

**FILED**

**NOV 07 2016**

**SUPERIOR COURT OF NJ  
MERCER VICINAGE  
CIVIL DIVISION**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MERCER COUNTY**

**Civil Action  
(Mt. Laurel)**

**SIXTH REVISED SCHEDULING  
ORDER**

**DOCKET NUMBERS:**

**MER-L-1522-15  
MER-L-1538-15  
MER-L-1547-15  
MER-L-1550-15  
MER-L-1556-15  
MER-L-1557-15  
MER-L-1561-15  
MER-L-1573-15**

PREPARED BY THE COURT

**In the Matter of the Application of the  
Township of East Windsor**

**In the Matter of the Application of the  
Township of Lawrence**

**In the Matter of the Application of the  
Township of Robbinsville**

**In the Matter of the Application of the  
Municipality of Princeton**

**In the Matter of the Application of Ewing**

**In the Matter of the Application of the  
Township of Hopewell**

**In the Matter of West Windsor Township**

**In the Matter of the Application of the  
Township of Hamilton**

**Petitioners.**

**THIS MATTER** having been opened by the court to review issues regarding the scheduling of the methodology trial in the Mercer County Mt. Laurel litigation; and counsel for the municipalities asking the court to adjourn the trial dates until the Supreme Court issues a ruling regarding whether any fair share obligation needs to be calculated for the “gap period;” and the court rejecting the municipalities’ request to adjourn the January 2017 dates, but agreeing to adjourn the December 2016 trial dates for the sake of consistency in trial presentation because it appears that the trial may last many days beyond the December 2016 dates originally identified by the court; and the court recognizing the need to add additional dates to those already scheduled in January 2017 in light of the anticipated length of the trial; and the court intending to proceed with

trial in January 2017 even if the Supreme Court has not issued a decision on the “gap period;” and the court providing further direction to the parties regarding the conduct of the trial; and the court further addressing the extension of temporary immunity for every remaining municipality in the Mercer County Mt. Laurel litigation except for East Windsor; and for good cause shown, for the reasons set forth on the record on November 4, 2016:

**IT IS** this 7<sup>th</sup> day of November, 2016, **HEREBY ORDERED** that:

1. The prior briefing schedule shall be vacated and replaced with the schedule set forth in this order. Firstly, the trial dates of December 5-6 and December 12-14, 2016, are cancelled. The following schedule shall apply:
  - a. The Mt. Laurel methodology trial for Mercer County Municipalities shall now start on January 9, and continue on January 10, 11, 17, 18, 19, 23, 24, 25, 30, and 31, and February 1, 6 and 7, 2017. The trial will begin at 9:30 a.m. each day, with more dates to be added if necessary.
  - b. Trial briefs shall be submitted by December 5, 2016.
  - c. A telephone pre-trial conference shall be held on December 12, 2016 at 2:00 p.m.
2. The municipalities shall be prepared at the pre-trial conference on December 12, 2016, to discuss extensions of temporary immunity.
3. Lead counsel for the municipalities shall be Jeffrey Surenian, Esq., and Edward Buzak, Esq. Lead counsel for Fair Share Housing shall be Kevin Walsh, Esq., and Adam Gordon, Esq. Lead counsel for the builders/intervenor developers shall be Thomas Carroll, Esq., Stephen Eisdorfer, Esq., and Richard Hoff, Esq. .

4. The court encourages the parties to continue to pursue settlement efforts in cooperation with the Special Masters.
5. All parties will file two copies of any submissions with the court.

  
Mary C. Jacobson, A.J.S.C.