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Ira C. Miller (Retired)
Arthur Penn (Retired)
George Pellettieri (1929-1980)
Ruth Rabstein (1934-2005)
George L. Pellettieri (1961-1973)
Mel Narol (1989-2002)
Steven H. Moriand, Jr. (2006-2012)

November 25, 2015

Ellen Marie Gumpel, Acting
Supervisor of Court Reporters
c/o Mr. Robert Mull
Mercer County Law Library, Second Floor
Mercer County Civil Courts Building
175 South Broad Street, P.O. Box 8068
Trenton, New Jersey 08650

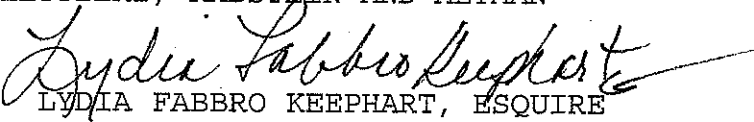
RE: Hartmann v. Olsson
Docket No. MER-L-001822-13

Dear Ms. Gumpel:

Please find enclosed the original Court Transcript Request Form in connection with the above-referenced matter, together with copies of the Notice of Appeal and Case Information Statement on behalf of the Plaintiff / Appellant.

Also enclosed is the firm's check in the amount of \$1,000.00 payable to J & J Court Reporters representing the deposit for the preparation of the aforementioned transcript. We are requesting an original and two (2) copies of the transcript.

Very truly yours,
PELETTIERI, RABSTEIN AND ALTMAN

BY: 
LYDIA FABBRO KEEPHART, ESQUIRE
A Member of the Firm

/ld
Enclosures

cc: Clerk, Superior Court of New Jersey, Appellate Division
The Honorable William X. Anklowitz, J.S.C.
David Perry Davis, Esquire
Judith Irizarry, Trial Court Division Manager



**New Jersey Judiciary
Superior Court - Appellate Division
COURT TRANSCRIPT REQUEST**

Please type or clearly print all information.

Instructions:

1. Complete all information
2. File a separate request for each court reporter or court clerk who recorded a portion of the proceeding
3. Attach the Appellate Division or Supreme Court Clerk's copy to the Notice of Appeal (R. 2:5-1(f))
4. Attach transcript fee.

PLAINTIFF(S) <p align="center">John A. Hartmann, III</p> <p align="center">v.</p> <p align="center">Richard W. Olsson,</p> DEFENDANT(S)	TRIAL COURT DOCKET NUMBER <p align="center">MER-L-001822-13</p> <hr/> COUNTY / COURT <p align="center">Mercer / Superior Court / Law Division</p>
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REQUESTING PARTY		
NAME Lydia Fabbro Keephart, Esq.	EMAIL ADDRESS Ldonington@pralaw.com	PHONE NUMBER 609-520-0900
ADDRESS Pellettieri Rabstein and Altman, 100 Nassau Park Boulevard, Suite 111		
CITY Princeton	STATE NJ	ZIP 08540

TO	NAME / ADDRESS (COURT REPORTER or COURT CLERK (if sound recorded))
J & J Court Transcribers 268 Evergreen Avenue Hamilton, New Jersey 08619 609-586-2311	

It is hereby requested that you prepare for use on (check one) appeal non-appeal* an original and 2 copies of the following:

DATE OF PROCEEDING	TYPE OF PROCEEDING (e.g., trial, sentencing, motion, etc.)	NAME OF JUDGE
October 13, 2015	Trial	William X. Anklowitz, JSC
October 14, 2015	Trial	William X. Anklowitz, JSC

I agree to pay for the preparation and any copies ordered of the transcript(s) for the above date(s) pursuant to R. 2:5-3(d).

L. Keephart
SIGNATURE OF REQUESTING PARTY

November 24, 2015
DATE

Transcript fees are set by New Jersey Statute 2B:7-4. An additional sum or reimbursement may be required prior to or at the completion of the transcript order.

DEPOSIT ATTACHED: \$ 1,000.00

* Only the Supervisor of Court Reporters should receive copies of non-appeal transcript requests.

