

AMB

Transfer

7-29-83

Order of Consolidation

PSS-3

Pi # 3252

AM0000710

FILED 7-29-83 RDN  
D. SERPENTELLI, J.S.C.

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.  
15 Mountain Boulevard  
Warren, New Jersey 07060  
(201) 757-7800  
Attorneys for Defendant, Township of Warren

AMG REALTY COMPANY, a Partnership  
organized under the laws of the State  
of New Jersey, and SKYTOP LAND CORP.,  
a New Jersey Corporation,

Plaintiffs,

JOAN H. FACEY, REDVERS S. FACEY, JOHN  
W. KRAUS, MARY HELEN TUCHEN, MYKOLA  
BOJCZUK and MAE BOJCZUK, his wife,

Intervenors,

vs.

THE TOWNSHIP OF WARREN, a municipal  
corporation of the State of New Jersey,

Defendant,

and

TIMBER PROPERTIES, a Corporation of  
the State of New Jersey,

Plaintiff,

vs.

THE TOWNSHIP OF WARREN, a municipal  
corporation of the State of New Jersey,  
THE PLANNING BOARD OF THE TOWNSHIP  
OF WARREN, and THE WARREN TOWNSHIP  
SEWERAGE AUTHORITY,

Defendants,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - SOMERSET COUNTY  
DOCKET NO. L-23277-80 P.W.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - SOMERSET COUNTY  
DOCKET NO. L-67820-80 P.W.

Civil Action

ORDER OF CONSOLIDATION

THIS IS THE  
LAST DOCUMENT  
IN TIMBER V  
WARREN. ALL  
FUTURE PAPERWORK  
IN AMG v WARREN  
WITH WHICH THIS  
IS CONSOLIDATED

ORDER (1/17/83)

This matter being opened to the Court by Kunzman, Coley, Yospin and Bernstein, P.A. (John E. Coley, Jr., Esq. appearing) attorneys for the Defendant, the Township of Warren and also appearing for the Warren Township Planning Board which is represented by Handelman & Jacobs (Eugene W. Jacobs, Esq. representing the Planning Board) and Raymond R. and Ann W. Trombadore, Esqs. attorneys for the plaintiff Timber Properties (Raymond R. Trombadore, Esq. appearing) and J. Albert Mastro, Esq. representing the Warren Township Sewerage Authority and Lieb, Kraus and Gripin, Esqs. (Robert H. Kraus appearing for the interveners, Joan H. Facey, Redvers S. Facey, John W. Kraus and Mayr Heleh Tuchen) and John T. Lynch, Esq. attorney for Mykola Bojczuk and Mae Bojczuk and McDonough, Murray and Korn, Esqs. (Joseph E. Murray, Esq. appearing) attorneys for the plaintiff AMG Realty Company and Skytop Land Corporation;

The Court having reviewed the Township of Warren's Notice of Motion for Dismissal or Consolidation and further considered the informal arguments of all counsel and for good cause shown;

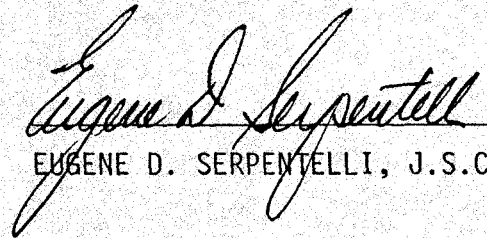
IT IS on this 29 day of July, 1983;

ORDERED:

1. The Defendant, Warren Township's Motion to Consolidate the two actions which are captioned on this Order is hereby granted.

2. The Defendant, Township of Warren's, Motion to Dismiss the Plaintiff's, Timber Properties, Complaint because of Plaintiff's failure to exhaust administrative remedies and because of Plaintiff's lack of standing before the Court are hereby denied. The Defendant, Township of Warren, shall have the right to renew its Motion relative to Plaintiff's lack of standing before the Court.

A copy of the within Order shall be served upon all parties within 10 days of the date hereof.

  
EUGENE D. SERPENTELLI, J.S.C.