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May 7, 2024

Via Electronic Filing

Honorable Robert T. Lougy, A.J.S.C.
Superior Court of New Jersey
Mercer County Criminal Courthouse
400 South Warren Street, 4th Floor
Trenton, NJ 08608

RE: ***Princeton Coalition for Responsible Development, Inc. vs. Municipality of Princeton
Planning Board and Mayor & Council of the Municipality of Princeton***
Docket No. MER-L-000100-24

Dear Judge Lougy:

This office represents Defendant, the Mayor & Council of the Municipality of Princeton (the “Mayor & Council”), with respect to the above matter. Currently pending before the Court is the Mayor & Council’s Motion for Judgment on the Pleadings Pursuant to R. 4:6-2(e), with an original return date of April 26, 2024. By court notice entered on April 29, said motion was adjourned to Friday, May 10 for administrative purposes as “[t]he Court anticipates that the parties will resolve this motion by consent.” ***Please be advised that the parties are unable to resolve this motion by consent, the motion is unopposed, and as such, the Mayor & Counsel respectfully requests that the Court grant its pending motion and dismiss Plaintiff’s Complaint against the Mayor & Council with prejudice.***

Following the March 21 case management conference, Plaintiff’s counsel, Robert Simon, Esq., and I did have an opportunity to discuss this case in detail. However, I was unable to obtain Plaintiff’s voluntary dismissal of the Mayor & Council from the case, despite the fact that no claims, counts or causes of action were brought against the municipal governing body. Thus, on March 26th, I filed the pending motion to have the Mayor & Council dismissed from the action. The motion was unopposed and Princeton expected that the motion would be granted on its April 26 return date. It was therefore surprising to receive the Court’s notice thereafter advising that the motion was being adjourned upon the anticipation that the Parties were resolving the motion by consent.

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Mr. Simon and I did have an opportunity to speak again yesterday and unfortunately, we are still unable to resolve this motion by consent. As such, the Mayor & Council respectfully requests that its submitted form of Order be entered, granting its Motion for a Judgment on the Pleadings and dismissing this action with prejudice as to the Mayor & Council.

Should the Court have any questions or need any further information, please let me know. Your Honor's attention to this matter is greatly appreciated.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kevin A. Van Hise", with a long horizontal flourish extending to the right.

Kevin A. Van Hise
Attorney ID # 016382003

cc: (via E-Courts and Email)
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(via Email only)
Municipality of Princeton