

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY,
CAMDEN VICINAGE

El Aemer El Mujaddid v. Lynn A. Wehling

Mujaddid v. Wehling · No. Civil No. 25-738 (ESK)(EAP) · Decided March 3, 2026

SUMMARY

The United States District Court for the District of New Jersey denies Plaintiff El Aemer El Mujaddid’s motion to disqualify the New Jersey Office of the Attorney General from representing Defendant Lynn A. Wehling and denies Plaintiff’s motion to strike. The Court grants Defendant’s cross-motion to vacate the Clerk’s entry of default, concluding that Plaintiff failed to establish a disqualifying conflict or violation of the New Jersey Rules of Professional Conduct and that Wehling qualifies as a state employee for purposes of defense and indemnification under the New Jersey Tort Claims Act.

CASE DETAILS

COURT	United States District Court for the District of New Jersey, Camden Vicinage
WRITING FOR THE COURT	Elizabeth A. Pascal
JURISDICTION	United States District Court for the District of New Jersey, Camden Vicinage
DECIDED	March 3, 2026
DOCKET	Civil No. 25-738 (ESK)(EAP)
DISPOSITION	other
PROCEDURAL POSTURE	The court resolved the plaintiff's motion to disqualify defense counsel, the plaintiff's motion to strike filings, and the defendant's cross-motion under Federal Rule of Civil Procedure 55(c) to vacate the Clerk's entry of default. The court denied both plaintiff's motions and granted defendant's motion to vacate default.
STANDARD OF REVIEW	Motions to disqualify counsel are reviewed under the district court's inherent authority to supervise attorneys and require the moving party to satisfy a heavy burden and high standard of proof. A Rule 55(c) motion to set aside an entry of default is committed primarily to the district court's discretion and is evaluated under the factors of prejudice, meritorious defense, and culpable conduct, with doubtful cases generally resolved in favor of adjudication on the merits.

PRECEDENTIAL VALUE	unpublished
PARTIES	El Aemer El Mujaddid v. Lynn A. Wehling

TOPICS

default default judgment res judicata civil procedure civil rights

PRACTICE AREAS

civil procedure civil rights legal ethics default practice government liability

QUESTIONS PRESENTED

1. Whether the New Jersey Office of the Attorney General should be disqualified from representing defendant based on alleged conflicts of interest, violations of the New Jersey Rules of Professional Conduct, alleged misconduct, or defendant's status as a county employee.
2. Whether plaintiff's purported representation letter and internal billing records required striking filings previously submitted by defense counsel.
3. Whether defendant demonstrated good cause under Federal Rule of Civil Procedure 55(c) to set aside the Clerk's entry of default.

HOLDINGS

1. Plaintiff failed to show an actual conflict of interest or any violation of the cited New Jersey Rules of Professional Conduct warranting disqualification of the New Jersey Office of the Attorney General.
2. A county prosecutor's detective acting in an investigatory or law-enforcement capacity is treated as a State employee for purposes of vicarious liability and defense under the New Jersey Tort Claims Act; plaintiff therefore failed to establish that the Attorney General's Office was prohibited from representing defendant.
3. Plaintiff lacked standing to challenge the Attorney General's decision to represent defendant, and N.J.S.A. 59:10A-2 did not prohibit representation merely because defendant was accused of misconduct.
4. The motion to strike was denied because plaintiff offered no authority establishing that the date of a representation letter controlled when the Attorney General's Office could appear on behalf of a state employee.
5. Good cause existed to set aside the Clerk's entry of default because plaintiff would not suffer legally cognizable prejudice, defendant presented facially meritorious preclusion defenses, and the default resulted from an administrative calendaring error rather than culpable conduct.

KEY QUOTATIONS

“For the foregoing reasons, Plaintiff’s Motion to Disqualify Counsel, ECF No. 18, is DENIED; Plaintiff’s Motion to Strike, ECF No. 40, is DENIED; and Defendant’s Cross-Motion to Vacate the Clerk’s Entry of Default, ECF No. 17, is GRANTED.” (Conclusion)

“Because a balance of the relevant factors weigh in favor of vacating the Clerk’s Entry of Default, Defendant’s Cross-Motion is granted.” (Discussion § C)

FACTUAL BACKGROUND

Plaintiff alleges that defendant, formerly a detective with the Cumberland County Prosecutor's Office, participated in constitutional violations and falsified warrant applications connected to plaintiff's 2010 arrest and criminal proceedings. Plaintiff also alleges that his identity remains misassociated with another indicted individual in New Jersey public records despite an expungement in 2024. The present action asserts nineteen federal and state causes of action, many of which overlap with allegations raised in plaintiff's prior state and federal lawsuits. Defendant missed the deadline to respond to the amended complaint because of an administrative calendaring error and later sought to vacate the Clerk's entry of default.

PROCEDURAL HISTORY

Plaintiff filed the action on January 25, 2025, and amended his complaint on May 10, 2025. After defendant failed to respond by the deadline, the Clerk entered default on June 23, 2025. Defendant moved to vacate the entry of default, while plaintiff moved to disqualify the New Jersey Office of the Attorney General and to strike filings submitted on defendant's behalf. The court decided the motions without oral argument and granted vacatur of the Clerk's entry of default.

