

DAY PITNEY LLP

ONE JEFFERSON ROAD
PARSIPPANY, N.J. 07054
(973) 966-6300

CRAIG M. GIANETTI, ESQ.

ATTORNEY ID NO. 03651 2003

Attorneys for Defendant-Intervenor, SV Chatham PO JV LLC

IN THE MATTER OF THE BOROUGH OF CHATHAM MOUNT LAUREL COMPLIANCE

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION MORRIS COUNTY
: DOCKET NO.: MRS-L-1906-15

:
: (CIVIL ACTION- *MOUNT LAUREL*)
:

: **ORDER GRANTING SV CHATHAM
PO JV LLC MOTION TO
INTERVENE AND MOTION TO
ENFORCE LITIGANT'S RIGHTS**

THIS MATTER having been opened to the Court upon the motion of Day Pitney LLP, attorneys for proposed Defendant-Intervenor SV Chatham PO JV LLC, on notice to Jonathan E. Drill, Esq. of Stickel, Koenig, Sullivan, & Drill, LLC, attorneys for the Borough of Chatham, and upon notice to all other counsel on the service list attached to the Notice of Motion; and the Court having considered the papers submitted by the parties in support of and in opposition to the application; and having heard the arguments of counsel, if any; and good cause having been shown therefor;

IT IS on this _____ day of _____, 2022,

ORDERED as follows:

(1) The motion of proposed Defendant-Intervenor SV Chatham PO JV LLC ("*SV*") to intervene in this matter as an interested party, be, and the same hereby is, GRANTED. SV shall file its Answer within 14 days of this Order.

(2) The motion of SV to enforce litigant's rights pursuant to the settlement agreement dated November 7, 2016 by and between the Borough of Chatham and Fair Share Housing Center, as amended by that certain First Amendment to Settlement Agreement dated June 14, 2021 in this matter, be, and the same hereby is, GRANTED.

(3) The Borough, with the assistance of the court-appointed special master, shall enter into a redeveloper's agreement with SV for the 100 unit development with 15 affordable units on the Post Office Plaza Redevelopment Area by _____, 2022. If the Borough has not entered into such an agreement by that time, the Borough's immunity from builder's remedy lawsuits will be stripped.

(4) The rights of SV to seek other relief may be addressed in further proceedings in this action.

(5) A true copy of this Order shall be served upon all counsel of record within seven (7) days of receipt of same by counsel for SV as entered by the Court. For these purposes service by e-filing shall suffice.

HON. MICHAEL C. GAUS, J.S.C.

Opposed _____

Unopposed _____