

FILED
AUG 27 2024
ROBERT E. BRENNER, CLERK

PHILIP I. BRILLIANT

Plaintiff,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY
DOCKET NO.: L-2111-24

vs.

CIVIL ACTION

TOWNSHIP OF TOMS RIVER,
COUNCIL PRESIDENT CRAIG COLEMAN,
COUNCIL VICE PRESIDENT LYNN O'TOOLE
COUNCILMAN JUSTIN LAMB
COUNCILMAN GEORGE LOBMAN
MAYOR DANIEL RODRICK,
TOMS RIVER ACTING MUNICIPAL CLERK
STEPHEN HENSEL,
BUSINESS ADMINISTRATOR JONATHAN SALONIS
ATTORNEY, PETER PASCARELLA, ESQ. &
ATTORNEY, GREGORY MCGUCKIN, ESQ.

ORDER TO SHOW CAUSE
PRELIMINARY INJUNCTION
CIVIL RIGHTS ACT VIOLATION

BATCH 600
CK MO CA CG OH
CK/Rec # 588100
Amount \$ 250-
DATE 8.14.24

Defendants,

THIS MATTER being brought before the Court by plaintiff, PHILIP I. BRILLIANT,
seeking relief by way of preliminary injunction at the return date set forth below pursuant to Rule
4:52, based upon the facts set forth in the verified complaint filed herewith and for good cause
shown.

It is on this 27th day of AUGUST, 2024, ORDERED that defendants,
TOWNSHIP OF TOMS RIVER, COUNCIL PRESIDENT CRAIG COLEMAN, COUNCIL
VICE PRESIDENT LYNN O'TOOLE, COUNCILMAN JUSTIN LAMB, COUNCILMAN
GEORGE LOBMAN, MAYOR DANIEL RODRICK, TOMS RIVER BUSINESS
ADMINISTRATOR JONATHAN SALONIS, ATTORNEY GREGORY MCGUCKIN, &
ATTORNEY PETER PASCARELLA, TOMS RIVER TWP ACTING CLERK STEPHEN
HENSEL, appear and show cause before the Superior Court at the Ocean County Courthouse in
Toms River, New Jersey ^{11:00} at ~~9:00~~ clock in the morning or as soon thereafter as counsel can be

heard, on the 6th day of ~~August~~ ^{September}, 2024, why an order should not be issued preliminarily enjoining and restraining from:

- A. Order the Township of Toms River to stay the Resolution No. 7 on the August 7, 2024 Agenda regarding a Shared Service Agreement with the Ocean County Board of Health to re-open the Toms River Animal Shelter under the management and control of the Ocean County Board of Health;
- B. Order the Township of Toms River to stay the Ordinance first introduced on August 7, 2024 to repeal Ordinance No. 4802-24 regarding the Toms River Animal Shelter lease Agreement with the Ocean County Board of Health;
- C. Order the Township of Toms River to reopen, offer to rehire all staff as of June 6, 2024 and operate the Toms River Animal Shelter;
- D. Order the Township of Toms River place Ordinance No. 4802-24 regarding the Toms River Animal Shelter on ballot for referendum vote;
- E. Order all Defendants to reimburse any and all Court Fees and each to donate \$1,000 to the Toms River Animal Shelter for their violation of the Civil Rights Act; and
- F. For such other relief as the Court shall deem fair and just.

And it is further ORDERED that:

1. A copy of this order to show cause, verified complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the defendant(s) within 7 days of the date hereof, in accordance with Rule 4:4-3 and Rule 4:4-4, this being original process.
2. The plaintiff must file with the court proof of service of pleadings on the defendants no later than three (3) days before the return date. 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 September 4, 2024. The original documents must be filed with the clerk of the Superior Court in the county listed above. A list of these offices is provided.
You must send a copy of your opposition directly to Judge ~~Mark A. Troiano~~ ^{Robert E. Brenner, J.S.C.}, whose address is ~~206 Courthouse Lane, Suite 400, Courtroom 25, Newark, New Jersey, 07102~~ ^{100 Hooper Avenue, Courtroom 9, 3rd Floor, Toms River, New Jersey, 08753}. You must also send a copy of your opposition papers to the plaintiff's

attorney who name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$175 and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

- a brief and any other papers in support of this Order to Show Cause
3. The plaintiff must file and serve ~~any written reply to the defendants' order to show cause~~ ~~opposition~~ by August 30, 2024. 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 the Judge.
 4. If the defendants do not file and serve opposition to this order to show cause, the application will be decided on 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.
 5. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date must be submitted to the court no later than three (3) days before the return date.
 6. Defendants take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to the order to show cause states the basis of the lawsuit. If you dispute this complaint, you or your attorney, must file a written answer to the complaint and proof of service within 35 days from the day of service of this order to show cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$250 filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgement may be entered against you by default. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands,

7. 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.
8. 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.


HONORABLE ROBERT E. BRENNER, 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
Justice 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
Attn: 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
Attn: 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 07306

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

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

LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

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

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

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

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

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

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

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

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

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

LAWYER REFERRAL
(856) 935-3628
LEGAL SERVICES
(856) 451-0003

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

LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

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

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

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

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

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

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