

Piscataway 1985

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letter to Piscataway Dir. of Law

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THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
 Campus at Newark

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

October 7, 1985

Philip Paley, Esq.
 Kirsten, Friedman & Cherin
 17 Academy Street
 Newark, New Jersey 07102

Re: Urban League v. Carteret, No. C 4122-73

Dear Mr. Paley,

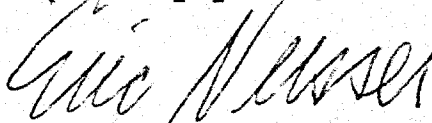
Upon my inquiry late last week, Ms. Lerman, Master for Piscataway, informed me that she had not yet been contacted by anyone from the Township with regard to the Township's compliance plan. Whatever doubts you could possibly have harbored as to the identity of the Master, in light of Ms. Lerman's extensive and intensive involvement with the sites in Piscataway in the pre-Judgment period, were necessarily dispelled when you received my September 5 letter informing you that the revised form of Judgment expressly naming her was prepared at the direction of the Court.

As you know, not only did the July 23 opinion and the September 17 Judgment not stay the compliance deadline pending determination of the transfer motion, but the opinion expressly stated: "the township is hereby ordered to start work immediately upon the adoption of a compliance ordinance." P.7(emphasis added). Indeed, in response to that, your letter of August 14 to the Judge, which noted your objections to the form of the proposed Judgment, stated that "I have met on several occasions with the Mayor, our newly retained Township Planner, and other municipal representatives in order to communicate the essence of the Court's opinion to those officials, and we have commenced an analysis of the opinion and of alternatives available to us with respect thereto." P.6. Moreover, I was informed by the Judge's law clerk on August 30 that Township officials had come to chambers to pick up certain trial exhibits for work on the

compliance plan. Finally, the Court made clear in its oral decision on the transfer motion on October 2 that the original 90 day period, ending October 23, is still in effect.

In light of the above, we believe that there is no reason why the Township has not yet included the Master in the compliance planning process. In light of the history of this case and of the Township's behavior since the July 23 opinion, we intend both to oppose vigorously any request for extension of the October 23 deadline and to request the Court to direct the Master to prepare a compliance plan forthwith, should the Township not file its own plan on the 23rd.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Eric Neisser".

Eric Neisser

cc: Judge Serpentelli
Carla Lerman, Master
Piscataway Service List

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