

CA - Metuchen

12/14/76

a ff. davt of Martin A. Spritzer

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CA001556V

MARTIN A. SPRITZER, ESQ.

414 MAIN STREET
METUCHEN, NEW JERSEY 08840
(201) 548-6455

ATTORNEYS FOR Defendant-Respondent
BOROUGH OF METUCHEN

Plaintiff -Appellants

URBAN LEAGUE OF GREATER NEW
BRUNSWICK, etc., et als

vs.

Defendant -Respondents

THE MAYOR AND COUNCIL OF THE
BOROUGH OF CARTERET, et als

SUPERIOR COURT OF NEW
JERSEY:APPELLATE
DIVISION

*Docket No.*A-33-76

CIVIL ACTION

AFFIDAVIT

STATE OF NEW JERSEY)
COUNTY OF MIDDLESEX) SS:

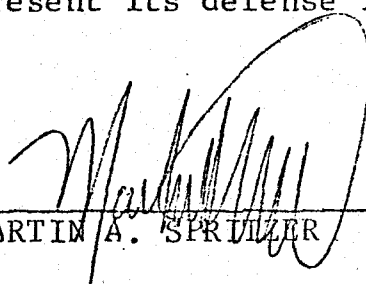
MARTIN A. SPRITZER, of full age, being duly sworn
according to law, upon his oath deposes and says:

1. I am the attorney for the defendant-respondent,
Borough of Metuchen, and I make this affidavit based upon my
personal knowledge.

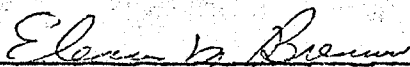
2. The Judgment of the Honorable David D. Furman which

the plaintiffs-appellants seek to appeal, as it applied to the Borough of Metuchen, was a result of a decision of Judge Furman. Subsequent to the decision, attorneys for plaintiffs knew that the Borough of Metuchen was amending its zoning ordinance to eliminate the one provision found offensive by Judge Furman, and attorneys for plaintiffs consented thereto.

3. As a result, defendant Borough of Metuchen, was the first of the municipalities to amend its zoning ordinance, and did not enter a defense to the balance of the proceedings, and was not even called upon to present its defense in view of the consented to dismissal.


MARTIN A. SPRITZER

Sworn to and subscribed
to before me this 14th
day of December, 1976.


Elmer V. Brown

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 24, 1980

