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9/28/76

Order denying Defendants' motion for a stay of judgment

Pg. 2

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FILED

SEP 28 1976

DAVID D. FERMAN, J.S.R.

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ATTORNEY FOR DEFENDANT, MAYOR AND COUNCIL OF THE BOROUGH OF
SOUTH PLAINFIELD

Plaintiff

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, ET AL.,

SUPERIOR COURT OF
NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

Docket No. C-4122-73

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vs.

Defendant

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET, ET AL,

CIVIL ACTION

ORDER

THIS MATTER HAVING BEEN OPENED TO THE COURT ON JOINT
APPLICATION OF THE ATTORNEYS FOR THE DEFENDANTS, TOWNSHIP OF
CRANBURY, TOWNSHIP OF EAST BRUNSWICK, TOWNSHIP OF MONROE, TOWNSHIP
OF PISCATAWAY, TOWNSHIP OF PLAINSBORO, BOROUGH OF SAYREVILLE,
TOWNSHIP OF SOUTH BRUNSWICK, AND BOROUGH OF SOUTH PLAINFIELD, AND
DANIEL A. SEARING, ESQ., ATTORNEY FOR PLAINTIFF, APPEARING IN
OPPOSITION THERETO;

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AND, WHEREAS, VARIOUS APPEALS AND CROSS APPEALS HAVE BEEN
FILED WITH THE APPELLATE DIVISION OF THE SUPERIOR COURT FROM A
JUDGMENT OF THIS COURT HERETOFORE ENTERED ON JULY 9, 1976, WHICH

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JUDGMENT DIRECTED THE VARIOUS MUNICIPALITIES TO ADOPT NEW ZONING ORDINANCES IN ACCORDANCE WITH THE DIRECTIVE CONTAINED IN SAID JUDGMENT;

AND, WHEREAS, THE MOVING PARTIES SEEK AN ORDER OF THIS COURT STAYING THE EFFECTIVENESS AND OPERATION OF THIS COURT'S JUDGMENT OF JULY 9, 1976 PENDING THE OUTCOME OF THE VARIOUS APPEALS FILED WITH THE APPELLATE DIVISION OF THE SUPERIOR COURT;

AND, WHEREAS, THIS COURT HAS READ AND CONSIDERED THE MOVING PAPERS TOGETHER WITH THE AFFIDAVITS AND DOCUMENTS ANNEXED THERETO AND HAVING GIVEN DUE CONSIDERATION TO THE ARGUMENTS PRESENTED BY ALL COUNSEL;

IT IS, THEREFORE, ON THIS 28 DAY OF SEPTEMBER, 1976, O R D E R E D THAT THE MOTIONS MADE BY THE VARIOUS MUNICIPAL DEFENDANTS FOR A STAY OF THE JUDGMENT OF THIS COURT ENTERED ON JULY 9, 1976 BE AND THE SAME IS HEREBY DENIED WITHOUT PREJUDICE TO THE RIGHTS OF ANY MUNICIPALITY TO SEEK AN EXTENSION OF THE TIME FOR COMPLIANCE BY PRESENTING SPECIAL CIRCUMSTANCES TO THIS COURT ON SEPARATE APPLICATION; AND,

IT IS FURTHER O R D E R E D THAT A COPY OF THIS ORDER BE SERVED UPON ALL INTERESTED PARTIES WITHIN SEVEN (7) DAYS OF THE DATE HEREOF.

David D. Furman, J.S.C.

DAVID D. FURMAN, J.S.C.