

Attorneys' Fees

6/9/1988

U.L. v. Carteret

Cover letter

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THE STATE UNIVERSITY OF NEW JERSEY  
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June 9, 1988

VIA LAWYERS SERVICE

Honorable Justices of the New Jersey Supreme Court  
 c/o Clerk, New Jersey Supreme Court  
 Hughes Justice Complex, CN 970  
 Trenton, New Jersey 08625

RE: Urban League, et al. v. Carteret, et al.  
 No. 28,276

Honorable Justices:

Enclosed please find nine copies of the slip opinion in N.A.A.C.P. v. Huntington, Docket No. 87-7892. This slip opinion is respectfully submitted by the Civic League plaintiffs in accordance with R. 2:6-11(d), which provides in pertinent part that, "A party may ... without leave, serve and file a letter calling to the court's attention, with a brief indication of their significance, relevant cases decided ... subsequent to the filing of his brief."

As set forth in plaintiffs' Petition, there is no need to remand this fee application for any purpose other than a determination of the amount owed plaintiffs. If this Court agrees with the Appellate Division that there should be a ruling on plaintiffs' Title VIII claim, however, it is respectfully submitted that the slip opinion may be helpful. In Huntington, the Second Circuit Court of Appeals found that refusal to amend the facially neutral Huntington zoning code violated Title VIII. The Honorable Irving R. Kaufman's cogent Title VIII analysis, particularly the discussion at pages 18 through 29 (where the Court relies heavily on Resident Board v. Rizzo, 564 F.2d 126 (3d Cir. 1977)), provides strong support for the test for a prima facie case set forth in the opinion below.

Respectfully yours,

  
 Barbara Stark

cc/Philip Lewis Paley, Esq. (w/encls)  
 Counsel on attached Service List (w/o encls)