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IN THE MATTER OF THE APPLICATION  
OF THE BOROUGH OF EAST  
RUTHERFORD FOR A JUDGMENT OF  
COMPLIANCE AND REPOSE

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-BERGEN COUNTY

DOCKET NO. : BER-L-005925-15

Civil Action  
(Mount Laurel)

**ORDER GRANTING EAST  
RUTHERFORD A PERIOD OF TIME TO  
COMPLETE AN UPDATED HOUSING  
ELEMENT AND FAIR SHARE PLAN AND  
FOR TEMPORARY IMMUNITY FROM  
EXCLUSIONARY ZONING LAWSUITS  
DURING THE PENDENCY OF THIS  
LITIGATION.**

THIS MATTER being brought before the court by Richard J. Allen, Jr, Esq., attorney for  
Petitioner, the Borough of East Rutherford, for an Order of Temporary Immunity as described in  
In the Matter of the 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 good cause appearing,

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2015

ORDERED that the Borough of East Rutherford is entitled to an initial five (5) month  
period from the date that a methodology or formula is established by this Court, or otherwise, to  
prepare a constitutionally compliant Housing Element and Fair Share Plan that incorporates the  
formula and methodology approved by this trial court or otherwise; and it is further

ORDERED that the Borough of East Rutherford is entitled to temporary immunity from third party lawsuits alleging constitutional noncompliance with the affordable housing requirements, said period of immunity running from the date of the filing of the instant Declaratory Judgment action until this Court issues a Final Judgment of Compliance and Repose to the Borough of East Rutherford for its Housing Element and Fair Share Plan formulated, adopted and approved in accordance with the applicable formula and methodology established by this Court.

ORDERED that a copy of this Order shall be served upon all interested parties according to the New Jersey Supreme Court's Order dated March 10, 2015 within \_\_\_\_\_ days after receipt by Petitioner's attorney.

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J.S.C.

\_\_\_\_ Opposed

\_\_\_\_ Unopposed