DISPOSITION

other

CASES CITED

- *Mujaddid v. Wehling*, No. 12-7750, 2016 WL 310742, at *6 (D.N.J. Jan. 25, 2016), *aff'd*, 663 F. App'x 115 (3d Cir. 2016)
- *El Aemer El Mujaddid v. City of Vineland*, A-1669-22 (N.J. App. Div. July 3, 2024)
- *Marchisotto v. Malik*, No. 20-20426, 2024 WL 1929504, at *2, *4 (D.N.J. May 2, 2024)
- *United States v. Miller*, 624 F.2d 1198, 1201 (3d Cir. 1980)
- *Shaikh v. Germadnig*, No. 22-2053, 2022 WL 16716116, at *2 (D.N.J. Nov. 4, 2022)
- *Essex Chemical Corp. v. Hartford Accident & Indemnity Co.*, 993 F. Supp. 241, 246 (D.N.J. 1998)
- *Gillespie v. Newark Board of Education*, No. 21-18990, 2024 WL 2354502, at *4-5 (D.N.J. May 23, 2024)
- *Carlyle Towers Condominium Association v. Crossland Savings, FSB*, 944 F. Supp. 341, 345 (D.N.J. 1996)
- *In re Boy Scouts of America*, 35 F.4th 149, 159 (3d Cir. 2022)
- *Rohm & Haas Co. v. American Cyanamid Co.*, 187 F. Supp. 2d 221, 226, 228 (D.N.J. 2001)
- *Johnson v. Gloucester County Improvement Authority*, Civ. No. 16-8422, 2019 WL 13277445, at *6 (D.N.J. Mar. 26, 2019)
- *Estate of Bardzell v. Gomperts*, 515 F. Supp. 3d 256, 268-69 (D.N.J. 2021)
- *Wright v. State*, 169 N.J. 422, 451-52 (2001)

- Kaminskas v. Office of the Attorney General, 236 N.J. 415, 426-28 (2019)
- Monmouth County Prosecutor's Office v. Office of the Attorney General, 480 N.J. Super. 33, 40, 44 (App. Div. 2024)
- Chasin v. Montclair State University, 159 N.J. 418, 425 (1999)
- Prado v. State, 186 N.J. 413, 428 (2006)
- Dietz v. Bouldin, 579 U.S. 40, 45 (2016)
- Link v. Wabash Railroad Co., 370 U.S. 626, 630-31 (1962)
- Willett v. Dahlberg, No. 24-24, 2025 WL 1568802, at *4 (D.V.I. June 3, 2025)
- Vitot Equipment Corp. v. Underwater Mechanix Services, LLC, No. 23-00009, 2024 WL 231450, at *3 (D.V.I. Jan. 22, 2024)
- Eash v. Riggins Trucking, Inc., 757 F.2d 557, 567 (3d Cir. 1985)
- Karlo v. Pittsburgh Glass Works, LLC, No. 10-1283, 2015 WL 3966434, at *3 (W.D. Pa. June 8, 2015)
- United States v. \$55,518.05 in U.S. Currency, 728 F.2d 192, 194-95 (3d Cir. 1984)
- Mrs. Ressler's Food Products v. KZY Logistics LLC, 675 F. App'x 136, 137 (3d Cir. 2017)
- Emcasco Insurance Co. v. Sambrick, 834 F.2d 71, 73-74 (3d Cir. 1987)
- Prime Hookah, Inc. v. MK Distributors, Inc., No. 19-7283, 2019 WL 13339086, at *1-2 (D.N.J. July 15, 2019)
- HEI Investments, LLC v. Black Diamond Capital Appreciation Fund, LP, No. 15-746, 2016 WL 952338, at *3 (D.N.J. Mar. 14, 2016)
- Feliciano v. Reliant Tooling Co., 691 F.2d 653, 656-57 (3d Cir. 1982)
- Sunoco, Inc. (R&M) v. Global Recycling & Demolition, LLC, 300 F.R.D. 253, 256 (E.D. Pa. 2014)
- DirecTV, LLC v. Alvarez, No. 15-6827, 2017 WL 4284526, at *3 (D.N.J. Sept. 27, 2017)
- Mike Rosen & Associates, P.C. v. Omega Builders, Ltd., 940 F. Supp. 115, 121 (E.D. Pa. 1996)
- NuMed Rehabilitation, Inc. v. TNS Nursing Homes of Pennsylvania, Inc., 187 F.R.D. 222, 224 (E.D. Pa. 1999)
- Gross v. Stereo Component Systems, Inc., 700 F.2d 120, 123 (3d Cir. 1983)
- Malibu Media, LLC v. Waller, No. 15-3002, 2016 WL 184422, at *4 (D.N.J. Jan. 15, 2016)
- Wingate Inns International v. P.G.S., LLC, No. 09-6198, 2011 WL 256327, at *4 (D.N.J. Jan. 26, 2011)
- Momah v. Albert Einstein Medical Center, 161 F.R.D. 304, 308 (E.D. Pa. 1995)