

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – OCEAN COUNTY
Docket # OCN- L-000674-23

GAVIN ROZZI, REGINA DISCENZA,

Plaintiff,

v.

LACEY TOWNSHIP BOARD OF
EDUCATION, SHAWN GIORDANO,
HAROLD “SKIP” PETERS, LINDA
DOWNING, NICHOLAS MIRANDI,
JOHN DOES 1-100

Defendants.

CIVIL ACTION

ORDER TO SHOW CAUSE

THIS MATTER being brought before the court by *pro se* Plaintiffs Gavin Rozzi and Regina Discenza seeking relief by summary action pursuant to R. 4:67-1(a), based upon the facts set forth in the verified complaint filed herewith; and the court having determined that this matter may be commenced by order to show cause as a summary proceeding pursuant to and for good cause shown. It is on this 15th day of September, 2023.

ORDERED that defendant(s) appear and show cause on the ____ day of ____, 2023, before the Superior Court at the Ocean County Courthouse in Toms River, New Jersey at ____ o'clock in the forenoon or as soon thereafter as counsel can be heard, on why judgment should not be entered for:

A. An order declaring that Defendants have violated the Open Public Meetings Act, (“OPMA”)

B. Voiding all such actions taken in violation of the OPMA including, but not limited to the approval of the Board Attorney’s investigations of Plaintiffs, Gavin Rozzi and Regina Discenza.

C. Enjoining Defendants from violating OPMA in the future.

D. Ordering that

E. such other relief as this court deems just and equitable.

And it is further ORDERED that:

1. A copy of this order to show cause, verified complaint and all supporting affidavits or certifications submitted in support of this application be served upon the defendant(s), within ____ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

2. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant(s) no later than three (3) days before the return date.

3. Defendant(s) shall file and serve a written answer, an answering affidavit, or a motion returnable on the return date to this order to show cause and the relief requested I the

OCN-L-000674-23 03/22/2023 Pg 1 of 4 Trans ID: LCV20231016525

verified complaint and proof of service of the same by _____. The answer, answering affidavit or a motion as the case may be, must be filed with the Clerk of the Superior Court in the county listed above and a copy of the papers must be sent directly to the chambers of Judge Must.

4. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by _____. 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 Must.

5. 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 the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

6. 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.

7. Defendants take notice that the Plaintiffs have filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer, an answering affidavit, or a motion returnable on the return date to the order to show cause and proof of service before the return date of the order to show cause. 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 njcourts.gov. Include a \$ filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your answer, answering affidavit or motion 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, answering affidavit or motion with the fee or judgment may be entered against you by default.

8. 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 njcourts.gov.

9. 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 ____ days before the return date.

HONORABLE VALTER H. MUST, J.S.C.

(x) Opposed
() Unopposed