

**BOARD OF CHOSEN FREEHOLDERS  
OF THE COUNTY OF WARREN**  
BELVIDERE, NEW JERSEY 07823-1949



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January 14, 2014

**Via Hand Delivery**

Hon. John H. Pursel, J.S.C.  
Warren County Courthouse  
P.O. Box 900  
413 2nd Street  
Belvidere, NJ 07823

**Re: Paff v. Office of the Prosecutor of the County of Warren, et al.**  
**Docket No. WRN-L-34-13**

Dear Judge Pursel,

The undersigned represents the Office of the Prosecutor of the County of Warren in connection with the above referenced matter. The Civil Division has advised that His Honor is now handling any matters formerly assigned to Judge O'Connor.

Enclosed please find a proposed Consent Order for a Stay Pending Appeal and the Order, Decision and Amended Order of the Court, which serve as the basis for this application. As set forth in the attached Orders and Decision, Judge O'Connor has ordered the Prosecutor's Office release certain investigatory records to the Plaintiff under the Common Law Right of Access.

County Counsel is appealing that decision on behalf of the Prosecutor. However, in order to preserve the status quo and avoiding rendering any of the issues moot prior to consideration by the Appellate Court, it is requested that the trial court grant the parties joint application for a stay.

Respectfully submitted,

  
Joseph J. Bell, IV

enc.

cc: Walter M. Luers, Esq.

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Warren County Counsel

**JOHN PAFF,**

Plaintiff,

vs.

**OFFICE OF THE PROSECUTOR OF  
THE COUNTY OF WARREN, TARA J.  
KIRKENDALL** in her official capacity as  
an Assistant Prosecutor and **JOHN DOE  
NUMBERS ONE THROUGH FOUR.**

Defendant.

**SUPERIOR COURT OF NEW JERSEY  
CIVIL DIVISION: CHANCERY PART  
WARREN COUNTY**

Docket No.: L-34-13

**CONSENT ORDER TO  
STAY PROCEEDINGS  
PENDING APPEAL**

This matter being opened to the Court by Joseph J. Bell, IV., of the law firm of Bell, Shivas & Fasolo, P.C., attorneys for the Defendants, Office of the Prosecutor of the County of Warren and Assistant Prosecutor Tara J. Kirkendall, Esq., for a stay of the Order of Judgment and, attorney for the Plaintiff, Walter M. Luers, Esq., having consented to the relief hereinafter set forth, and good causing appearing;

**IT IS ON THIS** \_\_\_\_\_ day of January, 2014 .

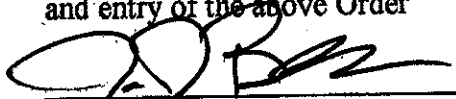
1. **ORDERED** that the obligation of the Defendant to release to the Plaintiff the thirteen (13) records/documents, as itemized in the "list" expressly incorporated within the December 18, 2013 Order and Decision of the Court, and subsequently modified pursuant to an Amended Order, dated December 30, 2013, all of which are incorporated herein by reference, shall be stayed upon the execution of this Order.

2. **ORDERED** that the operation and effect of this Order is conditioned upon the filing by the Defendant of a "Notice of Appeal" and shall only expire through the subsequent disposition of the merits on appeal and/or final exhaustion, by either party, of any and all appellate remedies.

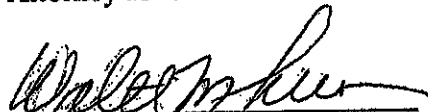
Dated: January \_\_\_\_, 2014

\_\_\_\_\_  
J.S.C.

I hereby consent to the form  
and entry of the above Order



Joseph J. Bell, IV.  
Attorney for the Defendant



Walter M. Luers  
Attorney for the Plaintiff