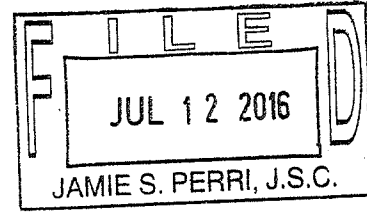


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HIGHVIEW HOMES, LLC,
Plaintiff,

v.

TOWNSHIP OF HAZLET and PLANNING
BOARD OF THE TOWNSHIP OF HAZLET,
Defendants.

SUPERIOR COURT OF NEW JERSEY
MONMOUTH COUNTY
LAW DIVISION

DOCKET No.: MON-L-4224-15

Civil Action

**ORDER GRATING PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

(Mount Laurel)

THIS MATTER having been opened to the Court by James H. Gorman, Esq., attorney for Defendants Township of Hazlet and Planning Board of the Township of Hazlet, on notice to Bisgaier Hoff, LLC, attorneys for Plaintiff, Highview Homes, LLC, by way of Motion for Summary Judgment to Dismiss Complaint; and by Plaintiff by way of Cross-Motion for Partial Summary Judgment; and the Court having considered the pleadings on file and the argument of the parties; and for the reasons set forth on the record by the Court; and for good cause shown,

IT IS, therefore on this 2nd day of July, 2016,

1. ORDERED that Defendants Motion for Summary Judgment to Dismiss the Complaint is **DENIED**.

2. ORDERED that Plaintiffs Cross-Motion for Partial Summary Judgment that the Township of Hazlet is not in compliance with its Second Round (1987-1999) and Third Round (1999-2025) Mount Laurel obligation is **GRANTED**.

DENIED

3. ORDERED that Philip Cotton is hereby appointed as Special Master to oversee the remedial stage of litigation.

4. ORDERED that the Township of Hazlet shall, within thirty (30) days, submit to the Court a revised Housing Element and Fair Share Plan that addresses the entirety of the Township's Second Round Mount Laurel Obligation and address a preliminary Third Round Mount Laurel Obligation consistent with the November 20, 2015 preliminary calculations of Richard B. Reading.

5. ORDERED that Highview shall provide to the Township and Special Master a copy of its proposed inclusionary development concept, which shall serve as the basis for Highview's claim for builder's remedy relief in this matter.

6. ORDERED a case management conference ^{has been conducted to} to establish discovery deadlines and address other case management issues relative to the remedial stage of this litigation and resolution of the Township's Third Round Mount Laurel obligation, ^{to case management conference will be} shall be conducted before this Court on

November 2, 2016 at 10 AM / PM.

motion opposed

BY THE COURT:

Findings of the Court were set forth on record on 7/12/16.

[Signature]
HON. JAMIE S. PERRI, J.S.C.

SEE COMPANION ORDER