

All Counties

6-18 (1985)

Listing of Mt. Laurel II Litigation

Districts I, II, III

15 pgs

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## A LISTING OF MT. LAUREL II LITIGATION

### Sources of Information:

1. Administrative Office of the Courts
2. Mount Laurel II law clerks
3. Local and regional newspapers  
(for details on status only)

Compiled by  
Peggy Schnugg

for

From: BRENER, WALLACK & HILL

\* Municipalities with a status of "settled" may still be undergoing negotiations

## MOUNT LAUREL II LITIGATION

## DISTRICT I - JUDGE SKILLMAN

CLERK - BRENDA LISS

. 42 cases as of 06/18/85

. three towns judged in compliance:

Hanover, Mahwah, Morris

. three towns to be judged in compliance if certain conditions are met: Lincoln Park, Pequannock and Rockaway

BERGEN COUNTY

|    | PLAINTIFF  |    | DEFENDENT  | DOCKET NO.  | DATE COMPL. FILED                            | ATTORNEYS FOR PLAINTIFF  | STATUS  |
|----|--|----|--|---|--|--|---|
| 1. | Cedar Park Developers  | v. | Paramus Board of Adj.  | L-39021-75  |  | George Vaccaro   | Pending   |
| 2. | Alfred Cullere   | v. | Boro. of Ramsey Mayor, Council and Planning Board                                      | L-077499-83   | 12/09/83                                     | Isabel Stark   | Dismissed<br>5/22/84  |
| 3. | Norwood, East Hills Assoc. and Norwood Assoc.<br>(10 consolidated/<br>intervening cases)           | v. | Norwood Boro.  | L-24196-83<br>L-16258-80<br>L-00491-83<br>L-057028-83 | 04/23/83<br>11/20/80<br>01/04/83<br>09/09/83 | John Maurius<br>(for first plaintiff)<br>Elliot Urdang<br>(for second plaintiff) | These two cases consolidated.<br>Norwood zoning ordinance declared invalid. Expert planner appointed to apply the methodology of the Greater Urban League case. |
| 4. | Urban League of Essex County, North Jersey Community Union, Amy Ingram, John Ligon and Jose Moniz. | v. | Twp. of Mahwah, Boro. of Ramsey, Boro. of Saddle River and Boro of Upper Saddle River. | L-17112-71  | 02/72  | Richard Bellman  | Judgment of compliance issued in Mahwah, six builders remedies issued, auxiliary apartments not counted as credit. Ramsey has revised its ordinances to comply. |
| 5. | J. Garnier   | v. | Ridgewood Village Zoning Board of Adjustment   | L-78568-84PW  | 11/26/84                                     | pro se   | Pending   |
| 6. | Pagano   | v. | Oakland Boro   | L-18859-85  | 2/15/85                                      | Steven Spector   | Pending   |

## DISTRICT I

MORRIS COUNTY

|      | PLAINTIFF   | DEFENDENT   | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS   |
|------|---|---|----------------|-------------------|-------------------------|--|
| *1.  | Charles Development Corp.   | v. Morris Twp.  | L-054599-83 PW | 07/31/83          | Henry Hill              | Dismissed: Judgment of compliance issued - appeal pending, Notice filed 7/18/84  |
| **2. | Hubschman   | v. Morris Twp.  | L-070695-83 FW | 11/07/83          | Martin Gelber           | Pending  |
| *3.  | Chester & Van Dalen Corp.   | v. Mt. Olive Twp.                                     | L-065604-83 PW | 10/20/83          | Carl Bisgaier           | Pending - the out-of court agreement with public advocate to provide 250 lower income units has not yet been approved.                     |
| 4.   | Green Village 139<br>(Intervenors: Twp. of Woodbridge,<br>and Planning Board of Middlesex County) | v. Gionannloi   | L-29276-78     | 02/13/79          | Norman Klein            | Pending  |
| 5.   | Tatiana Nagro & Timber Properties   | v. Mendham Twp.                                       | L-53799-83 PW  | 07/13/83          | Albert Jeffers          | Pending - tentative settlement calls for 237 units, including 36 lower income units, on 3 tracts. Plaintiff will build 108 of these units. |
| 6.   | Timber Properties, Landmark Farms, Inc. and John & Stephanie Hardin                               | v. Twp. of Chester, Mayor, Council and Planning Board | L-039452-83    | 06/24/83          | Herbert Vogel           | Pending - Twp. must rezone for indigenous poor, and has rezoned to allow mobile and modular homes.   |
| 7.   | James Guerin  | v. Twp. of Chester, Mayor, Council and Planning Board | L-41937-83 PW  | 07/29/83          | Gilbert Stroming        | Pending-Consolidated with the Timber Properties Case   |

