

Old Bridge

1985

U.L. v. Carpent

letter to Judge re: Hall's letter and order

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School of Law-Newark • Constitutional Litigation Clinic
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November 21, 1985

The Honorable Eugene D. Serpentelli
Judge, Superior Court of New Jersey
Ocean County Court House
CN 2191
Toms River, NJ 08754

RE: Urban League v. Carteret, et al., No. C 4122-73
(Old Bridge)

Dear Judge Serpentelli:

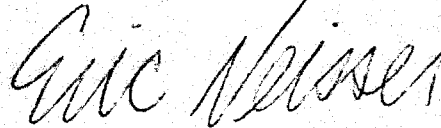
I am in receipt of Mr. Hall's November 20 letter and attached Order. He is correct that the Urban League has no objection to the wording of the Order, except that the year in both 2(i) and 2(k) should be 1986, not 1985, the list in Paragraph 3 should include November, and the word "constitutional" is misspelled on the fourth line from the bottom of page 2.

Mr. Hall fails to bring to your Honor's attention, however, the fact that this Order was, at your Honor's request, reviewed, discussed, and agreed upon in substance at the meeting of all parties and the Master held on Monday, November 11. Some details relating to other issues (subsections (i) through (l) of ¶ 2) have been redrafted since then, but the important point is that ten days ago everyone agreed to both Paragraph 2(a), setting November 15 for the Township counsel's submission to us of a comprehensive settlement including draft ordinances, and Paragraph 4, setting December 6 as the date for hearing of plaintiffs' motion for Court-Ordered Remedy filed on July 25, 1985, should the Council fail to adopt an acceptable settlement compliance package by December 2.

It saddens me to report that we have, as of this writing six days after the deadline, received no materials from the Township attorney concerning a settlement proposal nor have we heard anything from him orally. It is thus very important to us that the Court enter this Order forthwith, embodying the Court's ruling and the parties' agreements at the October 22 case

management conference. Absent an acceptable overall settlement compliance package, we intend to place before the Court on December 6 our continuing strenuous objection to the 10 percent partial settlement between the Township, O & Y, and Woodhaven, and to request a ruling on our July motion for a Court-ordered remedy.

Sincerely yours,



Eric Neisser
Co-counsel for Urban League
Plaintiffs

cc: Carla Lerman, Master
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