

Attorney's fees

6/1 (1988)

UL v. Carteret

Cover letter

Consent order

Proposed draft ~~for~~ attorney's fees

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THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
Campus at Newark

School of Law-Newark • Constitutional Litigation Clinic
S.I. Newhouse Center For Law and Justice
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

BY LAWYER'S SERVICE

June 1, 1988

Joseph Stonaker, Esq.
41 Leigh Avenue
Princeton, New Jersey 08540

RE: Urban League, et al v. Carteret, et al.

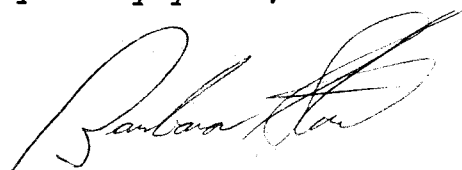
Dear Joe:

This is in response to your settlement proposal. As you know, we have substantially compromised our original settlement offer, which was itself modest. Plainsboro has not budged. A settlement requires some compromise on everyone's part. We feel that \$30,000 is a very reasonable sum for the Township, especially since we are agreeing to language which may significantly diminish the impact of this settlement on the other towns.

Enclosed please find proposed draft Consent Order as to Attorneys' Fees to be attached to the Consent Order and made a part thereof. Please call me with your comments. Assuming this basically reflects your understanding of our agreement, we can present this to the Court at the same time we finalize the Consent Order previously forwarded to the Judge. Plainsboro's check should be tendered simultaneously with the execution of the Consent Order.

This letter and enclosure are submitted solely for purposes of settlement, naturally, and shall not be used in any litigation.

Very truly yours,



Encls.

cc: C. Roy Epps, President

PROPOSED DRAFT CONSENT ORDER

WHEREFORE, plaintiffs have sought counsel fees and costs for all services rendered in connection with the matter entitled Urban League v. Carteret, Docket No. _____, and the Appellate Division having remanded the matter for a determination whether plaintiffs can show a prima facie case entitling them to such fees (___ N.J. Super. ___) and the New Jersey Supreme Court having granted defendants' Petition for Certification and plaintiffs' Cross Petition for Certification on March 21 1988; and defendant Plainsboro having settled the underlying litigation by Consent Order filed herewith, the Civic League plaintiffs and defendant Plainsboro agree as follows:

1. Defendant Plainsboro shall pay the Civic League plaintiffs \$30,000 in full and final settlement of all claims for attorney's fees to date. Defendant Plainsboro does not acknowledge any liability for plaintiffs' attorneys' fees and Plainsboro is entering into this Agreement solely in order to avoid future litigation costs in connection with plaintiffs' claims for attorneys'

fees.

2. Plaintiffs agree that they shall not settle claims for attorneys' fees with any other defendant in this litigation for less than \$30,000 unless there is a change in the law justifying a lesser settlement.

3. Nothing set forth herein shall be construed to constitute a waiver of fees to which plaintiffs may be entitled in connection with the enforcement of the Consent Order annexed hereto.

Joseph Stonaker, Esq.
Attorney for defendant Plainsboro

C. Roy Epps
President, Civic League
of Greater New Brunswick

John Payne, Esq.
Barbara Stark, Esq.
Attorneys for the
Civic League Plaintiffs
and on Behalf of the
ACLU of New Jersey