

AMG

5-23-84

objections to
(letter re: [↑] "Review of proposed
order for restraint")

B5-1

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OBT

J. ALBERT MASTRO

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May 23, 1984

Hon. Eugene D. Serpentelli
Superior Court of New Jersey
Ocean County Court House
CN 2191
Toms River, New Jersey 08753

Re: AMG Realty Company, et als. v. Township of Warren, et als.
Docket No. L-23277-80, P.W.; L-67820-80 P.W.

Dear Judge Serpentelli:

I have reviewed the proposed order for restraint and have the following objections and comments relative thereto:

a. The order should set forth in some detail the reasons for its issuance. Rule 4:52-4

b. The order should be somewhat more specific, particularly the language precluding "further steps in the expansion of Stage IV." I would have no objection to language indicating prohibition of further processing an application for NJDEP approval and implementation of the expansion. The language as drawn is too broad and could very well be read to preclude holding a meeting with interested property owners to discuss the matter as well as available alternatives (which has been scheduled), returning deposit funds to prospective users (which will be done) or even abandoning the project entirely (which is one of the alternatives).

c. I am troubled by the restraints continuing until "further order of this Court." In view of the many parties and interests involved and the importance of such an expansion program I would much prefer the restraints continue for a fixed period of time unless otherwise ordered by the Court.

Respectfully yours,


J. Albert Mastro

JAM/jc

cc: All Counsel

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MAY 25 1984

JUDGE SERPENTELLI'S CHAMBERS