



**TOWNSHIP OF LONG HILL, MORRIS COUNTY, NJ
TOWNSHIP COMMITTEE
REGULAR SESSION AGENDA
Wednesday, December 28, 2022
8:30 AM OPEN SESSION, CLOSED SESSION TO FOLLOW**

A draft of the Township Committee Regular Session Agenda is posted on the Township website at www.longhillnj.gov on the Monday preceding the meeting.

The December 28, 2022, Township Committee Meeting will be conducted in person at Long Hill Township Municipal Court located at 915 Valley Road, Gillette.

To participate through Zoom webinar: <https://us02web.zoom.us/j/89192516380>

Or Telephone: +1 929 436 2866

Webinar ID: 891 9251 6380 Passcode: 520329

To watch on website please visit: <http://longhillnj.gov/LHT-TV.html>

To watch live on LHTV visit: Comcast channel 29, Verizon channel 38, Verizon channel 2137 (HD)

1. STATEMENT OF PRESIDING OFFICER

"In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting specifically, the time, date and public call in information were included in the meeting that was electronically sent to the Echoes Sentinel and posted on the Township Website. The agenda and public handouts for this meeting can be viewed online at www.longhillnj.gov. A public comment period will be held in the order it is listed on the meeting agenda.

2. CALL MEETING TO ORDER:

3. ORDINANCE(S):

ORDINANCE 504-22 (SECOND READING / ADOPTION)

PROHIBITING WITH CERTAIN EXCEPTIONS THE DISCHARGE OF FIREARMS ANYWHERE IN THE TOWNSHIP OF LONG HILL AND AMENDING SECTION 3-7 OF THE TOWNSHIP CODE ENTITLED "FIREARMS" IN ITS ENTIRETY

PUBLIC HEARING

MOVED by: _____, that Ordinance 504-22 be adopted. **SECONDED by:** _____,
ROLL CALL VOTE

ORDINANCE 506-22 (SECOND READING / ADOPTION)

AMENDING SECTION 16-1.3A OF THE TOWNSHIP CODE ENTITLED "REGISTRATION AND MAINTENANCE OF PROPERTIES PENDING FORECLOSURE" TO BRING IT INTO COMPLIANCE WITH P.L. 2021, c. 444

PUBLIC HEARING

MOVED by: _____, that Ordinance 506-22 be adopted. **SECONDED** by: _____,
ROLL CALL VOTE

4. CONSENT AGENDA RESOLUTIONS:

Resolution No. 22-315 – 22-320 are considered to be routine by the Township Committee and will be acted upon in one motion. There will be no separate discussion of these items unless a Committee member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

- 22-315 APPROVAL AND RELEASE OF MINUTES
- 22-316 APPROVING PAYMENT OF BILLS
- 22-317 APPOINTING PROBATIONARY POLICE OFFICER - JARAMILLO
- 22-318 AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS
- 22-319 APPOINTING 2022 / 2023 BASKETBALL PROGRAM STAFF
- 22-320 AUTHORIZING TRANSFER OF FUNDS

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 22-315 through 22-320 are hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

5. LIAISON REPORTS:

6. ADMINISTRATOR'S REPORT:

7. DISCUSSION:

8. OLD/NEW BUSINESS:

9. ANNOUNCEMENTS:

**10. MEETING OPEN TO THE PUBLIC: Remarks and Statements Pertaining to Any Matter -
Comments and remarks will be limited to 3 Minutes**

11. EXECUTIVE SESSION:

22-321 EXECUTIVE SESSION

- Attorney Client Privilege – Anticipated litigation

MOVED by: _____ of the Township Committee of Long Hill Township, that Resolution 22-321 is hereby approved. **SECONDED** by: _____. **ROLL CALL VOTE:**

12. ADJOURNMENT

ORDINANCE 504-22
PROHIBITING WITH CERTAIN EXCEPTIONS THE DISCHARGE OF FIREARMS ANYWHERE IN THE TOWNSHIP OF LONG HILL AND AMENDING SECTION 3-7 OF THE TOWNSHIP CODE ENTITLED "FIREARMS" IN ITS ENTIRETY

WHEREAS, the Township Firearms Ordinance was first adopted by the Township Committee on September 5, 1973 as Ordinance #33-73 and amended in its entirety on October 7, 1974 by Ordinance #26-74; and

WHEREAS, in 1984, the Township Committee, recognizing that the Township had become more densely populated as a result of development during the previous ten years, adopted Ordinances Nos. 3-84 and 14-84 which prohibited the discharge of firearms and other weapons in certain designated areas of the Township; and

