

Old Bridge 1987

Plaintiff's Objections to form of Order Submitted by Norman
Encl: copy of Order

pgs. 5

CA 0001810

School of Law-Newark • Constitutional Litigation Clinic
S.I. Newhouse Center For Law and Justice
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

September 28, 1987

VIA LAWYERS SERVICE

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

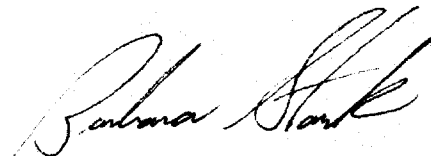
RE: Urban League, et al. v. Carteret, et al.

Dear Judge Serpentelli:

The Civic League plaintiffs object to the form of Order submitted by Thomas Norman, Esq. First, Your Honor did not order that the Court's oral opinion be incorporated in the Order. Second, the third provision of Mr. Norman's proposed form of Order, ("This Court does not retain jurisdiction of this matter") is redundant in view of the second provision, which transfers the matter to the Council on Affordable Housing. Third, Barbara Stark, not Barbara Williams, appeared for the Civic League plaintiffs. Finally, Mr. Norman has omitted any reference to the Civic League plaintiffs' cross motion.

Enclosed please find original and four copies of proposed form of Order. By copy of this letter, copies of the enclosed form of Order are being served on the parties appearing on the annexed list, who are hereby advised that unless they advise the Court and this office of their specific objections thereto within five days, same may be signed in the Court's discretion pursuant to R. 4:42-1(b).

Respectfully yours,



encls

cc/Old Bridge Service List

SERVICE LIST

Urban League v. Carteret, Civ C 4122-73 (Superior Court, Chancery
Div., Middlesex County) (OLD BRIDGE)

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On Behalf of the ACLU of NJ

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, et al.,

Plaintiffs,

v.

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET, et al.,

Defendants,

and

O&Y OLD BRIDGE DEVELOPMENT
CORPORATION, A Delaware
Corporation

Plaintiff,

v.

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, THE
MUNICIPAL UTILITIES AUTHORITY
OF THE TOWNSHIP OF OLD BRIDGE,
THE SEWERAGE AUTHORITY OF THE
TOWNSHIP OF OLD BRIDGE and
THE PLANNING BOARD OF THE
TOWNSHIP OF OLD BRIDGE,

Defendants.

SUPERIOR COURT OF
NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY/
OCEAN COUNTY
(Old Bridge)

Docket No. C 4122-73

SUPERIOR COURT OF
NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY/
OCEAN COUNTY

Docket No. L009837-84
PW
and No. L036734-84 PW

Civil Action

ORDER

This matter having been opened to the court on the Motion of the Planning Board of the Township of Old Bridge, Thomas Norman, Esq. appearing, and the Township Council of Old Bridge, Jerome J. Convery, Esq., appearing; and a cross motion having been filed by the Urban (now Civic) League of Greater New Brunswick, Barbara Stark, Esq. appearing, in the presence of Plaintiff O&Y Old Bridge Development Corp., Thomas J. Hall, Esq. and Dean A. Gaver, Esq., appearing, and in the presence of Plaintiff Woodhaven Village, Inc., Stewart Hutt, Esq., appearing, and the court having reviewed the papers, briefs and memoranda, supporting affidavits and reports submitted by all parties hereto; and the court having heard arguments and good cause having been shown:

It is on this _____ day of _____, 1987:

ORDERED:

1. That the Order and Judgment of Repose granted by this Court by Order dated January 24, 1986 is hereby vacated for the reasons stated by this Court in an oral opinion rendered September 14, 1987.
2. This matter is hereby transferred to the Council on Affordable Housing.
3. The request of the Civic League plaintiffs for enforcement of the aforesaid Judgment is denied in part as moot and decision is reserved in part pending resolution of litigation as to the validity

of mandatory Housing Trust Fund contributions.

EUGENE D. SERPENTELLI, A.J.S.C.

Papers Considered:

___ Notice of Motion
___ Movant's Affidavit
___ Movant's Brief
___ Answering Affidavit
___ Answering Brief
___ Cross Motion
___ Movant's Reply
___ Other _____