

Attorney's fees

6/7 (1988)

UL v. Carteret

Cover letter

Revised Draft Consent Order 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 LAWYERS SERVICE

June 7, 1988

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

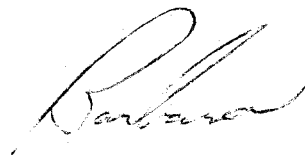
RE: Urban League, et al v. Carteret, et al.

Dear Joe:

Enclosed please find a revised draft Consent Order which I believe accurately reflects the terms discussed in our most recent telephone conversation.

Please telephone me with your comments. If the enclosed meets with your approval, I will telephone the court so that we can finalize this.

Very truly yours,



encls

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

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. C-4122-73, 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 Thirty Thousand (\$30,000) Dollars in full and final settlement of all claims for attorney's fees to date. Payment shall be made as follows: Twenty-five Thousand (\$25,000) Dollars simultaneously with the execution of this Consent Order and Five Thousand (\$5,000) Dollars no later than November 15, 1988.

2. Defendant Plainsboro does not acknowledge any liability for plaintiffs' attorneys' fees and both parties acknowledge that there has been no

finding of racial discrimination on the part of the Township. Plainsboro is entering into this Agreement solely in order to avoid future litigation costs in connection with plaintiffs' claims for attorneys' fees.

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

4. 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 this Order or the Consent Order annexed hereto.

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Joseph Stonaker, Esq.  
Attorney for defendant Plainsboro

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

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