WHEREAS, there were no other amendments to the Ordinance after it was first adopted 48 years ago; and

WHEREAS, there has been a significant amount of new development in the Township during that time; and

WHEREAS, the Township Committee has determined that as a result of that development, the health, safety and welfare of the Township's residents requires that, with certain exceptions, the discharge of firearms must be prohibited throughout the Township; and

WHEREAS, N.J.S.A. 40:48-1 provides that, "The governing body of every municipality may make, amend, repeal and enforce ordinances to . . . 18. Regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions;"

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 3 of the Township Code entitled "Police Regulations" is hereby amended as follows:

Section 1. Section 3-7 entitled "Firearms," consisting of subsections 3-7.1 through 3-7.7.7 inclusive, is hereby repealed in its entirety.

Section 2. There is hereby created a new section 3-7 entitled "Discharge of Firearms Prohibited" which reads as follows:

"3-7 Discharge of Firearms Prohibited

3-7.1 Discharge of Firearm Prohibited in the Township of Long Hill

"Except as permitted by section 3-7.3 below, no person shall discharge any firearm within the boundaries of the Township of Long Hill."

3-7.2 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

“Firearm” means any handgun, rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances, with sufficient force to injure a person.

3-7.3 Exceptions.

The prohibitions of § 3-7.1 and N.J.S.A. 2C:39-6 et seq. (as exist or may be amended to exist) shall apply but not be solely limited to the following:

- A. Law enforcement officers of any governmental agency, federal, state, county and/or municipal, at all times (N.J.S.A. 2C:39-6).
- B. Members of any legally recognized military organization while in the performance of their official duties (N.J.S.A. 2C:39-6).
- C. Privately employed security personnel who are authorized by law to carry firearms while in the performance of their official duties (N.J.S.A. 2C:39-6).
- D. Persons lawfully using firearms in the protection of their person or property.
- E. Persons engaged in the discharge of firearms loaded only with blanks for commemorative events or historic pageants; provided, however, that such persons shall obtain a special permit from the Township Police Division upon application prescribed by the Director of the Department of Public Safety or designee (N.J.S.A. 2C:39-6).
- F. Members of any full-time paid or part-time paid Fire Department or force assigned full-time or part-time to a municipal or county arson investigation unit (N.J.S.A. 2C:39-6).
- G. Civilian employees of the state and federal government while in the performance of their official duties (N.J.S.A. 2C:39-6).
- H. Any representative of the Division of Fish, Game and Wildlife, Department of Environmental Protection (DEP), State of New Jersey, or deputy state conservation officer or full-time employee of the State Division of Parks and Forestry or a New Jersey transit police officer while in the performance of their official duties (N.J.S.A. 2C:39-6).
- I. A guard in the employ of any railway express company, banking or building and loan or savings and loan institution of the State of New Jersey while in the actual performance of official duties (N.J.S.A. 2C:39-6).
- J. Owner, tenant or lessee, the latter two having express written and dated permission of the owner, on file with the Township Police Division, when controlling woodchuck or other pests as legally defined, authorized and allowed by the hunting regulations promulgated by the Division of Fish, Game and Wildlife, Department of Environmental Protection, State of New Jersey. This subsection shall also apply to farmers (N.J.S.A. 2C:39-6).
- K. A person carrying a firearm for the purpose of hunting, provided that the firearm is legal and appropriate for hunting purposes in this State and the person has in possession a valid hunting license issued by the State of New Jersey, subject to the following conditions:
 - 1. No person shall discharge any firearm upon or across any State, County or municipal street, and no person except the owner or lessee of the property and persons specifically authorized by him in writing shall have in his possession a loaded firearm while within 450 feet of any occupied dwelling in the Township of Long Hill or while within 450 feet of a school playground.
 - 2. The discharge of any firearm shall be prohibited in the following areas of the Township:

- a. The area south of Long Hill Road to its intersection with Meyersville Road and, from that intersection, the area south of Meyersville Road.
- b. The area north of Valley Road and south of Long Hill Road.
- c. The area west of Carlton Road and north of Long Hill Road.
- d. The area east of South Main Avenue and south of Valley Road.
- e. The area beginning at a point being the northeasterly corner of Lot 10-21 in Block 1-1 as shown on the tax maps of the Township of Long Hill; and, running thence in a generally southerly direction following the boundary line between Lot 10-21, Block 1-1 and Lot 11, Block 1, 1,000 feet to a point; and, thence running in a generally westerly direction approximately 2,500 feet to the southeasterly corner of South Northfield Road; and, running thence in a generally northerly direction following the easterly sideline of South Northfield Road, 1,000 feet to a point; and, thence running in a generally easterly direction approximately 2,500 feet to the point and place of beginning.

