

Urban League v. Carbet 3/3/83

Estimate of expert fees/expenses to retry
Middlesex County case

~~MEMO~~

3 pgs

CA 000231 L



NCDH
National Committee
Against Discrimination
in Housing

1425 H Street, N.W., Washington, D.C. 20005 · (202) 783-815

March 3, 1983

Ken Meiser
Department of the
Public Advocate
Hughes Justice Complex, CN 850
Trenton, New Jersey 08625

Re: Urban League of Greater New
Brunswick, et.al. v.
Borough of Carteret, et.al.

Dear Ken:

What follows is our best estimate of what it will cost in terms of expert fees and expenses to retry the Middlesex County case. These figures are based on a rate of \$60 per hour.

In preparing these estimates, we made the following assumptions: (1) that the court will hold a fair share hearing prior to evaluating the individual ordinances; (2) that because of uncertainty as to the appropriate region and the presence of a significant amount of limited growth area in the county, our fair share determination will be contested and will require at least a full week of trial; (c) that after the fair share hearing, we will propose that a master be appointed immediately since the defendants already were found to be in non-compliance with Mount Laurel, but that it is likely that some of the municipalities will request the court to reconsider the finding of non-compliance prior to appointing a master based on claims that they have made substantial changes in their ordinances; and (d) that, during the final remedial stage, the court will not require us to proceed against all 11 municipalities simultaneously, but will appoint a master to work with 2 or 3 municipalities at a time. This will enable us to perform our work in stages and absorb the cost of retrying the case over a protracted period of time. In addition, if all goes well with the first few municipalities, it is conceivable that we will be able to reach a negotiated settlement with some of the other municipalities.

Anticipated timetable

Tasks

Hours

Cost

2-3 weeks

Preparation for fair share hearing (determination of region and regional need; development of fair share formula; evaluation of SDPG; determination of fair share allocation for 11 municipalities)

40

2,400

*2400
1200
3600*
1200

1 week

Fair share hearing

40

2,400

16

Travel expenses

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400

200

2 weeks

Facial review of revised zoning ordinances and current land uses of 11 municipalities

40

2,400

Cost of materials

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1,500

1,000

5 weeks

Preparation for compliance review, including on-site evaluation of present and potential uses in an estimated 6 municipalities (average of 2 days per municipality)

96

5,760

37
10,240

Compliance hearing (8 days of trial)

64

3,840

Travel expenses

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1,000

17 weeks

Development of remedy for 3 municipalities, including preparation of proposed zoning revisions and affirmative measures; review of proposals of the master; on site reviews and meetings with developers (average of 23 days/2 wks for 3 municipalities)

2702

16,320

*12,240
16,240
28,480
2,500
30,980*

Subtotal (for 6½ months) -

36,020

*35
30
35
100*

17 weeks	Development of remedy for 3 additional municipalities	272	16,320
17 weeks	Development of remedy for 3 additional municipalities	272	16,320
17 weeks	Development of remedy for 2 remaining municipalities	181	10,860
Total (for 18 months)			<u>79,520</u>

Please note that these are only rough estimates and that they may well change depending on the approach taken by the court and the defendants. For example, the cost of monitoring the work of the master will be substantially less if we are satisfied with the person selected to be the master and Alan does not have to shadow him, or if some of the municipalities are dismissed or agree to settle.

Please let me know if you have any questions or need any additional information to prepare a draft proposal for funding.

Sincerely,



Bruce S. Gelber
General Counsel

cc: Dick Bellman
Jeff Fogel
Alan Mallach

BSG:ymp