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the Municipality of Princeton**\_\_\_\_\_  
PRINCETON COALITION FOR  
RESPONSIBLE DEVELOPMENT, INC.,

Plaintiff,

vs.

MUNICIPALITY OF PRINCETON  
PLANNING BOARD, and MAYOR &  
COUNCIL OF THE MUNICIPALITY OF  
PRINCETON,Defendants.  
\_\_\_\_\_)  
) SUPERIOR COURT OF NEW JERSEY  
) LAW DIVISION  
) MERCER COUNTY

) DOCKET NO.: MER-L-000100-24

) CIVIL ACTION)  
) **ORDER**  
) **GRANTING DEFENDANT MAYOR &**  
) **COUNCIL OF THE MUNICIPALITY OF**  
) **PRINCETON'S MOTION FOR**  
) **JUDGMENT ON THE PLEADINGS**  
)

**THIS MATTER** having come before the court upon Defendant, the Mayor & Council of the Municipality of Princeton's Motion for Judgment on the Pleadings pursuant to Rule 4:6-2(e), for Plaintiff's failure to state a claim upon which relief may be granted against the Mayor & Council, and the Court having considered the submissions and matters of record submitted by the parties, as well as the arguments of counsel, if any, and good and sufficient cause having been shown for entry of this Order, and for the reasons placed on the record this date;

**IT IS** on this 10th day of May, 2024, **ORDERED** as follows:

1. Defendant, Mayor & Council of the Municipality of Princeton's Motion for Judgment on the Pleadings Pursuant to Rule 4:6-2(e), for Plaintiff, Princeton Coalition for

Responsible Development Inc.'s failure to state a claim upon which relief can be granted against the Mayor & Council, is hereby GRANTED.

2. Plaintiff's Complaint, as to Defendant, Mayor & Council of the Municipality of Princeton, is hereby DISMISSED WITH PREJUDICE.

/s/ Robert Lougy

HON. ROBERT LOUGY, A.J.S.C.

Opposed ☐

Unopposed ☒

**STATEMENT OF REASONS:** The Court grants the moving party's unopposed application for judgment on the pleadings. Plaintiffs' claims allege various defects in the Planning Board's adoption of the Municipality's 2023 Master Plan and Reexamination Report. The complaint contains no allegations against the Mayor and Council of the Municipality, as that Defendant has no role in the challenged process or resulting document. Even if all of the Plaintiffs' allegations against the Planning Board are proven true, they would still not be entitled to judgment against the Mayor and Council. Any speculative objection that Plaintiffs might have against any future unintroduced, unspecified ordinance that the Council and Mayor may entertain are purely that – speculative – and are not suitable for adjudication on the merits or for the issuance of prophylactic injunctive relief. Accordingly, the Court grants moving Defendants' application for a judgment on the pleadings.