

SB #81-96

BOARD OF EDUCATION OF THE	:	
BOROUGH OF ENGLEWOOD CLIFFS,	:	
BERGEN COUNTY,	:	
MOVANT,	:	
V.	:	
BOARD OF EDUCATION OF THE	:	
CITY OF ENGLEWOOD, BERGEN	:	STATE BOARD OF EDUCATION
COUNTY,	:	
RESPONDENT,	:	DECISION ON MOTION
AND	:	
BOARD OF EDUCATION OF THE	:	
BOROUGH OF TENAFLY, BERGEN	:	
COUNTY,	:	
RESPONDENT.	:	

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Decision on motions by the State Board of Education, December 4, 1996

For the Board of Education of the Borough of Englewood Cliffs, Joseph L. Mecca, Esq.

For the Board of Education of the City of Englewood, Kraemer, Burns, Mytelka & Lovell (Arnold K. Mytelka, Esq., of Counsel) and Decotiis, Fitzpatrick & Gluck (Agnes I. Rymer, Esq., of Counsel) and Paul L. Tractenberg, Esq.

For the Board of Education of the Borough of Tenafly, Riker, Danzig, Scherer, Hyland & Perretti (James S. Rothschild, Esq., of Counsel)

On December 4, 1996, we denied a motion by the Englewood Cliffs Board to admit William Bradford Reynolds, Esq. pro hac vice so as to permit him to represent the Englewood Cliffs Board in this matter.

In seeking Mr. Reynold's admission, the then counsel of record for Englewood Cliffs, Stephen R. Fogarty, indicated that his firm, Fogarty & Hara, had a conflict in this matter in that the firm also represented several school districts implicated in the regionalization study at issue. Since the terms of R.1:21-2 require that local counsel sign all papers filed and "be held responsible for them and for the conduct of the cause," we found that it would not be appropriate for us to permit Fogarty & Hara to act as local counsel for Mr. Reynolds in this matter given Mr. Fogarty's statement that a conflict existed. That being the case, we denied the motion without prejudice.

On February 3, 1997, Joseph L. Mecca, Jr. notified us that he had been engaged by the Englewood Cliffs Board to act as special counsel for the purpose of bringing another motion for Mr. Reynolds' admission pro hac vice. In that the Englewood Cliffs Board has cured the conflict which originally concerned us by engaging Mr. Mecca to serve as local counsel in this matter, and upon review of the papers filed, the State Board of Education grants the motion for the purpose of allowing Mr. Reynolds to represent the Englewood Cliffs Board before the State Board with respect to the current matter.

March 5, 1997

Date of mailing \_\_\_\_\_

