

MOTION for INJUNCTIVE RELIEF

Kenneth Frank Irek, *Plaintiff*

v.

New Jersey Lawyers' Fund  
For Client Protection, *Defendant*

and

The Supreme Court of New Jersey, *Defendant*

Superior Court of New Jersey  
Mercer County  
Law Division  
Docket No. MER-L-002022-20  
File Date: 11/27/2020

This page is for information only and is Not part of the attached document(s). It was created by Kenneth F. Irek for clarification and indexing.

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4  
5 **KENNETH FRANK IREK,**

6 *Plaintiff,*

7 v.

8 **NEW JERSEY LAWYERS' FUND FOR  
CLIENT PROTECTION,**

9 *Defendant,*

10 and

11 **THE SUPREME COURT OF NEW JERSEY,**

12 *Defendant*

SUPERIOR COURT OF NEW JERSEY  
MERCER COUNTY  
LAW DIVISION

DOCKET NO. MER - L - 002022 - 20

CIVIL ACTION

NOTICE OF MOTION FOR  
INJUNCTIVE RELIEF  
TEMPORARY RESTRAINTS

13 TO: NEW JERSEY LAWYERS' FUND FOR CLIENT PROTECTION  
25 W. Market Street  
5<sup>th</sup> Floor, North Wing  
14 Trenton, New Jersey 08625

15 and

16 NEW JERSEY SUPREME COURT  
25 W. Market Street  
17 Supreme Court Clerk's Office  
18 Trenton, New Jersey 08611

19 Sir/ Madam:

20 **PLEASE TAKE NOTICE** that on December 18, 2020 at nine o'clock in the forenoon or as soon  
21 thereafter as Pro Se Plaintiff may be heard, the undersigned, Pro Se Plaintiff, shall move before the  
22 Superior Court of New Jersey, Law Division, Mercer County Superior Court, 175 South Broad Street,  
23 P.O. Box 8068, Trenton, New Jersey 08650-0068 for an Order for Temporary Restraints, preliminarily  
24 enjoining and restraining Defendant, New Jersey Lawyers' Fund for Client Protection, and Defendant,  
25 New Jersey Supreme Court, from:  
26

27 A. Continuing to engage in conduct related to compelling Plaintiff to reimburse the

28 NJLFCP for the \$5,000 claim they had paid to the claimants (Szatmarys);



1 B. Intentionally threatening the arrest of Plaintiff;

2 C. Intentionally inducing others to unlawfully cancel, remove or not renew any  
3 privileges or rights of Plaintiff;

4 D. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
5 facts herein stated, in the State of California;

6 E. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
7 facts herein stated, in the State of New Jersey;

8 F. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
9 facts herein stated, in any other State where they may have been sent;

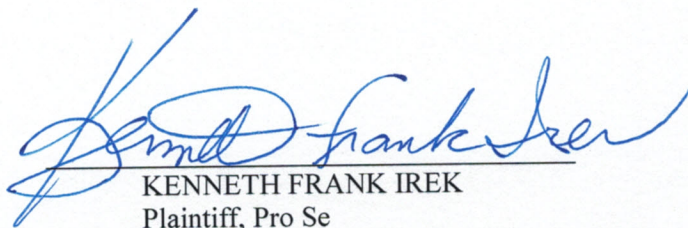
10 G. Enforcing, continuing in effect or re-issuing New Jersey Driver's License  
11 Forfeiture;

12 H. Defendants and other persons acting in concert with them and at their direction,  
13 from publishing, republishing, distributing and redistributing false, disparaging, defamatory and  
14 malicious statements, including but not limited to, that Plaintiff engaged in dishonest conduct;  
15 misappropriated money; and embezzled, misapplied and converted to his own use the sum of \$5,000.00.  
16

17  
18 **PLEASE TAKE FURTHER NOTICE** that this application is being submitted pursuant to Rule  
19 1:6-2 with the request that this matter be submitted to the Court for ruling on the moving papers, unless  
20 opposition is entered, in which case oral argument is requested. A proposed form of Order is annexed.  
21

22 **IN SUPPORT HEREOF**, the undersigned shall rely on the Certification of KENNETH FRANK  
23 IREK, and attachments which are submitted herewith.  
24

25  
26 Dated: November 27, 2020

27   
28 KENNETH FRANK IREK  
Plaintiff, Pro Se



1 Kenneth Frank Irek, Pro Se  
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2 North Hills, CA 91343  
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5 KENNETH FRANK IREK,  
6 *Plaintiff,*

7 v.

