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R. WILLIAM POTTER
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July 13, 2023

The Hon. Kevin M. Shanahan
Judge of Superior Court
Somerset County Courthouse
20 N. Bridge Street, 3rd Floor
Somerville, NJ 08876-1262

Re: Morrisette v. Town of Phillipsburg Town Council, WRN-L-000341-22:
Letter concerning Plaintiffs' Summary Judgment Motion

Dear Judge Shanahan:

This firm represents the plaintiffs in this matter. We are today filing a motion for summary judgment with all accompanying documents pursuant to the notice setting August 4 as the return date. Due to my wife's Covid infection we are a few days short of the twenty-eight day notice for summary judgment motions. However, this presents no issue of prejudice as we are simply re-filing our prerogative writs "trial brief" previously filed, with no material changes other than to include a statement of material facts as to which there is no genuine dispute. I have communicated this to counsel for the Town and asked that after he has reviewed the filing and confirmed that it is indeed what he has previously seen and prepared an opposing brief, he will communicate with you agreeing to the relaxation to keep the August 4 return date.

We appreciate the Court's consideration.

Respectfully submitted,

POTTER AND DICKSON

By /s/ Peter Dickson

Peter Dickson

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