

Attorney's Fees

6/8 (1988)

UL v. Carteret

Cover letter

Proposed Consent order for Attorney's fees

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pi # 5069

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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 8, 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, in accordance with our telephone discussion this morning, Consent Order for Attorneys' Fees in connection with the above matter. Please telephone me if there is any problem.

I have telephone calls in to the Judge and Carla Lerman and I will telephone you as soon as we have a Court date.

Very truly yours,



encls

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

John Payne, Esq.  
Barbara Stark, Esq.  
Rutgers Constitutional Litigation Clinic  
15 Washington Street  
Newark, N.J. 07102  
201-648-5576  
Attorneys for the Civic League Plaintiffs  
and on Behalf of the ACLU of New Jersey

-----:		SUPERIOR COURT OF NEW JERSEY
URBAN LEAGUE OF GREATER		CHANCERY DIVISION-
NEW BRUNSWICK, et al.,	:	MIDDLESEX COUNTY
Plaintiffs,		
		Civil Action
v.	:	
		Docket # C-4122-73
THE MAYOR AND COUNCIL OF		
THE BOROUGH OF CARTERET,		
et al.,	:	
Defendants.		CONSENT ORDER AS TO
-----:		ATTORNEYS' FEES

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 (222 N.J. Super. 131 (1987)), 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;

It is, on this \_\_\_\_ day of June, 1988,

ORDERED, that:

1. Defendant Plainsboro shall pay the Civic League plaintiffs Thirty Thousand (\$30,000) Dollars in full and final settlement of all claims for attorneys' fees to date. Payment shall be made simultaneously with the execution of this Consent Order;

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 primarily 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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Hon. Eugene D. Serpentelli, A.J.S.C.

The undersigned hereby consent to the form, substance and entry of the within order.

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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