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April 1, 2021

Via FedEx and email

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Hon. John A. Sweeney, A.J.S.C. (Ret.)
Council on Local Mandates
140 East Front Street, 8th Floor
Trenton, NJ 08625**RE: In re Complaint Filed by the Franklin Township Board of Education
Regarding P.L. 2020, Chapter 44
COLM-0001-21**

Dear Judge Sweeney:

As you know, this office represents Senate President Stephen M. Sweeney and Assembly Speaker Craig J. Coughlin (hereafter collectively “the Presiding Officers”) in the above-captioned proceeding.

On March 9, Your Honor issued a Case Management Order that set down April 9 for Respondent Attorney General to file a responsive pleading and a response to Claimant’s request for preliminary injunctive relief. On March 29 this office – on behalf of the Presiding Officers – filed a Notice of Appearance pursuant to Council Rules 6a and 9a for the purpose of appearing as a Co-respondent. It is my understanding that a Co-Respondent will be subject to the same filing schedule under the Case Management Order as Respondent Attorney General.

Yesterday we were served with Complaints filed by the Lower Township Elementary Board of Education and the Gloucester City Board of Education. We received the Complaints from counsel for the Claimants as a result of my specific request that this office be served. These Complaints were filed by the Parker McKay firm – the same counsel that filed the Complaint of the Franklin Township Board of Education.

The two new Complaints – like the Complaint filed by the Franklin Township Board of Education -- allege that L. 2020, c. 44 constitutes an unfunded mandate under the New Jersey Constitution. I am informed by

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Melissa Schaffer, D.A.G., that the Council intends to consolidate the newly filed actions with the Franklin Township action.

In light of the above, I respectfully request that Your Honor extend the time for the Respondents in the Franklin Township action to file their responsive pleadings for a period of 14 days, *i.e.*, until April 23. I also request that the filing of Respondents' responsive pleadings for all three actions be made concurrent for the convenience of the Council and the parties.

The Attorney General has consented to my request that all Respondents be afforded a 14-day extension of time to file responsive papers in the Franklin Township matter. However, counsel for Franklin Township has declined to give consent.

Finally, I respectfully request that Your Honor convene a Case Management Conference to discuss various procedural issues in connection with consolidation of the three actions, including whether – and to what extent – briefing, discovery and adjudication of the three actions will be consolidated.

Thank you for your consideration of the request.

Respectfully,

Cullen and Dykman LLP
Attorneys for Respondents Senate President
Stephen M. Sweeney and Assembly Speaker
Craig J. Coughlin

By: /s/ Leon J. Sokol
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