

UL v. Carteret (S. Plainfield) 22A (veg)

(1985)

Letter # to Steve w/ materials enclosed

2 pgs

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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

August 22, 1985

Stephen Eisdorfer, Esq.  
Department of the Public Advocate  
Office of Public Interest Advocacy  
Hughes Justice Complex  
CN 850  
Trenton, New Jersey 08625

Dear Steve:

Enclosed is a copy of some materials concerning South Plainfield that you requested. Specifically:

- (1) A copy of the motion papers filed on June 21, 1985, which include the May 22, 1984 Judgment As To South Plainfield and which led to the enclosed July 3 restraining order, later modified on July 19.
- (2) Copies of my July 8 letter which explains what led to the modification of the July 3 order.
- (3) A copy of South Plainfield's July 22 transfer motion, responding papers for which are now due August 28 and argument for which is scheduled in Toms River on Friday, September 6.
- (4) A copy of my July 25 letter seeking the extension and notifying parties in the Monroe, Cranbury and Piscataway litigation. To date, no other town in our case has filed a transfer motion.
- (5) A copy of the motion papers filed on July 30 by us when South Plainfield refused to adopt the ordinances as required by the July 3d order, and of the resulting August 9th order.
- (6) A copy of John Payne's draft of part of our brief in response to the transfer motion and of a draft of my affidavit.

I am now drafting the other part of the brief explaining the legal and timing consequences of transfer under the statute and arguing for the relevant standards to be used in assessing transfer motions. We will hope to submit with it a version of Alan Mallach's affidavit that you are sending me and an affidavit of the current owner of a main site in South Plainfield confirming that he has a sales contract with Hovnanian contingent upon rezoning under the Judgment and approval of site plans and obligating Hovnanian to submit plans for development under the Mount Laurel rezoning.

Stephen Eisdorfer, Esq.

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8/22/85

I look forward to reading your draft and to discussing further the possibilities of an amicus brief in our case.

Sincerely yours,



Eric Neisser

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