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June 17, 1986

The Honorable Mark A. Sullivan
Monmouth County Court House
South Wing, 2nd Floor
Freehold, NJ 07728

Re: Urban League of Greater New Brunswick, et al. v. The Mayor and
Council of the Borough of Carteret, et al.
A 4020-85T7

Dear Justice Sullivan:

This is respectfully submitted on behalf of the Civic League in response to Your Honor's Notice of Pre-Argument Conference scheduled for June 23, 1986. Pursuant to our telephone conversation with Your Honor's secretary this morning, we do not plan to attend the conference. The Civic League welcomes this opportunity, however, to clarify its position with respect to the instant appeal.

As set forth in its Civil Case Information Statement, appellant Township of Monroe seeks to appeal from the May 13, 1985 Order of the Honorable Eugene D. Serpentelli directing the Township to pay professional planning and legal fees. The Township concedes that that Order was "initially" appealed on July 29, 1985. Respondent Hintz filed a motion to dismiss that appeal with prejudice and the Civic League plaintiffs similarly filed a motion to dismiss. By Orders dated December 16, 1985, both motions were granted.

Appellant's claim has acquired no further merit in the six months during which it has ignored the Appellate Division's refusal to relieve it of its obligations. Indeed, the Township's arrogance has only ripened into contempt during this period.

It is respectfully submitted that the Township's frivolous appeal should again be dismissed. Any compromise at this point would only reward Monroe for its bad faith.

Respectfully yours,

cc/Monroe Service List
Ms. Carla Lerman

