

CA - General

14 - Nov - 75

Pre trial Order
class ~~action~~ ^{action} claim

allowing the
to proceed

MP = 5

Yellow P.i. # 936

CA 00 1015 0

SUPERIOR COURT ----- MIDDLESEX COUNTY --- CHANCERY DIVISION

Docket No. C. 4122-73

CA0010150

URBAN LEAGUE OF GREATER NEW BRUNSWICK, a non-profit corporation of the State of New Jersey; CLEVELAND BENSON; JUDITH CHAMPION; LYDIA CRUZ; BARBARA TIPPETT; KENNETH TUSKEY on their own behalf and on behalf of all others similarly situated,

Plaintiffs,

v.

THE MAYOR AND COUNCIL OF THE BOROUGH OF CARTERET;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CRANBURY;
MAYOR AND COUNCIL OF THE BOROUGH OF DUNELLEN;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EAST BRUNSWICK;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDISON;
MAYOR AND COUNCIL OF THE BOROUGH OF HELMETTA;
MAYOR AND COUNCIL OF THE BOROUGH OF HIGHLAND PARK;
MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MADISON;
MAYOR AND COUNCIL OF THE BOROUGH OF METUCHEN;
MAYOR AND COUNCIL OF THE BOROUGH OF MIDDLESEX;
MAYOR AND COUNCIL OF THE BOROUGH OF MILLTOWN;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MONROE;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NORTH BRUNSWICK;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PISCATAWAY;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PLAINSBORO;
MAYOR AND COUNCIL OF THE BOROUGH OF SAYREVILLE;
MAYOR AND COUNCIL OF THE CITY OF SOUTH AMBOY;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF SOUTH BRUNSWICK;
MAYOR AND COUNCIL OF THE BOROUGH OF SOUTH PLAINFIELD;
MAYOR AND COUNCIL OF THE BOROUGH OF SOUTH RIVER;
MAYOR AND COUNCIL OF THE BOROUGH OF SPOTSWOOD;
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WOODBRIDGE,

Defendants and third party
plaintiffs,

v.

CITY OF NEW BRUNSWICK and CITY OF PERTH AMBOY,

Third party defendants,

-and-

NEW JERSEY LEAGUE OF WOMEN VOTERS and
MIDDLESEX COUNTY LEAGUE OF WOMEN VOTERS,
Intervenors.

1. Class action challenging the validity of zoning ordinances and other land use ordinances, polices and practices of 23 of the 25 municipalities in Middlesex County, both separately and collectively as violations of the 13th and 14th Amendments to the U.S. Constitution Article One, paragraphs 1 and 5 of the New Jersey Constitution and N.J.S.A. 40:55-32, 42 U.S.C.A. Section 1981, 1982, and 3601 et seq. seeking injunctive relief against exclusionary and discriminatory zoning and affirmatively to require defendants to provide on a county-wide basis adequate provision for low and moderate income housing, including multi family housing, on behalf of individual plaintiffs and others of their class. Third party action against two municipalities excluded in the Complaint.

2. None.

3. Annexed rider.

4. No money damages sought.

6. None

7. Validity of zoning ordinances, collective effect of zoning ordinances to fail to provide reasonably and adequately for low and moderate income housing, validity of other land use ordinances, policies and practices, economic discrimination, racial discrimination shift of burden of coming forward with evidence, whether developing municipality within Mount Laurel holding, employment projections, population growth projections, res judicata as to prior holdings of invalidity, judicial notice of U.S. Census material, remedy by way of county-wide plan, standing, whether a proper class, failure to join indispensable parties, right to attorneys' fees and costs, whether Middlesex County is a region within Mount Laurel applicability of

Mount Laurel holding, applicability of federal Civil Rights Statutes.

8. Constitutional invalidity under Article 1, paragraph 18 of the New Jersey Constitution.

9. None.

10. No limitation.

11. None preceding trial.

12. Usual.

13. None.

14.

Edward J. Dolan, for Carteret. William C. Moran, Jr., for Cranbury. Dennis J. Cummins, Jr., for Dunellen. Bertram E. Busch, for East Brunswick. Roland A. Winter, for Edison. Richard F. Plechner, for Helmetta. Lawrence Lerner, for Highland Park

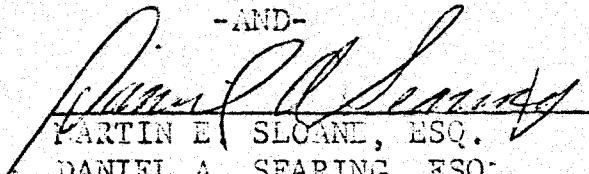
Robert C. Rafano, for Jamesburg. Louis J. Alfonso, for Madison. Martin A. Spritzer, for Metuchen. Edward J. Johnson, Jr., for Middlesex. Charles V. Booream, for Milltown. Samuel C. Inglese, for Monroe. Joseph H. Burns, for North Brunswick. Edward Sachar, for Piscataway. Joseph L. Stonaker, for Plainsboro. Alan J. Karcher, for Sayreville. John J. Vail, for South Amboy. Andre Wm. Gruber, for South Brunswick. Sanford E. Chernin, for South Plainfield. Robert C. Rafano, for South River. Guido J. Brigiani, for Spotswood.

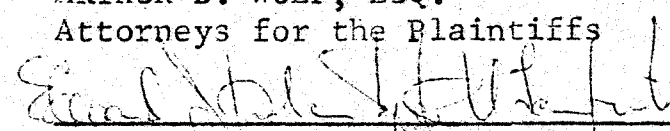
15. Six to eight weeks.

16. February 2, 1976 at 9:00 a.m.

BAUNGART & BEN-ASHER, ESQS.

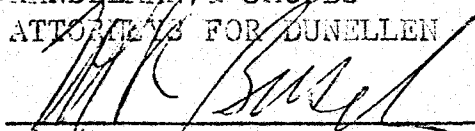
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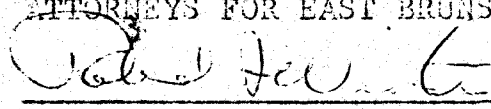

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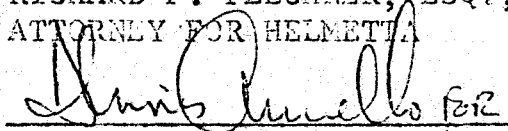

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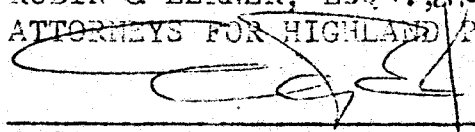

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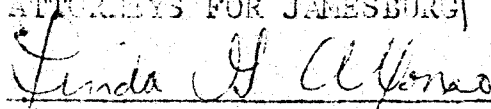

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