

GOETZ FITZPATRICK LLP

Ronald D. Coleman
55 Harristown Road
Glen Rock, NJ 07452
(201) 612-4444

*Attorneys for Plaintiffs
University Communications, Inc. and
Jason Silverglate*

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**ROBERT J. BRENNAN, J.S.C.
JUDGE'S CHAMBERS
MORRIS COUNTY COURTHOUSE**

UNIVERSITY COMMUNICATIONS,
INC., d/b/a PEGASUS WEB
TECHNOLOGIES and JASON
SILVERGLATE,

Plaintiffs,

- vs. -

NET ACCESS CORPORATION,

Defendant and

KENNETH ELLMAN,

Defendant and Real Party in Interest
and Indispensable Party.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MORRIS COUNTY

DOCKET NUMBER MRS-L-3626-08

CIVIL ACTION

ORDER ON JUDGMENT

THE PARTIES and the Court having consented to the dismissal without prejudice of plaintiffs' extant claims for affirmative relief, and

THE CLAIMS remaining to be tried herein, being the counterclaims of defendants as counterclaimants along with the setoffs and defenses of plaintiffs as counterdefendants, having come before the Court and a jury at a trial beginning September 29, 2009, and


THE COURT having heard the evidence of the counterclaim plaintiffs and the arguments of counsel and the *pro se* defendant with respect to their respective causes, and upon the motion of plaintiffs as counterdefendants, upon the close of evidence of the counterclaimants, for judgment at trial pursuant to R. 4:40-1, and the Court being of the

opinion that judgment should be entered on the merits in favor of the plaintiffs as counterdefendants, and having therefore granted their motion for the reasons set forth on the record,

IT IS HEREBY ORDERED on this ^{October} ~~14th~~ day of ~~September~~, 2009, that judgment be entered in favor of the plaintiffs as counterdefendants, and against defendants on their counterclaims, as follows:

1. The claims of the defendants set forth in the third, fourth and fifth counterclaims are dismissed WITH PREJUDICE; and
2. The claims of the defendants set forth in the first and second counterclaims are dismissed WITHOUT PREJUDICE; and

IT IS HEREBY ORDERED that costs be taxed to the defendants.



Hon. Robert J. Brennan, J.S.C.

The court entered this order, pursuant to R. 4:42-1(c), after consideration of defendants' objection to the form of the order, dated 10/2/09.