

**ECKERT SEAMANS CHERIN & MELLOTT, LLC**

David M. Roskos, Esq. (NJ Bar ID #026561982)

Edgar Alden Dunham, Esq. (NJ Bar ID #023401988)

Physical Address: 2000 Lenox Drive, Suite 203, Lawrenceville, NJ 08648

Mailing Address: P. O. Box 5404, Princeton, NJ 08543

Telephone: (609) 392-2100

Facsimile: (609) 392-7956

Attorneys for Third Party Defendant, The Church of the Holy Family

HIGHVIEW HOMES, LLC,

Plaintiff,

v.

TOWNSHIP OF HAZLET and  
PLANNING BOARD OF HAZLET.

Defendants.

and

TOWNSHIP OF HAZLET,

Defendant/Third Party

Plaintiff,

v.

THE CHURCH OF THE HOLY FAMILY,

Third Party Defendant.

SUPERIOR COURT OF NEW JERSEY  
MONMOUTH COUNTY, LAW DIVISION,  
DOCKET NO.: MON-L-4224-15

Civil Action

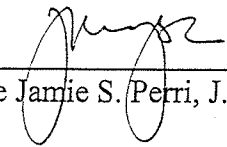
**ORDER DISMISSING THIRD PARTY  
COMPLAINT BROUGHT BY THE  
TOWNSHIP OF HAZLET AGAINST  
THE CHURCH OF THE HOLY FAMILY**

This matter having been opened to the Court upon the application of Eckert Seamans Cherin & Mellott, LLC, attorneys for third party defendant The Church of The Holy Family ("Holy Family"), for an order dismissing the third party complaint brought by the Township of Hazlet ("Hazlet") against Holy Family for failure to state a claim upon which relief can be granted, upon notice to all counsel of record and the Court having read the papers submitted in support of and in opposition to the within motion and having heard the oral arguments of counsel, if any; and for good cause shown;

It is on this 18<sup>th</sup> day of November, 2016

**ORDERED** as follows:

1. Holy Family's motion is hereby **GRANTED**;
2. Hazlet's third party complaint against Holy Family is hereby dismissed ~~for failure to state a claim upon which relief can be granted; and~~
3. Holy Family is not a "necessary and indispensable" party; and
4. Holy Family is not required to be joined pursuant to R. 4:28-1; and
5. A copy of this Order shall be served by defendant's counsel upon all counsel in this matter by ordinary mail within seven (7) days of receipt from the Court of a conformed copy of this Order.

  
\_\_\_\_\_  
Honorable Jamie S. Perri, J.S.C.

THIS MOTION IS

Opposed:  \_\_\_\_\_

Unopposed:  \_\_\_\_\_

Findings of the Court were set forth on  
Record on 11/18/16.