

LOFARO & REISER L.L.P
55 Hudson Street
Hackensack, New Jersey 07601
(210) 498-0400
Attorneys for Defendant, Scott M. Donnenberg

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JAY KRONBERG,

Plaintiff,

Vs. Civil Action

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
DOCKET NO.: BER-L-5623-05
JUDGMENT NO.: J-050788-06

SCOTT M. DONNENBERG, and
EMERGENCY MANAGEMENT
SERVICES, INC.,

Defendants.

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**NOTICE OF MOTION TO VACATE
DEFAULT JUDGMENT AND WRIT OF EXECUTION, AND FOR
LEAVE TO FILE AN ANSWER OR OTHERWISE PLEAD**

To: Kenneth D. Roth, Esq.
Cureton Caplan, P.C.
950B Chester Avenue
Delran, New Jersey 08075
(Attorneys for Plaintiff)

COUNSEL:

PLEASE TAKE NOTICE that defendant, Scott M. Donnenberg, will move before the Superior Court of New Jersey at the Bergen County Justice Center, 10 Main Street, Hackensack, New Jersey on January 19, 2007 at 9:00 a.m. or at such other time as the Court may permit, to vacate default judgment and writ of execution pursuant to R. 4:43-3 and R. 4:50-1, and for leave to file an Answer or otherwise plead pursuant to R.4:6-1(c).

PLEASE TAKE FURTHER NOTICE that defendant will rely upon the Certification of Scott M. Donnenberg, and Letter Memorandum. A proposed form of Order is attached.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

PLEASE TAKE FURTHER NOTICE that unless opposing papers are filed with the Court and served upon plaintiff's counsel at least eight (8) days before the return date of this motion in accordance with R. 1:6-3, the relief requested may be granted.

LOFARO & REISER, L.L.P.
Attorneys for Defendant,
Scott M. Donnenberg

By: _____
Glenn R. Reiser

Dated: January 2, 2007

CERTIFICATION OF FILING AND PROOF OF SERVICE

On this date, the undersigned forwarded via Federal Express overnight delivery an original and two (2) copies of the within Notice of Motion, Certification of Scott M. Donnenberg, Letter Memorandum, and proposed form of Order to the Bergen County Clerk, 10 Main Street, Hackensack New Jersey 07601

On this date, the undersigned also caused the above motion papers to be served by Fax and First Class upon the following:

Kenneth D. Roth, Esq.
Cureton Caplan, P.C.
950B Chester Avenue
Delran, New Jersey 08075
(Attorneys for Plaintiff)

I hereby certify that the foregoing statements made by me are true. I am fully aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Glenn R. Reiser

Dated: January 2, 2007