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<p>BOROUGH OF BAY HEAD, SAVE BARNEGAT BAY, and BEVERLY FURZE</p> <p>Plaintiff,</p> <p style="text-align: center;">V.</p> <p>NEW JERSEY TRANSIT</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY</p> <p>OCEAN COUNTY LAW DIVISION</p> <p>DOCKET NO.: OCN-L- 1082 -20</p> <p style="text-align: center;">ORDER TO SHOW CAUSE</p>
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THIS MATTER having been opened to the Court by Plaintiffs, Borough of Bay Head, Save Barnegat Bay and Beverly Furze by way of the filing of a Verified Complaint, and the Court having reviewed the Verified Complaint, Certification and other supporting documents, and the Defendant having been given notice of same, and the Court being satisfied that Plaintiffs will be irreparably injured if the temporary injunctive relief referred to herein is not granted, and for good cause shown;

IT IS ON THIS 11th day of May, 2020,

ORDERED that the Defendant is hereby preliminarily enjoined and restrained from the performance of any construction or land disturbance associated with the construction of the electrical substation and associated utility improvements in the Borough of Bay Head on

the property located at Block 17, Lots 1 and 2, Block 4, Lot 1, Block 3.02, Lot 18, Block 21, Lot 2, and Block 20, Lots 1 and 2; and it is

ORDERED that the Defendant show cause before the Court on the 5th day of June, 2020, why the restraints imposed above shall not continue permanently; and it is further

ORDERED that

1. A copy of this Order to Show Cause, verified complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the Defendant personally within four (4) days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.
2. Plaintiffs must file with the Court its proof of service of the pleadings on the Defendant no later than three (3) days before the return date.
3. Defendant shall file and serve a written response to this Order to Show Cause and proof of service by the 29th day of May, 2020.
4. The original documents must be filed with the Clerk of the Superior Court in the County listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to the Chambers of the Honorable Mark A. Troncone, J.S.C., whose address is 100 Hooper Avenue, Courtroom 3 First Floor, Toms River, New Jersey, 08753. You must also send a copy of your opposition papers to the Plaintiffs' attorney whose name and address appears above. A telephone call will not protect your rights; you must file your opposition and pay the required fee and serve your opposition upon your adversary, if you want the Court to hear your opposition to the injunctive relief Plaintiffs are seeking.
5. Plaintiffs must file and serve any written reply to the Defendant's Order to Show Cause opposition by the 3rd day of June, 2020. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge Troncone.

6. If the Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default; provided that the Plaintiffs file a proof of service and a proposed form or order at least three days prior to the return date.
7. If Plaintiffs have not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.
8. Defendant take notice that the Plaintiffs have filed a lawsuit against you in the Superior Court of New Jersey. The Verified Complaint attached to this Order to Show Cause states the basis of the lawsuit. If you dispute this complaint you or your attorney must file a written answer to the complaint and proof of service within 35 days from the date of service of this Order to Show Cause; not counting the day you received it.
9. These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$135.00 filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the Plaintiff's attorney whose name and address appear above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve and Answer within 35 days of this Order, the Court may enter a default against you for the relief Plaintiffs demand.
10. If you cannot afford an attorney, you may call the Legal Service office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer referral Services. A list of these numbers is also provided.
11. The Court will entertain argument, but not testimony, on the return date of the

Order to Show Cause, unless the Court and parties are advised to the contrary
no later than 7 days before the return date.

Mark A. Troncone

Hon. Mark A. Troncone, J.S.C.