

Donald J. Sears, Esq.
Township of South Brunswick
540 Ridge Road
P.O. Box 190
Monmouth Junction, NJ 08852
Phone No.: (732) 329-4000

Attorney for Declaratory Plaintiff,
Township of South Brunswick

IN THE MATTER OF THE APPLICATION OF THE TOWNSHIP OF SOUTH BRUNSWICK FOR A JUDGMENT OF COMPLIANCE AND REPOSE AND TEMPORARY IMMUNITY FROM <u>MOUNT LAUREL</u> LAWSUITS	SUPERIOR COURT OF NEW JERSEY LAW DIVISION MIDDLESEX COUNTY DOCKET NO.: MID-L-003878-15 CIVIL ACTION – <i>MOUNT LAUREL</i> NOTICE OF MOTION
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PLEASE TAKE NOTICE that, pursuant to leave granted by way of Order of the Hon. Douglas K. Wolfson, J.S.C., dated September 16, 2015 (copy attached), the undersigned attorney for Declaratory Plaintiff, Township of South Brunswick, shall move **ON SHORT NOTICE** on November 13, 2015, at 2:00 p.m., or such other date and time as the Court may direct, before the Hon. Douglas K. Wolfson, J.S.C., or such judge as may be assigned, at the Middlesex County Courthouse, 56 Paterson Street, New Brunswick, New Jersey, for an Order extending immunity from Mt. Laurel “Builder’s Remedy” lawsuits pending the Plaintiff’s voluntary compliance with its Mt. Laurel obligations.

PLEASE TAKE FURTHER NOTICE that the undersigned shall also move on such date and time as the Court may direct, before the Hon. Douglas K. Wolfson, J.S.C., or such judge as may be assigned, at the Middlesex County Courthouse, 56 Paterson Street, New Brunswick, New Jersey, for an Order:

1. Determining the Methodology to be used to Determine Present and Prospective Need;
2. Determining the Acceptable Compliance Mechanisms available to the Township to

meet its Third Round obligation once same is determined by the court;

3. Granting a Waiver of the 25% Senior Cap; and
4. Such other relief as the court finds just and equitable.

Reliance shall be placed upon the accompanying brief and appendix submitted in support of the motions.

Oral argument is respectfully requested.

Discovery end date: none
Pretrial conference date: none
Trial date: none

TOWNSHIP OF SOUTH BRUNSWICK

Dated: November 6, 2015

By: _____
Donald J. Sears

CERTIFICATION OF SERVICE

I hereby certify that I caused to be served the original and one copy of the within Notice of Motion, brief and appendix in support of the Motion, as well as a proposed form of Order and Certification of Service, by delivering same on this date to the Middlesex County Clerk – Law Division, Superior Court of New Jersey, 56 Paterson Street, P.O. Box 964, New Brunswick, New Jersey 08903-0964, with a copy served upon the Hon. Douglas K. Wolfson, J.S.C., Superior Court of New Jersey, Middlesex County Courthouse, 56 Paterson Street, P.O. Box 964, New Brunswick, New Jersey 08903-0964 and all parties of record, on notice to all interested parties as set forth in the accompanying Certification of Service.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

TOWNSHIP OF SOUTH BRUNSWICK

Dated: November 6, 2015

By: */Donald J. Sears*
Donald J. Sears