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Attorney for Post-Judgment Intervenor
NJ Appleseed Public Interest Law Center

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ROBERT FUHRMAN, MATTHEW LINDENBERG SUPERIOR COURT OF NEW JERSEY
CONSTANCE LOSCALZO, DEBORAH :APPELLATE DIVISION
STEINBAUM, and SIOBHAN CRANN :DOCKET NO. A-0080-20
WINNOGRAD, :
:
Plaintiffs-Respondents, :On appeal from the
:
-vs.- :Superior Court of New Jersey
:
HEATHER MAILANDER, In Her Official :Docket No. L-4906-20
Capacity as the VILLAGE CLERK FOR :
THE VILLAGE OF RIDGEWOOD, :
:
Defendant-Appellant, :
:
--and -- :
:
THE COUNTY CLERK FOR :
BERGEN COUNTY, :
:
Defendant. ;

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NOTICE OF MOTION FOR LEAVE TO INTERVENE AND TO FILE
MOTION TO CLARIFY NUNC PRO TUNC

TO: Joseph H. Orlando
Appellate Division Clerk
Hughes Justice Complex
25 West Market Street
Trenton, New Jersey 08625

ON NOTICE TO:

Scott D. Salmon, Esq.
Jardim Meisner & Susser PC
30B Vreeland Rd. #100
Florham Park, N.J. 07932

William W. Northgrave, Esq.
McManimon Scotland & Baumann, LLC
75 Livingston Avenue, #201
Roseland, NJ 07068

Matthew S. Rogers, Esq.
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123 Prospect St.
Ridgewood, NJ 07450

PLEASE TAKE NOTICE, that the applicant, proposed intervenor, New Jersey Appleseed Public Interest Law Center, hereby moves, pursuant to R. 4:33-2, for leave to intervene in this matter post-judgment (Permissive Intervention); and to submit a motion, *nunc pro tunc* (as permitted by R. 1:1-2(a)), to clarify, amend or correct the Court's opinion in accordance with R. 2:11-6(c) ("where appropriate," appellate panel may "amend its opinion"). We make these motions in light of the court's role with respect to protecting voters' civil rights, and in order to ensure that the Court's decision does not inadvertently confuse municipal clerks and potential petitioners in the future.

Applicant, a nonprofit legal advocacy organization, has operated a "Facilitating Local Initiative and Referendum" project. for approximately fifteen years, under which it assists voters in drafting their petitions, often defends those petitions if

challenged, and has appeared as amicus in matters of first impression or matters in which it seeks to detail the interplay of various statutory referendum provisions without weighing in on one side or the other. Accordingly, New Jersey Appleseed has a special interest in this litigation, and, respectfully, requests party status post-judgment so it may ask the court to clarify its decision to protect the public's interest in clarity on the law governing the procedure for citizens' petitions relating to changing the form of municipal government or governing the date of board of education elections. Such petitions place questions on the ballot and, unlike other forms of petition, do not initiate either the adoption nor the repeal of municipal ordinances.

PLEASE TAKE FURTHER NOTICE that in support of its three motions, New Jersey Appleseed Public Interest Law Center will rely upon the Certification of Counsel, Renée Steinhagen, and the letter brief submitted herewith.

Respectfully submitted,

NJ APPLESEED PILC

By: /s/Renée Steinhagen
Renée Steinhagen, Esq.

Dated: May 3, 2021