

Attorney(s): Lawrence W. Luttrell
Law Firm: Law Offices of Lawrence W. Luttrell, PC
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Holmdel, New Jersey 07733

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Fax No.: (888) 655-7393
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Attorney(s) for Plaintiff(s): Residents Against Government Exploitation, a New Jersey non-profit organization

Residents Against Government Exploitation, a New Jersey non-profit organization

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

Plaintiff(s)

vs.

Monmouth County c/o Andrea Bazer, Esq.

DOCKET NO. L-001502-13

Defendant(s)

CIVIL ACTION

Summons

From the State of New Jersey

To the Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is provided and available in the Civil Division Management Office in the county listed above or online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$ 135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services Office in the county where you live or the Legal Services of New Jersey statewide hotline at 1-888-LSNJ-LAW (576-5529). 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 directory with contact information for local Legal Services Offices and Lawyer Referral Services is provided and available online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

Dated: May 6, 2013

Jennifer M. Perez, Clerk

Clerk of the Superior Court

Name of Defendant to be Served: Monmouth County c/o Andrea Bazer, Esq.

Address of Defendant to be Served: Hall of Records, Room 236, 1 East Main Street, Freehold, New Jersey 07728

Directory of Superior Court Deputy Clerk Offices County Lawyer Referral and Legal Services Offices

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., First Floor
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main Street
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Floor, Court Facility
49 Rancocas Road
Mount Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(800) 496-4570

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
First Floor, Hall of Justice
101 South Fifth Street, Suite 150
Camden, NJ 08103
LAWYER REFERRAL
(856) 964-4520
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
9 North Main Street
Cape May Court House, NJ 08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street, P.O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

ESSEX COUNTY:

Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Floor, Court House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Dept.
Brennan Courthouse, First Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 735-2611
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 South Broad Street, P.O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court
Middlesex Vicinage, Second Floor - Tower
56 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington and Court Streets, P.O. Box 910
Morristown, NJ 07960-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk of the Superior Court
Attn: Civil Case Management Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division, P.O. Box 3000
40 North Bridge Street
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
First Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office, Court House
413 Second Street
Belvidere, NJ 07823-1500
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(908) 475-2010

Legal Services of New Jersey statewide toll
free hotline 1-888-LSNJ-LAW (576-5529)

TREASURER, STATE OF NJ

RAGE v Monmouth County

4/15/2013

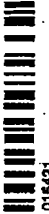
7028

200.00

PAYMENT
PREPARED

ATTORNEY BUSINE RAGE v Monmouth County

200.00





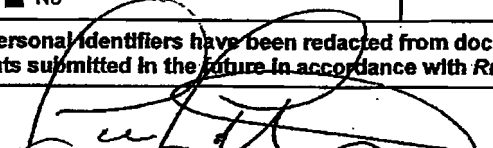
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Rev 11/11

630055 (7/12)

MONMOUTH COUNTY
FINANCE DIV.
CENTRAL FEE OFFICE
04/16/2013 00222
#0524 3:45PM INDRAN10017
LCV COMP #7028 \$200.00
CHECK1 \$200.00

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO. AMOUNT: OVERPAYMENT: BATCH NUMBER:	
	ATTORNEY / PRO SE NAME Lawrence W. Luttrell, Esq.		TELEPHONE NUMBER (732) 872-6900	
	FIRM NAME (if applicable) Law Office Of Lawrence W. Luttrell, PC		COUNTY OF VENUE Monmouth	
	OFFICE ADDRESS 2137 State Route 35, 3rd Floor, Holmdel, NJ 07733		DOCKET NUMBER (when available) DOCUMENT TYPE Complaint JURY DEMAND <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Residents Against Government Exploitation, a New Jersey Non-Profit Corporation, Plaintiff		CAPTION Residents Against Government Exploitation, a New Jersey Non-Profit Corporation vs. Monmouth County		
CASE TYPE NUMBER (See reverse side for listing) 701		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, FOR WHAT LANGUAGE?		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .				
ATTORNEY SIGNATURE: 				



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1*

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- | | |
|--|---|
| 285 STRYKER TRIDENT HIP IMPLANTS | 281 PELVIC MESH/GYNECARE |
| 288 PRUDENTIAL TORT LITIGATION | 292 PELVIC MESH/BARD |
| 289 REGLAN | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| | 623 PROPECIA |

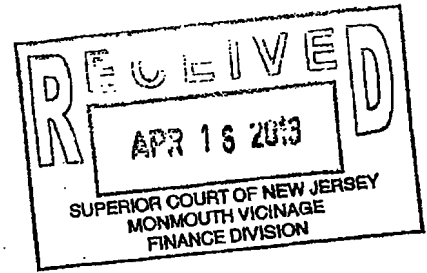
Mass Tort (Track IV)

- | | |
|---------------------------------------|--|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 271 ACCUTANE/SOTRETINOIN | 282 FOSAMAX |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 284 NUVARING |
| 278 ZOMETHA/AREXIA | 286 LEVAQUIN |
| 279 GADOLINIUM | 287 YAZ/YASMIN/OCELLA |
| | 601 ASBESTOS |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59

LAWRENCE W. LUTTRELL
Law Office of Lawrence W. Luttrell, PC
2137 State Highway 35, 3rd Floor
Holmdel, New Jersey 07733
(732) 872-6900



ATTORNEY FOR PLAINTIFF

Residents Against Government Exploitation,
a New Jersey non-profit corporation,

Plaintiff,

vs.