L. Any person who holds a valid permit to carry a handgun issued pursuant to N.J.S.A. 2C:58-4, as supplemented and amended

3-7.4 Violations; Penalties

“Any person who is found to be in violation of the provisions of this section shall upon conviction thereof be subject to the penalty as stated in section 1-5 of this Code entitled “General Penalty.”

Section 3. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 4. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. This ordinance shall take effect immediately upon final passage and publication as required by law.

**ORDINANCE 506-22
AMENDING SECTION 16-1.3A OF THE TOWNSHIP CODE ENTITLED “REGISTRATION AND
MAINTENANCE OF PROPERTIES PENDING FORECLOSURE” TO BRING IT INTO COMPLIANCE
WITH P.L. 2021, c. 444**

WHEREAS, the Township Committee previously adopted Ordinance #396-17 making the property maintenance code applicable to properties in foreclosure in an effort to mitigate the detrimental effects caused by abandoned and vacant properties; and

WHEREAS, Ordinance #396-17 is codified as Section 16-1.3A of the Township Code entitled “Registration and Maintenance of Properties Pending Foreclosure; and

WHEREAS, the adopted Legislature recently adopted 2021 NJ Sess. Law Serv. Ch. 444 based on its findings that property registration programs provide a valuable tool to municipalities in confronting the risk of blight created by properties on which foreclosure proceedings have been initiated; and

WHEREAS, the Legislature has determined that it is in the State's interest for municipalities that operate such programs to do so with certain uniformity as part of the State's overall statutory scheme addressing the risk of blight.

WHEREAS, some provisions of the existing Township Code Section 16-1.3A are inconsistent with the new State law;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 16 of the Township Code, entitled "Property Maintenance", is hereby amended as follows:

Section 1. Section 16-1.3A entitled "Responsibilities of Creditor in the Case of Properties in Foreclosure" is amended in its entirety to read as follows:

16-1.3A Registration and Maintenance of Properties Pending Foreclosure.

16-1.3A.1 Registration.

- A. A creditor filing a summons and complaint in an action to foreclose shall, in addition to the notice provided to the Township pursuant to N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2, register the residential or commercial property with the Township's property registration program as a property in foreclosure and, as part of that registration: (a) provide the Township with the information regarding the creditor required by N.J.S.A. 46:10B-51) or N.J.S.A. 40:48-2.12s2; (b) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and (c) identify whether the property is vacant and abandoned in accordance with the definition in the ordinance required by paragraph (8) of this subsection;
- B. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within 10 days of the change in that information;
- C. The creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned in accordance with the definition in the ordinance required by paragraph (8) of this subsection after the property is initially registered with the Township, update the property registration with the Township to reflect the change in the property's status;

16-1.3A.2 Responsibilities of Creditor.

- A. The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property in compliance with the applicable Township property maintenance codes if the property is vacant and abandoned at any time while the property is registered with the property registration program;
- B. A creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor;
- C. A creditor filing a summons and complaint in an action to foreclose on a property, that is or becomes vacant and abandoned, shall secure the property against unauthorized entry, post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving service of process, or acquire and otherwise maintain liability insurance by procuring

a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property while registered with the property registration program;

16-1.3A.3 Definition of “Vacant and Abandoned”.

- A. property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:
- (a) overgrown or neglected vegetation;
 - (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
 - (c) disconnected gas, electric, or water utility services to the property;
 - (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
 - (e) the accumulation of junk, litter, trash, or debris on the property;
 - (f) the absence of window treatments such as blinds, curtains, or shutters;
 - (g) the absence of furnishings and personal items;
 - (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
 - (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
 - (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
 - (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
 - (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
 - (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
 - (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
 - (o) any other reasonable indicia of abandonment.

16-1.3A.4 Annual Fees.

A creditor required to register a property pursuant to this ordinance shall pay a registration fee of \$500 per property annually on or before February 1 of each calendar year for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned as defined in Section 16-1.3A-3 above when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned as defined in Section 16-1.3A-3 above at any time thereafter while the property is in foreclosure. All such annual fees and the due dates thereof shall be identified in the ordinance adopted pursuant to subsection a. of this section.

