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Attorney for the Plaintiff

FEB 11 2012

*Sue Regan*

SUE REGAN  
DEPUTY CLERK OF SUPERIOR COURT

SUSAN SCOBLINK-O'NEILL,  
*Plaintiff,*

v.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION, THE STATE OF NEW JERSEY and  
PAUL M. DIMATTIA,  
*Defendants.*

: NEW JERSEY SUPERIOR COURT  
: MERCER COUNTY  
: LAW DIVISION  
: DOCKET NO: MER-L-74-12

**ORDER TO SHOW CAUSE**

This matter having been open to the court by Donald M Doherty, Jr., Esq., attorney for the plaintiff SUSAN SCOBLINK-O'NEILL, and seeking relief by way of summary action pursuant to rule 4:67-1 (a) based upon the facts set forth in the verified complaint and supporting papers filed here with; and the Court having determined this matter may be commenced by order show cause as a summary proceeding pursuant to N.J.S.A. 47:1A-6 and for other good cause shown,

IT IS on this *12<sup>th</sup>* day of ~~FEBRUARY~~ *March*, 2012 **ORDERED** that the defendants NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE STATE OF NEW JERSEY and PAUL M. DIMATTIA, appear and show cause on the *11<sup>th</sup>* day of *May*, 2012 before THE HONORABLE *Nancy C. Jacobson*, JSC at the Civil Courthouse located at 175 South Broad Street, Trenton, Mercer County, New Jersey at *9* o'clock or soon thereafter as counsel can be heard, why judgment should not be entered as follows:

- A. Determining that the defendants' policy of imposing "special service charges" for routine clerical work violates OPRA;
- B. Ordering a refund of the "special service charge" imposed on the Plaintiff for the records sought in this matter;
- C. Awarding plaintiff counsel fees and costs of suit;
- D. Awarding other such relief as the court would deem fair and equitable to support the principles of the Open Public Records Act and the public's substantive right to access government records.

And it is *further ORDERED* that:

1. A copy of this order to show cause, verified complaint and all supporting certifications and other documents submitted in support of this application be served upon the Defendants personally or by certified mail, return receipt requested, within 7 days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.
2. The Plaintiff shall file with this court proof of service of the pleadings on the Defendants no later than three days before the return date.
3. Defendants shall file and serve a written answer and opposition papers to this order to show cause and the relief requested in the verified complaint by April 27, 2012. The answering opposition papers must be filed with the clerk of the Superior Court in the County listed above and a copy of the papers must be sent directly to the chambers of the judge.
4. The Plaintiff must file and serve any written reply to the Defendants' opposition no later than May 4, 2012. The reply papers must be filed with the Clerk of Superior Court and a copy of the reply papers must be sent directly to the chambers of the judge.
5. If the Defendants do not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.
6. If the Plaintiff has not already done so, a proposed form of order address addressing the relief sought on the return date (along with a self-addressed return envelope would return address and postage) must be submitted to the court no later than three days before the return date.
7. Defendants take notice: the Plaintiff has filed a lawsuit against you in the New Jersey Superior Court. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer and opposition papers and proof of service before the return date of the order to show cause. Paragraph 3 outlines the date by which you are required to respond. These documents must be

filed with the clerk of the Superior Court in the County listed above. A list of these offices is provided. <sup>Not a fee for State Records</sup> Include a \$135 filing fee payable to the "Treasurer, State of New Jersey". You must also send a copy of your answer and opposition papers to the plaintiff's attorney whose name and address appears above. A telephone call will not protect your rights; you must file and serve your answer and opposition papers (with the fee) or judgment may be entered against you by default.

8. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.
9. The court will entertain argument, but not testimony, on the return date of the order to show cause, ~~unless the court and parties are advised the contrary no later than \_\_\_\_\_ days before the return date.~~

*Mary C. Jacobson, A.J.S.C.*  
THE HONORABLE MARY C. JACOBSON, A.J.S.C.