Monmouth County,

Defendant

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY

CIVIL ACTION

DOCKET NO.:

**COMPLAINT IN LIEU OF
PREROGATIVE WRITS**

The Plaintiff, by and through its undersigned attorney, hereby alleges as follows:

1. The Plaintiff, Residents Against Government Exploitation (hereinafter referred to as "RAGE"), is a duly formed non-profit corporation of New Jersey with members residing in the County of Monmouth.
2. The Defendant, Monmouth County, is a political subdivision of the State of New Jersey governed by a five member Board of Chosen Freeholders and charged with the responsibility of, among other things, administering a taxpayer funded Open Space Trust Fund.
3. The money in the Open Space Trust Fund is used to acquire lands for recreation, conservation and farmland preservation purposes.
4. On or about February 28, 2013, the Defendant, Monmouth County, through its Board of Chosen Freeholders, deliberated and voted on a resolution to disburse money from the

Open Space Trust Fund to acquire a development easement upon real property (hereinafter referred to as the "Resolution").

5. The real property that was the subject of the Resolution was owned by Diamond Developers at Burke Farm, LLC and identified as Lots 8.01 and 9 of Block 69 on the official tax map of Manalapan Township, New Jersey (hereinafter referred to as "the Property").
6. During all relevant times referenced in this Complaint, Andrew Lucas (hereinafter "Lucas") owned and/or maintained a direct or indirect ownership interest in the Property by virtue of his direct or indirect ownership interest in Diamond Developers at Burke Farm, LLC.
7. The Resolution was approved after a deliberation of the Board of Chosen Freeholders and a final vote wherein three members voted in favor of adopting the Resolution and two members voted against it.
8. One of the three members of the Board of Chosen Freeholders that voted in favor of adopting the Resolution was Freeholder, Lillian Burry.
9. In October of 2011, Lucas, on information and belief, hosted a political fundraising event to raise campaign contributions and/or publicity for the benefit of, among others, Monmouth County Freeholder, Lillian Burry.
10. At the time of the above event, Freeholder Burry was running as a political candidate in the election for Monmouth County Freeholder that would take place on November 8, 2011.
11. Prior to voting on the Resolution, the Board of Chosen Freeholders of the Defendant, Monmouth County, was aware of a potential conflict of interest that existed in regards to

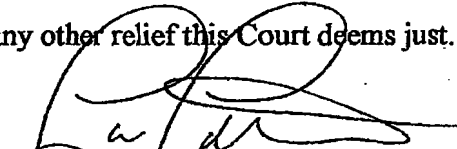
Freeholder Lillian Burry. By way of example, Freeholder Burry had a potential conflict of interest as follows

- a. As a member of the Board of Chosen Freeholders, Burry was obligated to determine whether the disbursement of money from the Open Space Trust Funds to acquire the development easement on the Property was in the best interests of the residents of Monmouth County. As such, Freeholder Burry may, therefore, be required to make a decision that would be detrimental to Lucas. However, it was also in the interests of Freeholder Burry that Monmouth County approved the purchase of the development easement on the Property since Lucas was directly or indirectly involved with significant efforts to help the election of Freeholders Burry.

12. Notwithstanding awareness of the potential conflict of interest above, Freeholder Burry deliberated and/or voted on adopting the Resolution.
13. Based on the above circumstances, Freeholder Burry had a potential interest and/or personal involvement in the outcome of the Resolution that was not shared in common with other members of the public.
14. As a direct and proximate result of Freeholder Burry deliberating and/or voting on the Resolution, it is invalid, unreasonable, arbitrary and capricious.

WHEREFORE, the Plaintiff, RAGE, demands judgment invalidating the February 28, 2013 Resolution by the Monmouth County Board of Chosen Freeholders to purchase the development easement on the Property along with any other relief this Court deems just.

4/16/13
Dated


LAWRENCE W. LUTTRELL
ATTORNEY FOR PLAINTIFF

DESIGNATION OF TRIAL COUNSEL PURSUANT TO RULE 4:5-1(C)

Lawrence W. Luttrell, Esq. is hereby designated as trial counsel in this action.

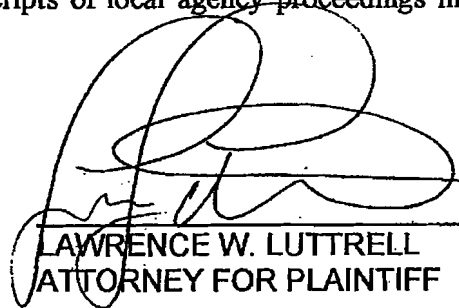
CERTIFICATION PURSUANT TO RULE 4:5-1(b)(2)

I hereby certify that the matter in controversy is not the subject of any other action pending or contemplated in any Court or arbitration proceeding. I am not aware of any other parties who should be joined in this action.

CERTIFICATION PURSUANT TO RULE 4:69-4

I hereby certify that all necessary transcripts of local agency proceedings in the cause have been ordered.

4/16/13
Dated


LAWRENCE W. LUTTRELL
ATTORNEY FOR PLAINTIFF

Attorney(s): **Lawrence W. Luttrell**
Law Firm: **Law Offices of Lawrence W. Luttrell, PC**
Address: **2137 Highway 35, 3rd Floor**
Holmdel, New Jersey 07733

Telephone No.: **(732) 872-6900**
Fax No.: **(888) 655-7393**
E-mail: **larryluttrell@lwlpc.com**
Attorney(s) for:

**Residents Against Government Exploitation, a
non-profit organization**

Plaintiff(s)

vs.

Monmouth County

Defendant(s)

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MONMOUTH COUNTY**

DOCKET NO. L-001502-13

CIVIL ACTION

**Acknowledgment of
Service**

To: Monmouth County c/o Andrea Bazer, Esq.

Service of the annexed Summons and Complaint

is hereby acknowledged this day of

Andrea Bazer, Esq.

IF EXECUTED BY PERSON OTHER THAN ATTORNEY, ATTACH ACKNOWLEDGMENT