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IN THE MATTER OF THE APPLICATION
OF THE BOROUGH OF EAST
RUTHERFORD FOR A JUDGMENT OF
COMPLIANCE AND REPOSE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-BERGEN COUNTY

DOCKET NO. : BER-L-005925-15

Civil Action
(Mount Laurel)

**ORDER GRANTING EAST
RUTHERFORD A PERIOD OF TIME TO
COMPLETE AN UPDATED HOUSING
ELEMENT AND FAIR SHARE PLAN AND
FOR TEMPORARY IMMUNITY FROM
EXCLUSIONARY ZONING LAWSUITS
DURING THE PENDENCY OF THIS
LITIGATION.**

THIS MATTER being brought before the court by Richard J. Allen, Jr, Esq., attorney for
Petitioner, the Borough of East Rutherford, for an Order of Temporary Immunity as described in
In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on
Affordable Housing, 221 N.J. 1 (2015) and good cause appearing,

IT IS on this _____ day of _____, 2015

ORDERED that the Borough of East Rutherford is entitled to an initial five (5) month
period from the date that a methodology or formula is established by this Court, or otherwise, to
prepare a constitutionally compliant Housing Element and Fair Share Plan that incorporates the
formula and methodology approved by this trial court or otherwise; and it is further

ORDERED that the Borough of East Rutherford is entitled to temporary immunity from third party lawsuits alleging constitutional noncompliance with the affordable housing requirements, said period of immunity running from the date of the filing of the instant Declaratory Judgment action until this Court issues a Final Judgment of Compliance and Repose to the Borough of East Rutherford for its Housing Element and Fair Share Plan formulated, adopted and approved in accordance with the applicable formula and methodology established by this Court.

ORDERED that a copy of this Order shall be served upon all interested parties according to the New Jersey Supreme Court's Order dated March 10, 2015 within _____ days after receipt by Petitioner's attorney.

J.S.C.

___ Opposed

___ Unopposed