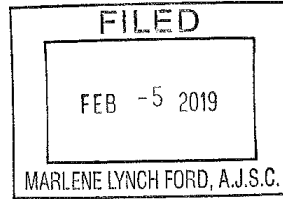


Michele R. Donato, Esq.
Attorney ID# 023751977
106 Grand Central Avenue
P.O. Box 145
Lavallette, NJ 08735-0145
(732) 830-0777
Attorney for Plaintiffs



FAIRWAYS AT LAKE RIDGE
HOMEOWNERS ASSOCIATION, INC.,
HORIZONS AT WOODLAKE GREENS
HOMEOWNERS ASSOCIATION and SAG,
INC.,

Plaintiffs,

v.

LAKEWOOD TOWNSHIP PLANNING
BOARD, LAKEWOOD TOWNSHIP
COMMITTEE, GDMS HOLDINGS, LLC,
CROSS STREET ASSOCIATES, LLC,
AUGUSTA BOULEVARD ASSOCIATES,
LLC, AUGUSTA HOLDINGS, LLC, THE
KOKES ORGANIZATION, INC.,
FAIRWAYS EAST, LLC, IRISH
BRANCH ASSOCIATES, LLC, and 668
CROSS, LLC,

Defendants.

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
LAW DIVISION
DOCKET NO. L-71-18

Civil Action

ORDER TO SHOW CAUSE
FOR TEMPORARY RESTRAINTS AND
PRELIMINARY INJUNCTIVE RELIEF
PURSUANT TO N.J.R. 4:52

THIS MATTER being opened to the Court by Michele R. Donato,
Esq., attorney for Plaintiff, Fairways at Lake Ridge Homeowners
Association, and it appearing from the Verified First Amended
Complaint and the Certifications filed with this Order to Show
Cause that Plaintiff is entitled to the relief sought for
temporary and preliminary injunctive relief against the
Defendants pursuant to N.J.R. 4:52-1, and it appearing that the

Defendants, have notice of this application; and for good cause shown:

IT IS on this 5th day of February 2019

ORDERED as follows:

1. That Defendants, GDMS Holdings LLC ("GDMS") and Parke at Lakewood LLC ("Parke") show cause before this Court at the Ocean County Superior Court, 118 Washington Street, Courtroom 1, Toms River, New Jersey 08754, on the ~~4th~~ day of pm March, 2019, at 1:30 o'clock, or as soon thereafter as counsel may be heard, why the temporary and preliminary injunctive relief should not be granted together with such other relief as the Court deems equitable and just adding Parke as a Defendant pending the filing and grant of a motion to amend the Complaint, restraining and enjoining GDMS, Parke and its assigns from proceeding to obtain GDP approval, variances, waivers and site plan approval for an application pending before the Lakewood Township Planning Board on premises known as Lots 1, 2.01, 2.03 and 77.02 of Block 524; and Lot 1, 1.01, 1.02 and 9 of Block 524.23 on the Tax Map of the Township of Lakewood.

2. Pending the return date of this Order, ~~GDMS, Parke and their assigns are restrained and enjoined from processing an application for development and other land use approvals.~~ *the hearing on the GDMS application shall be continued to a date after the return date of the*

~~including approval of a general development plan, before the Lakewood Township Planning Board until the Court rules on the validity of Ordinance 2017-51.~~ *order to show cause.*

~~3. Pending the return date of this Order, GDMS, Parke and their assigns are restrained and enjoined from engaging in site disturbance, site preparation, site grading, removal of trees and vegetation, destruction of habitat and construction. These restraints apply to directing or allowing any other person or organization to engage in these activities.~~

4. A copy of the unsigned Order to Show Cause, the Verified First Amended Complaint, and the Certifications upon which Plaintiff relies were served upon the Defendants at the same time as they were filed with the court

5. A copy of the signed Order to Show Cause, the Verified First Amended Complaint, and the Certifications upon which Plaintiff relies shall be served upon the Defendants within 5 days of the date hereof, in accordance with N.J.R. 4:4-4, such service to be completed at least ten (10) days before the return date for the hearing ordered herein.

6. Plaintiff must file with the Court proof of service of the pleadings on the Defendants no later than three (3) days before the return date.

7. Defendants shall file and serve a written response to this Order to Show Cause and the request for entry of injunctive relief and proof of service by Feb. 22, 2019.

The original documents must be filed with the Clerk of the Superior Court, Law Division, Ocean County, Toms River, New Jersey 08754 and online at

http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf

f. You must send a copy of your opposition papers directly to Judge Marlene Lynch-Ford, 118 Washington Street, Courtroom 1, Toms River, New Jersey 08754. You must also send a copy of your opposition papers to Plaintiffs' attorney whose name and address appears above. A telephone call will not protect your rights. You must file your opposition and pay any required fee and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief that Plaintiff is seeking.

8. Plaintiff must file and serve any written reply to the Defendants' Order to Show Cause opposition by

2-27, 2019. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge Marlene Lynch-Ford.

9. 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 Plaintiff files a proof of service and a proposed form of Order at least three (3) days prior to the return date.

10. If Plaintiff has not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

11. Defendants take notice that Plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint and the First Amended Complaint were previously served on all parties and states the basis of the lawsuit. If you dispute these Complaints, you, or your attorney, must file a written Answer to the First Amended Complaint and proof of service within thirty-five (35) days from the date of service of the First Amended Complaint, if you have not already done so. This time period does not count the day you received it. These documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management office in the county listed above and online at

http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf

f. If the answer to the Complaint or the First Amended complaint has not already been filed, include any required filing fee payable to the "Treasurer, State of New Jersey." You must also send a copy of your Answer to the Plaintiffs' attorney whose name and address appears above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the Order to Show Cause is not an Answer and you must file both. Please note further: If you do not file and serve an Answer within thirty-five (35) days of this Order, the Court may enter default against you for the relief Plaintiffs demand.

12. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). 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 directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at

http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf

f.

13. 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 to the contrary no later than 2 days before the return date.


Hon. Marlene Lynch Ford, A.J.S.C.