

~~CA~~ CA Old Bridge

3-Aug-1981

O & Y. Old Bridge

Ordering granting Defendant's
Motion for partial summary judgment
with respect to parts of counts
six, seven, eight, nine, ten & eleven.

pgs = 2

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YACKER, GRANATA & CLEARY

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 ATTORNEYS FOR Defendant

SUPERIOR COURT OF NEW JERSEY

Plaintiff

O & Y OLD BRIDGE DEVELOPMENT CORP.

*vs.**Defendant*

THE TOWNSHIP OF OLD BRIDGE, et als.

LAW DIVISION

MIDDLESEX COUNTY

*Docket No.*L-32516-80*CIVIL ACTION*

ORDER

THIS MATTER having been opened to the Court on June 19, 1981 by Yacker, Granata, and Cleary (Louis E. Granata, Esquire appearing), attorneys for defendant, Old Bridge Township Sewerage Authority (herein Sewer Authority), with William E. Flynn, Esquire appearing for the Old Bridge Township Municipal Utilities Authority (herein Utility Authority) and Brener, Wallack & Hill (Henry Hill, Esquire and Guliet D. Hirsch, Esquire) appearing for the O & Y Old Bridge Development Corporation on Defendant, Sewer Authority and Defendant, Utility Authority's Motion for Summary Judgment on all of Plaintiff's claims, and the Court having considered the moving papers and argument of counsel;

IT IS on this 3rd day of August, 1981;

ORDERED that:

1. Defendant's, Sewer Authority, Motion for Summary Judgment as to the allegations contained in Sixth Count of the Complaint is granted as to all issues except: "Whether the application and inspection fees contained in the Sewer Authority's rules and regulations are reasonable?" To that issue, denied.

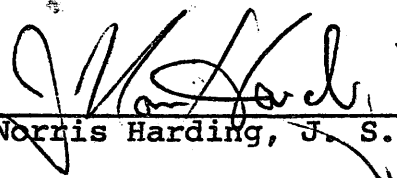
2. Defendant's, Sewer Authority, Motion for Summary Judgment on the allegations of Seventh Count is denied.

3. Defendant's, Sewer Authority, Motion for Summary Judgment as to the allegations of the Tenth and Eleventh Count of the Complaint is carried until July 2, 1981.

4. Defendant's, Utility Authority, Motion for Summary Judgment as to the allegations contained in the Eighth Count is granted as to all issues except: "Whether the application and inspection fees contained in the Utilities Authority rules and regulations are reasonable?" To that issue, denied.

5. Defendant's, Utility Authority, Motion for Summary Judgment as to the allegations contained in the Ninth Count is granted as to all issues except: "Whether the Utility Authority has an obligation ^{or} duty, to apply to the State Water Policy and Supply Council for water diversion rights?" To that issue, denied.

6. Nothing in this Order shall be construed to preclude the amendment of any pleading to conform to the proofs or to later discovered evidence.



J. Norris Harding, J. S. C.