- CC:
1. CLERK, Appellate Division, or CLERK, Supreme Court (see INSTRUCTIONS above)
 2. Supervisor of Court Reporters Ellen Marie Gumpel, Acting
 3. Trial Court Transcript Office
 4. Other attorneys / Pro Se parties David Perry Davis, Esquire

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Mel Narol (1989-2002)
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November 25, 2015

HAND DELIVERED

Office of the Clerk
Superior Court of New Jersey
APPELLATE DIVISION
Richard J. Hughes Justice Center
25 W. Market Street
Trenton, New Jersey 08625

RE: John A. Hartmann, III v. Richard W. Olsson
Trial Court: MER-L-001822-13


Dear Sir or Madam:

We enclose herewith an original and seven (7) copies of a Notice of Appeal, Case Information Statement and copy of Transcript Request. Kindly file the originals thereof, returning "filed" copies to this office in the envelope provided. Please charge any fees incurred to our Superior Court Account No. 079700.

Very truly yours,

PELETTIERI, RABSTEIN AND ALTMAN

/ld
Enclosures

BY: 
LYDIA FABBRO KEEPHART, ESQUIRE
A Member of the Firm

cc: The Honorable William X. Anklowitz, J.S.C.
Ellen Marie Gumpel, Acting Supervisor of Court Reports, c/o Mr.
Robert Mull
David Perry Davis, Esquire
Judith Irizarry, Trial Court Division Manager



**New Jersey Judiciary
Superior Court - Appellate Division
NOTICE OF APPEAL**

Type or clearly print all information. Attach additional sheets if necessary.		ATTORNEY / LAW FIRM / PRO SE LITIGANT				
TITLE IN FULL (AS CAPTIONED BELOW): John A. Hartmann, III - Plaintiff, v. Richard W. Olsson - Defendant.		NAME Lydia Fabbro Keephart, Esq., Pellettieri Rabstein & Altman				
		STREET ADDRESS 100 Nassau Park Blvd., Suite 111				
		CITY Princeton	STATE NJ	ZIP 08540	PHONE NUMBER 609-520-0900	
		EMAIL ADDRESS				

ON APPEAL FROM		
TRIAL COURT JUDGE Hon. William X. Anklowitz, J.S.C.	TRIAL COURT OR STATE AGENCY Superior Court, Law Division, Mercer County	TRIAL COURT OR AGENCY NUMBER MER-L-001822-13

Notice is hereby given that Plaintiff, John A. Hartmann, III. appeals to the Appellate Division from a Judgment or Order entered on October 14, 2015 in the Civil Criminal or Family Part of the Superior Court or from a State Agency decision entered on _____.

If not appealing the entire judgment, order or agency decision, specify what parts or paragraphs are being appealed.
Plaintiff appeals the "no cause of action" Decision of the Honorable William X. Anklowitz, J.S.C. that resulted from a bench trial that concluded on October 14, 2015 as memorialized in the subject October 14, 2015 Order.

Have all issues, as to all parties in this action, before the trial court or agency been disposed of? (In consolidated actions, all issues as to all parties in all actions must have been disposed of.) Yes No
If not, has the order been properly certified as final pursuant to R. 4:42-2? Yes No

For criminal, quasi-criminal and juvenile actions only:

Give a concise statement of the offense and the judgment including date entered and any sentence or disposition imposed:

This appeal is from a conviction post judgment motion post-conviction relief.
If post-conviction relief, is it the 1st 2nd other _____
specify

Is defendant incarcerated? Yes No

Was bail granted or the sentence or disposition stayed? Yes No

If in custody, name the place of confinement:

Defendant was represented below by:
 Public Defender self private counsel _____
specify

Notice of appeal and attached case information statement have been served where applicable on the following:

	Name	Date of Service
Trial Court Judge	Hon. William X. Anklowitz, J.S.C.	11/25/2015
Trial Court Division Manager	Judith Irizarry	11/25/2015
Tax Court Administrator		
State Agency		
Attorney General or Attorney for other Governmental body pursuant to R. 2:5-1(a), (e) or (h)		
Other parties in this action:		

Name and Designation	Attorney Name, Address and Telephone No.	Date of Service
Richard W. Olsson - Defendant	David Perry Davis, Esq., 112 W. Franklin Ave., Pennington, NJ 08534-3222 (609) 737-3222	11/25/2015

Attached transcript request form has been served where applicable on the following:

	Name	Date of Service	Amount of Deposit
Trial Court Transcript Office			
Court Reporter (if applicable)			
Supervisor of Court Reporters	Ellen Marie Gumpel (Acting)	11/25/15	\$1,000.00
Clerk of the Tax Court			
State Agency			

Exempt from submitting the transcript request form due to the following:

- No verbatim record.
- Transcript in possession of attorney or pro se litigant (four copies of the transcript must be submitted along with an electronic copy).
List the date(s) of the trial or hearing:
- Motion for abbreviation of transcript filed with the court or agency below. Attach copy.
- Motion for free transcript filed with the court below. Attach copy.

