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Attorney for Defendant,
Township of Hazlet

HIGHVIEW HOMES, LLC,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION
Plaintiff,	:	MONMOUTH COUNTY
	:	
v.	:	DOCKET NO. MON-L-4224-15
	:	
TOWNSHIP OF HAZLET and	:	
PLANNING BOARD OF THE	:	
TOWNSHIP OF HAZLET,	:	CERTIFICATION OF
	:	JAMES H. GORMAN
Defendants.	:	

JAMES H. GORMAN, of full age, certifies as follows:

1. I am an attorney at law of the State of New Jersey. I represent the Township of Hazlet in this matter. I have personal knowledge of the facts set forth herein.

2. I also represent the Township in another matter entitled Elegant Properties, LLC v. Township of Hazlet, Docket No. MON-L-1559-08. On July 28, 2008, the Honorable Lawrence A. Lawson, A.J.S.C. entered an order in the Elegant Properties matter, which provided in relevant part, "ORDERED that the Township is granted immunity from further Mount Laurel litigation until such ordinance is adopted and approved by this Court." Ex. A.

3. The July 28, 2008 order of immunity remains in full force and effect.

4. That order also appointed Elizabeth McKenzie, P.P. as the special master, and found (without a hearing or any reports from the special master) that the Township of Hazlet was not in compliance with its Mount Laurel obligation.

5. The Elegant Properties litigation is pending. The reasons for the passage of time in the Elegant Properties litigation are complex, but it should be noted that the Township of Hazlet submitted compliance plans dated March 28, 2009 and September 2011. Holy Family was not included in either plan as Holy Family sought commercial development.

6. Elizabeth McKenzie, P.P. resigned in August 2011 when the Township filed a motion to disqualify her for her conflict of interest with Elegant's then attorney, Douglas Wolfson, Esq. When she resigned, she had not yet commented on the 2009 compliance plan.

7. The current special master, Philip B. Caton, P.P. was appointed by order dated October 17, 2012 (Ex. B). To my knowledge, Mr. Caton has not commented on the 2011 compliance plan.

8. A proposed order is pending in the Elegant Properties case requiring the submission of a third

compliance plan by February 18, 2016. Hazlet is developing that plan.

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 wilfully false, I am subject to punishment.

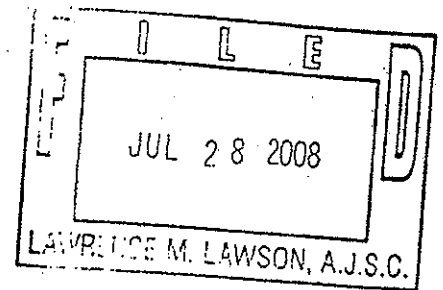
Dated:

1/15/16



JAMES H. GORMAN

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Woodbridge, New Jersey 07095
(732) 549-5600
Attorneys for Plaintiff



ELEGANT PROPERTIES, LLC
Plaintiff

v.

TOWNSHIP OF HAZLET and TOWNSHIP
OF HAZLET PLANNING BOARD,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION : MONMOUTH COUNTY

DOCKET NO. MON-L-1559-08

CIVIL ACTION

ORDER GRANTING PARTIAL SUMMARY
JUDGMENT AND APPOINTING SPECIAL
MASTER

THIS MATTER, having been opened to the Court by plaintiff Elegant Properties, LLC by way of application for an order for partial summary judgment, and the Court having considered the papers submitted by defendant Township of Hazlet and having engaged in colloquy with counsel, and the Court having issued a written opinion on July 18, 2008, and for good cause shown,

IT IS on this 28th day of July, 2008, ORDERED:

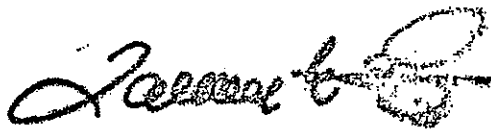
1. For the reasons stated in the court's July 18, 2008 written opinion, plaintiff's motion for partial summary judgment that the Township of Hazlet is not in compliance with its Mount Laurel obligation to provide for affordable housing development, is granted.

2. It is further ORDERED that Elizabeth C. McKenzie, P.P., A.I.C.P. is appointed as special master to oversee the remedial stage of litigation.

3. It is further ORDERED that the Township of Hazlet shall submit to the court within four (4) months a zoning ordinance that is in compliance with relevant constitutional and statutory mandates.

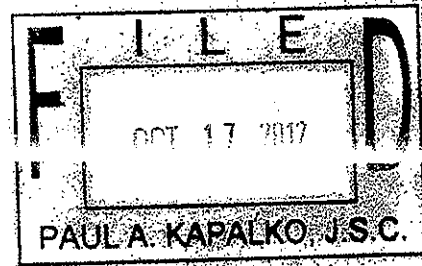
4. It is further ORDERED that the Township is granted immunity from further Mount Laurel litigation until such ordinance is adopted and approved by this Court.

5. It is further ORDERED that a copy of this Order is to be served upon all counsel within seven days of receipt.



Hon. Lawrence M. Lawson, A.J.S.C.

James H. Gorman, Esq.
1129 Broad Street
Shrewsbury, NJ 07702
(732) 542-4200
Attorney for Defendants,
Township of Hazlet



ELEGANT PROPERTIES, LLC, : SUPERIOR COURT OF NEW JERSEY
Plaintiff, : MONMOUTH COUNTY
v. : LAW DIVISION
TOWNSHIP OF HAZLET and : DOCKET NO. MON-L-1559-08
TOWNSHIP OF HAZLET : CIVIL ACTION
PLANNING BOARD, : ORDER APPOINTING
Defendants. : PHILIP B. CATON, P.P.
: AS SPECIAL MASTER
_____ :

THIS MATTER, having been opened by the Court on its own motion, and the Court having verbally advised Philip B. Caton, P.P. of his appointment as the Special Master in this matter, and a formal Order not having previously been entered,

IT IS on this 17th day of October, 2012,

ORDERED that Philip B. Caton, P.P. is appointed as Special Master to oversee the remedial stage of this litigation at the rate of \$240.00 per hour, with his reasonable and itemized bills to be paid 50% percent by the plaintiff and 50% percent by the defendant Township of Hazlet in a timely fashion.

EX B

IT IS FURTHER ORDERED that in the event that a party disputes a bill or a part thereof, the Court shall determine the reasonable fee to be paid to the Special Master upon application by motion to the Court, with notice to Mr. Caton.

IT IS FURTHER ORDERED that a conforming copy of this Order shall be served upon all parties within 7 days from the date of its entry.


Hon. Paul A. Kapako, J.S.C.