

~~Old~~ CA Old Bridge 21-May-1981

OBY v. O.B.

~~Old Bridge Development Corp.~~

Order granting P's motion for Summary  
Judgment on the LIBEL counterclaim,  
granting Summary Judgment on Malicious  
Prosecution claims, etc.

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*M. Danaher*  
Clerk

**BRENER, WALLACK & HILL**

15 CHAMBERS STREET  
PRINCETON, NEW JERSEY 08540  
(609) 924-0808  
ATTORNEYS FOR Plaintiff

*Plaintiff*

O & Y OLD BRIDGE DEVELOPMENT CORP.

vs.

*Defendant*

THE TOWNSHIP OF OLD BRIDGE, et als.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

Docket No. L-32516-80

*P.W.*

**CIVIL ACTION**

ORDER

THIS MATTER having been opened to the Court on May 1, 1981 by Brener, Wallack & Hill (Henry A. Hill, Esquire and Guliet D. Hirsch, Esquire appearing), attorneys for plaintiff, with Louis J. Alfonso, Esquire appearing, for defendants Township of Old Bridge and Township Council of Old Bridge, Thomas Norman, Esquire appearing for the Old Bridge Township Planning Board, William E. Flynn, Esquire appearing for the Old Bridge Township Municipal Utilities Authority and Lewis E. Granata, Esquire appearing for the Old Bridge Township Sewerage Authority on Plaintiff's Motion for Summary Judgment on all of Defendants' Counterclaims, and the Court having considered the moving papers and argument of counsel;

NOW THEREFORE, on this 21<sup>st</sup> day of May, 1981,

IT IS ORDERED that:

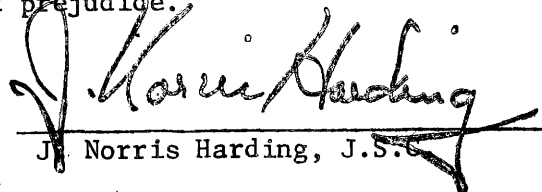
1. Plaintiff's Motion for Summary Judgment on the libel Counterclaim contained in Paragraph 3 of the First Count of the Township Council's Counterclaim is granted;

2. Plaintiff's Motion for Summary Judgment on Defendants' Counterclaims sounding in malicious prosecution are granted;

3. Plaintiff's Motion for Summary Judgment on Defendant Old Bridge Township Municipal Utility Authority's Counterclaim <sup>Seeking money damages on a theory of failure to exhaust</sup> ~~for recovery~~ on an exhaustion of administrative remedies cause of action is granted;

4. Plaintiff's Motion for Summary Judgment on the libel Count contained in Paragraph 4 of the First Count of the Township Council's Counterclaim is denied without prejudice;

5. Plaintiff's Motion to dismiss defendants' Township Council, Planning Board, and Sewerage Authorities Counterclaims sounding in abuse of process is denied without prejudice.

  
J. Norris Harding, J.S.