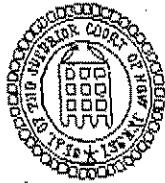


# SUPERIOR COURT OF NEW JERSEY MERCER VICINAGE

Mary C. Jacobson  
Assignment Judge Superior Court  
(609) 571-4499  
(609) 571-4463 fax



Mercer County Courthouse  
P.O. Box 8068  
Trenton, NJ 08650-0068

## FAX COVER SHEET

DATE: 2/5/15

TO: C. J. Grifflen

(201) 488-5556

Todd A. Wigder

(609) 292-6239

FROM: Erika # of Pages 2

SUBJ: Order

COMMENTS:

FEB 04 2015

PREPARED BY THE COURT

**HARRY SCHEELER,**

**Plaintiff,**

**v.**

**STATE OF NEW JERSEY OFFICE OF  
THE GOVERNOR and JOHN DOE, in  
his/her capacity as Records Custodian for  
the Office of the Governor,**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION –  
MERCER COUNTY**

**DOCKET NO. MER-L-2327-14**

**ORDER**

**Attorney for Plaintiff:**

C.J. Griffen, Esq.  
PASHMAN STEIN  
Court Plaza South  
21 Main Street, Suite 100  
Hackensack, New Jersey 07601

**Attorney for Defendants:**

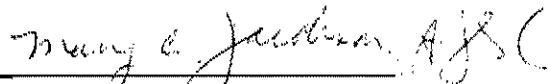
Todd A. Wigder, DAG  
Division of Law--Office of the Attorney General  
P.O. Box 112  
25 Market Street  
Trenton, New Jersey 08625

**THIS MATTER** having been opened to the court by Plaintiff, Harry Scheeler, by way of the filing of a verified complaint and an order to show cause seeking the turnover of all of Defendant's communications with members of the press, including emails, letters and faxes, and the turnover of "RSVP" lists for the Governor's town hall meetings, pursuant to the Open Public Records Act, N.J.S.A.47:1A-1; and Defendants having opposed the order to show cause; and the court having reviewed the submissions of the parties; and having heard oral argument on February 4, 2015; and for the reasons set forth on the record on the same day; and for good cause shown:

**IT IS** on this 4<sup>th</sup> day of February, 2015, **HEREBY ORDERED** that:

1. The "RSVP" lists shall be turned over by Defendants with the email addresses unredacted by February 20, 2015.

2. The Defendants' denial of Plaintiff's request for all communications with members of the press is confirmed as overbroad. Plaintiff's request for relief in regard to this request is therefore denied.
3. Plaintiff shall be awarded counsel fees as a partially prevailing party.
  - a. Counsel for Plaintiff shall provide a certification of services to counsel for Defendants by February 20, 2015.
  - b. Counsel for Defendants shall inform the court by March 6, 2015 as to whether the parties can resolve the issue of counsel fees without the court's intervention.
  - c. If counsel cannot resolve the issue of counsel fees, the case will be referred by the court to Eric Max at the Office of Dispute Resolution for mediation and, if mediation is unsuccessful, the parties shall notify the court so that a motion and briefing schedule for the award of counsel fees can be established.

  
MARY C. JACOBSON, A.J.S.C.