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

**LAWYER REFERRAL**  
(609) 345-3444  
**LEGAL SERVICES**  
(609) 348-4200

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Case Processing Section, Room 119  
Justica Center, 10 Main St.  
Hackensack, NJ 07601-0769

**LAWYER REFERRAL**  
(201) 488-0044  
**LEGAL SERVICES**  
(201) 487-2166

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attr: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

**LAWYER REFERRAL**  
(609) 261-4862  
**LEGAL SERVICES**  
(609) 261-1088

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Fl., Hall of Records  
101 S. Fifth St  
Camden, NJ 08103

**LAWYER REFERRAL**  
(856) 964-4520  
**LEGAL SERVICES**  
(856) 964-2010

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Box DN-209  
Cape May Court House, NJ 08210

**LAWYER REFERRAL**  
(609) 463-0313  
**LEGAL SERVICES**  
(609) 465-3001

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Sts., P.O. Box 615  
Bridgeton, NJ 08302

**LAWYER REFERRAL**  
(856) 692-6207  
**LEGAL SERVICES**  
(856) 451-0003

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
50 West Market Street  
Room 131  
Newark, NJ 07102

**LAWYER REFERRAL**  
(973) 622-6207  
**LEGAL SERVICES**  
(973) 624-4500

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attr: Intake  
First Fl., Court House  
1 North Broad Street, P.O. Box 129  
Woodbury, NJ 08096

**LAWYER REFERRAL**  
(856) 848-4589  
**LEGAL SERVICES**  
(856) 848-5360

**HUDSON COUNTY: Deputy Clerk of the Superior Court**

Superior Court, Civil Records Dept.  
Brennan Court House-- 1st Floor  
583 Newark Ave.  
Jersey City, NJ 07308

**LAWYER REFERRAL**  
(201) 798-2727  
**LEGAL SERVICES**  
(201) 792-6363

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

**LAWYER REFERRAL**  
(908) 735-2611  
**LEGAL SERVICES**  
(908) 782-7979

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

**LAWYER REFERRAL**  
(609) 585-6200  
**LEGAL SERVICES**  
(609) 695-6249

MIDDLESEX COUNTY:  
 Deputy Clerk of the Superior Court  
 Administration Building  
 Third Floor  
 1 Kennedy Sq., P.O. Box 2633  
 New Brunswick, NJ 08903-2633

MONMOUTH COUNTY:  
 Deputy Clerk of the Superior Court  
 Court House  
 71 Monument Park  
 P.O. Box 1269  
 Freehold, NJ 07728-1269

MORRIS COUNTY:  
 Deputy Clerk of the Superior Court  
 Civil Division  
 30 Schuyler Pl., P.O. Box 910  
 Morristown, NJ 07960-0910

OCEAN COUNTY:  
 Deputy Clerk of the Superior Court  
 Court House, Room 119  
 118 Washington Street  
 Toms River, NJ 08754

PASSAIC COUNTY:  
 Deputy Clerk of the Superior Court  
 Civil Division  
 Court House  
 77 Hamilton St  
 Paterson, NJ 07505

SALEM COUNTY:  
 Deputy Clerk of the Superior Court  
 92 Market St., P.O. Box 18  
 Salem, NJ 08079

SOMERSET COUNTY:  
 Deputy Clerk of the Superior Court  
 Civil Division Office  
 New Court House, 3rd Fl.  
 P.O. Box 3000  
 Somerville, NJ 08876

SUSSEX COUNTY:  
 Deputy Clerk of the Superior Court  
 Sussex County Judicial Center  
 43-47 High Street  
 Newton, NJ 07860

UNION COUNTY:  
 Deputy Clerk of the Superior Court  
 1st Fl., Court House  
 2 Broad Street  
 Elizabeth, NJ 07207-6073

WARREN COUNTY:  
 Deputy Clerk of the Superior Court  
 Civil Division Office  
 Court House  
 413 Second Street  
 Belvidere, NJ 07823-1500

LAWYER REFERRAL  
 (732) 828-0053  
 LEGAL SERVICES  
 (732) 248-7600

LAWYER REFERRAL  
 (732) 431-5544  
 LEGAL SERVICES  
 (732) 866-0020

LAWYER REFERRAL  
 (973) 267-5882  
 LEGAL SERVICES  
 (973) 285-6911

LAWYER REFERRAL  
 (732) 240-3666  
 LEGAL SERVICES  
 (732) 341-2727

LAWYER REFERRAL  
 (973) 278-9223  
 LEGAL SERVICES  
 (973) 345-7171

LAWYER REFERRAL  
 (856) 935-6628  
 LEGAL SERVICES  
 (856) 451-0003

LAWYER REFERRAL  
 (908) 885-2323  
 LEGAL SERVICES  
 (908) 231-0840

LAWYER REFERRAL  
 (973) 267-5882  
 LEGAL SERVICES  
 (973) 383-7400

LAWYER REFERRAL  
 (909) 353-4715  
 LEGAL SERVICES  
 (908) 354-4340

LAWYER REFERRAL  
 (973) 267-5882  
 LEGAL SERVICES  
 (973) 475-2010