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FILED

JULY 24, 2020

SUPERIOR COURT OF NJ
MERCER VICINAGE
CHANCERY

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Attorney for Plaintiff
Judith M. Persichilli, R.N., B.S.N., M.A.,
In her official capacity as the Commissioner
Of the Department of Health

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JUDITH M. PERSICHILLI, R.N., B.S.N., M.A., in her official capacity as Commissioner of the New Jersey Department of Health, Plaintiff, v. ATILIS GYM OF BELLMAWR, Defendant.	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION – MERCER COUNTY GENERAL EQUITY PART DOCKET NO. MER-C-48-20 CIVIL ACTION ORDER OF CONTEMPT AND ENFORCING LITIGANT'S RIGHTS AS TO JULY 20, 2020 ORDER

This matter having been brought to the Court by Gurbir S. Grewal, Attorney General of New Jersey, by Stephen Slocum, Deputy Attorney General, attorney for Plaintiff Judith M. Persichilli, R.N., B.S.N., M.A., in her official capacity as Commissioner of the New Jersey Department of Health, on a motion for an Order of Contempt and Enforcing Litigant's Rights, on notice to James Mermigis, Esq., and Christopher Arzberger, Esq., counsel for

Defendant Atilis Gym of Bellmawr, and the court having considered the papers submitted and the arguments of counsel, if any, and for good cause shown:

It is on this 24th day of July, 2020 **ORDERED** that:

1. Defendant Atilis Gym is found in contempt of the court's July 20, 2020 Order enforcing the Department of Health's July 1, 2020 Modified Order.

2. Defendant Atilis Gym shall pay to this court the sum of $TBD, representing judicial costs occasioned by Defendant's contempt, which the court finds reasonable and owed. Payment shall be by check made payable to "State of NJ" and sent to this court's attention. Payment shall be made within TBD days of the date of this Order.

3. For each day which Defendant remains in contempt of court and fails to wholly comply with all terms of this court's July 20, 2020 order enforcing the Department of Health's July 1, 2020 Modified Order, Defendant shall pay to this court the additional sum of $TBD, which the court finds reasonable and calculated to compel Defendant's compliance.

4. Plaintiff is authorized to place locks on the doors to Atilis Gym of Bellmawr or otherwise construct or place barriers on or around the premises to ensure compliance with the court's July 20, 2020 Order and the Department's July 1, 2020 Modified Order.

5. Defendant shall not obstruct Plaintiff in any way from carrying out the terms of this order or otherwise monitoring to ensure compliance with the court's July 20, 2020 Order and the Department's July 1, 2020 Modified Order.

6. Defendant shall not deny Plaintiff entry into the premises of Atilis Gym of Bellmawr for the purposes of inspection.

7. _____

Defendant can seek relief from or a stay of the provisions of this Order in a motion filed before this Court addressing the pending criminal charges that may be pending involving the entity or one or both of the owners.

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8. _____

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9. Plaintiff's counsel shall serve a copy of this Order upon all interested parties and attorneys of record within 10 days from the receipt thereof.

10. This Order shall be deemed served upon receipt from a Judiciary email account (xxx@njcourts.gov).

/s/ Robert Lougy
ROBERT LOUGY, P.J. Ch.

_X_ Opposed
____ Unopposed