

**FILED**

SEP 02 2009

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 573-09-23

Superior Court

Docket No. 09-09-00183-S

STATE OF NEW JERSEY )

v. )

INDICTMENT

RD SECAUCUS, LLC )

doing business as )

CROWNE PLAZA HOTEL SECAUCUS )

doing business as )

ROSDEV HOSPITALITY SECAUCUS, LP )

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Unlawful Discharge of a Pollutant - Third Degree)

RD SECAUCUS, LLC

doing business as


CROWNE PLAZA HOTEL SECAUCUS

doing business as

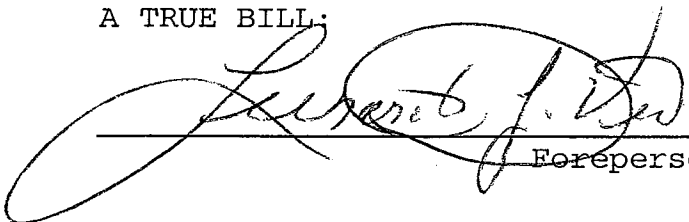
ROSDEV HOSPITALITY SECAUCUS, LP

between on or about January 1, 2008 and on or about June 8, 2009 at the Town of Secaucus, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, purposely, knowingly or recklessly did violate the "Water Pollution Control Act," by unlawfully discharging a pollutant without a valid New Jersey

Pollution Discharge Elimination System permit issued by the Commissioner of the Department of Environmental Protection or a valid National Pollution Discharge Elimination System permit issued by the Administrator of the United States Environmental Protection Agency, in that the said RD SECAUCUS, LLC, doing business as CROWNE PLAZA HOTEL SECAUCUS, doing business as ROSDEV HOSPITALITY SECAUCUS, LP, on approximately a weekly basis, purposely, knowingly or recklessly did release, spill, leak, pump, pour, emit, empty or dump pollutants, namely water contaminated with sewage, solid waste, chemicals, specifically chlorine, or other residues, from an outside pit onto lands next to the Hackensack River, from which said pollutants might flow or drain into said River, without a valid New Jersey or National Pollution Discharge Elimination System permit, at or near 2 Harmon Plaza, Secaucus, contrary to the provisions of N.J.S.A. 58:10A-10f(2), N.J.S.A. 58:10A-6a, and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

  
\_\_\_\_\_  
Terrence Hull, Chief  
Major Crimes Bureau  
Division of Criminal Justice

A TRUE BILL:

  
\_\_\_\_\_  
Foreperson

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RD SECAUCUS, LLC )

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ORDER OF VENUE

CROWNE PLAZA HOTEL SECAUCUS )

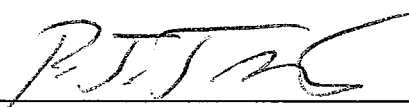
doing business as )

ROSDEV HOSPITALITY SECAUCUS, LP )

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this *2<sup>nd</sup>* day of *September*, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Hudson be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Hudson for filing.

  
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PEDRO J. JIMENEZ, JR. J.S.C.