

FILED

AUG 26 2015

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J.S.C.

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LANDMARK DUMONT, LLC

Plaintiff,

vs.

BOROUGH OF DUMONT, A MUNICIPAL
CORPORATION OF THE STATE OF NEW
JERSEY, COUNTY OF BERGEN; THE
MAYOR AND COUNCIL OF THE BOROUGH
OF DUMONT; AND THE PLANNING
BOARD OF THE BOROUGH OF DUMONT

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

Docket No. BER-L-001297-14

Civil Action

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

Docket No. BER-L-6065-15

Civil Action

IN THE MATTER OF THE APPLICATION OF
THE BOROUGH OF DUMONT, A
MUNICIPAL CORPORATION OF THE
STATE OF NEW JERSEY

CONSENT ORDER PERMITTING
LANDMARK DUMONT, LLC TO
INTERVENE IN DECLARATORY
JUDGMENT ACTION AND FOR
CONSOLIDATION

THIS MATTER having been opened to the Court upon the joint request of Gregg F. Paster & Associates (Gregg F. Paster, Esq., appearing) attorneys for the Borough of Dumont, and Beattie Padovano, LLC (Antimo A. Del Vecchio, Esq., appearing), attorneys for Landmark Dumont, LLC, for an Order granting Landmark Dumont, LLC permission to intervene as a

defendant in the action captioned "IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF DUMONT, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY" bearing docket number BER-L-6065-15, and consolidating that action with an action captioned "LANDMARK DUMONT, LLC vs. BOROUGH OF DUMONT, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, COUNTY OF BERGEN; THE MAYOR AND COUNCIL OF THE BOROUGH OF DUMONT; AND THE PLANNING BOARD OF THE BOROUGH OF DUMONT", which bears docket number BER-L-1297-14, and it appearing that the parties have consented to the entry of this Order, and for good cause shown;

IT IS on this 21st day of August, 2015,

ORDERED as follows:

1. The action captioned IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF DUMONT, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY" bearing docket number BER-L-6065-15 and the action captioned "LANDMARK DUMONT, LLC vs. BOROUGH OF DUMONT, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, COUNTY OF BERGEN; THE MAYOR AND COUNCIL OF THE BOROUGH OF DUMONT; AND THE PLANNING BOARD OF THE BOROUGH OF DUMONT", which bears docket number BER-L-1297-14, shall be and hereby are consolidated pursuant to R. 4:38-1.

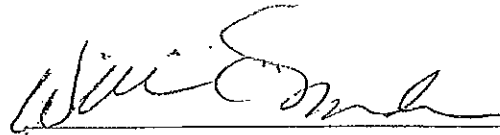
2. Landmark Dumont, LLC shall be permitted to intervene in the action bearing docket number BER-L-6065-15 as a defendant. In the context of the action bearing docket number BER-L-6065-15 only, Landmark Dumont, LLC's intervention is limited to determining Dumont's constitutional affordable housing compliance only. The limitation on the intervention contained in this paragraph shall only apply to the matter bearing docket number BER-L-6065-

15.

3. Landmark Dumont, LLC shall file its answer to the Verified Complaint of the Borough of Dumont and any responsive papers to the Borough of Dumont's Order to Show Cause in the action bearing docket number BER-L-6065-15 by September 15, 2015

4. The Borough of Dumont's ~~Order to Show Cause~~ ^{Motion for an Order of Temporary Immunity} in the action bearing docket number BER-L-6065-15 and Landmark's motion to reinstate Counts 1 and 2 of the Complaint in the action bearing docket number BER-L-1297-14 shall be returnable on August 21, 2015 before Hon. William C. Meehan, J.S.C.

IT IS FURTHER ORDERED that Landmark Dumont, LLC's counsel shall serve a copy of this Order on all counsel of record and the interested party service list within 7 days from the date of receipt hereof.



WILLIAM C. MEEHAN, J.S.C.
Retired on Recall

The undersigned counsel consent to the form and entry of the foregoing Order

GREGG F. PASTER & ASSOCIATES
Attorneys for the Borough of Dumont

By: 

Gregg F. Paster, Esq.

August
Dated: July 5, 2015

BEATTIE PADOVANO, LLC
Attorneys for Landmark Dumont, LLC

By: 

Antimo A. Del Vecchio, Esq.

A member of the firm

Dated: July 31, 2015