

EDUCATION LAW CENTER
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Filing Fees Waived: Rule 1:13-2(a)

RAYMOND ARTHUR ABBOTT, ET AL.,

Plaintiffs-Movants

vs.

FRED G. BURKE, ET AL.,

Defendants-Respondents

SUPREME COURT OF NEW JERSEY
DOCKET NO. 42,170

CIVIL ACTION

NOTICE OF MOTION IN AID OF
LITIGANTS' RIGHTS

To: GURBIR S. GREWAL, ATTORNEY GENERAL OF NEW JERSEY
Office of the Attorney General
Hughes Justice Complex
25 Market Street
Trenton, N.J. 08625
Attorney for Defendants-Respondents

PLEASE TAKE NOTICE that Plaintiffs, Raymond Arthur Abbott, et al., hereby move in aid of litigants' rights, pursuant to R. 1:10-3 and R. 2:8-1, for an Order directing the State Defendants to comply with the Supreme Court's mandate for school facilities improvements

in Abbott v. Burke, 153 N.J. 480 (1998) ("Abbott V") and Abbott v. Burke, 164 N.J. 84 (2000) ("Abbott VII"), and the requirements implementing the Court's facilities mandates in the Education Facilities Construction and Financing Act ("EFCFA"), N.J.S.A. 18A:7G-1 et seq., as follows:

1) Within 30 days, and based on the 2019 Educational Facilities Needs Assessment, submit to the Legislature a revised statewide strategic plan of priority school facilities projects in SDA districts, as required by N.J.S.A. 18A:7G-5m(3), to be funded and managed by the Schools Development Authority over the next five years; and

2) Promptly seek and secure such school construction funding from the Legislature as is required to manage and complete the school facilities projects in the revised statewide strategic plan.

PLEASE TAKE FURTHER NOTICE that Plaintiffs seek an expedited schedule for briefing and oral argument on the within motion.

Plaintiffs rely upon the Certifications of Theresa Luhm, Esquire and David G. Sciarra, Esquire, and the accompanying Brief, in support of this motion. Plaintiffs also submit a proposed Order setting forth the relief sought on this motion.

Respectfully submitted,

EDUCATION LAW CENTER

By: David G. Sciarra, Esquire
Attorneys for Plaintiffs

Dated: November 7, 2019