

EDUCATION LAW CENTER
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Attorneys for Plaintiffs

RAYMOND ARTHUR ABBOTT, Et Al.

Plaintiffs,

v.

FRED G. BURKE, ET AL.

Defendants

SUPREME COURT OF NEW JERSEY

DOCKET NO. 42,170

Civil Action

**CERTIFICATION OF
DAVID G. SCIARRA**

I, David G. Sciarra, hereby certify as follows:

1. I am Executive Director of Education Law Center, and an attorney admitted to practice in New Jersey. I am counsel to the Plaintiffs in the Abbott v. Burke litigation, and I have served in this capacity since January 1996.

2. As counsel to the Abbott Plaintiffs, I am responsible for representing their interests in any matters related to implementation of this Court's remedial decrees in the Abbott decisions.

3. I submit this certification in support of Plaintiffs' motion to file a reply letter brief and supplemental

certification of Melvin Wynn in response to the State Defendants' opposition to Plaintiffs' motion in aid of litigants' rights pending before this Court.

4. On July 12, 2010, I received the State's opposition brief, accompanied by the Certifications of Yut'se Thomas and Andrew P. Sidamon-Eristoff.

5. The factual matters and legal arguments submitted in the State's opposition papers implicate critical issues that this Court is required to address and resolve on this motion. In particular, the State's defense raises questions about the scope of the Court's role as a coequal constitutional actor that must be fully explored.

6. In addition, the State presents and relies on revenues per pupil data that are misleading in the absence of weights to capture the great variation of student poverty and other needs that exist in New Jersey. Plaintiff would like the opportunity for the Court to examine similar data, when weighted for student need in accordance with the weights established by the School Funding Reform Act.

7. Accordingly, Plaintiffs seek leave to file a Reply Letter Brief and Supplemental Certification in response to the State's legal arguments and factual assertions raised in its opposition papers.

8. The Reply Letter Brief and Supplemental Certification that Plaintiffs seek leave to file is being submitted along with this motion. Thus, granting this motion will not cause any further delay in the Court's consideration of Plaintiffs' pending motion.

I hereby certify that the statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

David G. Sciarra, Esq.

Dated: July 19, 2010