\* Consolidated with the Morris County Fair Housing Suit

\*\* Intervenor in the Morris County Fair Housing Suit

MORRIS COUNTY

DISTRICT I

|     | PLAINTIFF   |    | DEFENDENT   | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS  |
|-----|---|----|---|----------------|-------------------|-------------------------|---|
| 8.  | Stewart   | v. | Twp. of Roxbury and Board of Adj.   | L-3557-82 PW   |                   | Herbert Vogel           | To be stayed on proceedings of the Morris County Fair Housing suit.   |
| *9. | Jos. Muscarelle, Inc.                             | v. | Twp. of Roxbury   | L-6001-78 PW   |                   | Michelle Donato         | Pending   |
| 10. | Morris County Fair Housing Council, et. al.       | v. | Boonton Twp.<br>Florham Park, Hanover, Montville, Morris, Mt. Olive, Parsippany, Troy Hills, Randolph, Rockaway, Roxbury and Lincoln Park, Pequannock | L-6001-78      | 10/12/78          | Stephan Eisdorfer       | Pending - these municipalities will be rezoned to provide over 7,000 lower income units<br>Morris Twp. and Hanover have been judged in compliance 8/84 and 9/84 |
| 11. | Joseph Renderio<br>George C. Peck & Hovbilt, Inc. | v. | Lincoln Park Boro   | L-042457-85    | 5/10/85           | Stewart Hutt            | Pending   |
| 12. | Siegler Assoc.                                    | v. | Mayor & Council of Denville   | L-029176-84 PW | 4/26/84           | Peter Hirtzborg         | Pending   |
| 13. | Affordable Living Corp.                           | v. | Mayor & Council of Denville Twp.  | L-42898-84 PW  | 7/2/84            | Arthur Penn             | Pending   |
| 14. | Maurice and Ester H. Soussa                       | v. | Denville Twp. and Planning Board  | L-038694-84 PW | 5/31/84           | Barney Katchen          | Pending   |
| 15. | Stonehedge  | v. | Denville Twp., Council and Planning Board   | L-086053-84    | 12/31/84          | Guliet D. Hirsch        | Pending   |

\* Intervenor in the Morris County Fair Housing Suit.

## DISTRICT I

MORRIS COUNTY

|     | PLAINTIFF  | DEFENDENT       | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF                        | STATUS  |
|-----|--|-----------------|----------------|-------------------|--|---------|
| 16. | John Van Dalen<br>and Chester and Van<br>Dalen Assoc.<br>(Intervenors-Middlesex)<br>County, Plainfield,<br>Woodbridge) | Washington Twp. | L-45137-83     | 7/15/83           | Carl Bisgaier                                  | Pending |
| 17. | Premiere International v.  | Harding Twp.    | L-036957-84    | 5/31/84           | Barney Katchen                                 | Pending |
| 18. | Meadowview v.  | Twp. of Passaic | L-047923-84 PW | 7/18/84           | Joseph Murray                                  | Pending |
| 19. | Maltz Construction v.<br>and Development Company   | Boonton Twp.    | L-060538-84 PW | 9/10/84           |  | Pending |
| 20. | Riverview Assoc. v.  | Boonton Twp.    | L-82554-84 PW  | 12/7/84           | Sears, Pendleton &<br>Sweeny, Claps            | Pending |
| 21. | Mt. Hope Mining Co. v.   | Rockaway Twp.   | L-64385 PW     | 9/21/84           | Theodore Einhorn                               | Pending |
| 22. | Gabrellian and<br>Jessourian v.  | Kinnelon        | L-20842-85     | 2/21/85           | Winne, Banta, Rizzi<br>Hethrington & Basralian | Pending |
| 23. | Main Land<br>Development v.  | Kinnelon Boro   | L-             | 5/23/85           | Edward Manardi                                 | Pending |

DISTRICT I

PASSAIC COUNTY

|    | PLAINTIFF                     | v. | DEFENDENT                                   | DOCKET NO.    | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS   |
|----|-------------------------------|----|---|---------------|-------------------|-------------------------|--|
| 1. | Countryside Properties, Inc.  |    | Boro. of Ringwood, Mayor & Council          | L-42095-81    | 04/11/82          | Gregory Czura           | Pending  |
| 2. | Bloomingtondale Hills Farms   |    | Boro. of Bloomingtondale, Mayor and Council | L-049389-83   | 08/03/83          | Joel Ellis              | Pending - transferred from Passaic County. Bloomingtondale in a 90-day extension period settlement negotiations between master and Twp. attorney only. |
| 3. | Bloomingtondale Joint Venture |    | Boro. of Bloomingtondale,                   | L-42553-84 PW | 06/29/84          | Francis Linnus          | Pending  |

DISTRICT I

HUNTERDON COUNTY

|    | PLAINTIFF       |    | DEFENDENT                                     | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS   |
|----|-----------------|----|---|----------------|-------------------|-------------------------|--|
| 1. | Jacob Haberman  | v. | Hampton Boro.                                 | L-6527-81PW    | 10/08/81          | Herbert A. Vogel        | Settled, will be appealed by Twp. Developer will construct 135 homes, including 27 lower income units. |
| 2. | Quick           | v. | Bloomsbury, Mayor Council, and Planning Board | L-49406-81     | 05/11/82          | Mike Ligiornio          | Settled  |
| 3. | Sikora          | v. | Boro. of High Bridge and Planning Board       | L-022068-84PW  | 03/30/84          | Mark Vaida              | Pending  |
| 4. | Pat Catanzareti | v. | Boro. of High Bridge                          | L-047000-84 PW | 07/18/84          | Guiliet Hirsch          | Pending  |
| 5. | Clinton Assoc.  | v. | Town of Clinton, Council, and Planning Board  | L-019063-84    | 03/21/84          | Guliet Hirsch           | Settled out of court. Two tracts will include 54 lower income units and 246 market units               |
| 6. | Rivell          | v. | Twp. of Tewksberry                            | L-04993-84PW   | 6/19/84           | Thomas Beetle           | Pending - developer wants to build on 33 acres at 10-12 units per acre.                                |



