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September 14, 2023

Via JEDS and aala.khan@njcourts.gov  
Honorable Paula T. Dow, P.J.Ch.  
Olde Courthouse, First Floor  
120 High Street  
Mount Holly, NJ 08060

*Re: Plaintiffs, Lorraine Pratt and Melanie Long individually and on behalf of all Rittenhouse Park Community Association, Inc. owners and others similarly situate v. Rittenhouse Park Community Association, Inc. et al.  
Docket No. BUR-C-62-23*

Dear Judge Dow:

Please be advised I represent the Defendant, Rittenhouse Park Community Association, Inc. ("Association") in the above-captioned matter and accept this letter brief in lieu of a more formal response due to the timely nature of the Plaintiffs' Motion. I am writing in response to the Order to Show Cause seeking Temporary Restraints against Defendants dated September 13, 2023. Please be advised the Defendant had already canceled the previously scheduled election for September 18, 2023, so the Plaintiffs' Motion is moot at this time.

Plaintiffs have filed via JEDS yesterday, Wednesday, September 13, 2023, their Verified Complaint, supporting brief, and proposed Order to Show Cause seeking Temporary Restraints against Defendants. Plaintiffs are seeking judgment against Defendants, pursuant to the New Jersey Declaration Judgment Act, N.J.S.A. 2A:16-50 et seq. alleging that Defendants have been and continue to violate the Rittenhouse Park governing documents and the Planned Real Estate Development Full Disclosure Act, N.J.S.A. 45:22a-21 et seq. including the administrative regulations promulgated pursuant thereto ("PREDFDA") whereby Plaintiffs contend they are entitled to immediate relief pursuant to R. 4:32 including directing Defendants to immediately cease and desist from claiming to conduct or otherwise conducting an election for the Rittenhouse Park Board of Trustees on September 18, 2023. Plaintiffs also seek the appointment of an election

master to conduct in the future and oversee an election in 2023 for the Rittenhouse Park Board of Trustees in accordance with PREDFDA and the Rittenhouse Park Governing Documents, in addition to damages and attorneys' fees.

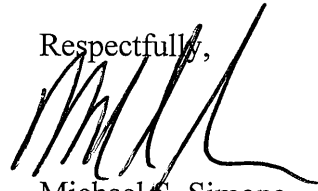
Defendant objects to Plaintiffs' motion since the issue is moot at this time. As previously indicated, the Association is not having the election on Monday, September 18, 2023. As of yesterday, Wednesday, September 13, 2023, the Association already agreed to move the election to November to ensure enough time is given to resend notices and allow the Board and Association counsel to review the notice section to comply with the required election law pertaining to associations. Should there be any objections to this process, Plaintiffs can refile an action, but at this time the Defendant believes that the claims are premature.

Further, Plaintiffs' attorney never called or wrote to the Defendant prior to filing, which I believe would have addressed their concerns at this time.

I will be out of the office tomorrow, Friday, September 15, 2023, for a medical procedure and ask that all communications be directed to Kelly A. Hicks, Esquire, at khicks@thesimonelawfirm.com if a timely hearing needs to be scheduled.

Thank you for your attention and consideration in this matter.

Respectfully,



Michael S. Simone

MSS/kah

cc: Paul Leodori, Boudwin Ross Roy Leodori PC.  
Rittenhouse Park Community Association, Inc.