

RULS-AD-1985-50

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Letter to Judge re Caiswick Plaintiffs brief

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State of New Jersey  
DEPARTMENT OF THE PUBLIC ADVOCATE  
DIVISION OF PUBLIC INTEREST ADVOCACY

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January 28, 1985

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JAN 29 1985

JUDGE SERPENTELLI'S CHAMBERS

Honorable Eugene D. Serpentelli  
Superior Court of New Jersey  
Court House  
CN-2191  
Toms River, New Jersey 08754

Re: Allan Deane v. Bedminster

Dear Judge Serpentelli:

Enclosed please find an original and one copy of the brief of the Ceiswick plaintiffs. The brief refers to certain matters not in evidence, but which the court can take judicial notice of:

- The Dobbs complaint
- The Dobbs proposed amended complaint
- This court's case management order of November 3, 1983 in the Dobbs' case, and its Orders of November 18, 1983 and May 25, 1984

It makes reference to other matters introduced for identification purposes but not admitted into evidence, including P.3, 4 and 6; based upon my conversation with Donald Klein I believe that there is no objection to this.

Plaintiffs are prepared to present any witnesses whom this court wishes to hear. In particular, plaintiffs had offered to subpoena a D.E.P. representative at the first hearing on the subject of D.E.P.'s policy concerning on-site package treatment plants, but this testimony proved unnecessary. In the event that this court concludes that this testimony would be helpful to the issue of a developer's remedy, plaintiffs are still willing to subpoena the Commissioner of D.E.P. or his representative for testimony on the Department's policy concerning on-site package treatment plants.

Very truly yours,

KENNETH E. MEISER  
Deputy Director

KEM/ap  
Enclosures  
cc: All Counsel