DISTRICT I

ESSEX COUNTY

|    | PLAINTIFF       | DEFENDENT                             | DOCKET NO.   | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS                                 |
|----|-----------------|---------------------------------------|--------------|-------------------|-------------------------|--|
| 1. | MHF Holding Co. | v. Livingston Twp., Mayor and Council | L-68989-83PW | 11/09/83          | Douglas Wolfson         | Settlement discussions being continued |
| 2. | City of Newark  | v. W. Milford Twp.                    | L-25413-77PW | 10/24/78          | Philip Elberg           | Dismissed 5/23/84                      |

SUSSEX COUNTY

|    |                         |                 |              |          |                                  |                              |
|----|-------------------------|-----------------|--------------|----------|----------------------------------|------------------------------|
| 1. | Proulx                  | v. Byrum Twp.   | L-1840-77    | 09/14/77 | Richard Sweeney                  | Motion to dismiss is pending |
| 2. | 565 Land Assoc. Limited | v. Wantage Twp. | L-22469-85PW | 4/25/85  | James Wyckoff, Vecchio & Pittman | Pending                      |

MOUNT LAUREL II LITIGATION  
DISTRICT II - JUDGE SERPENTELLI  
CLERK - RUSS BURCHERI

- . 97 cases as of 06/18/85
- . No towns judged in compliance as yet
- . Bedminster will be judged in compliance if certain conditions are met

MERCER COUNTY

| PLAINTIFF                  | DEFENDENT                   | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS   |
|----------------------------|-----------------------------|----------------|-------------------|-------------------------|--|
| *1. Centex Homes N.J.      | v. Twp. of E. Windsor       | L-51177-80 PW  | 05/08/81          | Frank Petrino           | Settled  |
| 2. Centex Homes of N.J.    | v. Twp. of E. Windsor       | L-06433-83 PW  | 01/28/83          | Frank Petrino           | Settled  |
| 3. Bialas                  | v. Twp. of Lawrence         | L-27302-83 PW  | 05/20/83          | Peter Cascone, Jr.      | Pending - the Fair Share is set at 2,408 lower income units.                               |
| 4. Wittenborn, et. al.     | v. Twp. of Lawrence         | L-024266-84    | 03/28/84          | Peter Cascone, Jr.      | Pending  |
| 5. Richlieu Const. Co.     | v. Twp. of Lawrence         | L-022702-84    | 04/04/84          | Peter Cascone, Jr.      | Pending  |
| 6. Dyson Trust             | v. Twp. of Lawrence         | L-070131-84 PW | 10/22/84          | William Warren          | Pending  |
| 7. Affordable Living Corp. | v. W. Windsor Twp. et al    | L-17812-84 PW  | 03/13/84          | Carl Bisgaier           | Pending - out of court settlement. Established the fair share at 1,619 lower income units. |
| 8. Calton Homes, Inc.      | v. Twp. of Princeton, et al | L-109451       | 03/22/84          | Henry A. Hill           | Pending - the developer's fees within the revised ordinance are being challenged.          |

\* Consolidated with Centex Homes L-06433-83

DISTRICT II

MERCER COUNTY

|     | PLAINTIFF                                | DEFENDENT  | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF       | STATUS   |
|-----|--|--|----------------|-------------------|-------------------------------|--|
| *9. | Princeton Ridge, Inc. v.                 | Twp. of Princeton                                    | L-040335-84PW  | 6/19/84           | Jeffrey Hall<br>Carl Bisgaier | Pending - the developer's fees within the revised ordinance are being challenged.  |
| 10. | Thompson Realty Co. v.                   | Twp. of Princeton                                    | L-085961-84 PW | 12/31/84          | Thomas Jamieson, Jr.          | Pending - the developer's fees within the revised ordinance are being challenged.  |
| 11. | Witherspoon Jackson Development Corp. v. | Collins Development Corp. and the Boro. of Princeton | L-037675-84 PW | 06/20/84          | Glenn Cochran                 | Pending - the Boro submitted a plan with a fair share of 240 lower income units - as opposed to the 1,469 units called for under the Warren methodology. |
| 12. | Princeton Research Lands, Inc. v.        | Twp. of Washington                                   | L-085627-84 PW | 01/02/85          | Guliet D. Hirsch              | Pending  |

