

MacMichael, Mary

From: Silverstein, Mark
Sent: Tuesday, January 29, 2019 10:16 AM
To: Frank Cavallo; Susan S. Hodges
Cc: MacMichael, Mary
Subject: FW: NJ Interdistrict Public School Choice Assoc. Amicus
Attachments: Order Granting Motion for Leave to Appear as Amicus Curae.PDF

Mary: pls put on BOE agenda under instruction

From: Marguerite Downham <mdownham@aol.com>
Sent: Monday, January 28, 2019 5:55 PM
To: afmorojr@icloud.com; rgarguilo60@gmail.com; mcohen@rps1.org; mnapoleon@sterling.k12.nj.us; rney2002@gmail.com; Silverstein, Mark <msilverstein@gpsd.us>; ktaylor@ocsdnj.org; plordi@dealschool.org
Cc: dchespe@pbnlaw.com; vmaffeismith@aol.com
Subject: Fwd: NJ Interdistrict Public School Choice Assoc. Amicus

Dear Interdistrict Choice Board Members:

Interdistrict Choice is finally moving forward!

As you are aware, we filed an Amicus Brief in the "Equity Law Suit." I believe all of you have received a copy of that brief.

The good news is that our Amicus Brief has been accepted by the Superior Court! As such, the Association will be participating in all briefings involved in the case. This is great news!

Attached is a copy of the order. It's a little "casual" - I was expecting something more formal; nevertheless, it's all legal!

Also, I'm not sure if you saw this article that appeared in the Courier Post (Camden County) by Bob Garguilo. This appear in the paper on January 21 (Monday) just four days before the Court's decision. Here is the link to that article.

<https://www.courierpostonline.com/story/opinion/readers/2019/01/21/nj-interdistrict-public-school-choice-increase-diversity-new-jersey-schools-robert-garguilo/2637755002/>

All of this is great news! Our attorney, Dave Hespe of Porzio, Bromberg, & Newman, is very excited about our future possibilities.

On that note, Maggi is busy organizing a meeting for all Board members to review the details of the Court's Decision and exactly what will be happening next. Dave will be attending this meeting and outlining everything we need to know. (February 4???)

We also need to strategize on legislative outreach.

You will be hearing from us very soon regarding the meeting. Please make every effort to attend as this is probably the most important meeting we have ever had!

From Maggi: Please send me your cell phone numbers so Val and I can contact you quickly when we need members to attend NJDOE meetings going forward.

Valarie M. Smith
Lead Founder & Executive Director
Ocean Academy Charter School

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Attorneys for New Jersey Interdistrict Public School Choice Association

LATINO ACTION NETWORK; NAACP
NEW JERSEY STATE CONFERENCE;
LATINO COALITION; URBAN LEAGUE
OF ESSEX COUNTY; THE UNITED
METHODIST CHURCH OF GREATER
NEW JERSEY; MACKENZIE WICKS, a
minor, by her Guardian Ad Litem,
COURTNEY WICKS; MAISON ANTIONE
TYREL TORRES, a minor, by his Guardian
Ad Litem, JENNIFER TORRES; MALI
AYALA RUEL-FEDEE, a minor, by his
Guardian Ad Litem, RACHEL RUEL;
RANAYA ALSTON, a minor, by her
Guardian Ad Litem, YVETTE ALSTON-
JOHNSON; RAYAHN ALSTON, a minor,
by his Guardian Ad Litem, YVETTE
ALSTON-JOHNSON; ALAYSA POWELL,
a minor, by her Guardian Ad Litem,
RASHEEDA ALSTON; DASHAWN
SIMMS, a minor, by his Guardian Ad Litem,
ANDREA HAYES; DANIEL R. LORENZ,
a minor, by his Guardian Ad Litem, MARIA
LORENZ; MICHAEL WEILL-WHITEN, a
minor, by his Guardian Ad Litem,
ELIZABETH WEILL-GREENBERG,

Plaintiffs,

v.

THE STATE OF NEW JERSEY; NEW
JERSEY STATE BOARD OF
EDUCATION; and LAMONT REPOLLET,
Acting Commissioner, State Department of
Education,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MERCER COUNTY
DOCKET NO.: MER-L-001076-18

~~PROPOSED FORM OF ORDER~~
*GRANTING MOTION
FOR LEAVE TO APPEAR
AS AMICUS CURIAE*

This matter, having been brought to the Court on motion by Porzio, Bromberg & Newman, P.C., attorneys for the New Jersey Interdistrict Public School Choice Association, on notice to Pashman Stein Walder & Hayden, P.C. and Gibbons, P.C., counsel for plaintiffs, and to the New Jersey Office of the Attorney General, counsel for Defendants, for the entry of an Order granting leave to the New Jersey Interdistrict Public School Choice Association to appear *amicus curiae* in this case, and the Court having reviewed the moving papers submitted and any ^{the} ~~copies~~ *copies submitted by the plaintiffs' and defendants' counsel* opposition thereto; and ~~the Court having heard oral argument, if any;~~ and for good cause having been shown, *

IT IS on this 25th day of January, 2019,

ORDERED that leave to appear as *amicus curiae* be and hereby is granted in favor of the

New Jersey Interdistrict Public School Choice Association; and it is further *ordered that amicus status will allow the Association to participate in all briefings involved*
ORDERED that a copy of the within Order shall be served upon all parties within

10 days from the date of entry.

Mary C. Jacobson, A.J.C.
Honorable Mary C. Jacobson, A.J.S.C.

The court made the attached findings of fact or reasons for its decision on 1/25/19.

The court set forth its findings of fact or reasons for its decision orally on the record on _____.

in the case. Involvement of the Association in settlement negotiations will be subject to consent by both plaintiffs and defendants.

Reasons: Good cause for the relief requested is set forth in the certification of Robert Sanguilo in support of the application. The court finds that the application meets the requirements of R. 1:13-9, which establishes a liberal standard for permitting amicus participation. Pfizer v. Director, Div. of Taxation, 23 NJ Tax 4108671 421, 424 (Tax Ct., 2007). Although ~~the~~ motion is pending, the rule was designed to encourage amicus to enter the proceedings at an early stage. See Premier v. Union, Current N.J. Court Rules, Comment R. 1:13-9.