

A Hornum's fees

UL v. Cranbury

1/ (1989)

draft

letter re: factual inquiries from Ct during

1/3/89 oral arguments

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JOHN: We'd like to get this out before Paley writes to the Court. Eric said you were interested in early Mount Laurel files. They're in the Clinic workroom. Barbara

d r a f t

January , 1989

VIA LAWYERS SERVICE

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

RE: Urban League, et al. v. Cranbury
Docket No.

Dear Honorable Justices:

This letter is respectfully submitted in response to certain specific factual inquiries from the Court during oral argument on Tuesday, January 3, 1989 in connection with the above matter.

First, Justice Stein asked about the availability of transcripts from the proceedings below. I have been advised by Everett Wells, Principal Vault Clerk of the Appellate Division Clerk's Office, that the 39 volumes of transcripts of the 1976 trial are available on microfilm at the Law Library on West 8th Street in Trenton, Box Number 2349, Reel Number SR-7-7.

Second, Justice Pollock asked for an estimate of the amount of fees sought. As the Court is aware, such an estimate would require compilation of fourteen years of time records from several different law offices. Most of the lawyers who handled this case prior to 1983 are no longer with the public interest firms with which they were then affiliated. Some would have to

be located and asked to take time from their current obligations to find records and calculate their fee ??? . Since this office became involved in the case in 1983, more than forty law students have worked on the matter and their time records would also have to be reviewed. In short, it would require a very substantial expenditure of time to produce the estimate requested by Justice Pollock. If the Court considers it necessary to decision, however, we would be glad to undertake this task at this time.

Finally, Justices Clifford and O'Hern expressed concern about defendants' awareness of plaintiffs' fee claim. As indicated in the [letter? transcript?], the Honorable Eugene Serpentelli threatened to tell us bad ethnic jokes if we even mentioned fees prior to the conclusion of the litigation.

Respectfully yours,

cc/Phillip Paley, Esq.

Stephen Eisdorfer, Esq.

bcc/Mt. Laurel Team