

UL v. Carteret, South Plainfield

April (1986)

Order (South Plainfield) for discovery

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SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION
 MIDDLESEX/OCEAN COUNTY

URBAN LEAGUE OF GREATER
 NEW BRUNSWICK, et al.,

Plaintiffs,

vs.

THE MAYOR AND COUNCIL OF
 THE BOROUGH OF CARTERET,
 et al.,

Defendants.

Civil No. C 4122-73
 (Mount Laurel)

ORDER (South Plainfield)

This matter having been opened to the Court by Eric Neisser, Esq., John M. Payne, Esq. and Barbara Stark, Esq., attorneys for plaintiff Urban League, on notice to Frank A. Santoro, Esq., Peter J. Calderone, Esq., William V. Lane, Esq., Angelo H. Dalto, Esq., Raymond Miller, Esq., Leonard H. Selesner, Esq., John George, Esq., Donald R. Daines, Esq., Joseph Buccellato, Joseph Murray, Esq., and Stephen E. Barcan, Esq., and the Court having considered the entire record in this action and the papers appearing at the foot hereof, and having heard oral argument, and good cause having been shown,

It is, on this day of April, 1986 ORDERED:

1. That discovery shall be scheduled as follows:

a. Plaintiffs shall serve interrogatories on defendant within two weeks from the date of this Order.

b. Defendant shall provide plaintiffs with complete and fully responsive answers to such interrogatories within thirty (30) days of receipt of same.

c. Defendant shall advise plaintiffs in writing of any objections to such interrogatories within ten days of defendant's receipt of same.

d. Depositions shall be noticed within fifteen days of plaintiffs' receipt of defendant's answers to interrogatories.

2. That pending substantive certification by the Affordable Housing Council ("the Council"), or as otherwise ordered by this Court following a plenary hearing, the Borough is hereby restrained from the following:

a. Amending or repealing Ordinance Nos. 1009 and 1010.

b. Approving or permitting development on any currently vacant contiguous piece of land of 1 acre or larger, regardless of current ownership or subdivision; and

c. Sale of any municipal land.

3. That the proceeds of previously contracted sales be deposited with the Court pursuant to Rule 4:57 in an interest bearing escrow account pending substantive certification or as otherwise ordered by this Court following a plenary hearing.

4. That this matter shall be set down for a plenary hearing on May __, 1986 to determine additional restraints necessary to preserve scarce resources pending substantive certification by the Council.

5. That the Rutgers Constitutional Litigation Clinic shall be permitted to continue its representation of the Urban League before the Council.

6. For such further relief as this Court may deem equitable and just.

Hon. Eugene D. Serpentelli, A.J.S.C.

PAPERS CONSIDERED:

___ Notice of Motion
___ Movant's Affidavits
___ Movant's Brief
___ Answering Affidavits
___ Answering Brief
___ Cross Motion
___ Movant's Reply
___ Other _____