I certify that the foregoing statements are true to the best of my knowledge, information and belief. I also certify that, unless exempt, the filing fee required by N.J.S.A. 22A:2 has been paid.

11/25/2015

DATE


SIGNATURE OF ATTORNEY OR PRO SE LITIGANT



**New Jersey Judiciary
Superior Court - Appellate Division
CIVIL CASE INFORMATION STATEMENT**

Please type or clearly print all information.

TITLE IN FULL

TRIAL COURT OR AGENCY DOCKET NUMBER

John A. Hartmann, III - Plaintiff/Appellant,
v.
Richard W. Olsson - Defendant.

MER-L-001822-13

■ Attach additional sheets as necessary for any information below.

APPELLANT'S ATTORNEY EMAIL ADDRESS: Ldonington@pralaw.com - Paralegal for Lydia Fabbro Keephart, Esquire

PLAINTIFF DEFENDANT OTHER (SPECIFY)

NAME

Lydia Fabbro Keephart, Esquire, Pellettieri Rabstein and Altman

CLIENT

John A. Hartmann, III

STREET ADDRESS

100 Nassau Park Blvd., Suite 111

CITY

Princeton

STATE

NJ

ZIP

08540

TELEPHONE NUMBER

609-520-0900

RESPONDENT'S ATTORNEY * EMAIL ADDRESS: dpd@FamilyLawNJ.pro

NAME

David Perry Davis, Esquire

CLIENT

Richard W. Olsson

STREET ADDRESS

112 W. Franklin Avenue

CITY

Pennington

STATE

NJ

ZIP

08534

TELEPHONE NUMBER

609-737-3222

* Indicate which parties, if any, did not participate below or were no longer parties to the action at the time of entry of the judgment or decision being appealed.

GIVE DATE AND SUMMARY OF JUDGMENT, ORDER, OR DECISION BEING APPEALED AND ATTACH A COPY:

On October 14, 2015, the Honorable William X. Anklowitz, J.S.C. entered a "no cause of action" Order that resulted from a bench trial in the within matter. See attached.

Are there any claims against any party below, either in this or a consolidated action, which have not been disposed of, including counterclaims, cross-claims, third-party claims and applications for counsel fees? YES NO

If so, has the order been properly certified as final pursuant to R. 4:42-2? (If not, leave to appeal must be sought. R. 2:2-4,2:5-6) YES NO

(If the order has been certified, attach, together with a copy of the order, a copy of the complaint or any other relevant pleadings and a brief explanation as to why the order qualified for certification pursuant to R. 4:42-2.)

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:

See attached Schedule A.

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.):

See attached Schedule B.

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? October 14, 2015 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

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: _____

- 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
- 2. WAS THERE ANY PRIOR APPEAL INVOLVING THIS CASE OR CONTROVERSY? YES NO

IF THE ANSWER TO EITHER 1 OR 2 ABOVE IS YES, STATE:

Case Name: _____

Appellate Division Docket Number: _____

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:

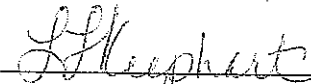
During arbitration in the case below, the Defendant responded to Plaintiff's demand with a demand of his own, despite not having an affirmative claim. He made no meaningful attempts to resolve this matter previously.

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).

JOHN A. HARTMANN, III
Name of Appellant or Respondent

LYDIA FABBRO KEEPHART, ESQUIRE
Name of Counsel of Record
(or your name if not represented by counsel)

November 25, 2015
Date


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

SCHEDULE A

BRIEF STATEMENT OF FACTS AND PROCEDURAL HISTORY

A Complaint was filed by the Plaintiff/Appellant in the Superior Court, Law Division on August 26, 2013, wherein Plaintiff/Appellant sought recompense from Defendant for damages resulting from defamatory statements made by Defendant, Richard Olsson in the post-judgment family law matter of Olsson v. Olsson, Superior Court of New Jersey, Chancery Division, Mercer County, Docket No. FM-11-1125-10K.

