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**NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION,**

Plaintiff,

vs.

**CITY OF NORTH WILDWOOD, “XYZ
CONTRACTORS” 1-10, “JOHN
AND/OR JANE DOES” 1-10,**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION:
CAPE MAY COUNTY**

Docket No. C-55-22

Civil Action

ORDER

THIS MATTER having been brought before the court by way of case management conference to discuss Defendant City of North Wildwood’s (hereafter, “North Wildwood”) request seeking leave to file a motion relative to the court’s jurisdiction and authority to consider matters pertaining to the disposition of the February 10, 2023 Emergency Authorization submitted by North Wildwood pursuant to the court’s February 1, 2023 Order, which was denied by the Defendant New Jersey Department of Environmental Protection (“DEP”) on February 24, 2023, and with Anthony S. Bocchi, Esq. and Neil Yoskin, Esq. appearing for North Wildwood, and with Dianna E. Shinn, Esq. appearing for Plaintiff New Jersey Department of Environmental Protection (hereafter, “DEP”), and for good cause shown:

IT IS on this _____ day of March, 2023, ORDERED as follows:

1. North Wildwood is granted leave to file a motion to determine whether the court has jurisdiction over the DEP's denial of North Wildwood's February 10, 2023 Emergency Authorization application and matters that may occur subsequent thereto.
2. North Wildwood's Motion shall be filed on or before **Monday, March 13, 2023**.
3. DEP's Opposition shall be filed on or before **Monday, March 20, 2023**.
4. North Wildwood's Reply shall be filed on or before **Friday, March 24, 2023**.
5. Oral Argument shall be heard in person at the Superior Court of New Jersey, Chancery Division, Cape May County, before the Honorable Michael J. Blee, A.J.S.C., at the Cape May County Courthouse, 9 North Main Street, Cape May, NJ 08210, in Courtroom I on **Monday, March 27, 2023**, at 1:30 P.M.

MICHAEL J. BLEE, A.J.S.C