

EDUCATION LAW CENTER
By: David G. Sciarra, Esquire
60 Park Place Suite 300
Newark, N.J. 07102
(973) 624-1815; fax (973)624-7339
dsciarra@edlawcenter.org

Attorney 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

**NOTICE OF MOTION IN AID OF
LITIGANTS' RIGHTS**

TO: HONORABLE PAULA T. DOW
ATTORNEY GENERAL FOR THE STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Hughes Justice Complex
25 Market Street
Trenton, New Jersey 08625

Attention: Nancy Kaplen, AAG

Attorney for Defendants

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, before the Supreme Court of New Jersey for an Order

enjoining the State Defendants from 1) providing State school funding aid to New Jersey school districts for 2010-11 that is less than the aid levels required by the provisions of the School Funding Reform Act of 2008 ("SFRA"), as mandated by this Court's ruling in Abbott v. Burke, 199 N.J. 140 (2009) ("Abbott XX"), and 2) conducting the review of the SFRA formula and its operative parts and making recommendations to the Legislature under N.J.S.A. 18A:7F-46(a) and (b), as mandated by Abbott XX, until such time as the State can demonstrate that the formula has been fully implemented as intended, designed and enacted.

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

PLEASE TAKE FURTHER NOTICE that Plaintiffs seek an award of attorney's fees and costs of this motion under R. 1:10-3.

In support of this motion, Plaintiffs rely upon the Certifications of Melvin Wyns, Dr. Danielle Farrie, and David Sciarra, and the accompanying Brief. Plaintiffs also submit a proposed order setting forth the terms of relief on this motion.

Respectfully submitted,

EDUCATION LAW CENTER
Attorney for Plaintiffs



Dated: June 8, 2010

By: _____
David G. Sciarra, Esquire