

UL v. Cartoet (Piscataway)

(1985)

- Letter discussing obtaining expert witness documentation and reports and delays.

3 pgs

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January 11, 1985

FILE NO.
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JUDGE SERPENTELLI'S CHAMBERS

The Honorable Eugene D. Serpentelli
Judge, Superior Court of New Jersey
Ocean County Court House
CN-2191
Toms River, New Jersey 08753

Re: Urban League of Greater New Brunswick v. Carteret -
Piscataway Township, Docket No: C-4122-73

Dear Judge Serpentelli:

As a result of a telephone call from Bruce Gelber of the Urban League, it has come to my attention that a hearing is now set for January 28, 1985 before Your Honor concerning the availability of vacant land for development of Mt. Laurel housing in Piscataway Township. Mr. Gelber has informed me that there remains between four and five vacant sites in contention between the parties, including the property my client, Lawrence Zirinsky, has an interest in by virtue of agreement of sale or option agreement. I also understand that a status conference in this case was held earlier at which Mr. Zirinsky's property, among other sites, was discussed. As I indicated to both Mr. Gelber and your law secretary Russell Burcher, notice was not provided of the scheduling of the status conference or the results of it until Mr. Gelber's telephone call to me of January 9, 1985.

Since I received notice of the January 7, 1985 deadline for submission of expert reports to be used as a basis for testimony on January 28, 1985, after that deadline had passed (on January 9th) this deadline was not complied with. Additionally, I am running into difficulties in obtaining the necessary reports and documentation from my expert witnesses at this time and do not expect to be able to provide such reports or documentation until January 22, 1985 at the earliest. Nonetheless, I will do my best to assure that expert reports are distributed to Mr. Gelber and Mr. Mallach and to other interested parties before the January 28, 1985 hearing. I will also do my best to resolve this dispute with the Urban League over the appropriateness of multi-family zoning for the Zirinsky site before the hearing.

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Mr. Burcheri has informed me that Your Honor will permit my client's participation at the January 28, 1985 hearing so long as our participation does not extend or delay the hearing. For Your Honor's information, if our participation is necessary, I will present Mr. Carl Hintz with regard to general planning issues, Mr. Norman Dotti, P.E. on noise impacts, Mr. Thomas Krakow, P.E. on soil issues and a marketing expert.

With Your Honor's permission I would like to submit any expert reports or documents supplied to the parties also to Ms. Carla Lerman.

Respectfully submitted,
Guliet D. Hirsch /sr
Guliet D. Hirsch

GDH/sr
cc: Bruce Gelber
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