

NOTICE TO THE BAR

RE: Long Branch Manufactured Gas Plant Litigation

Accompanying the publication of this Notice to the Bar is a copy of the [Supreme Court's February 4, 2004 Order](#) designating all pending and future litigation statewide seeking damages or other relief arising out of alleged environmental contamination in Monmouth County in connection with the former Long Branch Manufactured Gas Plant ("LBMGP") as a mass tort and transferring all such cases to Bergen County for centralized management by the Hon. Charles J. Walsh. Also accompanying this Notice is a [copy of Judge Walsh's Case Management Order](#) setting forth the details of the transfer.

All questions relating to this matter should be directed to the Administrative Office of the Courts, Civil Practice Division, P. O. Box 981, Trenton, NJ 08625 (609-292-8470).

Richard J. Williams, J.A.D.
Administrative Director of the Courts
Dated: February 23, 2004

SUPREME COURT ORDER

Upon application made pursuant to Rule 4:38A and the Mass Tort Guidelines promulgated by Directive #11-03 in accordance with that Rule, it is hereby ORDERED that all pending and future actions seeking damages or other relief arising out of alleged environmental contamination in Monmouth County in connection with the former Long Branch Manufactured Gas Plant ("LBMGP") are designated as a mass tort for centralized case management purposes; and

It is FURTHER ORDERED that any and all such complaints that have been filed in the various counties and that are under or are awaiting case management and/or discovery shall be transferred from the county of venue to Superior Court, Law Division, Bergen County (Vicinage No. 2), and assigned for management purposes to the Honorable Charles Walsh; and

It is FURTHER ORDERED that venue in all existing LBMGP cases is transferred to Bergen County; and, that, pursuant to N.J.Const. (1947), Art. VI, sec. 2, par. 3, the provisions of Rule 4:3-2 governing venue in the Superior Court are supplemented and relaxed so that all future complaints seeking damages or other relief arising out of alleged environmental contamination in Monmouth County in connection with the LBMGP, no matter where they might be venued, shall be filed in Bergen County and assigned to Judge Walsh for management; and

It is FURTHER ORDERED that Judge Walsh shall oversee all management and trial issues for such cases and may, in his discretion, return such cases to the original county of venue for disposition; and

It is FURTHER ORDERED that no Special Master may be appointed in this litigation without the express approval of the Chief Justice.

For the Court
Deborah T. Poritz
Dated: February 4, 2004

