



CLARK LAW FIRM

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July 26, 2016

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Gerald H. Clark*
*Certified By the Supreme Court
of New Jersey as a
Civil Trial Attorney*

VIA LAWYERS SERVICE

Motions Clerk - Civil Division

Superior Court of New Jersey - Middlesex Vicinage
56 Paterson Street
New Brunswick, New Jersey 08903

Re: **Sharon Seamon vs. State Farm Insurance Company, et al**
Docket No. MID-L-3172-14
Our File No.: 12-90

Dear Sir or Madam:

This firm represent Plaintiff, Sharon Seamon, with respect to the above referenced matter. Enclosed please find an original and one (1) copy of a Notice of Cross-Motion, accompanying Letter Brief and certification of Counsel as well as a proposed Order.

Kindly file same returning a "filed" copy to this office in the enclosed self-addressed stamped envelope provided. Please charge any filing fees to our account # 142419.

William S. Peck
Cathleen Christie
Mark W. Morris
Stephanie Tolnai
Lazaro Berenguer

**New Jersey and
New York Bars*

Of Counsel
John J. Bruno, Jr.
Joseph T. Duchak
Robert A. Ferraro

Respectfully Submitted,

CATHLEEN J. CHRISTIE
For the firm

CJC:od
Enclosures

cc: Hon. Phillip L. Paley, J.S.C. (Via Lawyers Service)
Thomas W. Matthews, Esq. (Via Lawyers Service)

Opp.NOM Mold Judgment.XNOM for Fees.Cover Letter.07-26-16.wpd

Cathleen J. Christie, Esq. – Attorney ID#041021998
Gerald H. Clark, Esq. – Attorney ID#048281997

CLARK LAW FIRM PC

811 Sixteenth Avenue
Belmar, New Jersey 07719
(732) 443-0333
(732) 894-9647 (Facsimile)

Attorneys for Plaintiff

SHARON SEAMON,

Plaintiff,

vs.

**STATE FARM INSURANCE COMPANY;
JOHN DOES 1–4; ABC CORPORATIONS 1–
4,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY**

Docket No.: MID-L-3172-14

Civil Action

NOTICE OF CROSS-MOTION

TO: Middlesex County Superior Court
56 Paterson Street
New Brunswick, New Jersey 08903
Attn: Motions Clerk - Civil Division

Thomas W. Matthews, Esq.
Soriano, Henkel, Biehl & Matthews
75 Eisenhower Pkw., Suite 110
Roseland, NJ 07068-1693
Attorneys for Defendant, State Farm Insurance Company

PLEASE TAKE NOTICE that on Friday, August 5, 2016 at 9:00 a.m. in the forenoon or as soon thereafter as counsel may be heard, the undersigned counsel for the plaintiff shall cross move before the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey, for attorneys' fees/costs and in opposition to Defendant's motion to mold.

Plaintiff shall rely upon the Certification of Counsel and **requests oral argument if the cross-motion is opposed.** A proposed form of Order is annexed hereto.

Trial was conducted and a verdict in favor of Plaintiff was entered.

I HEREBY CERTIFY that the within Notice of Motion was filed via Lawyers Service with the Motions Clerk of the County of Middlesex with copies going to all counsel of record, via Lawyers Service.

CLARK LAW FIRM, PC
Attorneys for Plaintiff

By: 
CATHLEEN J. CHRISTIE, ESQ.

Date: July 26, 2016

Opp.NOM Mold Judgment.XNOM for Fees.NOM.07-26-16.wpd

Cathleen J. Christie, Esq. – Attorney ID#041021998
Gerald H. Clark, Esq. – Attorney ID#048281997

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Belmar, New Jersey 07719
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(732) 894-9647 (Facsimile)

Attorneys for Plaintiff

SHARON SEAMON,

Plaintiff,

vs.

**STATE FARM INSURANCE COMPANY; JOHN
DOES 1-4; ABC CORPORATIONS 1-4,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY**

Docket No.: MID-L-3172-14

Civil Action

ORDER

THIS MATTER having been opened to the Court by Cathleen J. Christie, Esq. of the Clark Law Firm, P.C., attorneys for the plaintiff; and the Court having considered the submissions of the parties; and good cause having been shown;

IT IS on this ____ day of _____, 2016,

ORDERED that Plaintiff's Cross-Motion for attorney fees and costs under Rule 4:58-2(a), the "Offer of Judgment" Rule is hereby **GRANTED** in the amount of \$36,035.83; and it is further

ORDERED that a Judgment for enhanced interest under R. 4:58-2(a) in the amount of \$11,589.04 is **GRANTED**; and it is further

ORDERED that Defendant's Motion to Mold the Judgment is **DENIED**; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date hereof.

J.S.C.

____ Opposed
____ Unopposed

Cathleen J. Christie, Esq. – Attorney ID#041021998
Gerald H. Clark, Esq. – Attorney ID#048281997

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Attorneys for Plaintiff

SHARON SEAMON,

Plaintiff,

vs.

**STATE FARM INSURANCE COMPANY;
JOHN DOES 1–4; ABC CORPORATIONS 1–
4,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY**

Docket No.: MID-L-3172-14

Civil Action

CERTIFICATION OF COUNSEL

I, CATHLEEN J. CHRISTIE, of full age, hereby certifies as follows:

1. I am an attorney at law of the State of New Jersey and the current counsel for the Plaintiff, Sharon Seamon in this matter, and am therefore fully familiar with the facts set forth herein.

2. Cynthia P. Liebling, Esq. was the former counsel to the Plaintiff and represented Ms. Seamon throughout the pending litigation until her retirement in late May of 2016.

3. I submit this Certification of Services in Support of Plaintiff's motion which requests a modification of the Judgment amount to be increased reflect Counsel fees and costs associated with the defendant's rejection of the Plaintiff's Offer of Judgment under Rule 4:58-2.

4. Ms. Liebling has been a member of the Bar of Mississippi since 1979 and later became a member of the Bar of New Jersey in 1985. She graduated *cum laude* from Monmouth

University in West Long Branch, New Jersey. She received her *Juris* Doctor from the University of Mississippi School of Law in 1978.

5. While in law school, Cynthia served as an intern in the County Prosecutor's Office in Jackson County, Mississippi.

6. Upon graduation from law school, Ms. Liebling began private practice in Mississippi. She thereafter returned to New Jersey and entered the law firm of Shurking and Fershings in West Orange, New Jersey, where she practiced insurance litigation. She then became a Senior Trial Litigation Attorney with American Reliance Insurance Company in Lawrenceville, New Jersey.

7. Ms. Liebling then became a Senior Trial Litigation attorney with General Accident Insurance Company, One Beacon Insurance Company and IFA Insurance Company. Ms. Liebling joined the Clark Law Firm, PC as a Senior Trial Attorney in 2014.

8. Ms. Liebling is admitted to practice law in all state courts in New Jersey, all state and federal courts in the state of Mississippi as well as the United States Supreme Court and the Third Circuit Court of Appeals.

9. Ms. Liebling is a member of the Insurance Defense Committee and the New Jersey State Bar Association. She has participated as a seminar speaker at the New Jersey State Bar Personal Injury and Contract Arbitrator for the Superior Court of New Jersey in seven counties. She has years of extensive personal injury, insurance and trial experience.

10. The amount due for services rendered in this litigation is \$36,035.83 for attorney services, \$1,875.00 for support staff services and \$4,029.58 in actual costs of litigation which was incurred after the defendant's in this matter rejected the Offer of Judgment pursuant to Rule 4:58-2.

11. The services reflect an hourly rate of \$375.00 for this matter. Ms. Liebling's hourly

rate is based upon her education, training and experience. The fees for the services of the support staff is billed at an hourly rate of \$125.00 and is based on the experience and training of her paralegal.

12. The total legal fee for this litigation which were incurred after the defendant's rejected the Offer of Judgment are \$36,035.83.

13. I believe the fee to be fair and reasonable for the services performed, and in accordance with fees generally for such services in the area of personal injury litigation in the legal community.

I HEREBY CERTIFY that the foregoing statements made by me are true. I realize that if any of said statements are willfully false, I am subject to punishment.

CLARK LAW FIRM, PC
Attorneys for Plaintiff

By: 
CATHLEEN J. CHRISTIE, ESQ.

Date: *July 26th 2014*

Opp.NOM Mold Judgment.XNOM for Fees.Cert of Counsel.07-26-16.wpd