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Cal. No.

Attorney(s): McDONOUGH, MURRAY & KORN, P.A.  
Office Address & Tel. No.: 555 Westfield Avenue, Westfield, NJ 07090 (201) 233-9040  
Attorney(s) for Plaintiffs

SUPERIOR COURT OF NEW JERSEY

A.M.G. REALTY COMPANY, a Partnership, and  
SKYTOP LAND CORPORATION,

LAW DIVISION  
SOMERSET COUNTY

THE TOWNSHIP OF WARREN  
vs.  
Plaintiff(s)  
Defendant(s)

Docket No. L-23277-80

CIVIL ACTION  
PRETRIAL MEMORANDUM OF  
PLAINTIFFS

1. NATURE OF ACTION: Action in lieu of prerogative writ to review the validity of the Warren Township, Somerset County, New Jersey zoning ordinance.

2. ADMISSIONS AND STIPULATIONS: Warren Township ordinance no. 79-3 adopted January 25, 1979 as the current comprehensive zoning ordinance of the Township.

3-4. FACTUAL AND LEGAL CONTENTIONS: (Annexed hereto).

See annexed.

5. DAMAGE AND INJURY CLAIMS: None.

6. AMENDMENTS: None.

7. ISSUES AND EVIDENCE PROBLEMS: Status of Warren Township as a developing community under the Mount Laurel Decision; whether present zoning ordinance satisfies the obligations required by Mount Laurel to provide an appropriate variety and choice of housing for all categories of people who desire to live within the Township of Warren in the event that the Township is a developing community; exhaustion of administrative remedies; estoppel; laches; limitation period of 4:69-6(a).

8. LEGAL ISSUES ABANDONED:  
None.

9. **EXHIBITS:** As produced during the course of trial and/or agreed upon prior to trial.

10. **EXPERT WITNESSES:** No limit.

11. **BRIEFS:** As the Court directs.

12. **ORDER OF OPENING AND CLOSING:** Usual.

13. **ANY OTHER MATTERS AGREED UPON:** None.

14. **TRIAL COUNSEL:** Joseph E. Murray, Esq. on behalf of plaintiffs. John E. Coley, Esq. on behalf of the Township of Warren.

15. **ESTIMATED LENGTH OF TRIAL:** Two weeks.

16. **WEEKLY CALL OR TRIAL DATE:** To be set.

17. **ATTORNEYS FOR PARTIES CONFERRED ON:** Various dates.

19

**MATTERS THEN AGREED UPON:** None.

18. **IT IS HEREBY CERTIFIED THAT ALL PRETRIAL DISCOVERY HAS BEEN COMPLETED,** except Defendants have not answered plaintiffs' interrogatories and plaintiffs seek to undertake the deposition of the experts proposed to be utilized by defendant.

19. **PARTIES WHO HAVE NOT BEEN SERVED:** None.

**PARTIES WHO HAVE DEFAULTED:** None.

Dated: May 29,

1981 .

By Joseph E. Murray  
Joseph E. Murray  
Attorney for the Plaintiffs

RECEIVED

McDONOUGH, MURRAY & KORN

A PROFESSIONAL CORPORATION  
COUNSELORS AT LAW  
555 WESTFIELD AVENUE  
WESTFIELD, NEW JERSEY 07090  
(201) 233-9040

JUN 3 1981

SOMERSET COUNTY  
ASSIGNMENT CLERK

ROBERT P. McDONOUGH  
JOSEPH E. MURRAY  
PETER L. KORN  
JAY SCOTT MacNEILL  
STEPHEN J. TAFARO  
SUSAN P. VANDEVENTER  
ROBERT J. LOGAN  
R. SCOTT EICHHORN

IN REPLY REFER TO FILE NO

William J. Wintermute, Sr.  
Assignment Clerk  
Administration Building  
Somerville, NJ 08876

Re: A.M.G. Realty Co. and Skytop Land Corp. vs.  
The Township of Warren

Dear Sir(s):

We enclose original and two copies of:

- Summons and Complaint
- Stipulation Extending Time to Answer
- Answer (and Counterclaim)
- Order dated \_\_\_\_\_
- Notice to Take Depositions
- Interrogatories of \_\_\_\_\_
- Answers of \_\_\_\_\_ to Interrogatories
- Notice of Motion Returnable \_\_\_\_\_
- Affidavit of \_\_\_\_\_
- (Judgment) (Stipulation of Dismissal)
- Warrant to Satisfy Judgment
- Return Envelope
- xxxx Other Pretrial memorandum on behalf of the Plaintiffs

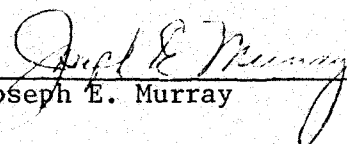
Would you kindly:

- File
- Return copy marked "filed"
- Acknowledge receipt on \_\_\_\_\_

       Our check in the amount of \$ \_\_\_\_\_ is enclosed.  
       Kindly charge fee to our account.

Very truly yours,

McDONOUGH, MURRAY & KORN

  
Joseph E. Murray

JEM/kmd  
encls.  
cc Mr. John E. Coley, Esq.

4/12/81  
5-7598  
P.W.