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SUPERIOR COURT OF NEW JERSEY

LAW DIVISION – CIVIL PART – ATLANTIC COUNTY

DEVON TYLER BARBER,

Plaintiff,

v.

**JOHN W. TUMELTY, ESQ., AND
 THE LAW OFFICE OF JOHN W.
 TUMELTY,**

Defendants.

CIVIL ACTION

DOCKET NO.: ATL-L-002794-25

TEAM 102

HON. SARAH B. JOHNSON, J.S.C.

NO.	LABEL	DESCRIPTION	PURPOSE	CERTIFICATION
1	Exhibit A	Court's Order dated Nov. 7 2025 (Trans ID LCV20253030335)	Proof of what the Court directed to be served	No
2	Attachment A	Notice of Correction and Certification of Record Integrity	Clarifies false discovery and requests judicial notice	Yes – R. 1:4-4(b)
3	Attachment B	Memorandum of Law	Legal authority and procedural basis	Signature only
4	Attachment C	Proposed Order	For Judge's signature	No

Filed in Support of Plaintiff's Certification of Service and Compliance

Dated: November 7, 2025

Respectfully submitted,
 s/ **Devon T. Barber**
Devon T. Barber | Plaintiff Pro Se
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CERTIFICATION OF SERVICE AND COMPLIANCE

(Pursuant to Court Order Dated November 7, 2025)

I, **Devon Tyler Barber**, appearing *pro se*, certify as follows pursuant to **N.J. Ct. R. 1:4-4(b)**:

1. On November 7, 2025, the Court entered an Order granting Track-3 reclassification and directing Plaintiff to serve a copy of the Order upon Defendant within seven (7) days.
2. On November 7, 2025, I served true and correct copies of the signed Order via the Judiciary Electronic Document Submission (“JEDS”) system, which automatically notifies Defendant’s counsel of record by e-mail, and by direct e-mail to jt@johntumeltylaw.com in compliance with **N.J. Ct. R. 1:5-1(a)**.
3. Attached hereto as *Exhibit A* is a copy of the Court’s November 7, 2025 Order (Trans ID LCV20253030335).

4. I further certify that all factual statements and exhibits challenged or misrepresented in discovery have been corrected and authenticated in my *First Amended Complaint* filed October 28, 2025 (Trans ID LCV20252953136), which incorporates certified public records, IRS transcripts, New Jersey Department of Labor Complaint No. 369572, and Verified PCR Petition EF-3720750.
5. This Certification is submitted in good faith to confirm compliance with the Court's directive and to maintain the integrity of the record pursuant to **N.J. Ct. R. 1:4-4(b)** and **R. 1:1-2**.

CERTIFICATION PURSUANT TO N.J. CT. R. 1:4-4(b)

6. I, **Devon Tyler Barber**, certify pursuant to **N.J. Ct. R. 1:4-4(b)** that the foregoing statements made by me are true to the best of my knowledge, information, and belief. If any are willfully false, I am subject to punishment.
7. Executed this **7th day of November 2025**, at **Hamilton Township, Atlantic County, New Jersey**, under the laws and jurisdiction of the **State of New Jersey**, one of the several States united.

Respectfully submitted,

s/ **Devon T. Barber**

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**ATTACHMENT “A” – NOTICE OF CORRECTION AND
CERTIFICATION OF RECORD INTEGRITY**

(Pursuant to N.J. Ct. R. 1:1-2 and R. 1:6-2(a))

1. Plaintiff, **Devon Tyler Barber**, respectfully provides notice that any false or misleading discovery statements previously circulated by opposing parties have been corrected by verified documentation already before this Court. These materials include certified exhibits—specifically IRS wage transcripts, **New Jersey Department of Labor Complaint No. 369572**, verified licensure records, and judicially filed public records from **Verified PCR Petition EF-3720750**—which collectively demonstrate that the alleged complainants' assertions were materially false and made in pursuit of improper commercial advantage through misuse of police and prosecutorial channels.

2. Plaintiff requests that the Court take **judicial notice** pursuant to **N.J.R.E. 201(b)** of these authenticated records, and that this matter proceed under **Track-3** supervision for coordinated discovery and a case-management conference, thereby ensuring that all parties operate from a truthful, certified evidentiary record.
3. This filing is made in **good faith** to maintain record integrity and compliance with the Court's **Order dated November 7, 2025**, and to secure a fair and transparent adjudication consistent with **N.J. Ct. R. 1:1-2** (liberal construction to secure just determinations).

CERTIFICATION PURSUANT TO N.J. CT. R. 1:4-4(b)

4. I, **Devon Tyler Barber**, certify pursuant to **N.J. Ct. R. 1:4-4(b)** that the foregoing statements made by me are true to the best of my knowledge, information, and belief. If any are willfully false, I am subject to punishment.
5. Executed this **7th day of November 2025**, at **Hamilton Township, Atlantic County, New Jersey**, under the laws and jurisdiction of the **State of New Jersey**, one of the several States united.

Respectfully submitted,

s/ **Devon T. Barber**

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ATTACHMENT “B” – MEMORANDUM OF LAW

(Pursuant to N.J. Ct. R. 1:6-2(a))

I. Authorities

- **N.J. Ct. R. 1:4-4(b)** — establishes that factual submissions by a party must be certified as true under penalty of perjury.
- **N.J. Ct. R. 1:6-2(a)** — governs the structure and content of motions, requiring that supporting certifications and briefs clearly state the relief sought and the legal grounds therefor.
- **N.J. Ct. R. 1:1-2** — directs that the Rules be liberally construed to secure a just determination and to prevent manifest injustice.

