

UL v. Carteret, Old Bridge

9-Mar-87

- letter in response to unauthorized reply brief submitted by  
UL re motion to transfer

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OUR FILE NO. 5105

March 9, 1987

Honorable Judges of the Superior Court  
Appellate Division  
Hughes Justice Complex  
CN 006  
Trenton, NJ 08625

Re: Urban League of Greater New Brunswick, et al  
vs. The Mayor and Council of Carteret, et al  
and Oakwood at Madison, et al  
Docket No.: A-3795-85T1

Dear Honorable Judges:

Please accept this letter in response to the unauthorized reply brief submitted by the Urban League dated March 27, 1986.

We wish the record to be crystal clear that neither Oakwood nor Beren was served with the notices of motion to transfer pursuant to R.1:15-1(a). We received copies of said motion, not by the movants, but, rather, by the Urban League after the fact on February 9, 1987.

Nowhere do Oakwood or Beren contend that they are not entitled to notice under the Rules. The substance of the instant appeal concerns the ex parte decision made to increase Oakwood and Beren's lower income obligation 100% over that required by all other builder-plaintiffs in Old Bridge Township.

We take note of the fact that the Urban League has failed to submit any brief to this Court in response to the substantive issues raised by this appeal. All extensions of time

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to serve and file such a brief have long since expired. Thus, this Court would be justified in considering the substance of the appellant's appeal unopposed. Rather than address the merits, the Urban League has elected to launch a campaign of unauthorized procedural maneuvers.

We respectfully submit that there is no merit to the Urban League's motion to dismiss or stay this appeal and respectfully request that their motion be denied.

Respectfully submitted,

MEZEY & MEZEY

BY \_\_\_\_\_  
FREDERICK C. MEZEY

JLS:ck  
cc: See attached service list

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v. The Mayor and Council of Carteret, et al

Docket NO. C-4122-73

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