

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

**Maria Diamonte v. Taja Nia Henderson; Kinna Perry; Gary Farney;
Jacqueline Mattis; Rutgers, the State University of New Jersey; the
Board of Governors of Rutgers, the State of New Jersey; Rutgers
University Foundation of the State University; John Doe 1-100; Jane
Doe 1-100**

Diamonte · No. 2:23-cv-03596 (KSH) (SDA) · Decided December 4, 2025

SUMMARY

The United States District Court for the District of New Jersey denied Maria Diamonte’s motion for reconsideration of the dismissal of her claims against Rutgers-related defendants and others. The court held that the plaintiff had not shown an intervening change in law, newly available evidence, or a clear error or manifest injustice warranting relief under Rule 59(e). The court reaffirmed its conclusions that the New Jersey Division on Civil Rights proceeding precluded or barred certain discrimination claims and that the Equal Protection and Title VII claims were properly dismissed.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Katharine S. Hayden
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 4, 2025
DOCKET	2:23-cv-03596 (KSH) (SDA)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) for reconsideration of the court's April 3, 2025 opinion and order granting defendants' motion to dismiss. The court denied reconsideration.
STANDARD OF REVIEW	A Rule 59(e) motion for reconsideration is extremely limited and may be granted only upon an intervening change in controlling law, newly available evidence, or the need to correct a clear error of law or fact or prevent manifest injustice.
PRECEDENTIAL VALUE	District court opinion; precedential status not specified in the source.

PARTIES

Maria Diamonte v. Taja Nia Henderson, Kinna Perry, Gary Farney, Jacqueline Mattis, Rutgers, the State University of New Jersey, The Board of Governors of Rutgers, the State of New Jersey, Rutgers University Foundation of the State University, John Doe 1-100, Jane Doe 1-100

TOPICS

motion for reconsideration motions to dismiss civil procedure ada / disability disability discrimination

PRACTICE AREAS

civil procedure civil rights disability discrimination administrative law

QUESTIONS PRESENTED

1. Whether Diamonte satisfied the Rule 59(e) standard for reconsideration by showing an intervening change in law, newly available evidence, or a clear error of law or fact or manifest injustice.
2. Whether the court properly considered the DCR's final determination and related documents in resolving defendants' Rule 12(b)(6) motion.
3. Whether the court properly applied N.J.S.A. § 10:5-27's election-of-remedies provision and issue preclusion to Diamonte's discrimination claims.
4. Whether the court should reconsider dismissal of Diamonte's Fourteenth Amendment Equal Protection and Title VII claims.

HOLDINGS

1. Reconsideration was denied because Diamonte identified no intervening change in controlling law or newly available evidence and failed to show a clear error of law, manifest injustice, or another basis for disturbing the prior dismissal.
2. The court properly considered the DCR's final determination and related documents because courts may take judicial notice of public records and may consider documents integral to or incorporated into a plaintiff's claims without converting a Rule 12(b)(6) motion into one for summary judgment.
3. N.J.S.A. § 10:5-27 barred Diamonte from bringing other actions based on the same grievance after the DCR issued its final determination, subject to appellate review.

KEY QUOTATIONS

“Such motions are not to be used as an opportunity to relitigate the case; rather, they may be used only to correct manifest errors of law or fact or to present newly discovered evidence.” (Section III)

“The language of N.J.S.A. § 10:5-27 is plain: “the procedure herein provided shall, while pending, be exclusive; and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned.”” (Section IV)

“But what Diamonte may not do is collaterally attack the DCR’s final judgment in this Court.” (Section IV)

FACTUAL BACKGROUND

Maria Diamonte was a PhD candidate at Rutgers University who alleged that Rutgers discriminated against her based on disability and retaliated against her in handling and denying her request for an extension to complete her dissertation. Before filing suit, she submitted a verified complaint to the New Jersey Division on Civil Rights alleging similar discrimination and retaliation. The DCR found no probable cause and closed the matter with a final determination. Diamonte then filed this federal action, and the court relied on the DCR proceeding in dismissing several claims.

PROCEDURAL HISTORY

Diamonte filed federal claims alleging disability discrimination and retaliation arising from Rutgers' handling and denial of her request for an extension to complete her dissertation. Before filing suit, she pursued the same alleged discrimination before the New Jersey Division on Civil Rights, which found no probable cause and entered a final determination. The court granted defendants' motion to dismiss, concluding that the Rehabilitation Act and ADA claims were barred by New Jersey's election-of-remedies statute and issue preclusion, that the Equal Protection claim was defeated by preclusive DCR findings, and that the Title VII claim failed for lack of an alleged employee-employer relationship. This opinion addresses and denies Diamonte's motion for reconsideration.

DISPOSITION

other

CASES CITED

- Blystone v. Horn, 664 F.3d 397, 415-16 (3d Cir. 2011)
- Max's Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999)
- Howard Hess Dental Labs., Inc. v. Dentsply Int'l Inc., 602 F.3d 237, 252 (3d Cir. 2010)
- Fields v. Dickerson, 2017 WL 1181576, at *1 (D.N.J. Mar. 30, 2017)
- In re Coinbase Global, Inc. Secs. Litig., 2025 WL 1040633, at *2 (D.N.J. Apr. 8, 2025)
- Red Roof Franchising v. AA Hosp. Northshore, LLC, 937 F. Supp. 2d 537, 543 (D.N.J. 2013)
- Lampon-Paz v. Dep't of Just., 2017 WL 6403003, at *1 (D.N.J. Sept. 19, 2017)
- Chugh v. Western Inventory Servs., Inc., 333 F. Supp. 2d 285, 289-90 (D.N.J. 2004)
- Hoffman v. Nordic Naturals, Inc., 837 F.3d 272, 280 & n.52 (3d Cir. 2016)
- S. Cross Overseas Agencies, Inc. v. Kwong Shipping Grp., Ltd., 181 F.3d 410, 426 (3d Cir. 1999)