8 NEW JERSEY LAWYERS' FUND FOR CLIENT  
9 PROTECTION,

10 *Defendant,*

11 and

12 THE SUPREME COURT OF NEW JERSEY,  
13 *Defendant*

SUPERIOR COURT OF NEW JERSEY  
MERCER COUNTY  
LAW DIVISION

DOCKET NO. MER - L - 002022 - 20

CIVIL ACTION

CERTIFICATION IN SUPPORT OF MOTION  
FOR INJUNCTIVE RELIEF  
TEMPORARY RESTRAINTS

14 KENNETH FRANK IREK, of full age, hereby certifies, by Certification in lieu of Affidavit;

15 1. I am the Pro Se Plaintiff in the above entitled action and am fully familiar with the facts  
16 and circumstances of the above entitled matter.

17 2. This Certification is made in support of Plaintiff's motion for Injunctive Relief -  
18 Temporary Restraints.

19 3. On November 18, 2020, Defendants were electronically served with Summons and  
20 Verified Complaint in the above-captioned matter.

21 4. The Plaintiff's claims arise out of actions of Defendant, NJLFCP, beginning in 1995, to  
22 collect \$5,000 from Plaintiff, as reimbursement for a claim paid by them to a claimant, for the conduct of  
23 Plaintiff, during a real estate transaction.

24 5. Based upon the facts set forth in the Verified Complaint, Defendant has caused the  
25 Mercer County Superior Court to issue an Order suspending Plaintiff's New Jersey Driver License.

26 6. Based upon the facts set forth in the Verified Complaint, Defendant has caused the New  
27 Jersey Driver's License Forfeiture to be sent directly to the California Department of Motor Vehicles,  
28 requesting them to suspend or refuse to renew Plaintiff's California driver license.



1 7. Based upon the facts set forth in the Verified Complaint, Defendant has caused the  
2 issuance of a Bench Warrant, dated March 23, 2015, sent to County of Los Angeles, stating:  
3 **'THEREFORE, we command you to take KENNETH F. IREK between the hours of 8:30 a.m. and**  
4 **3:30 p.m. on Monday through Friday and safely and closely keep him in your custody in the**  
5 **common jail of the County of Los Angeles until he shall be brought before the Honorable William**  
6 **Anklowitz, J.S.C., Superior Court of New Jersey, Mercer County, or until said Court shall make**  
7 **Order to the contrary.'**

8 8. Based upon the facts set forth in the Verified Complaint, Defendant, in a letter sent to  
9 California Department of Motor Vehicles, dated October 22, 2004, Joanne M. Dietrich, Deputy Counsel  
10 to the Defendant, NJLFCP, stated, inter alia, **'The Fund exists as a Committee of the Supreme Court**  
11 **of New Jersey pursuant to R. 1:28-1 et seq. for the purpose of compensating the clients of**  
12 **disciplined attorney who misappropriated money from them. Kenneth Irek was such an attorney.**  
13 **His conduct while acting as a New Jersey lawyer, has resulted in claims with the Fund in the**  
14 **amount of \$5,000.00.'**

15 9. Based upon the facts set forth in the Verified Complaint, immediate and irreparable  
16 damage could result before a final resolution of this matter by trial or summary judgment, it is therefore  
17 requested that an Order be issued preliminarily enjoining and restraining Defendants from:  
18

19 A. Continuing to engage in conduct related to compelling Plaintiff to reimburse the  
20 NJLFCP for the \$5,000 claim they had paid to the claimants (Szatmarys);

21 B. Intentionally threatening the arrest of Plaintiff;

22 C. Intentionally inducing others to unlawfully cancel, remove or not renew any  
23 privileges or rights of Plaintiff;

24 D. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
25 facts herein stated, in the State of California;

26 E. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
27 facts herein stated, in the State of New Jersey;



1 F. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
2 facts herein stated, in any other State where they may have sent them;

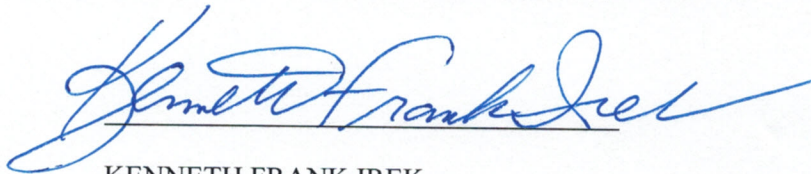
3 G. Enforcing, continuing in effect or re-issuing New Jersey Driver's License  
4 Forfeiture;

5 H. Defendants and other persons acting in concert with them and at their direction,  
6 from publishing, republishing, distributing and redistributing false, disparaging, defamatory and  
7 malicious statements, including but not limited to, that Plaintiff engaged in dishonest conduct;  
8 misappropriated money; and embezzled, misapplied and converted to his own use the sum of \$5,000.00;

9 I. Granting such other relief as the court deems equitable and just.

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

12 Dated: November 27, 2020

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14 KENNETH FRANK IREK  
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*Plaintiff,*

v.