\* Consolidated with Calton Homes

MIDDLESEX COUNTY

DISTRICT II

|     | PLAINTIFF  | v. | DEFENDENT  | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF  | STATUS   |
|-----|--|----|--|----------------|-------------------|--|--|
| 1.  | Urban League of Greater New Brunswick                                    |    | Carteret (Piscataway, East Brunswick, Cranbury, Monroe, Plainsboro, South Brunswick, South Plainfield) | C-41122-73     | 07/22/74          | Frank Askin (Rutgers Law School)<br>Eric Neisser (Rutgers Law School)<br>Bruce Gelber (Conference Against Discrimination in Housing) | East Brunswick and Plainsboro settled. Plainsboro's fair share was set at 575 lower income units. Piscatway has rezoned for 1700 lower income units. South Plainfield has been ordered to zone for 280 lower income units, but is appealing. |
| *2. | Browning Ferris, Inc.; Richcrete Concrete Co.; Midstate Filigree Systems |    | Cranbury Twp., Planning Board, and Twp. Committee  | L-058046-83 PW | 09/14/83          | Lawrence Litwin  | Settled - The Fair Share has been set at 816 lower income units.   |
| *3. | Cranbury Development Co.   |    | Cranbury Twp. Planning Board, and Township Committee of Cranbury                                       | L-059643-83    | 09/26/83          | Thomas R. Farino   | Pending - the Fair Share has been set at 816 lower income units.   |
| *4. | Cranbury Land Co.  |    | Cranbury Twp.  | L-070841-83 PW | 11/14/83          | Carl Bisgaier  | Pending - the Fair Share has been set at 816 lower income units.   |
| *5. | Garfield & Co.   |    | Mayor, Twp. Committee and Planning Board of Cranbury Twp.  | L-055956-83 PW | 09/08/83          | Peter A. Buchsbaum (Warren, Goldberg, Berman, Lubitz)  | Pending - the Fair Share has been set at 816 lower income units.   |
| *6. | Joseph Morris & Robert Morris  |    | Cranbury Twp.  | L-854117-83 PW | 08/25/83          | Richard Schatzman  | Pending - the Fair Share has been set at 816 lower income units.   |

\* Consolidated w/Urban League

DISTRICT II

MIDDLESEX COUNTY

|     | PLAINTIFF                        | DEFENDENT  | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF   | STATUS   |
|-----|----------------------------------|--|----------------|-------------------|---|--|
| *7. | Lawrence Zirinsky                | v. Twp. Committee and Planning Board of Cranbury Twp.  | L-079309-83 PW | 12/20/83          | Michael Herbert   | Pending - the Fair Share has been set at 816 lower income units.   |
| 8.  | Toll Brothers, Inc.              | v. Twp. Committee, and Planning Board of Cranbury Twp. | L-005652-84    | 1/26/84           | Henry A. Hill   | Pending - the Fair Share has been set at 816 lower income units.   |
| *9. | Monroe Development Assoc.        | v. Monroe Twp.   | L-1076030-83   | 12/1/83           | Carl Bisgaier   | Pending - the Fair Share has been set at 774 lower income units.   |
| 10. | Great Meadows Co.                | v. Monroe Twp.   | L-32638-84     | 05/04/84          | Stewart Hutt  | Pending - the Fair Share has been set at 774 lower income units.   |
| 11. | Lori Assoc.                      | v. Monroe Twp.   | L-028288-84 PW | 04/16/84          | Alfred Clapp  | Pending - the Fair Share has been set at 774 lower income units.   |
| 12. | Elderlodge                       | v. South Plainfield, v. Board of Adjustment            | L-56348-81 PW  | 06/09/82          | Angelo H. Dalto   | Pending  |
| 13. | O&Y Old Bridge Development       | v. Twp. of Old Bridge                                  | L-32516-80 PW  | 02/16/81          | Brener, Wallack & Hill<br>Hannoch, Weisman, Stern,<br>Besser (Co-counsel) | Pending  |
| 14. | O&Y Old Bridge Development Corp. | v. Twp. of Old Bridge, Planning Board                  | L-009837-84 PW | 02/14/84          | Henry A. Hill   | Pending - Fair Share has been set at 2,400 units. Carla Lehrman appointed a master. Settlement discussions focusing on proposed settlement under which O&Y will build 12,260 units, including 2,000 lower income units, on 2,500 acres |

\* Consolidated w/Urban League

DISTRICT II

MIDDLESEX COUNTY

| PLAINTIFF                  | DEFENDENT             | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS  |
|----------------------------|-----------------------|----------------|-------------------|-------------------------|---|
| 15. Woodhaven Village,     | v. Twp. of Old Bridge | L-03674-84 PW  | 5/31/84           | Stewart Hutt            | Pending - Developer proposes to build 6,000 units on 1,200 acres, 12% of which will be lower income units.                                      |
| 16. Gerickont              | v. Piscataway         | L-032501-84 PW | 05/09/84          | Ray Trombadore          | Pending - Hovnanian will build 109 lower income units at 10 units per acre. All non-residential construction enjoined pending Twp's compliance. |
| 17. Brunswick Manor Assoc. | v. North Brunswick    | L-039056-84    | 06/13/84          | Stewart Hutt            | Pending   |
| 18. Hovnanian              | v. North Brunswick    | L-045700-84    | 07/13/84          | Doug Wolfson            | Pending   |

