Client <b>AMELIA MANYA EMILIA ORT</b>		
Street Address <b>146 GREEN STREET P.O. BOX 249</b>	City <b>WOODBRIIDGE</b>	State <b>NJ</b>	Zip <b>07095</b>	Telephone Number <b>732-750-9797</b>

Give Date and Summary of Judgment, Order, or Decision Being Appealed and Attach a Copy:  
**On September 15, 2017, the trial court denied defendant's motion seeking various forms of relief including emancipating the parties' children, vacating a warrant for his arrest, affirming that all support arrears had been satisfied, and entering a judgment in his favor.**

Have all issues as to all parties in this action, before the trial court or agency, been disposed?  Yes     No  
 That is, are there any claims against any party in the trial court or agency, either in this or a consolidated action, which have not been disposed? These claims may include counterclaims, cross-claims, third-party claims and applications for counsel fees.

If outstanding claims remain open, has the order been properly certified as final pursuant to R. 4:42-2?       Yes     No     N/A

A) If the order has been properly certified, attach copies of the order and the complaint and any other relevant pleadings to the order being appealed. Attach a brief explanation as to why the order qualified for certification pursuant to R. 4:42-2.

B) If the order has not been certified or has been improperly certified, leave to appeal must be sought. (See R. 2:2-4; 2:5-6.) Please note that an improperly certified order is not binding on the Appellate Division.

If claims remain open and/or the order has not been properly certified, you may want to consider filing a motion for leave to appeal or submitting an explanation as to why you believe the matter is final and appealable as of right.

(\*) truncated due to space limit. Please find full information in the additional pages of the form.

Were any claims dismissed without prejudice?  Yes  No

If so, explain and indicate any agreement between the parties concerning future disposition of those claims.

Is the validity of a statute, regulation, executive order, franchise or constitutional provision of this State being questioned? (R. 2:5-1(h))  Yes  No

Give a Brief Statement of the Facts and Procedural History:

**A motion was filed in this post-judgment matrimonial case in February 2017 seeking various forms of relief including the emancipation of children, vacating a warrant, and entering judgment in defendant's favor. A cross motion was filed in May seeking to apply the fugitive disentitlement doctrine and for other relief. A reply certification was filed in June, 2017.**

To the extent possible, list the proposed issues to be raised on the appeal as they will be described in appropriate point headings pursuant to R. 2:6-2(a)(5). (Appellant or cross-appellant only.):

- I. The trial court erred in failing to render a final determination as to defendant's child support arrears, taking into account all credits to which he was due and reducing this amount to judgment, or, in the alternative, scheduling a plenary hearing as to this relief;**
- II. The trial court erred in failing to affirm that each of the children became emancipated on his/her eighteenth birthday when he/she took control of his/her custodial accounts and disclaimed any relationship with defendant;**
- III. The trial court erred in failing to vacate the provision of the judgment requiring defendant to maintain life insurance as a result of the emancipation of the children;**
- IV. The trial court erred in failing to enforce litigant's rights by requiring plaintiff to provide an accounting of all funds received by her in connection with the children's custodial accounts;**
- V. The trial court erred in failing to compel plaintiff to replenish the children's custodial accounts from funds received from the East 16th Street property rather than keeping those funds for her own use;**
- VI. The trial court erred in failing to adjust defendant's support obligation as of the date plaintiff acquired the right to receive the rents to the East 16th Street property**
- VII. The trial court erred in failing to discharge the existing arrest warrant for defendant**
- VIII. The trial court erred in failing to enter judgment in defendant's favor as a final accounting on support claims and credits;**
- IX. The trial court erred in failing to enter judgment against plaintiff in the amount of \$813,632 as and for the current balance on the mortgage owed to the Regina Ort Trust;**
- X. The trial court erred in failing to enforce litigant's rights by compelling plaintiff to comply with the Court's June 13, 2013 requiring her to file a case information statement;**
- XI. The trial court erred in failing to restrain plaintiff from dissipating any assets pending a final resolution of the issues;**
- XII. The trial court erred in failing to award defendant counsel fees and costs;**
- XIII. The trial court erred in increasing the judgment in plaintiff's favor;**
- XIV. The trial court abused its discretion in awarding plaintiff counsel fees on her cross application;**

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**XV. Such other points as research and preparation of the appellant's brief may reveal.**

If you are appealing from a judgment entered by a trial judge sitting without a jury or from an order of the trial court, complete the following:

- 1. Did the trial judge issue oral findings or an opinion? If so, on what date? 09/15/2017  Yes  No
- 2. Did the trial judge issue written findings or an opinion? If so, on what date? \_\_\_\_\_  Yes  No
- 3. Will the trial judge be filing a statement or an opinion pursuant to R. 2:5-1(b)?  Yes  No  Unknown

**Caution:** Before you indicate that there was neither findings nor an opinion, you should inquire of the trial judge to determine whether findings or an opinion was placed on the record out of counsel's presence or whether the judge will be filing a statement or opinion pursuant to R. 2:5-1(b).

Date of Your Inquiry:

Is the validity of a statute, regulation, executive order, franchise or constitutional provision of this State being questioned? **(R.2:5-1(h))**  Yes  No  
 If yes, you will need to serve the appropriate government attorney.

- 1. Is there any appeal now pending or about to be brought before this court which:
  - (A) Arises from substantially the same case or controversy as this appeal?  Yes  No
  - (B) Involves an issue that is substantially the same, similar or related to an issue in this appeal?  Yes  No

If the answer to the question above is Yes, state:

Case Title	Trial Court Docket#	Party Name
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- 2. Was there any prior appeal involving this case or controversy?  Yes  No

If the answer to question above is Yes, state:

Case Name and Type (direct, 1st PCR, other, etc.)	Appellate Division Docket Number
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Civil appeals are screened for submission to the Civil Appeals Settlement Program (CASP) to determine their potential for settlement or, in the alternative, a simplification of the issues and any other matters that may aid in the disposition or handling of the appeal. Please consider these when responding to the following question. A negative response will not necessarily rule out the scheduling of a preargument conference.

State whether you think this case may benefit from a CASP conference.  Yes  No  
 Explain your answer:

**This is an extremely contentious post-judgment Family Part case with a myriad of complex issues related to allegations of fraud committed by plaintiff.**

Whether or not an opinion is approved for publication in the official court report books, the Judiciary posts all Appellate Division opinions on the Internet.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

**ABRAHAM ORT**

Name of Appellant or Respondent

**11/13/2017**

Date

**DAVID PERRY DAVIS, Esq.**

Name of Counsel of Record  
(or your name if not represented by counsel)

**s/ DAVID PERRY DAVIS, Esq.**

Signature of Counsel of Record  
(or your signature if not represented by counsel)

**047451996**

**APPDIV@DPDLAW.COM,DPD@FAMILYLAWNJ.PRO**

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Bar #	Email Address
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New Jersey Judiciary  
Superior Court - Appellate Division  
CIVIL Case Information Statement

Additional appellants continued below

Additional respondents continued below

Appellant's attorney email address continued below

**PARTY NAME: ABRAHAM ORT ATTORNEY NAME: DAVID PERRY DAVIS, Esq.**  
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