

UL v. Cartoet (S. Plainfield)

15 Oct 1985

letter w / copy of judge's order denying transfer motion

PI #3011

3 pgs

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School of Law-Newark • Constitutional Litigation Clinic  
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MEMORANDUM

TO: Frank Santoro, Esq.  
Peter Calderone, Esq.  
William Lane, Esq.  
Angelo H. Dalto, Esq.  
Raymond Miller, Esq.  
Leonard Selesner, Esq.  
John George, Esq.  
Donald Daines, Esq.  
Joseph Buccellato  
Joseph Murray, Esq.

FROM: Eric Neisser *EN*

DATE: October 15, 1985

RE: Urban League v. Carteret (South Plainfield)

Enclosed please find a copy of Judge Serpentelli's Order of October 11th denying the transfer motion, which I received in today's mail.

encls

ERIC NEISSER, ESQ.  
JOHN M. PAYNE, ESQ.  
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ATTORNEYS FOR PLAINTIFFS  
On Behalf of the ACLU of NJ

SUPERIOR COURT OF NEW JERSEY  
MIDDLESEX/OCEAN COUNTY  
NO. C 4122-73

URBAN LEAGUE OF GREATER ]  
NEW BRUNSWICK, et al., ]  
 ]  
Plaintiffs, ]  
 ]  
vs. ]  
 ]  
THE MAYOR AND COUNCIL OF ]  
THE BOROUGH OF CARTERET, ]  
et al., ]  
 ]  
Defendants. ]

(South Plainfield)

ORDER

The Borough of South Plainfield having moved to transfer this case to the Council on Affordable Housing pursuant to Section 16 of the Fair Housing Act, Laws of 1985, c.222, and having filed in support thereof a Certification of Frank Santoro, Esq. and a Memorandum of Law in Support, and the Urban League plaintiffs having filed Affidavits of Eric Neisser, Esq. and Alan Mallach, a Certification of Lawrence J. Massaro, and a Memorandum of Law in Opposition, and the Court having heard oral argument in open court on October 2, 1985 from Frank Santoro, Esq. for the Borough of South Plainfield and Eric Neisser, Esq. for the Urban League plaintiffs, and the Court having rendered an oral decision on October 2, 1985, with findings of fact and conclusions of law,

IT IS HEREBY ORDERED THIS 11 DAY OF OCTOBER 1985:

1. South Plainfield's motion to transfer is denied.
2. Stay of this Order pending any possible appeal is denied.
3. Pursuant to Paragraph 2 of the Order of August 9, 1985, the stay of the effectiveness of Ordinances 1009 and 1010 adopted on August 7, 1985 is herewith vacated and the Ordinances are to have full legal force and effect.
4. The restraints imposed in Paragraphs 3 and 4 of the Amended Order of July 19, 1985 and continued by Paragraphs 3 and 4 of the Order of August 9, 1985 shall remain in full force and effect pending further order of this Court.

  
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EUGENE D. SERPENTELLI, A.J.S.C.