NEW JERSEY LAWYERS' FUND FOR CLIENT  
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*Defendant,*

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THE SUPREME COURT OF NEW JERSEY,  
*Defendant*

SUPERIOR COURT OF NEW JERSEY  
MERCER COUNTY  
LAW DIVISION

DOCKET NO. MER - L - 002022-20

CIVIL ACTION

MOTION FOR INJUNCTIVE RELIEF  
TEMPORARY RESTRAINTS

ORDER

**THIS MATTER** having been opened to the Court by Kenneth Frank Irek, Plaintiff, Pro Se, upon Notice of Motion for Injunctive Relief Temporary Restraints in the above-titled action, for an Order entering Temporary Restraints against Defendants, appearing with notice to Defendants' counsel, and the Court having considered the papers submitted in support herein, along with any opposition submitted hereto, and the oral argument of Pro Se Plaintiff and Defendants' counsel, if any, and for good cause shown, IT IS on this            day of            , 2020:

**ORDERED** that Plaintiff's Motion is hereby GRANTED; and Defendants are preliminarily enjoined and restrained from:

A. Continuing to engage in conduct related to compelling Plaintiff to reimburse the NJLFCP for the \$5,000 claim they had paid to the claimants (Szatmarys);

B. Intentionally threatening the arrest of Plaintiff;

C. Intentionally inducing others to unlawfully cancel, remove or not renew any privileges or rights of Plaintiff;

D. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the facts herein stated, in the State of California;

1 E. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
2 facts herein stated, in the State of New Jersey;

3 F. Enforcing, continuing in effect or re-issuing all Bench Warrants related to the  
4 facts herein stated, in any other State where they may have been sent;

5 G. Enforcing, continuing in effect or re-issuing New Jersey Driver's License  
6 Forfeiture;

7 H. Defendants and other persons acting in concert with them and at their direction,  
8 from publishing, republishing, distributing and redistributing false, disparaging, defamatory and  
9 malicious statements, including but not limited to, that Plaintiff engaged in dishonest conduct;  
10 misappropriated money; and embezzled, misapplied and converted to his own use the sum of \$5,000.00.  
11

12 **ORDERED** pursuant to Rule 1:5-1(a), a copy of this order shall be served on all parties not  
13 served electronically, by regular mail within \_\_\_\_\_ days of its receipt by the moving party.  
14

15 \_\_\_\_\_  
16 **HONORABLE DOUGLAS H. HURD, J.S.C.**

17 In accordance with the required statement of R. 1:6-2(a), this Motion was  
18 \_\_\_\_\_ opposed \_\_\_\_\_ unopposed.  
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Kenneth Frank Irek, Pro Se  
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**THE SUPREME COURT OF NEW  
JERSEY,**

*Defendant*

SUPERIOR COURT OF NEW JERSEY  
MERCER COUNTY  
LAW DIVISION

DOCKET NO. MER-L-002022-20  
CIVIL ACTION

**Motion for Injunctive Relief  
Temporary Restraints**

**CERTIFICATE OF SERVICE**

On November 28, 2020, I, Kenneth Frank Irek, sent the annexed Notice of Motion, Certification in Support of Motion, and Proposed Order by

- Delivering a true copy of each, electronically to both Defendants; and
- Express Priority Mail to:

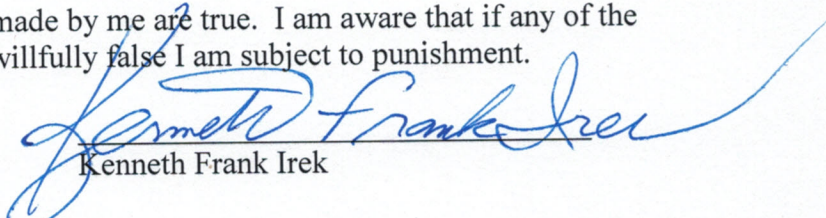
NEW JERSEY LAWYERS' FUND FOR CLIENT PROTECTION  
RUBY COCHRAN, DEPUTY COUNSEL  
RICHARD J. HUGHES JUSTICE COMPLEX  
25 W. MARKET STREET  
5<sup>TH</sup> FLOOR, NORTH WING  
TRENTON, NEW JERSEY 08625

and

SUPREME COURT OF NEW JERSEY  
SUPREME COURT CLERK'S OFFICE  
ATTN: HEATHER JOY BAKER  
25 W. MARKET STREET  
TRENTON, NEW JERSEY 08611

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

Dated: November 28, 2020

  
Kenneth Frank Irek