

U.L. v. Carter

1-12-~~1976~~
1977

S. Amboy

PI # 1094 Notice of Motion ← { (wrong date)
listed on
nom. }

2 PGS

PI # 1095 Affidavit

5 PGS

CA 001995 ✓

~~PGS 7~~

also filed by Helmetta

1/12/77

JOHN J. VAIL, ESQ.
121 North Broadway
South Amboy, New Jersey 08879
201-721-2430

Attorney for Defendant City of South Amboy

SUPREME COURT OF NEW JERSEY
DOCKET NO.

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

Plaintiffs,

vs.

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

Defendants..

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Civil Action

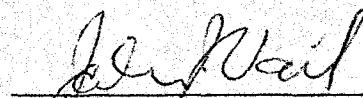
NOTICE OF MOTION

TO: Daniel A. Searing, Esq.
NCDH
1425 H Street, NW
Washington, D.C. 20005
Attorney for Plaintiffs

PLEASE TAKE NOTICE that the undersigned attorney for
the defendant City of South Amboy hereby moves for an order
dismissing, vacating, and striking the petition for certification
of plaintiffs filed on or about December 27, 1976, as plaintiffs

seek to appeal from a settlement agreement entered into by them and this defendant.

The defendant City of South Amboy relies on the brief and affidavit annexed hereto.



JOHN J. VAIL, Attorney for
Defendant City of South Amboy

Dated: January 12, 1976

JOHN J. VAIL, ESQ.
121 North Broadway
South Amboy, New Jersey 08879
201-721-2430
Attorney for Defendant City of South Amboy

SUPREME COURT OF NEW JERSEY
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THE MAYOR AND COUNCIL OF THE
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Civil Action

AFFIDAVIT

STATE OF NEW JERSEY

SS.:

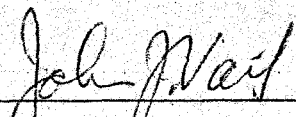
COUNTY OF MIDDLESEX

John J. Vail, of full age, being duly sworn according
to law, upon his oath deposes and says:

1. I am the attorney for the defendant City of South
Amboy, and I make this affidavit based upon my personal knowledge.
2. The Judgment of the Honorable David D. Furman which

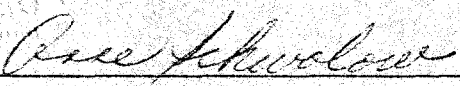
the plaintiffs seek to appeal, as it applied to the City of South Amboy, was the result of a decision of Judge Furman. Subsequent to that decision, conferences were held with Mr. Searing, attorney for the plaintiffs, and this deponent, attorney for the City of South Amboy, in which the extent of changes sought by the plaintiffs were discussed. As a result of those conferences, plaintiffs and defendant City of South Amboy agreed upon a series of zoning amendments which were ultimately passed as a result of and as a term of a settlement by the City of South Amboy.

3. As a result of the agreement aforesaid, the City of South Amboy 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 settlement.



JOHN J. VAIL, Attorney for
Defendant City of South Amboy

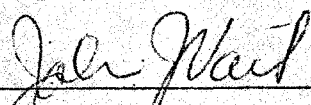
Sworn to and subscribed
before me this 12th day
of January, 1977:



ANNE SCHWOLOW
A Notary Public of New Jersey
My Commission Expires May 13, 1979

CERTIFICATION

I hereby certify that service of the within notice of motion was made by mailing the original and nine copies to the Clerk of the Supreme Court of New Jersey, two copies to the attorney for the plaintiffs, and copies to each of the attorneys listed in the attached certificate of service.



JOHN J. VAIL
Attorney for Defendant City
of South Amboy

Dated: January 12, 1977

CERTIFICATE OF SERVICE

I hereby certify that a copy of the within notice of motion was served by regular mail upon the following:

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Old Bridge Township

Helmetta

Highland Park

South River

Milltown

Dunellen

Plainsboro

Piscataway

Plaintiffs

Plaintiffs

League of Women Voters

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South Plainfield

Attorney

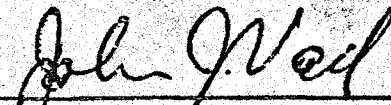
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New Brunswick, New Jersey 08903

Municipality

Perth Amboy

New Brunswick



JOHN J. VAIL, Attorney for
Defendant-Respondent City of
South Amboy