- **N.J. Ct. R. 4:5A-2** — authorizes assignment of complex cases to Track III for extended discovery and case-management supervision.
- **N.J.R.E. 803(c)(8)** — provides for the admissibility of public records and certified documents in evidence without further authentication.
- **N.J.R.E. 201(b)** — allows the Court to take judicial notice of official records and acts that are not subject to reasonable dispute.

II. Argument Summary

1. Plaintiff's *First Amended Complaint* (Trans ID LCV20252953136) and its incorporated exhibits consist entirely of certified public documents, wage and tax transcripts, licensure verifications, and judicial filings admissible under **N.J.R.E. 803(c)(8)**. These materials correct prior misstatements in discovery and establish an authenticated evidentiary record.
2. The Court's Order of November 7, 2025 (Trans ID LCV20253030335) granted Track-3 reclassification and expressly invited further, rule-compliant filings. This submission fulfills that invitation by confirming service, certifying factual accuracy under **R. 1:4-4(b)**, and requesting coordination consistent with **R. 4:5A-2**.
3. Under **R. 1:1-2**, the Court possesses inherent authority to relax procedural requirements where strict adherence would frustrate substantial justice. Plaintiff respectfully invokes that discretion to ensure accurate record maintenance and to prevent prejudice stemming from prior misrepresentations.
4. Plaintiff further requests that the Court take judicial notice, pursuant to **N.J.R.E. 201(b)**, of the authenticated exhibits already in the record, including:

- *Exhibit A* – Court’s November 7, 2025 Order (Track-3 assignment);
- *Amended Complaint* – verified factual record;
- *DOL Complaint No. 369572* and *PCR Petition EF-3720750* – official filings demonstrating factual correction.

Together, these materials provide a clear factual and procedural foundation for continued Track-3 management and coordinated discovery under Team 102 supervision.

Respectfully submitted,

s/ **Devon T. Barber**

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ATTACHMENT “C” – PROPOSED ORDER

This matter having been presented to the Court on Plaintiff's Certification of Service and Compliance, and for good cause shown,

IT IS on this ____ day of _____, 2025, **ORDERED** that:

1. Plaintiff's Certification of Service is accepted as proof of compliance with the Court's November 7, 2025 Order.
2. The record, as supplemented by Plaintiff's Amended Complaint (*Trans ID LCV20252953136*), shall constitute the operative and certified evidentiary record for discovery purposes.
3. The matter shall proceed under Track 3 case-management, with a scheduling conference to be set by **Team 102** within thirty (30) days.

HON. SARAH B. JOHNSON, J.S.C.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION – CIVIL PART – ATLANTIC COUNTY

DEVON TYLER BARBER,

Plaintiff,

v.

JOHN W. TUMELTY, ESQ., AND
THE LAW OFFICE OF JOHN W.
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EXHIBIT "A" – COURT'S ORDER DATED NOVEMBER 7, 2025 (TRANS ID LCV20253030335)

ATL-L-002794-25 11/07/2025 Pg 1 of 1 Trans ID: LCV20253030335

PREPARED BY THE COURT

DEVON TYLER BARBER,	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	ATLANTIC COUNTY – LAW DIVISION
vs.	:	
JOHN W. TUMELTY, ESQ., AND THE	:	CIVIL ACTION
LAW OFFICE OF JOHN W. TUMELTY,	:	
Defendants.	:	DOCKET NO: ATL-L-2794-25
	:	
	:	ORDER
	:	

THIS MATTER, having been opened to the court on omnibus motion by *pro se* Plaintiff, Devon Tyler Barber, and the court having considered the motion papers,

IT IS on this 7th day of November, 2025, **ORDERED AND ADJUDGED** that the Plaintiff's motion to change the track assignment is hereby **GRANTED**, and this matter shall be assigned to Track 3 pursuant to R. 4:5A-2.

IT IS FURTHER ORDERED that the additional relief sought is **DENIED without prejudice**.

IT IS FURTHER ORDERED that a copy of this order shall be deemed served on Plaintiff *pro se* and any counsel via filing in e-courts. Plaintiff shall serve Defendant with a copy of this order within 7 days.

Sarah Beth Johnson
SARAH BETH JOHNSON, J.S.C.

Although this motion was unopposed, movant has not demonstrated compliance with the applicable court rules or an entitlement to the additional relief sought.

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CERTIFICATE OF SERVICE

(Pursuant to N.J. Ct. R. 1:5-1(a) and R. 1:4-4(b))

1. I, **Devon Tyler Barber**, certify pursuant to **N.J. Ct. R. 1:4-4(b)** that on **November 7, 2025**, I served a true and correct copy of the foregoing *Certification of Service and Compliance*, with all attachments and *Exhibit A*, upon:

John W. Tumelty, Esq.

The Law Office of John W. Tumelty
539 U.S. Route 9 South
Marmora, New Jersey 08223
Email: it@johntumeltylaw.com

2. Service was accomplished by **electronic mail only** and by filing through the Judiciary Electronic Document Submission (“JEDS”) system for service upon the **Superior Court of New Jersey, Law Division – Civil Part, Atlantic County**, pursuant to **N.J. Ct. R. 1:5-1(a)**.

CERTIFICATION PURSUANT TO N.J. CT. R. 1:4-4(b)

- 3. I, Devon Tyler Barber, certify pursuant to N.J. Ct. R. 1:4-4(b)** that the foregoing statements made by me are true to the best of my knowledge, information, and belief. If any are willfully false, I am subject to punishment.
- 4. Executed this 7th day of November 2025, at Hamilton Township, Atlantic County, New Jersey,** under the laws and jurisdiction of the **State of New Jersey**, one of the several States united.

Respectfully submitted,

s/ **Devon T. Barber**

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