

RULS-AD-1984-250

8/3/84

- RESULTS of case management conference
re: A.D. v. Bedmarsh

Pgs. 2



Superior Court of New Jersey

CHAMBERS OF
JUDGE EUGENE D. SERPENTELLI

OCEAN COUNTY COURT HOUSE
C. N. 2191
TOMS RIVER, N. J. 08753

August 3, 1984

Kenneth E. Meiser, Esq.
Office of Public Advocate
Hughes Justice Complex CN-850
Trenton, N. J. 08625

Herbert Vogel, Esq.
Vogel and Chait, Esqs.
Maple Avenue at Miller Rd.
Morristown, N. J. 07960

Henry A. Hill, Esq.
Brener, Wallack and Hill, Esqs.
2-4 Chambers Street
Princeton, N. J. 08540

Roger W. Thomas, Esq.
93 Spring Street
Newton, N. J. 07860

Alfred L. Ferguson, Esq.
McCarter and English, Esqs.
550 Broad Street
Newark, N. J. 07102

Peter J. O'Connor, Jr.
510 Park Blvd.
Cherry Hill, N. J. 08034

Joseph Basralian, Esq.
Winne, Banta & Rizzi, Esqs.
25 E. Salem Street
Hackensack, N. J. 07603

Re: Allan Deane Corp. et al v. Twp. of Bedminister

Gentlemen:

This shall confirm the results of the case management conference on Thursday, August 2, 1984. It was agreed as follows:

1. The township shall set forth in writing within a period of 30 days from the date of this letter, its position with respect to the equities which justify a reduction in the fair share number as proposed by the court appointed expert and provide a copy of that statement to all parties involved.

2. Dobbs and Timber shall, in the same 30 day period, set forth in writing their position with respect to the issue of whether the proposed ordinance complies with Mount Laurel, whether the parcels zoned are suitable, why their parcels are more suitable, and why they are entitled to a builder's remedy. This statement shall also be provided to all parties.

3. Within 30 days of the date of this letter, the defendants Dobbs and Timber shall exchange reports concerning sewerage disposal and thereafter have 20 days to reply to their respective reports.

RULS - AD - 1984 - 250

4. Counsel should be prepared to proceed with a compliance hearing on any date after September 30, 1984. At the present time, I am fully calendared through November, but it is highly likely that one or more of the matters presently scheduled will not be moved. I am reserving the date of Monday, December 10, for the compliance hearing. However, I am hopeful that we will be able to move the matter much before that date. As soon as a firm date is established, I will ask the Public Advocate to publish notice of the hearing. The hearing will focus on Bedminister's claim to a reduction, ordinance compliance (including suitability) and the claim of Dobbs and Timber to a builder's remedy, in that order. If necessary, a pretrial conference will be held to facilitate the trial of the matter.

Very truly yours,


Eugene D. Serpente III, JSC

EDS:RDH