

BLANEY, DONOHUE & WEINBERG, P.C.

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ATTORNEYS FOR:
LOCAL 825 LABOR MANAGEMENT FUND

**LOCAL 825 LABOR MANAGEMENT FUND
(d/b/a Engineers Labor Employer Cooperative)**

Plaintiff,

vs.

**NEW JERSEY BOARD OF PUBLIC UTILITIES
(a/k/a BPU) and
SHERRI L. LEWIS, in her official capacity as
Custodian of Records of the New Jersey Board
of Public Utilities**

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – MERCER COUNTY

DOCKET NO.: L-709-25

ORDER TO SHOW CAUSE

Code 802 – OPRA Summary matter

This matter being brought before to the court by Matthew Thomas Rooney, Esquire of Blaney Donohue Weinberg P.C., attorneys for Plaintiff, seeking relief by way of 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 7th day of April, 2025:

1. **ORDERED** that Defendant(s), New Jersey Board of Public Utilities and Sherri L. Lewis, shall appear^{remotely} and show cause on the 3rd day of June, 2025, before the Mercer County Superior Court at the County Courthouse in Trenton, New Jersey at 2:00 ~~11~~ p.m., or as soon thereafter as counsel can be heard, on why judgment should not be entered for Plaintiff and against Defendants:
 - A. Compelling the immediate production of all public records, complete and unredacted, responsive to items #3 and #4 outlined in Plaintiff's January 16, 2025 records request;
 - B. For the issuance of a penalty imposed upon the agency under N.J.S.A. 47:1A-11;
 - C. For reasonable attorneys' fees under N.J.S.A. 47:1A-6 and N.J.S.A. 10:6-2(f); and
 - D. Retaining jurisdiction of the matter to oversee compliance with the production of the documents; and
 - E. For such other and further legal and equitable relief as is just and proper.

2. **IT IS FURTHER ORDERED** that Defendants, their officers, agents, employees and attorneys, and upon such persons in active concert or participation with them who have actual notice of this order by personal service or otherwise, are restrained and enjoined from destroying, damaging, altering, modifying, or alienating any document potentially responsive to the records request, and any meta data associated therewith;

3. **IT IS FURTHER ORDERED** that 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), personally, or within days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process;

4. **IT IS FURTHER ORDERED** that 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. 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 in the verified complaint and proof of service of the same by May 13, 2025. 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 Robert Lougy, AJSC. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by May 23, 2025. 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 Robert Lougy, AJSC.
5. **IT IS FURTHER ORDERED** that if the defendant(s) do/does 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. **IT IS FURTHER ORDERED** that if the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.


ROBERT LOUGY, A.J.S.C.

All proceedings in this matter shall be remote via TEAMS unless the Court specifically directs otherwise.

NOTICES

Defendant(s) take notice that the plaintiff has 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/forms/10153_deptyclerklawref.pdf. Include a \$175.00 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.

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/forms/10153_deptyclerklawref.pdf.

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.