## DISTRICT II

MONMOUTH COUNTY

|     | PLAINTIFF  |    | DEFENDENT          | DOCKET NO.      | DATE COMPL.<br>FILED | ATTORNEYS FOR<br>PLAINTIFF  | STATUS  |
|-----|--|----|--------------------|-----------------|----------------------|---|---------|
| 1.  | Orgo Farms &<br>Greenhouse   | v. | Twp. of Colts Neck | L-13769-80 PW   | 11/17/80             | David J. Frizell  | Pending |
| 2.  | Orgo Farms &<br>Greenhouse   | v. | Twp. of Colts Neck | L-3299-78 PW    | 09/22/78             | David J. Frizell  | Pending |
| 3.  | Seagull Limited<br>Builders  | v. | Twp. of Colts Neck | L-003540-84     | 01/17/84             | Louis Locasio   | Pending |
| 4.  | Muscarelle, Inc.;<br>Edgar G. Parser & Harry<br>S. Pozycki, Sr., et al | v. | Twp. of Manalapan  | L-26127-75 PW   | 01/28/76             | Gary E. Fox<br>(for Muscarelle & Parser)<br>(David Frizell for Pozycki) | Pending |
| *5. | Edgar G. Parser  | v. | Twp. of Manalapan  | L-34263-78 PW   | 03/12/79             | David J. Frizell  | Pending |
| *6. | Harry S. Posycki, Sr.  | v. | Twp. of Manalapan  | L-6404-79       | 10/09/79             | David J. Frizell  | Pending |
| 7.  | Real Estate<br>Equities, Inc.  | v. | Holmdel Twp.       | L-15209-84 P.W. | 03/05/84             | Carl S. Bisgaier  | Pending |
| 8.  | New Brunswick-<br>Hampton, Inc.  | v. | Holmdel Twp.       | L-033910-84     | 05/25/84             | Douglas Wolfson   | Pending |

\* Consolidated with Muscarelle, Inc.

DISTRICT II

MONMOUTH COUNTY

|     | PLAINTIFF                                  |    | DEFENDENT   | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS  |
|-----|--|----|---|----------------|-------------------|-------------------------|---------|
| 9.  | Adler, et. al.                             | v. | Holmdel Twp.  | L-54998-84     | 08/22/84          | Peter Sokol             | Pending |
| 10. | Twp. of Hazlet                             | v. | Holmdel Twp.  | L-067502-84 PW | 10/15/84          | C. Henderson            | Pending |
| 11. | Michael Kaplan                             | v. | Twp. of Marlboro  | L-039596-84 PW | 06/07/84          | Charles Parker          | Pending |
| 12. | Michael Weitz & David Kahane               | v. | Twp. of Marlboro and Planning Board   | L-050456-84    | 08/01/84          | Peter Buchsbaum         | Pending |
| 13. | Oliver Kovacs, et. al                      | v. | Twp. of Marlboro & Planning Board   | L-048845-84    | 07/25/84          | Peter Buchsbaum         | Pending |
| 14. | Anthony Spalliero & Centrio Builders, Inc. | v. | Twp. of Marlboro  | L-41366-84 PW  | 06/22/84          | Martin Rudnich          | Pending |
| 15. | Penn Assoc.                                | v. | Twp of Marlboro, Planning Board, Municipal Utility Authority, and Western Monmouth Utility Authority  | L-052552-84-PW | 08/08/84          | Frank Petrino           | Pending |
| 16. | Federal Equity Assoc. II                   | v. | Twp. of Marlboro, Planning Board, Municipal Utility Authority, and Western Monmouth Utility Authority | L-052553-84    | 08/08/84          | Frank Petrino           | Pending |
| 17. | Schmelzer, Halpern & Crine Realty, Inc.    | v. | Twp. of Marlboro, Planning Board, Municipal Utility Authority and Western Monmouth Utility Authority  | L-067465-84 PW | 10/9/84           | Stewart Hutt            | Pending |



