

ML-Morris County Fair Housing Council

9/26/84

v. Beenton Twp

Notice of motion for consolidation and motion
to intervene

P 5

ML 000959N

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Attorneys for Mt. Hope Mining Company
and Halecrest Company

MORRIS COUNTY FAIR HOUSING COUNCIL,)
et als)
Plaintiffs,)
vs.)
BOONTON TOWNSHIP, et als)
Defendants.)

SUPERIOR COURT OF N.J.
LAW DIVISION
MORRIS COUNTY/MIDDLESEX COUNTY
DOCKET NO. L 6001-78 P.W.

MT. HOPE MINING COMPANY, etc., et)
al)
Plaintiffs,)
vs.)
TOWNSHIP OF ROCKAWAY, etc., et)
al)
Defendants.)

SUPERIOR COURT OF N.J.
LAW DIVISION
MORRIS COUNTY/MIDDLESEX COUNTY
DOCKET NO.

Civil Action
NOTICE OF MOTION FOR
CONSOLIDATION AND MOTION
TO INTERVENE

TO: Fredric J. Sirota, Esq.
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Attorney for Randolph Township

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James, Wyckoff, Vecchio & Pitman
64 Diamond Spring Road
P.O. Box 67
Denville, New Jersey 07834
Attorney for Roxbury Township

SIRS:

PLEASE TAKE NOTICE that the undersigned, attorneys for Mt. Hope Mining Company and Halecrest Company, will appear before the Honorable Stephen Skillman, on short notice, on Friday, October 5, 1984, at 9:00 a.m. or as soon thereafter as counsel may be heard, at the Court House in New Brunswick, New Jersey for:

(1) an Order consolidating the above-captioned matter entitled "Morris County Fair Housing Council, et als v. Boonton Township, et als.", Superior Court of New Jersey, Law Division, Morris County /Middlesex County, Docket No. L 6001-78 P.W." with an action entitled "Mt. Hope Mining Company, etc., et al v. Township of Rockaway, etc., et al.", Superior Court of New Jersey, Law Division, Morris County/Middlesex County, Docket No. (no Docket No. given)" pursuant to the provisions of Rule 4:38-1;

(2) in the alternative, an Order to consolidate the First Count and that portion of the Second Count dealing with "Mt. Laurel questions", of the aforesaid action entitled "Mt. Hope Mining Company, etc., et al v. Township of Rockaway, etc., et al", Superior Court of New Jersey, Law Division, Morris County/ Middlesex County" with the aforesaid action entitled "Morris County Fair Housing Council, et als v. Boonton Township, et als", Superior Court of New Jersey, Law Division, Morris County/ Middlesex County, Docket No. L 6001-78 P.W."

(3) additionally and/or alternatively, an Order granting Plaintiffs the right to intervene in the aforesaid action entitled "Morris County Fair Housing Council, et als v. Boonton Township, et als", Superior Court of New Jersey, Law Division, Morris County/ Middlesex County, Docket No. L 6001-78 P.W.," pursuant to Rule 4:33-1, or alternatively Rule 4:33-2, and to file a Complaint and to be allowed to file an objection to the proposed settlement as proposed by the Zoning Amendment adopted by the Township of Rockaway on or about August 7, 1984.

Plaintiffs hereby request oral argument on all issues.

In support of this Motion, Plaintiffs will rely upon the enclosed Certified Statement of Theodore E. B. Einhorn and Brief.

EINHORN, HARRIS & PLATT
A Professional Corporation
Attorneys for Mt. Hope Mining
Company and Halecrest Company

By 
Theodore E. B. Einhorn

The original of the within Notice of Motion has been filed with the Clerk of the Superior Court in Trenton.

Copies of the within Notice of Motion have been filed with the Clerk of Morris County in Morristown, New Jersey and the Clerk of Middlesex County in New Brunswick, New Jersey.

EINHORN, HARRIS & PLATT
A Professional Corporation
Attorneys for Mt. Hope Mining
Company and Halecrest Company

By 
Theodore E. B. Einhorn

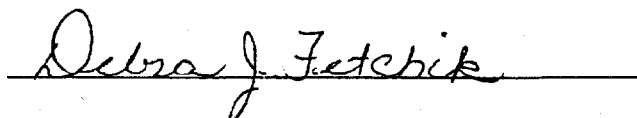
Dated: September 25, 1984

PROOF OF SERVICE

I, hereby certify that the within Notice of Motion for Consolidation and Motion to Intervene together with supporting Certified Statement and Brief was served upon the following attorneys by hand delivery of same at their offices:

- Fredric J. Sirota, Esq., Wiley, Malehorn & Sirota,
250 Madison Avenue, Morristown, New Jersey, Attorney
for the Township of Rockaway
- Stephen M. Eisdorfer, Esq., Public Advocate's Office
Hughes Complex, CN 850, Trenton, New Jersey, Attorney
for the Public Advocate
- John Harper, Esq., Harper & Hansbury, 736 Speedwell
Avenue, Morris Plains, New Jersey, Attorney for
Denville Township
- Joel Murphy, Esq., Murphy, Kurnos & Nish, 3 Prospect
Street, Morristown, New Jersey, Attorney for Florham
Park
- John H. Dorsey, Esq., 714 Main Street, Boonton, New Jersey,
Attorney for Hanover Township
- Lawrence K. Eismeier, Esq., Eismeier & Falcon, 307 West
Main Street, Boonton, New Jersey, Attorney for Montville
Township
- Herbert Vogel, Esq., Vogel & Chait, Maple Avenue at
Miller Road, Morristown, New Jersey, Attorney for Mt.
Olive Township
- John Gilfillan III, Esq., Carella, Byrne, Bain & Gilfillan,
Gateway I, Newark, New Jersey, Attorney for Parsippany-
Troy Hills
- Edward F. Buzak, Esq., 150 River Road, Montville, New
Jersey, Attorney for Randolph Township
- Joseph Vecchio, Esq., James, Wyckoff, Vecchio & Pitman
64 Diamond Spring Road, Denville, New Jersey, attorney
for Roxbury Township

I hereby certify that the foregoing statements made by me are true. I am fully aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.



Dated: September 26, 1984