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April 13, 2021

Renee Steinhagen, Esq., Executive Director
Flavio Komuves, Esq., Trustee
NJ Appleseed Public Interest Law Center
50 Park Place, Suite 1025
Newark, NJ 07102-3806

Re: Fuhrman v. Mailander, ___ N.J. Super. ___ (App. Div. March 9, 2021)

Dear Counsel:

Your March 25, 2021 letter addressed to the Hon. Carmen H. Alvarez, Hon. Richard J. Geiger, Hon. Stephanie Ann Mitterhoff, and Joseph H. Orlando, Appellate Division Clerk, has been referred to me for review and response.

Your letter, which was not copied to the parties to the appeal or their counsel, essentially seeks modification of the captioned opinion by the addition of an approximately one-and-a-half-page footnote. This method of seeking relief from the court is inappropriate. As a non-party, the proper way to request relief before the court is by way of formal motion, on notice to the parties, pursuant to R. 2:8-1. NJ Appleseed requires standing to appear in this matter, so you may want to consider filing a motion to intervene and for whatever other relief you seek, such as reconsideration, clarification, etc. As more than 10 days have elapsed since issuance of the opinion, a motion for reconsideration would need a request to file it as within time. R. 2:11-6. This opinion has been approved for publication, so whatever action you decide should be taken as soon as possible.

By copy of this letter to counsel, I am including your March 25, 2021 letter.

Please let me know if you have any questions.

Thank you.

Very truly yours,
/s/ Marie C. Hanley
Marie C. Hanley
Chief Counsel

MCH/mc

cc: Matthew S Rogers, Esq., Matthew S. Rogers
Scott D Salmon, Esq., Jardim Meisner & Susser PC
William W Northgrave, Esq., McManimon Scotland & Baumann LLC
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Richard J. Geiger, J.A.D.

March 25, 2021

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Hon. Carmen H. Alvarez
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Cape May, NJ 08210-0280

Hon. Richard J. Geiger
1201 New Road
Suite 140
Linwood, NJ 08221

Hon. Stephanie Ann Mitterhoff
LeRoy F. Smith, Jr. Public Safety Complex
60 Nelson Place, 10th Fl.
Newark, NJ 07102-1501

Re: Fuhrman v. Mailander, A-0080-20, approved for
publication on March 9, 2020

Honorable Judges Alvarez, Geiger and Mitterhoff:

We are writing to you with respect to your recent opinion in the aforementioned matter concerning the statutory right of New Jersey voters to initiate a ballot question to move both their municipal or school board elections to November. New Jersey Applesseed Public Interest Law ("NJ Applesseed") has operated a "Facilitating Local Initiative and Referendum" Project for approximately fifteen years, under which we assist

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