## DISTRICT II

## MONMOUTH COUNTY

|     | PLAINTIFF                     |    | DEFENDENT            | DOCKET NO.       | DATE COMPL.<br>FILED | ATTORNEYS FOR<br>PLAINTIFF | STATUS  |
|-----|-------------------------------|----|----------------------|------------------|----------------------|----------------------------|---------|
| 18. | 230 Marlboro, Inc.            | v. | Twp. of Marlboro     | L-071163-84 PW   | 10/24/84             | Guliet D. Hirsch           | Pending |
| 19. | Aberdeen Twp.                 | v. | Twp. of Marlboro     | L-               | 12/13/84             | Michael Leckstein          | Pending |
| 20. | Reeves                        | v. | Twp. of Marlboro     | L-8803-85E P.W.  | 02/14/85             | Robert Goldschlag          | Pending |
| 21. | Cove Industries, Ltd.         | v. | Wall Twp.            | L-51262-84       | 08//06/84            | Herbert Vogel              | Pending |
| 22. | Residential Tech, Inc.        | v. | Twp. of Freehold     | L-078641-84 PW   | 11/15/84             | Herbert A. Vogel           | Pending |
| 23. | Estate of Zlotkin,<br>et. al. | v. | Twp. of Freehold     | L-087433-84 P.W. | 12/31/84             | Isodore Zlotkin            | Pending |
| 24. | Calton Homes                  | v. | Middletown Twp.      | L-07342-84       | 11/02/84             | Henry A. Hill              | Pending |
| 25. | V.G. Builders, Inc.           | v. | Twp. of Aberdeen     | L-07480-84       | 11/08/84             | Wayne J. Peck              | Pending |
| 26. | Fort Plains<br>Building Dev.  | v. | Twp. of Howell       | L-084591-84 P.W  | 12/03/84             | Douglas Wolfson            | Pending |
| 27. | Hoveilt, Inc.                 | v. | Twp. of Howell       | L-014182-85 PW   | 01/28/85             | Ronald Shimanowitz         | Pending |
| 28. | Jos. Bonanno                  | v. | Twp. of Howell       | L-               | 06/03/85             | Thomas S. Collins          | Pending |
| 29. | Hoveilt, Inc.                 | v. | Boro of Tinton Falls | L-               | 12/31/84             | Douglas Wolfson            | Pending |
| 30. | Allen Weingarten              | v. | Twp. of Hazlet       | L-               | 02/7/85              | Douglas Wolfson            | Pending |
| 31. | J.D.N. Assoc.                 | v. | Twp of Millstone     | L-41701-85       | 05/20/85             | Frank Pettino              | Pending |

DISTRICT II

SOMERSET COUNTY

| PLAINTIFF                         | DEFENDENT   | DOCKET NO.     | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS  |
|-----------------------------------|---|----------------|-------------------|-------------------------|---|
| *1. Flama Construction Corp.      | v. Twp. of Franklin   | L-01096-84 PW  | 03/12/84          | Frederick Mezey         | Pending - Fair Share will be set at between 1000-2600 units Township has decided to continue litigation rather than settle. |
| *2. Whitestone Construction, Inc. | v. Twp. of Franklin   | L-021370-84 PW | 03/28/84          | Herbert Silver          | "   |
| *3. Brener Assoc.                 | v. Twp. of Franklin, Planning Board, Sewerage Authority and Water Authority | L-022951-84    | 04/06/84          | Guilet D. Hirsch        | "   |
| *4. Rakeco Developers             | v. Twp. of Franklin   | L-25303-84 PW  | 04/11/84          | Douglas K. Wolfson      | "   |
| *5. JZR Associates                | v. Twp. of Franklin   | L-007917-84 PW | 02/06/84          | Francis Linnue          | "   |
| *6. J.W. Fields                   | v. Twp. of Franklin   | L-006583-84 PW | 01/27/84          | David Frizell           | "   |
| *7. Woodbrook Development Co.     | v. Twp. of Franklin   | L-019811-84 PW | 03/20/84          | David Frizell           | "   |
| *8. Van Cleef                     | v. Twp. of Franklin   | L-026294-84 PW | 04/19/84          | Emil Philibosian        | "   |
| *9. Mindel                        | v. Twp. of Franklin   | L-033174-84    | 05/16/84          | Stewart Hutt            | "   |

\* Consolidated with Fields.

DISTRICT II

SOMERSET COUNTY

|       | PLAINTIFF   | v. | DEFENDENT   | DOCKET NO.   | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF  | STATUS  |
|-------|---|----|---|--|-------------------|--|---|
| 10.   | RAS Land Development Co.  |    | Twp. of Franklin                                  | L-49096-84   | 07/20/84          | David Frizell  | Pending - Fair Share will be set at between 1000-2600 units Twp. has decided to continue litigation rather than settle.   |
| 11.   | JOPS Company  |    | Twp. of Franklin; Planning Board and Twp. Council | L-051892-84  | 08/02/84          | Allen Ross   | "   |
| 12.   | Allan Deane Corp; Ceiswick; Dobbs   |    | Board of Adj. and Twp. of Bedminster              | L-36986-70 (Consolidated w/ L-28061-71 and L-32017-71) | 09/02/71          | Henry A. Hill, (for Allan Deane) Ken Meiser (for Ceiswick)   | Pending - Fair Share has been set at 640 units. A rezoning will allow the developer to construct 440 lower income units. Developer has completed 260 units, which are partially occupied. |
| 13.   | Dobbs<br>(Robert & Diane Henderson, Henry E. Englebrecht & Attilio Pillon, intervenors) |    | Twp. of Bedminster; Hills Development Co.         | L-12502-80   | 11/15/80          | Jos. L. Bosralian Peter O'Connor   | Pending - Twp wants to buy property for a park  |
| 14.   | AMG Realty-Skytop (Facey, Kraus, Tucher and Bojzuk, intervenors)                        |    | Twp. of Warren                                    | L-23277-80   | 12/31/80          | Joseph E. Murray (Leib, Kraus & Gripin for Intervenors Facey, Kraus & Tucher) (John Lynch for Intervenor Bojzuk) | Pending - Warren Twp. must rezone for the construction of 946 lower income units - Twp. will appeal   |
| **15. | Timber Properties   |    | Twp. of Warren                                    | L-67820-80   | 07/23/81          | Raymond E. Trombadore  | "   |

