

FILED

AUG 24 2015

PREPARED BY THE COURT

**SUPERIOR COURT OF NJ
MERCER VICINAGE
CIVIL DIVISION**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION -
MERCER COUNTY**

**IN RE BOROUGH OF HIGHTSTOWN
COMPLIANCE WITH THIRD ROUND
MOUNT LAUREL AFFORDABLE
HOUSING OBLIGATION**

DOCKET NO. MER-L-1568-15

CIVIL ACTION

**ORDER GRANTING MOTION FOR
TEMPORARY IMMUNITY**

**Attorney for Plaintiff:
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ANSELL GRIMM & AARON PC
1500 Lawrence Avenue
CN7807
Ocean, NJ 07712**

THIS MATTER having been opened to the court by way of a motion for temporary immunity, filed by plaintiff; and no party having opposed the motion for temporary immunity; and the court having reviewed the briefs; and the court having heard oral argument on the motion on August 21, 2015; and Mount Laurel IV having encouraged trial judges presiding over affordable housing cases to liberally appoint masters to assist them in deciding the various issues that arise in such cases; and the court being satisfied that Elizabeth McKenzie is well qualified to serve in this capacity; and for the reasons set forth on the record, and for good cause shown:

IT IS on this 24th day of August, 2015, **ORDERED** that:

1. The Borough of Hightstown's motion for temporary immunity is **GRANTED**. The Borough of Hightstown is immune from builder's remedy lawsuits for five months starting retroactively on July 8, 2015. No such builder's remedy lawsuits shall be filed against the Borough of Hightstown during this period of temporary immunity.

2. The court hereby appoints Elizabeth McKenzic to serve as a special master in this case. The special master shall be compensated at a rate of \$250 per hour. Fair Share Housing Center will not be directed to pay the special master's fees.
3. Petitioner shall post this order on the Borough's website within 7 days of receipt of this order.



MARY C. JACOBSON, A.J.S.C.