

G+4 Old Bride (UL)

(1984)

Proposed form of order on above case

4 pgs

~~XXXXXXXXXX~~

CA0000120

*Hand to 8/6*

**BRENER, WALLACK & HILL**

**ATTORNEYS AT LAW**

**2-4 CHAMBERS STREET  
PRINCETON, NEW JERSEY 08540**

CABLE "PRINLAW" PRINCETON  
TELECOPIER: (609) 924-6239  
TELEX: 837652

HARRY BRENER  
HENRY A. HILL  
MICHAEL D. MASANOFF\*\*  
ALAN M. WALLACK\*

(609) 924-0808

GULIET D. HIRSCH  
GERARD H. HANSON  
J. CHARLES SHEAK\*\*  
EDWARD D. PENN+  
NATHAN M. EDELSTEIN+  
THOMAS L. HOFSTETTER\*\*  
ROBERT W. BACSO, JR.+  
EDWARD M. BERNSTEIN^  
MARILYN S. SILVIA  
THOMAS J. HALL  
SUZANNE M. LAROBARDIER  
ROCKY L. PETERSON  
VICKI JAN ISLER  
MICHAEL J. FEEHAN

\* MEMBER OF N.J. & D.C. BAR  
\*\* MEMBER OF N.J. & PA. BAR  
+ MEMBER OF N.J. & N.Y. BAR  
^ MEMBER OF N.J. & FLA. BAR

FILE NO.

**RECEIVED**

**JUL 30 1984**

**JUDGE SERPENTELLI'S CHAMBERS**

July 24, 1984

The Honorable Eugene D. Serpentelli  
Judge, Superior Court of New Jersey  
Ocean County Courthouse  
Toms River, NJ 08753

Re: O&Y Old Bridge/Urban League

Dear Judge Serpentelli:

Pursuant to your request, I am enclosing the Proposed Form of Order on the O&Y/Old Bridge/Urban League case, modified per your direction. It should be noted however that the return date referred to in the Order has already passed and that the hearing on the Motion was never held.

There is an original and two copies. When you have executed a copy, we would appreciate a return copy in the enclosed, self-address, stamped envelope.

Thank you for your attention to this matter.

Sincerely,

*Henry A. Hill*  
Henry A. Hill

HAH:te  
Enclosure  
cc: All parties

BRENER, WALLACK & HILL  
2-4 Chambers Street  
Princeton, New Jersey 08540  
(609) 924-0808  
ATTORNEYS FOR Plaintiff O & Y Old Bridge  
Development Corporation

*Original to  
atty 7/13*  
*our  
copy of version*

URBAN LEAGUE OF GREATER  
NEW BRUNSWICK, et al.,

Plaintiffs,

vs.

THE MAYOR AND COUNCIL  
of the BOROUGH OF CARTERET  
et al,

Defendants

Plaintiff

O & Y OLD BRIDGE  
DEVELOPMENT CORPORATION  
A Delaware Corporation

vs.

Defendant

THE TOWNSHIP OF OLD BRIDGE in the  
COUNTY OF MIDDLESEX, a municipal  
corporation of the State of New Jersey,  
THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF OLD BRIDGE and the  
PLANNING BOARD OF THE TOWNSHIP  
OF OLD BRIDGE

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION/MIDDLESEX COUN

Docket No. C-4122-73

SUPERIOR COURT OF  
NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY/OCEAN COUNTY,  
(Mount Laurel II)

Docket No. L- 009837-84 P.W.

CIVIL ACTION

ORDER  
Granting Partial  
Consolidation

TO: Jerome J. Convery, Esq.  
P.O. Box 872  
Old Bridge, N.J. 08857

Thomas Norman, Esq.  
Jackson Commons  
Suite A-2  
30 Jackson Road  
Medford, New Jersey 08055

Eric Neisser, Esq.  
John Payne, Esq.  
Constitutional Litigation Clinic  
Rutgers Law School  
15 Washington Street  
Newark, New Jersey 07102

Bruce S. Gelber, Esq.  
National Com. against Discrimination  
in Housing  
733 Fifteenth St, N.W., Suite 1026  
Washington, D.C. 20005

This matter having been opened to the Court by Brener, Wallack & Hill, Attorneys for Plaintiff, O & Y Old Bridge Development Corporation, Thomas J. Hall, Esq., appearing in the presence of Defendant, Jerome J. Convery, Esq. and Thomas Norman Esq. appearing; and in the presence of Plaintiff, Urban League of Greater New Brunswick, Eric Neisser, Esq. appearing, and the Court having reviewed the papers, affidavits and briefs or memorandum submitted and considered the arguments of Counsel; and having made findings of fact and conclusions of law;

It is on this            day of            1984:

Ordered that the cause of plaintiff Olympia and York/ Old Bridge Development Corporation be consolidated with the action of the Urban League plaintiffs against the Township of Old Bridge, et al for the purpose of

*participating in the ordinance revision process of*  
~~determining compliance of the Township's Land Development Ordinance with the~~  
*the Township's Land Development Ordinance to the extent*  
following:  
*set forth on the record for the*

(1) Consent Judgment in Urban League of Greater New Brunswick v Mayor and Council of Carteret, et al., which Judgment was filed July 9, 1976;

(2) The Order entered in Oakwood at Madison v. Township of Madison, 72 N.J. 481 (1977);

*purpose of complying with*  
the constitutional mandates enunciated in Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J.158 ( 1983)

It is further Ordered that plaintiff Olympia and York/Old Bridge Development Corporation be consolidated with the Urban League plaintiffs for purposes of determining the appropriateness of awarding a builder's remedy in the Township of Old Bridge, as requested by plaintiff Olympia and York/ Old Bridge Development Corporation.

It is further Ordered that plaintiff Olympia and York/Old Bridge Development Corporation not be consolidated with the Urban League plaintiffs for purposes of determining Old Bridge Township's

(a) housing region, or

(b) fair share of housing for persons of low and moderate income.

It is further Ordered that the Motion for Summary Judgment brought by plaintiff Olympia and York/ Old Bridge Development Corporation be scheduled to be heard before this Court on Friday, July 6, at 10:00 a.m.

The Honorable Eugene D. Serpentelli,  
J.S.C.

___ NOTICE OF MOTION RETURNABLE	_____
___ MOVANTS' AFFIDAVITS DATED	_____
___ MOVANTS' BRIEF DATED	_____
___ ANSWERING AFFIDAVITS DATED SUBMITTED ON BEHALF OF	_____ _____
___ ANSWERING BRIEF DATED SUBMITTED ON BEHALF OF	_____ _____
___ CROSS-MOTION DATED FILED BY	_____ _____
___ MOVANTS' REPLY DATED	_____
___ OTHER	_____