

ENTERED ON ACMS

FILED

AUG 10 2015

STEPHAN C. HANSBURY  
PROBING JUDGE  
CHANCERY DIVISION

**PREPARED BY THE COURT:**

IN THE MATTER OF THE  
APPLICATION OF THE TOWNSHIP  
OF CHATHAM FOR A  
DETERMINATION OF MOUNT  
LAUREL COMPLIANCE,

Petitioner.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MORRIS COUNTY  
Docket No. MRS-L-1659-15

Civil Action

**ORDER GRANTING TEMPORARY  
IMMUNITY FOR MT. LAUREL  
LAWSUITS AND SCHEDULING ORDER**

**THIS MATTER**, having come before the Court by DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. (Steven A. Kunzman, Esq. appearing) counsel for Petitioner, **TOWNSHIP OF CHATAHM**, for an order granting the Petitioner temporary immunity from the filing and serving of any third-party or builder's remedy lawsuits; and the Court having considered the application; and for good cause shown;

**IT IS** on this 10<sup>th</sup> day of August, 2015;

**ORDERED**, as follows:

1. Immunity preventing the filing of any builder's remedies as to the **TOWNSHIP OF CHATHAM** is granted, which immunity will expire on January 4, 2016.
2. Each Petitioner shall submit its report regarding its fair share housing obligation on or before October 5, 2015.

3. In the event that any other party wishes to submit a report regarding its fair share housing obligation, that party must first seek intervention and, if granted, must submit its report by October 5, 2015.

4. A case management conference will be held on October 6, 2015, at 11:30 a.m. The conference may be conducted by telephone. Parties are advised that they must coordinate if more than one party wishes to participate by telephone. The municipality shall submit a status report of its progress toward implementing its housing element and fair share plan seven (7) days prior to that date.

5. As soon as practicable thereafter, the Court shall issue a determination preliminarily, if necessary, as to Petitioner's fair share obligation.

6. Petitioner shall submit to the Court and interested parties its housing element and fair share plan on or before January 4, 2016.

7. A second case management conference is scheduled for January 5, 2016, at 11:30 a.m.

9. No party may file any discovery motions in this action without permission of the Court. The parties should first communicate with each other as to outstanding discovery. If unsuccessful, permission may be sought in writing by letter to Chambers which must state that efforts to resolve the issues pursuant to R.1:6-2(c) have failed.

10. The court appoints Philip B. Caton as Special Master with fees to be paid, as allocated pursuant to Mount Laurel II, between Petitioner and Intervenor at an hourly rate of \$250.00. The municipality may use funds from its affordable housing trust fund for the Special Master. The Special Master shall attempt to mediate disputes in the matter as part of the plan preparation process. The Special Master may communicate directly with the Court as either he or the Court deems appropriate.

11. In the event that any party wishes a case management conference other than those ordered herein, that party may communicate in writing with the Court with its reasons and the Court will consider whether to hold a case management conference.

The Court directs that a copy of the within order be served on all parties in this action by Steven A. Kunzman, Esq., attorneys for Petitioner, within seven (7) days of the date hereof.

  
STEPHAN C. HANSBURY, P.J., CH