

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Matthew Verzi v. Zubie Amin, et al.

Verzi · No. 2:25-cv-1276 (MEF) (SDA) · Decided December 1, 2025

SUMMARY

The United States District Court for the District of New Jersey partially grants and partially denies Matthew Verzi’s unopposed motion for leave to file a first amended complaint. The court permits four additional causes of action but denies, without prejudice, the proposed claim under 18 U.S.C. § 241 and the addition of two defendants because the proposed allegations are futile or insufficiently specific. The opinion applies Federal Rule of Civil Procedure 15 and discusses pleading standards, group pleading, and corporate veil theories.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Stacey D. Adams
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 1, 2025
DOCKET	2:25-cv-1276 (MEF) (SDA)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 15 for leave to file a first amended complaint adding five causes of action and two defendants. The unopposed motion was granted in part and denied in part without prejudice.
STANDARD OF REVIEW	A pre-scheduling-order motion to amend is governed by Federal Rule of Civil Procedure 15, which requires leave to be freely given when justice so requires. Futility is assessed under the legal-sufficiency standard applicable to a Rule 12(b)(6) motion.
PRECEDENTIAL VALUE	unpublished

TOPICS

- motion to amend
- pleadings
- civil procedure
- corporate veil piercing

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff should be granted leave under Federal Rule of Civil Procedure 15 to add five proposed causes of action.
2. Whether the proposed claim under 18 U.S.C. § 241 was futile because the statute does not provide a private right of action.
3. Whether Plaintiff should be permitted to add Murphy Detective Agency, Inc. and Desiree Lemieux as defendants when the proposed amended complaint did not plead specific, plausible facts showing their individual involvement or a viable alter-ego, veil-piercing, or joint-liability theory.

HOLDINGS

1. Leave to amend should generally be freely granted before entry of a pretrial scheduling order, subject to considerations including undue delay, bad faith, undue prejudice, repeated failure to cure deficiencies, and futility. Because the first four factors favored amendment, the court focused on futility.
2. The proposed amendments adding Counts 11, 12, 13, and 15 were sufficiently plausible and were permitted, but proposed Count 14 under 18 U.S.C. § 241 was futile and was not permitted.
3. Leave to add Murphy Detective Agency, Inc. and Desiree Lemieux was denied without prejudice because the proposed amended complaint lacked specific and plausible allegations of their individual wrongful conduct or facts supporting alter-ego, veil-piercing, or joint-liability theories.

KEY QUOTATIONS

“Motions to amend filed prior to the entry of a pretrial scheduling order are governed by Fed. R. Civ. P. 15, which requires the court to “freely give leave when justice so requires.”” (Legal Discussion and Analysis)

“A plaintiff must allege facts that ‘establish each individual [d]efendant’s liability for the misconduct alleged,’ and mere ‘conclusory allegations against defendants as a group’ that ‘fail[] to allege the personal involvement of any defendant’ are insufficient to survive a motion to dismiss.” (Legal Discussion and Analysis, section II)

“For the foregoing reasons, Plaintiff’s unopposed Motion is GRANTED in part and DENIED in part without prejudice.” (Conclusion)

FACTUAL BACKGROUND

The action arose from divorce litigation between Plaintiff Matthew Verzi and Defendant Zubie Amin. Plaintiff alleged that Zubie and her brother, Palak Amin, improperly accessed his cellphone and private email accounts and shared private communications with Cyber Investigations, LLC and David Murphy, who provided private-investigation services. The proposed amended complaint sought to add claims and to name Murphy Detective Agency, Inc. and Desiree Lemieux as additional defendants, but it alleged only conclusory group allegations concerning their involvement.

PROCEDURAL HISTORY

Plaintiff filed the original action in the Superior Court of New Jersey on January 10, 2025, and the case was removed to the District of New Jersey on February 14, 2025. Plaintiff previously filed an unsuccessful motion to amend, then timely renewed the request after complying with the court's procedural requirements. The court allowed four proposed counts but denied amendment to add a claim under 18 U.S.C. § 241 and denied without prejudice the addition of two defendants.

DISPOSITION

other

REMAND INSTRUCTIONS

None. Plaintiff may amend to add Counts 11, 12, 13, and 15. The requests to add Count 14 and Defendants Lemieux and MDA were denied without prejudice.

CASES CITED

- DLJ Mortg. Cap., Inc. v. Sheridan, 975 F.3d 358, 369 (3d Cir. 2020)
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002)
- Mullin v. Balicki, 875 F.3d 140, 149-50 (3d Cir. 2017)
- Reardon v. New Jersey, No. 13-cv-5363 (NLH), 2014 WL 2921030, at *6 (D.N.J. June 27, 2014)
- Alvin v. Suzuki, 227 F.3d 107, 121 (3d Cir. 2000)
- Leach v. Applicant Insight, Inc., No. 20-cv-1533 (JMV), 2021 WL 236492, at *1 (D.N.J. Jan. 25, 2021)
- Harrison Beverage Co. v. Dribeck Imps., Inc., 133 F.R.D. 463, 468 (D.N.J. 1990)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Shih v. Maselli, Mills & Fornal, P.C., No. 24-cv-6300 (ES) (MAH), 2025 WL 957680, at *5 (D.N.J. Mar. 31, 2025)
- Edwards v. New Jersey, No. 22-cv-2396, 2022 WL 3704634, at *3 (D.N.J. Aug. 26, 2022)
- Galicki v. New Jersey, No. 14-cv-169, 2015 WL 3970297, at *2 (D.N.J. June 29, 2015)
- Japhet v. Francis E. Parker Mem'l Home, Inc., No. 14-cv-01206 (SRC), 2014 WL 3809173, at *2 (D.N.J. July 31, 2014)
- Falat v. Cnty. of Hunterdon, No. 12-cv-6804 (SRC), 2013 WL 1163751, at *3 (D.N.J. Mar. 19, 2013)
- Idumonyi v. Bergen Cnty. Sheriff's Dep't, No. 20-cv-9891, 2022 WL 16969361, at *2 (D.N.J. Nov. 16, 2022)
- Vaswani, Inc. v. Atl. Enters. Ltd., No. 22-cv-00137 (BRM) (JSA), 2023 WL 4740905, at *5 (D.N.J. July 25, 2023)
- Pearson v. Component Tech. Corp., 247 F.3d 471, 484 (3d Cir. 2001)
- Linus Holding Corp. v. Mark Line Indus., LLC, 376 F. Supp. 3d 417, 427 (D.N.J. 2019)

- *Richmond v. Lumisol Elec. Ltd.*, No. 13-cv-1944 (MLC), 2014 WL 1405159, at *4 (D.N.J. Apr. 10, 2014)
- *Telebrands, Corp. v. Nat'l Express, Inc.*, No. 12-cv-6671 (FSH), 2013 WL 12149727, at *3 (D.N.J. July 17, 2013)

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