



**PHIL MURPHY**  
*Governor*

**TAHESHA WAY**  
*Lt. Governor*

***State of New Jersey***  
**Office of the Public Defender**

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**JENNIFER N. SELLITT**  
*Public Defender*

November 20, 2024

**VIA ECOURTS**

Douglas H. Hurd, P.J.Cv.  
Mercer County Civil Courthouse  
175 South Broad Street  
Floor 3  
Trenton, NJ 08650

**Re: A.A. v. Callahan, MER-L-002001-23**  
**Status Report and Request for Continuance**

Judge Hurd:

The Office of the Public Defender (OPD) represents the named Plaintiffs, and the proposed class of similarly situated individuals whom those Plaintiffs seek to represent, in the above-captioned matter. We write on behalf of all parties to the litigation to provide a status report, as required by the Court's October 18, 2024 Case Management Order.

This lawsuit concerns the backlog of expungement orders that have been received, but not yet processed, by the New Jersey State Police (NJSP). The Plaintiffs allege that the delay in processing expungement orders results in the

NJSP releasing background checks that contain records that a court has ordered to be expunged, thereby causing individuals to be denied jobs and other benefits, or inhibiting those individuals from seeking jobs and benefits lest their expunged records be revealed. The parties have engaged in settlement discussions

As described in our last status report, the parties have engaged in productive settlement discussions, as well as mediation sessions before the Honorable Jaynee LaVecchia, Retired Associate Justice of the New Jersey Supreme Court, for the past several months. The last status report described how the NJSP has committed to developing a technological mechanism that will allow it to process expungement orders in bulk batches, which the parties believe will allow the NJSP to address the pending backlog of unprocessed expungement orders. Since the last status report, the NJSP has developed this technological mechanism, and it is currently conducting testing and validation in anticipation of full implementation of the technology in the coming weeks.

Based on the progress to date, the parties continue to believe that they are on track towards a final settlement agreement that will resolve this lawsuit. Accordingly, the parties jointly request a four-week adjournment until December 18, 2024, to provide a further status update to the Court. Enclosed herein is a Proposed Order to that effect.

Should Your Honor have any questions for, or requests for additional information from, the parties regarding the status of this matter, we are happy to provide prompt responses to the Court. We thank the Court for its ongoing courtesies in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Noveck", written over a horizontal line.

Michael R. Noveck  
Deputy Public Defender

Enclosure

cc: Counsel of Record (via eCourts)