\*\* Consolidated w/AMG

SOMERSET COUNTY

## DISTRICT II

|     | PLAINTIFF         |    | DEFENDENT  | DOCKET NO.      | DATE COMPL.<br>FILED | ATTORNEYS FOR<br>PLAINTIFF | STATUS  |
|-----|-------------------|----|--|-----------------|----------------------|----------------------------|---|
| 16. | Steinbaum         | v. | Twp. of Warren and<br>the Board of Adjustment  | L-58706-81      | 06/24/82             | Philip R. Glucksman        | Pending - (returned to Somerset<br>for decision as to Board of<br>adjustment ruling)  |
| 17. | Shainee           | v. | Twp. of Warren<br>Twp. Comittee,<br>Planning Board, and<br>Sewerage Authority                | L-034351-84 PW  | 05/25/84             | Thomas J. Hall             | Dismissed   |
| 18. | R&A Checchio      | v. | Twp. of Branchburg,<br>Zoning Board of Adj.,<br>Mayor, Twp. Committee,<br>and Planning Board | L-042539-83, PW | 07/08/83             | Vincent J. Loughlin        | Pending   |
| 19. | Z.V. Assoc.       | v. | Twp. of Warren, and<br>Planning Board  | L-14179-85 P.W. | 01/25/85             | Joseph Murray              | Pending   |
| 20. | Pizzo             | v. | Twp. of Branchburg   | L-009651-83 PW  | 02/15/83             | Stewart M. Hutt            | Pending - proposed settlement<br>of 513 lower income units. The<br>developer will contribute \$1.4<br>million to the Twp. to build 300<br>low and moderate units rather than<br>include lower income units in its<br>development. |
| 21. | Hampton Assoc.    | v. | Twp. of Branchburg,<br>Mayor, Twp. Committee   | L-01953-84      | 01/13/84             | Stephen Ossen              | Pending   |
| 22. | Haueis            | v. | Far Hills Borough  | L-73360-80      | 08/18/81             | Thomas F. Collins          | Pending - Judge approved of<br>agreement allowing developer to<br>build 125 units, including 25<br>lower income units.  |
| 23. | Timber Properties | v. | Far Hills Borough  | L-68718-81      | 08/11/82             | Michael Camerino           | Pending - Judge agreed that the<br>Boro may condemn this property<br>for a park - developer appealing   |

SOMERSET COUNTY

## DISTRICT II

|     | PLAINTIFF                       |    | DEFENDENT                                 | DOCKET NO.     | DATE COMPL.<br>FILED | ATTORNEYS FOR<br>PLAINTIFF | STATUS  |
|-----|---------------------------------|----|---|----------------|----------------------|----------------------------|---|
| 24. | Motzenbecker                    | v. | Bernardsville Boro,<br>Mayor, and Council | L-37125-83     | 06/13/83             | Robert Greenbaum           | Pending - A Boro ordinance was passed setting the fair share at 268, to be built on 10 designated sites.  |
| 25. | Hills Development Co.           | v. | Twp. of Bernards                          | L-030039-84 PW | 05/10/84             | Henry Hill                 | Pending - Twp. has rezoned to provide for 1046 lower income units in five developments. Hills will build 550 of these units plus 2,500 market units.                          |
| 26. | Zito & Van<br>Benschoten Assoc. | v. | Watchung                                  | L-             | 01/02/85             | Joseph Murray              | Pending   |
| 27. | Abraham Zuckerman<br>et. al.    | v. | Bridgewater Twp.                          | L-50264-84     | 07/24/84             | Ray Trombadore             | Pending - Twp. has revised ordinances to include 1656 low & moderate income units.  |
| 28. | Crestmont<br>Hills Corp.        | v. | Hillsborough Twp.                         | L-071562-84PW  | 10/18/84             | Ray Trombadore             | Pending - Twp's fair share set at 1,017 lower income units. Developer and Twp. agreed to count 417 existing moderate income units as credit, bringing fair share down to 600. |
| 29. | Henry Stein                     | v. | Hillsborough Twp.                         | L-             | 04/30/85             | Ray Trombadore             |   |
| 30. | Top of the World                | v. | Twp. of Greenbrook                        | L-068913-84 PW | 10/11/84             | Frizell & Pozycki          | Pending   |
| 31. | Sansone                         | v. | Twp. of Greenbrook                        | L-074178-84 PW | 11/02/84             | Joseph Murray              | Pending   |

DISTRICT II

SOMERSET COUNTY

| PLAINTIFF                        | DEFENDENT          | DOCKET NO.   | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS   |
|----------------------------------|--------------------|--------------|-------------------|-------------------------|--|
| 31. Belle Mead Development Corp. | v. Montgomery Twp. | L-02105-85PW | 02/14/85          | Henry A. Hill           | Pending - revised ordinance and Master Plan adopted May 2, to be reviewed by the judge |

CAPE MAY COUNTY

|             |                  |            |          |         |         |
|-------------|------------------|------------|----------|---------|---------|
| *1. Mitnick | v. Twp. of Lower | L-68028-81 | 08/03/82 | Sherzer | Pending |
|-------------|------------------|------------|----------|---------|---------|

ATLANTIC COUNTY

|   |  |               |          |                   |         |
|---|--|---------------|----------|-------------------|---------|
| *1. Simon & Zell (t/a Wage of Walker's Forge) | v. Hamilton Twp. Township Committee and Planning Board | L-34136-83 PW | 05/31/83 | Nelson C. Johnson | Settled |
| *2. Mays Guld Streams,                        | v. Hamilton Twp.                                       | L-029208-85   | -        | Frank Petrino     | Pending |

\* Transferred from Judge Gibson

UNION COUNTY

|                             |                       |               |         |                |         |
|-----------------------------|-----------------------|---------------|---------|----------------|---------|
| 1. Landmark Realty, Inc. v. | Twp. of Scotch Plains | L-018004-85PW | 2/11/85 | Brian Schwartz | Pending |
|-----------------------------|-----------------------|---------------|---------|----------------|---------|

## MOUNT LAUREL II LITIGATION

DISTRICT III - JUDGE GIBSON

CLERK - JULIA BANNETT

- . 18 cases as of 06/18/85
- . No towns judged in compliance as yet

BURLINGTON COUNTY

|     | PLAINTIFF                   |    | DEFENDENT                      | DOCKET NO.      | DATE COMPL.<br>FILED | ATTORNEYS FOR<br>PLAINTIFF | STATUS  |
|-----|-----------------------------|----|--------------------------------|-----------------|----------------------|----------------------------|---|
| 1.  | Southern Burl. Co.<br>NAACP | v. | Twp. of Mt. Laurel             | L-25741-70 PW   | 05/03/71             | Ken Meiser                 | Pending   |
| 2.  | Southern Burl. Co.<br>NAACP | v. | Twp. of Mt. Laurel             | L-085035-84 PW  | 12/21/84             |                            | Pending   |
| 3.  | Davis Enterprises           | v. | Mt. Laurel Mun. Util.<br>Auth. | C-635-81        | 10/15/81             | S. David Brandt            | Pending   |
| 4.  | Ravick Corp.                | v. | Twp. of Mt. Laurel             | L-039771-84 PW  | 06/14/84             | Barbara Lanza-Farley       | Pending   |
| 5.  | Affordable Living<br>Corp.  | v. | Moorestown Twp.                | L-013235-84 PW  | 02/24/84             | Carl Bisgaier              | Pending   |
| 6.  | LINPRO Philadelphia         | v. | Moorestown Twp.                | L-8749-85E PE   | 01/14/85             |                            | Pending   |
| 7.  | Toll Brothers               | v. | Eastampton Twp.                | L-20502-83 E PW | 03/31/83             | Henry Hill                 | Pending - Settlement informally<br>reached allowing developer to<br>build 900 units including 180<br>lower income units on 310 acres. |
| 8.  | Maimon                      | v. | Eastampton Twp.                | L-8608-85E PW   | 01/10/85             |                            | Pending   |
| 9.  | D'Annunzio                  | v. | Florence Twp.                  | L-44653-78      | 1983                 | John Dimon                 | Settled   |
| 10. | Affordable Living<br>Corp.  | v. | Twp. of Delran                 | L-036584-84 PW  | 05/31/84             | Carl Bisgaier              | Pending   |

DISTRICT III

BURLINGTON COUNTY

| PLAINTIFF             |    | DEFENDENT      | DOCKET NO.      | DATE COMPL. FILED | ATTORNEYS FOR PLAINTIFF | STATUS  |
|-----------------------|----|----------------|-----------------|-------------------|-------------------------|---------|
| *11. Creekford        | v. | Twp. of Delran | L-594588-84E PW | 09/06/84          | Steve Sanost            | Pending |
| 12. Affordable Living | v. | McGarvey       | L               | 04/22/85          | Carl Bisgaier           | Pending |

CAPE MAY COUNTY

|            |    |               |               |          |         |         |
|------------|----|---------------|---------------|----------|---------|---------|
| 1. Johnson | v. | Twp. of Lower | L-69046-81 PW | 08/09/82 | Sherzer | Settled |
|------------|----|---------------|---------------|----------|---------|---------|

CAMDEN COUNTY

|                     |    |                     |                 |          |  |           |
|---------------------|----|---------------------|-----------------|----------|--|-----------|
| 1. Silver           | v. | Twp. of Cherry Hill | L-14524-82      | -        | -  | Dismissed |
| 2. Croft            | v. | Twp. of Cherry Hill | L-069852-84E PW | 10/16/84 | Brandt, Haughey,<br>Penberthy, Lewis, Hyland | Pending   |
| 3. Trieste Inc., II | v. | Twp. of Gloucester  | L-37692-84 PW   | 06/08/84 | George Matteo                                | Pending   |
| **4 Groupco         | v. | Twp. of Gloucester  | L-61299-84PW    | 9/14/84  | Carl Bisgaier                                | Pending   |
| 5. Haverhill        | v. | Borough of Berlin   | L-017539-85 PW  | 02/20/85 | Steven Samost                                | Pending   |

\* Consolidated with Affordable Living

\*\* Consolidated with Trieste