

Old Bridge 1988

letter to Judge RB: opposition to any motion Reconsideration

Pgs. 3

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March 18, 1988

Honorable Eugene D. Serpentelli, A.J.S.C
Ocean County Court House
CN-2191
Toms River, New Jersey 08754

RE: Woodhaven Village, Inc. v. Township of Old Bridge
Docket No. L-036734-84 PW

Dear Judge Serpentelli:

The Planning Board of the Township of Old Bridge opposes any Motion for Reconsideration as requested by Woodhaven Village through Stewart Hutt, Esq. A review of all of the arguments of Woodhaven Village set forth in their Brief of November 25, 1987 and reply letter Brief of January 4, 1988 do not indicate any new facts to justify a Reconsideration of this matter.

Additionally, the Motion of Woodhaven for Reconsideration of the judgement of this Court is not provided for in the New Jersey Court Rules. This specific question was raised in Michel v. Michel, 210 N.J. Super 218, (CD 1985) in which the Court noted:

This Court finds that the increasingly frequent practice of filing "Motions for Reconsideration" of a prior Order at the trial Court level is without basis in the New Jersey Court Rules, is duplicative of Court time and legal fees, and is inappropriately employed by dissatisfied litigants when the proper remedy lies in an appeal. (210 N.J. super at 219)

It is respectfully submitted that the Motion for a rehearing requested by Woodhaven Village should be denied.

Respectfully submitted,


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