

Monroe 1986

5/19

Letter to court

Attach: Civil case info sheet

pgs 4

CA000405L



Township of Monroe
County of Middlesex

PETER P. GARIBALDI
Mayor

MARIO APUZZO
Director of Law

DEPARTMENT OF LAW: Municipal Complex
Perrineville Road
Jamesburg, N.J. 08831
(201) 521-4400

May 19, 1986


Elizabeth McLaughlin, Clerk
Superior Court of New Jersey
Appellate Division
Hughes Justice Complex
Trenton, New Jersey 08625

Re: Urban League of Greater New Brunswick, et al., v.
The Mayor and Council of the Borough of Carteret
Docket No. A-4020-85T7

Dear Ms. McLaughlin:

Enclosed please find original Civil Case Information Statement
regarding the above-referenced matter.

Very truly yours,


MARIO APUZZO
Director of Law

MA:sw
Encl.

cc: As per attached mailing list

CIVIL CASE INFORMATION STATEMENT

IMMEDIATE ACTION

TITLE IN FULL: URBAN LEAGUE OF GREATER NEW BRUNSWICK ET AL VS THE MAYOR AND COUNCIL OF THE BOROUGH OF CARTERET

FOR OFFICIAL USE ONLY
APPEAL DOCKET NO. A-4029-85-7
RETURNED WITHIN TEN (10) DAYS
NOTICE OF APPEAL
FILED: April 7, 1986

DATE SENT: May 12, 1986

APPELLANT'S ATTORNEY(S): Plaintiff [] Defendant [x] Other (Specify) []

NAME: Mario Apuzzo ADDRESS: Municipal Complex, Perrineville Road, Jamesburg, New Jersey 08831 TELEPHONE: (201) 521-4400 CLIENT: Township of Monroe

RESPONDENT'S ATTORNEY(S)*:

NAME: Thomas R. Farino, Jr. ADDRESS: Applegarth Road, Half Acre Road, Cranbury, New Jersey 08512 TELEPHONE: (609) 655-2700 CLIENT: Pro Se (not party below)
NAME: William P. Isle ADDRESS: P.O. Box 188, E. Brunswick, New Jersey 08816 TELEPHONE: (201) 254-4200 CLIENT: Carl E. Hintz (not party below)

[*INDICATE WHICH PARTIES, IF ANY, DID NOT PARTICIPATE BELOW OR WHO WERE NO LONGER PARTY TO THE ACTION AT THE TIME OF ENTRY OF THE ORDER/JUDGMENT BEING APPEALED.]

GIVE DATE AND SUMMARY OF TERMS OF JUDGMENT ENTERED BELOW: On May 13, 1985 Hon. Eugene D. Serpentelli ordered the Appellant Monroe Township to pay Thomas R. Farino, Esq. \$23,893.00, Carl E. Hintz \$10,248.42 and Carla Lerman \$6,839.55 for their services rendered to Monroe Township in its Mt. Laurel II litigation.

Does this determination dispose of all issues as to all parties? Yes [x] No []
If not, has it been certified as final pursuant to R.4:42-2? Yes [] No []
(Is not, leave to appeal must be sought. R.2:2-4, 2:5-6.)
Is the validity of a statute, executive order, franchise or constitutional provision of the state questioned? (R.2:5-1(h)). Yes [] No [x]

GIVE A BRIEF STATEMENT OF THE FACTS AND PROCEDURAL HISTORY: As a result of the Court Order of August 13, 1984, professional planning and legal services were rendered by Mr. Farino (Township attorney for appellant), Mr. Hintz (planner), and Ms. Lerman, (Court appointed Master). No appropriation, contracts, or advertising were had for the services. After Mayor refused payment, Order of May 13, 1985 issued directing payment. This Order is now appealed. The May 13, 1985 Order was initially appealed July 29, 1985. This appeal, Docket No. A-5394-84T1 was dismissed December 13, 1985.

TO THE EXTENT POSSIBLE, LIST THE PROPOSED ISSUES TO BE RAISED ON THIS APPEAL, AS THEY WILL BE DESCRIBED IN APPROPRIATE POINT HEADINGS PURSUANT TO R.2:6-2(a)(5). Appellant or cross appellant only. Whether the Court has the authority to order the Township of Monroe to pay for professional services rendered when liability to pay for those services was incurred when there was no prior appropriation, contract, and advertising.

EBC

All civil appeals will be screened under the Civil Appeals Settlement Program to determine their potential for settlement or, in the alternative, a simplification of issues, abbreviation of transcript and any other matters that may aid in the disposition or handling of the appeal. Please consider these when responding to the following question.

State whether you think this case may benefit from a conference. Yes X No
A negative response will not necessarily rule out the scheduling of a pre-argument conference.

Explain your answer:

IS THERE ANY CASE NOW PENDING OR ABOUT TO BE BROUGHT BEFORE THIS COURT WHICH:

- (A) Arises from substantially the same case or controversy as this appeal? Yes No X
- (B) Involves an issue that is substantially the same, similar or related to an issue in this appeal? Yes No X

IF YES, STATE:

Case Name:

Docket No:

DO YOU EXPECT TO FILE A LETTER BRIEF (Rule 2:6-2(b))? Yes X No

The time in which to file your brief and appendix is governed by court rule unless modified by court order. If any circumstances exist which might justify a shorter or longer period of time within which to file your brief and appendix other than that provided by Rule 2:6-11, give a detailed explanation. Your answer does not alter the time limit set forth in the Rules of Court.

In the event there is any change with respect to any entry on the Case Information Statement, appellant shall have a continuing obligation to file an amended Case Information Statement on the prescribed form.

TOWNSHIP OF MONROE
Name of Appellant or Respondent

MARIO APUZZO
Name of Counsel of Record

May 19, 1986
Date

Signature of Counsel of Record

AMENDED
MAILING LIST

Urban League of Greater New Brunswick
et als. v. Monroe Township et als.,
Docket Nos. C-4122-73, L-076030-83 PW,
L-28288-84, and L-32638-84 P.W.

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Honorable Eugene D. Serpentelli
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Ocean County Superior Court
Toms River, NJ 08754

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Requested)

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c/o Daniel Reynolds
Deputy Attorney General
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Peter P. Garibaldi, Mayor
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Monroe Township Council
c/o Mary Carroll, Clerk
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