

- cover letter

- Notice of Motion to stay further proceedings pending the disposition of A's⁴ motion for leave to appeal the trial ct's joinder of additional As (on COAH transfer)

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"Skillman"

EDWARD J. BUZAK
Attorney at Law

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MIDDLESEX COUNTY CLERK
NEW BRUNSWICK, N.J. 08901

MONTVILLE OFFICE PARK
150 RIVER ROAD SUITE A-4
MONTVILLE, NEW JERSEY 07045

(201) 335-0600

EDWARD J. BUZAK
(MEMBER OF N.J. & D.C. BAR)

VALERIE K. BOLLHEIMER
(MEMBER OF N.J. & COLO. BAR)

DEBORAH McKENNA ZIPPER

June 11, 1986

Honorable Stephen Skillman
Middlesex County Courthouse
New Brunswick, New Jersey 08903

Re: Morris County Fair Housing Council, et. al.
v. Boonton Township, et. al., Docket No.
L-6001-78 P.W.

Randolph Mountain Industrial Complex, a New
Jersey Corporation v. The Board of Adjustment
of the Township of Randolph, et. al.,
Docket No. L-59128-85 P.W.

Dear Judge Skillman:

Enclosed herewith please find an original and one copy of a
Notice of Motion to stay further proceedings in this matter pending
the disposition by the Appellate Division of Defendants' motion for
leave to appeal this Court's order joining additional parties
Defendant to this litigation on May 29, 1986.

By copy of this letter I am transmitting a copy of this
motion, accompanying brief and certification and attached orders
to the Clerk of the Superior Court and all counsel on the attached
list.

I have attached orders both granting and denying the motion
for a stay in an attempt to expedite your Honor's disposition of the
matter and have left the date and time to be set by the Court.

Thank you for your consideration.

Respectfully submitted,

EDWARD J. BUZAK, ESQ.

Edward J. Buzak

EJB:fd

Enclosures

cc: All Counsel on Attached List
Mayor and Counsel, Township of Randolph
Randolph Township Municipal Utilities Authority
Randolph Township Planning Board
Kenneth H. Ginsberg, Esq.
Middlesex County Clerk

SERVICE LIST

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c/o Harper & Hansbury, Esqs.
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Morris Plains, NJ 07950

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(201) 335-0600

ATTORNEY FOR Defendants, Township of Randolph, Randolph Township Planning Board
Randolph Township Municipal Utilities Authority & Randolph Township
Board of Adjustment

Plaintiff

MORRIS COUNTY FAIR HOUSING COUNCIL, et. al.

vs.

Defendant

THE TOWNSHIP OF BOONTON, a Municipal Corporation
of the County of Morris and State of New Jersey,
et. al.,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MORRIS COUNTY/MIDDLESEX COUNTY
(MT. LAUREL LITIGATION)

Docket No. L-59128-85 P.W.
L-6001078 P.W.

CIVIL ACTION

NOTICE OF MOTION TO STAY
FURTHER PROCEEDINGS PENDING
THE DISPOSITION OF DEFENDANT'S
MOTION FOR LEAVE TO APPEAL
THE TRIAL COURT'S JOINDER
OF ADDITIONAL DEFENDANTS

Plaintiff,

RANDOLPH MOUNTAIN INDUSTRIAL COMPLEX, a New
Jersey Partnership,

vs.

Defendant,

THE TOWNSHIP OF RANDOLPH, a Municipal Corporation
of the County of Morris and State of New Jersey

TO: THE HONORABLE STEPHEN SKILLMAN
Middlesex County Court House
New Brunswick, New Jersey 08903

ALL COUNSEL ON ATTACHED LIST

SIR/MADAM:

PLEASE TAKE NOTICE that the undersigned will move before the
Honorable Stephen Skillman as follows:

DATE: To Be Set By Court

TIME: To Be Set By Court

PLACE: Middlesex County Courthouse, New Brunswick,
New Jersey

RELIEF SOUGHT: To stay further proceedings in the above captioned
pending the disposition of Defendants' Motion
for Leave to Appeal the Interlocutory Order
of the Honorable Stephen Skillman entered May 29,
1986 joining additional parties Defendant.

GROUNDS: Defendants contend that immediate and irreparable
injury will occur to Defendants if the Court
continues to consider the imposition of conditions
upon the transfer of this case to the Council on
Affordable Housing. The Motion for Leave to
Appeal the Interlocutory Order is based upon the
allegation that the trial court lacked jurisdiction
to join parties to this litigation and if
appellant is successful, the scope of conditions
being requested by the Advocate cannot be granted
and the proceedings thereon will therefore
be moot.

ORAL ARGUMENT REQUESTED: Yes.

PRE-TRIAL CONFERENCE: Several status conferences have been held.

CALENDAR CALL: None.

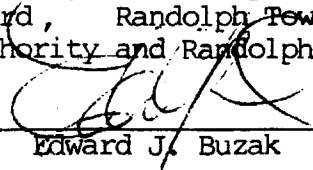
TRIAL DATE: N/A

A proposed Order is attached hereto. Defendant will rely upon the
Brief submitted simultaneously herewith.

Dated: June 11, 1986

EDWARD J. BUZAK, ESQ., Attorney for Defendants,
Township of Randolph, Randolph Township Planning
Board, Randolph Township Municipal Utilities
Authority and Randolph Township Board of Adjustment

By

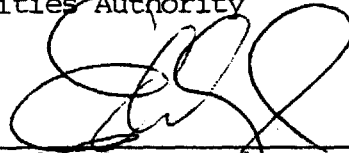

Edward J. Buzak

CERTIFICATION OF SERVICE

The originals of these papers have been filed with the Clerk of the Superior Court of New Jersey. A copy of these papers has been filed with the Clerk of the County where the Motion is to be heard. A copy of these papers has been served on those persons, designated by R.1:5-1(a) for such. Service was made as permitted by R.1:5-2

EDWARD J. BUZAK, ESQ., Attorney for Defendants
Township of Randolph, Randolph Township
Planning Board, Randolph Township Municipal
Utilities Authority

By



Edward J. Buzak, Esq.

Dated: June 11, 1986

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