It was the contention of Plaintiff that the Defendant, Richard Olsson, made malicious, misleading, false and defamatory statements designed to advance his goals in the post-judgment litigation at the expense of the Plaintiff, John A. Hartmann, III, Esquire, personally and professionally.

Defendant, Olsson, filed a Notice of Motion seeking to have the litigation dismissed for failure to state a claim, raising immunity from action as a result of the litigation privilege. Plaintiff filed responsive papers and ultimately, the Defendant's Notice of Motion was denied by the Honorable Douglas H. Hurd, P.J.Cv. on December 20, 2013.

Defendant filed answering pleadings to the Complaint. No Counterclaim was filed on behalf of the Defendant.

Settlement conferences, as required by the Court, were not productive.

Trial commenced on October 13, 2015 before the Honorable William X. Anklowitz, J.S.C. Testimony was taken of the Plaintiff, John A. Hartmann, III, both by way of direct and cross-examination. There was no testimony taken of the Defendant, Richard Olsson.

The Honorable William X. Anklowitz, J.S.C. determined that the Defendant, Richard Olsson, made many statements that fit the New Jersey Supreme Court's definition of defamation against the Plaintiff, John A. Hartmann, III. Judge Anklowitz, however, further opined that because of a perceived change in Plaintiff's demeanor during re-cross-examination in the instant matter, particularly with respect to alleged eye contact between Mr. Hartmann and Mr. Olsson, he believed he was able to see how Mr. Hartmann may have intimidated Mr. Olsson in the trial of the dissolution matter, making Mr. Olsson unable to differentiate between the argument and the person. Judge Anklowitz further opined that he did not believe that the Defendant, Richard Olsson, was smart enough to know the difference.

Judge Anklowitz was not present during the trial of the dissolution matter.

There was no testimony taken of Defendant, Richard Olsson, at all, let alone with respect to his feelings during the trial of the dissolution matter and post-judgment litigation. Further, Judge Anklowitz made no inquiries of Mr. Olsson regarding how he felt with respect to Mr. Hartmann during the trial of the dissolution matter.

On October 14, 2015 an Order was entered by the Honorable William X. Anklowitz, J.S.C. memorializing the Court's "no cause of action" decision at the culmination of a one-day trial that began on October 13, 2015.

SCHEDULE B

PROPOSED ISSUES TO BE RAISED ON APPEAL:

THE TRIAL COURT ERRED IN ALLOWING ITS UNSUBSTANTIATED PERCEPTION OF DEFENDANT'S FEELINGS DURING THE PRIOR DISSOLUTION TRIAL, AS WELL AS ITS PERCEPTION OF DEFENDANT'S LACK OF INTELLIGENCE, TO ACT AS A DEFENSE TO DEFAMATION AND TO OVERRIDE ITS FINDING THAT DEFAMATORY STATEMENTS HAD BEEN MADE BY DEFENDANT AGAINST PLAINTIFF.

The Court below found many of the statements made by Defendant, Richard Olsson, to be defamatory based upon the definition of defamation as set by the New Jersey Supreme Court. Despite this finding and based upon the Court surmising what might have transpired during the litigation of the family court dissolution matter, the Court found that the Defendant Richard Olsson, must have been so intimidated by Plaintiff during the family court litigation that he could not distinguish between the argument and the person and, further, that Mr. Olsson was not smart enough to know the difference. As a result, The Honorable William X. Ankowitz, J.S.C., despite finding the existence of defamatory statements by Defendant against Plaintiff, found "no cause for action" and entered the Order of October 14, 2015.

Plaintiff / Appellant seeks a reversal of the Trial Court's "no cause for action" decision.

COPY

FILED

OCT 14 2015

SUPERIOR COURT OF NJ
MERCER VICINAGE
CIVIL DIVISION

PREPARED BY THE COURT

<p>John A. Hartmann Plaintiff</p> <p>v.</p> <p>Richard W. Olsson Defendant</p>	<p>SUPERIOR COURT OF NEW JERSEY COUNTY OF MERCER LAW DIVISION, CIVIL PART</p> <p>Docket MER-L-1822-13</p> <p>CIVIL ACTION</p> <p>ORDER</p>
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This matter being opened to the Court and for good cause shown;

IT IS ON October 14, 2015, ORDERED THAT:

1. After full trial the court finds no cause of action;
2. the reasons are as set forth herein on the record this same date;
3. a copy of this order shall be served on all parties in the courtroom following trial.


William Anklowitz, J.S.C.