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IN THE MATTER OF THE
APPLICATION OF THE BOROUGH OF
MATAWAN FOR A DECLARATORY
JUDGMENT

Petitioner.

[IMO BOROUGH OF MATAWAN, MT.
LAUREL]

160 MAIN, LLC,

Plaintiff,

v.

THE BOROUGH OF MATAWAN AND
THE MAYOR AND COUNCIL OF THE
BOROUGH OF MATAWAN,

Defendant,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

DOCKET NO.: MON-L-000410-22
(consolidated)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

DOCKET NO.: MON-L-000513-22

CIVIL ACTION

ORDER

This matter having been brought to the Court upon a Declaratory Judgment Complaint docketed as MON-L-410-22 (the “DJ Action”) by Petitioner, Borough of Matawan (the “Borough”) through its attorneys, Rainone Coughlin Minchello, LLC, seeking a determination that the Borough has complied with its Mount Laurel obligations, in accordance with the procedures set forth in In Re 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 the Interested Party-Plaintiff, 160 Main, LLC (“160 Main, LLC”) having filed a Builder’s Remedy suit thereafter under Docket No. MON-L-513-22 (the “Builder’s

Remedy Action”), which the Court consolidated with the DJ Action; and the Court having entered a Case Management Order on May 22, 2024 suspending the discovery period and all discovery deadlines in anticipation of settlement agreement(s) to resolve the DJ Action and Builder’s Remedy Action; and the parties having negotiated a Settlement Agreement to resolve the Builder’s Remedy Action (the “Settlement Agreement”); and the Court having held a telephonic Case Management Conference on January 22, 2025; and for other good cause shown;

IT IS this on this 3rd day of March, 2025:

ORDERED that a Fairness Hearing in the above matter will be held on **Monday, April 7, 2025 beginning at 9 a.m.** The hearing will be held virtually, with all participants joining in from remote locations and with access available to the public to participate. A further docket entry or further order shall be issued by the Court with instructions for the public to attend the hearing. Notice of the hearing shall be published by the Borough by March 7, 2025, with instructions provided to access the Settlement Agreement and to submit written objections. Written objections to the Settlement Agreement shall be due March 14, 2025. Responses by the Borough or 160 Main, LLC to any written objections shall be due March 21, 2025. The Special Adjudicator’s report concerning the Settlement Agreement shall be due March 28, 2025, and shall be made available for review pursuant to Court filing.

IT IS FURTHER ORDERED that the Borough is hereby immune from any and all exclusionary lawsuits through May 7, 2025, which is one month past the scheduled Fairness Hearing date, unless extended by further order.

IT IS FURTHER ORDERED that this Order shall be served upon all interested parties within seven (7) days of the date hereof.

IT IS FURTHER ORDERED that a copy of this Order shall be posted by the Township

on the Township's website and shall also be published in a newspaper of general circulation in the area at least thirty (30) days prior to April 7, 2025.

AND IT IS FURTHER ORDERED that service of the executed Order shall be deemed effectuated upon all parties upon its upload to eCourts.

/s/ Kathleen A. Sheedy
HON. KATHLEEN A. SHEEDY, J.S.C.