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APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-3103-20**

TOWNSHIP OF UPPER,

Plaintiff-Respondent,

v.

WHIPPOORWILL  
CAMPGROUNDS, LLC,  
THOMAS SWENK AND  
CINDY SWENK,

Defendants-Appellants.

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Submitted November 16, 2021 – Decided December 1, 2021

Before Judges Fisher, Currier and DeAlmeida.

On appeal from the Superior Court of New Jersey, Law  
Division, Cape May County, Docket No. L-0111-19.

Cooper Levenson, PA, attorneys for appellants  
(Jennifer B. Barr, on the briefs).

Barry, Corrado & Grassi, PC, attorneys for respondent  
(Frank L. Corrado, on the brief).

PER CURIAM

We were advised prior to argument that the matter was amicably adjusted, and the parties have stipulated to the dismissal of this appeal. Accordingly, the appeal is dismissed with prejudice and without costs.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION