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October 4, 2023

VIA E-COURTS

Hon. Kevin M. Shanahan, A.J.S.C.
Superior Court of New Jersey
20 North Bridge Street
Somerville, NJ 08876

RE: Morrisette v. Town of Phillipsburg Town Council
Docket No. WRN-L-341-22

Dear Judge Shanahan:

As Your Honor is aware, this office represents Defendant Town of Phillipsburg.

On October 2, 2023, Plaintiff sent a letter to the Court purporting to contain "newly-discovered evidence" that it presumably seeks to have considered as part of the instant motion record before Your Honor.

Defendants submit that this filing must be disregarded by the Court for several reasons. It has not been submitted as part of the motion practice in accordance with Rule 1:6-2 et seq. Even if substantively considered, it again attempts to use facts and events that have transpired nearly one year after the subject governing body action, in an effort to manufacture a conflict that purportedly existed at the time the governing body action was taken last year. Defendant has explained the invalidity of such attempts in its briefing.

Defendant looks forward to Your Honor's decision in the instant motion practice, based upon the documents submitted pursuant to same as well as the oral argument held on September 22, 2023.

Very truly yours,

MICHAEL L. COLLINS

Cc: Peter Dickson, Esq. (via e-courts)