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JUNE 12, 2020

**SUPERIOR COURT OF NJ
MERCER VICINAGE
CHANCERY**

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PHILIP D. MURPHY, in his	:	SUPERIOR COURT OF NEW JERSEY
official capacity as the	:	MERCER COUNTY VICINAGE
GOVERNOR of the STATE OF NEW	:	CHANCERY DIVISION - GENERAL
JERSEY,	:	EQUITY PART
	:	DOCKET NO.: C-56-20
Plaintiff,	:	
	:	
	:	<u>CIVIL ACTION</u>
v.	:	
	:	
JOHN MOOR, in his official	:	ORDER GRANTING PRELIMINARY
capacity as the MAYOR of the	:	INJUNCTIVE RELIEF
CITY OF ASBURY PARK; the CITY	:	
OF ASBURY PARK; JANE DOES 1-	:	
10 (in their official capacity	:	
as agents or officers of the	:	
City of Asbury Park); and XYZ	:	
AGENCIES 1-10 (in their	:	
official capacity as agencies	:	
or offices of the City of	:	
Asbury Park).	:	
	:	
Defendants.	:	

THIS MATTER being brought before the court by Gurbir S. Grewal, Attorney General of New Jersey (Christopher Weber, Deputy Attorney General appearing), on behalf of plaintiff, Philip D. Murphy, in his official capacity as the Governor of the State of New Jersey, seeking relief by way of temporary restraints pursuant

to Rule 4:52-1, based upon the facts set forth in the complaint filed herewith; and upon notice to Frederick C. Raffetto, Esq., attorney for defendants, John Moor (in his official capacity as the Mayor of the City of Asbury Park) and the City of Asbury Park; and the court having read and considered the papers submitted on behalf of plaintiff, as well as any opposition thereto; and for good cause shown;

IT IS on this 12th day of June, 2020,

ORDERED that plaintiff's order to show cause and application for preliminary injunctive relief be and hereby is **GRANTED**; it is

FURTHER ORDERED that during the pendency of this matter, defendants and any and all of their employees, representatives, offices, agents and/or instruments, be and hereby are:

- A. Enjoined and restrained from executing, implementing or otherwise enforcing Paragraph 2 of Asbury Park Resolution 2020-187, adopted June 10, 2020, and certified June 11, 2020, and any and all portions thereof authorizing the operation of indoor food and beverage services for indoor dining purposes;
- B. Such other relief as the court deems equitable and just; and it is

FURTHER ORDERED that a copy of this order shall be served upon all parties within seven (7) days of the entry hereof.

/s/ Robert Lougy
ROBERT LOUGY, P.J.Ch.

 x Opposed
 Unopposed