

SUPERIOR COURT OF NEW JERSEY

Margaret Goodzeit
Presiding Judge Chancery



Somerset County Court House
P.O. Box 3000
Somerville, New Jersey 08876
(908)203-6024

FAX TRANSMISSION

DATE: 12/22/15

TO: Paul Grosswald

FROM: Christine Mansour, Law Clerk to the Hon. Margaret Goodzeit, P.J. Ch.

FAX#: 212.671.1321

RE: Freedom From Religion Foundation and David Steketee v. Morris County Board of Chosen Freeholders, et al.

OF PAGES: 5 (including this cover page)

COMMENTS: _____

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DEC 22 2015
SUPERIOR COURT SOMERSET COUNTY

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FFRF & David Steketee

FREEDOM FROM RELIGION
 FOUNDATION and DAVID STEKETEE,

Plaintiffs,

- against -

MORRIS COUNTY BOARD OF CHOSEN
 FREEHOLDERS; THE MORRIS COUNTY
 PRESERVATION TRUST FUND REVIEW
 BOARD; and JOSEPH A. KOVALCIK JR.
 (in his official capacity as Morris County
 Treasurer),

Defendants.

SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION: MORRIS COUNTY

DOCKET NO. ~~MCS C-159-15~~
 SOM C-12089-15

Civil Action

**ORDER TO SHOW CAUSE FOR
 INTERLOCUTORY INJUNCTION**

THIS MATTER being brought before the court by Paul S. Grosswald, attorney for Plaintiffs Freedom From Religion Foundation ("FFRF") and David Steketee, seeking relief by way of interlocutory injunction at the return date set forth below pursuant to Rule 4:52-1(a), based upon the facts set forth in the Verified Complaint filed herewith and for good cause shown, it is on this 1st day of December, 2015,

ORDERED that Defendants, the Morris County Board of Chosen Freeholders, the Morris County Preservation Trust Fund Review Board, and Joseph A. Kovalcik, Jr. ("Defendants") appear and show cause before the Superior Court at the Morris County Courthouse in Morristown, New Jersey at ~~10~~^{1:30} o'clock in the ~~morning~~^{afternoon} or as soon thereafter as counsel can be heard, on the ~~2nd~~^{1st} day of ~~January~~^{February}, 2016 why an order should not be issued

preliminarily enjoining and restraining the Defendants from:

- A. Engaging in, continuing to engage in, or doing any acts or practices in violation of Article 1, § 3 of the New Jersey Constitution, including, but not limited to, the acts or practices alleged in the Verified Complaint;
- B. Distributing any funds from the Morris County Historical Trust Fund to any church, place of worship, or ministry listed in Exhibit 3 attached to the Verified Complaint; and
- C. Granting such other relief as the court deems equitable and just.

IT IS FURTHER ORDERED THAT:

1. A copy of this Order to show Cause, Verified Complaint with attached exhibits, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the Defendant(s) personally or by mail within three (3) days of the date hereof, in accordance with Rule 4:4-3 and Rule 4:4-4, this being original process.
2. The Plaintiff must file with the court their proof of service of the pleadings on the Defendant no later than three (3) days before the return date.
3. Defendant(s) shall file and serve a written response to this Order to Show Cause and the request for entry of injunctive relief and proof of service by ~~December 18, 2015~~ ^{January 19, 2015}. The original documents must be filed with the clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf. You must send a copy of your opposition papers directly to The Honorable ~~Stephen C. Hansbury~~ ^{Margaret Goodzeit}, whose address is Superior Court of New Jersey, Chancery Division, General Equity Part, ~~Morris~~ ^{Somerset}

20 North Bridge St, Somerville, NJ 08876
County, ~~56 Washington Street, Morristown, NJ 07960~~. You must also send a copy of your opposition papers to the Plaintiff's 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 of \$175 and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the Plaintiffs are seeking.

4. Plaintiffs must file and serve any written reply to the Defendant's Order to Show Cause opposition by January 25, 2016. 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 Hansbury.
5. 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 Plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.
6. If the 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.
7. Defendants 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 day of service of this Order to Show Cause; not counting the day you received it. These documents must be filed with the Clerk of the Superior Court in the county listed above.

