

Old Bridge (1987)

Response to Motion

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THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
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School of Law-Newark • Constitutional Litigation Clinic
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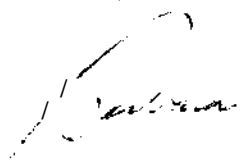
April 10, 1987

Mr. C. Roy Epps, President
Civic League of Greater New Brunswick
47-49 Throop Avenue
New Brunswick, NJ 08901

Dear Roy:

Enclosed please find Fred Mezey's response to
our motion before the Appellate Division.

Sincerely,



encls

cc/Payne, Neisser, Mount Laurel Team

MEZEY & MEZEY

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*MEMBER OF N.J. & D.C. BAR
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OUR FILE NO.

April 9, 1987

Honorable Judges of the Superior Court
Appellate Division
Hughes Justice Complex
CN 006
Trenton, NJ 08625

Re: Urban League, et al v. Carteret, et al
No. A 3795 85T1
O & Y Old Bridge Development Corp. v.
Township of Old Bridge, et al
No.: L 009837 PW
Woodhaven Village, Inc. v. Township of Old
Bridge, et al
No.: L 03673¹* PW

Dear Honorable Judges:

We have the motion to vacate suppression Nunc Pro Tune and the certificate of Barbara Stark in the above.

We have no objection to the entry of an order Nunc Pro Tune should the Court find same appropriate. However, we would like to make the following comments by way of clarification:

1. The January 24, 1986 order and judgment of repose affects O & Y in paragraph 2a, Woodhaven in paragraph b and Oakwood at Madison, Inc. and Beren Corp. in paragraph 2c. The only part of the order and judgment which we seek to have vacated is that having to do with Oakwood at Madison, Inc. and Beren Corp. in paragraph 2c as well as the reference to Oakwood at Madison, Inc. in paragraph 10;

2. Paragraph 6 of the certificate of Barbara Stark states that Oakwood was "permitted to intervene." This is not correct the Urban League (Miss Stark's client) moved

MEZEY AND MEZEY

April 9, 1987

Honorable Judges of the Superior Court

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to consolidate the Oakwood at Madison motion or in the alternative to intervene in Oakwood at Madison, Inc. Both of these motions were denied by paragraph 1 of the May 31, 1985 order. Oakwood at Madison, Inc. and Beren Corp., however, were ordered joined as parties-defendant. As parties-defendant, they obviously were entitled to notice of all proceedings particularly the January 24, 1986 order and judgment in so far as it directly effects them as set forth in paragraph 1 above; and

3. Paragraph 6 of Miss Stark's certificate also states that the Oakwood and Beren issues are "now moot." It is true that the Civic League and Oakwood and Beren have settled, however, the settlement is not effective until approval by Judge Serpentelli. As of this date, Judge Serpentelli has adjourned the motion for approval and referred the matter to a Master.

Respectfully submitted,

MEZEY & MEZEY

BY _____

FREDERICK C. MEZEY

PCM:ck

cc: All Counsel of Record

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OUR FILE NO.

April 9, 1987

Mr. John J. Musewicz
Acting Clerk
Superior Court, Appellate Division
Hughes Justice Complex, CN 006
Trenton, NJ 08625

Re: Urban League, et al vs. Carteret, et al
No. A 3795 85T1
O & Y Old Bridge Development Corp. v.
Township of Old Bridge, et al
No. L 009837 PW
Woodhaven Village, Inc. v. Township of Old
Bridge, et al
No. L 036734 PW

Dear Mr. Musewicz:

Enclosed herewith please find original and five copies of
our response to the notice of motion to vacate suppression
Nunc Pro Tunc in regard to the above matter, which please
file.

Very truly yours,

MEZEY & MEZEY

BY _____
FREDERICK C. MEZEY

/ck
encs.
cc: All Counsel of Record