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January 11, 2008

Ms. Katherine Watt

[REDACTED]  
North Plainfield, NJ 07060

**Re:   *Watt v. Borough of North Plainfield, et al.*  
Docket No. SOM-L-1853-07  
*Watt v. Borough of North Plainfield, et al.*  
Docket No. SOM-C-12090-07  
Our File No. 1123-1259**

**NOTICE OF INTENT TO SEEK SANCTIONS FOR  
FRIVOLOUS LITIGATION PURSUANT TO  
R. 1:4-8 AND N.J.S.A. 2A:15-59.1**

Dear Ms. Watt:

As you know, the Court dismissed your Complaint and Order to Show Cause on Monday, January 07, 2008 based upon the fact that the Ordinance proposed by you and your organization was discriminatory and illegal. I have already forwarded a proposed form of Order to the Court in this regard.

It was and remains the position of the Borough of North Plainfield that this litigation was frivolous, without any legal basis whatsoever in law or fact, unfounded, unprincipled and a gross misstatement and misquotation of the law. Further, it urged not only disrespect but disregard for lawfully delegated authority and in effect urged all public officials in North Plainfield to commit treason, against their oath to uphold the law both within and without the Borough. Through your ordinance, you and your organization preached Sedition. The court has already determined that the proposed Ordinance was illegal and discriminatory.

Not only did your proposed Ordinance seek to single out legally operating corporations conducting business under valid laws of the Borough and the State, but you sought to prevent ordinary citizens from acquiring real property unless they had an unreasonable association with real estate within the Borough for more than two (2) years and also involved in management thereof for the same amount of time. This provision clearly aimed to disenfranchise populations within the Borough which do not necessarily have longstanding upper middle class connections, but still reasonably want to live and succeed at the American dream in America and North Plainfield in particular.

A simple reading of the proposed ordinance reveals that it was clearly discriminatory and unconstitutional and Defendants properly refused to certify it. Moreover, there is no set of facts which you could raise that would present a valid

Ordinance of this sort. Essentially, what you sought to accomplish, through this ordinance, is to make the United States and New Jersey Constitutions wholly inapplicable to corporations and certain landed personal interests in the Borough of North Plainfield, but make constitutional protections available to "natural communities" and "ecosystems" within the Borough by conferring upon them the status of "persons" under the law. There is no possible construction of this ordinance which would or could pass constitutional muster, and the Court rightly stopped this attempt in its tracks.

Furthermore, it appears that the matter was not well thought out even beforehand. Your frequent references to a certain work of literature, and some of the internal references you have made to other laws and/or investment structures indicate that this was likely some out of state scheme which you attempted to adopt into the State of New Jersey without due circumspection or legal advice.

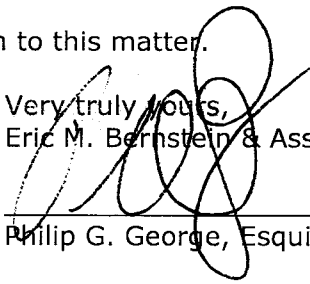
The Borough has indicated it may pursue collection of the substantial legal fees which you caused to be incurred by the taxpayers of the Borough of North Plainfield to defend this frivolous lawsuit. You may contact me, however, to discuss resolution of this matter before collection begins. You should also be advised that we may be conducting depositions to determine the membership of the organization and financial resources available to pay these damages, Furthermore, since your organization appears not to be a valid 501(c)(3) non-profit corporation under IRS law and the law of corporations of the State of New Jersey, information obtained may result in our obligation to report possible tax violations and non-reporting and/or application of collection of funds. Further, we may seek to impose liability on the officers of this organization as it appears not to be a valid corporation, and therefore liability may be imposed on the individuals who operated the organization as, in essence, general partners.

Furthermore, we advise that if there are any appeals taken in this matter, or if you or your group attempt any further efforts in regard to an initiative by petition for passage of any such similar Ordinance, that we will move to strike the same and seek sanctions, including reasonable attorney fees, consistent with *R. 1:4-8* and *N.J.S.A. 2A:15-59.1*.

Thank you for your attention to this matter.

Very truly yours,  
Eric M. Bernstein & Associates, L.L.C.

By:

  
Philip G. George, Esquire

PGG/pgg

CC: Mayor Janice Allen  
David Hollod, Borough Administrator  
Gloria Pflueger, RMC, Borough Clerk