16-1.3A.5 Notice to Abate Nuisance or Violation.

- A. If the owner of a commercial property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a commercial property becomes vacant at any point subsequent to the creditor's filing the summons and complaint in an action to foreclose on a mortgage against the subject property, but prior to vesting of title in the creditor or any other third party, and the exterior of the property is found to be a nuisance or in violation of any applicable State or local code, the local public officer, municipal clerk, or other authorized municipal official shall notify the creditor or the representative or agent of an out-of-State creditor, as applicable, which shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by State law or Township ordinance. The enforcement officer shall include a description of the conditions that gave rise to the violation with the notice of violation and shall provide a period of not less than 30 days from the creditor's receipt of the notice for the creditor to remedy the violation. If the creditor fails to remedy the violation within that time period, the Township may impose penalties allowed for the violation of municipal ordinances.
- B. If the Township expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to the provisions of paragraph "A" of this section but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to, the recourse provided under N.J.S.A. 55:19–100.

16-1.3A.6 Violations; Penalties.

- A. The Township Code Enforcement officer or any other local official responsible for administration of any property maintenance or public nuisance code shall issue a notice to the creditor filing the summons and complaint in an action to foreclose, if the public officer or other authorized municipal official determines that the creditor has violated the ordinance. In the case of a violation for failure to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.
- B. An out-of-State creditor subject to this ordinance adopted pursuant to subsection a. of this section found by the Municipal Court or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to the ordinance shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in N.J.S.A. 46:10B–51) or N.J.S.A. 40:48–2.12s2 for providing notice to the

municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

- C. A creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the Municipal Court or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph (1) of this subsection, of the ordinance shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
- D. No less than 20 percent of any money collected pursuant to subsection f. or g. of this section or an ordinance adopted pursuant to subsection a. of this section shall be utilized by the Township for municipal code enforcement purposes.

16-1.3A.7 Definitions.

As used in this section:

“Creditor” means a mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, a State, county, or local government entity, or their agent or assignee, such as the servicer.

16-1.3A.8 Enforcement.

The Code Enforcement Officer is hereby authorized to enforce this Ordinance.

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

**RESOLUTION 22-315
APPROVAL AND RELEASE OF MINUTES**

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve and release the Township Committee Meeting Minutes of December 14, 2022;

BE IT FURTHER RESOLVED that the Township Committee hereby approves December 14, 2022, Executive Session Meeting Minutes as redacted by the Township Attorney.

RESOLUTION 22-316

APPROVING PAYMENT OF BILLS

BE IT RESOLVED, that the Township Committee of the Township of Long Hill does hereby approve the payment of the bills as presented by the Chief Financial Officer.

BE IT FURTHER RESOLVED, that the bills list be appended to the official minutes.

**RESOLUTION 22-317
APPOINTING PROBATIONARY POLICE OFFICER - JARAMILLO**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill upon the advice and recommendation of Lt. Marczewski, that David Jaramillo is hereby appointed as a Probationary Police Officer at an annual salary of \$49,672.00, effective January 9, 2023;

BE IT FURTHER RESOLVED, Mr. Jaramillo job offer of employment shall be contingent upon successful completion of a background investigation, medical evaluation, psychological evaluation, pre-academy screening test, applicant drug test and completion of a waiver program through Morris County Public Safety Academy;

BE IT FURTHER RESOLVED, that this appointment is consistent with the P.B.A. Association Collective Bargaining Agreement.

**RESOLUTION 22-318
AUTHORIZING CANCELLATION OF OUTSTANDING CHECKS**

WHEREAS, there are outstanding checks which were drawn on the Payroll Account; and

WHEREAS, said checks have been outstanding for more than nine (9) months; and

WHEREAS, the Chief Financial Officer is desirous of voiding said checks;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Long Hill that the following outstanding checks be cancelled, and the Chief Financial Officer is authorized and directed to void said checks:

<u>Account</u>	<u>Check Number</u>	<u>Date Issued</u>	<u>Amount</u>
Payroll	3499	2/26/21	\$149.84
	34935	7/30/21	\$408.78
	34944	7/30/21	\$315.68
	35032	8/27/21	\$329.36

**RESOLUTION 22-319
APPOINTING 2022 / 2023 BASKETBALL PROGRAM STAFF**

BE IT RESOLVED, by the Township Committee of the Township of Long Hill upon the advice and recommendation of the Recreation Director that the following be appointed to the 2022 / 2023 Recreation Basketball program effective December 16, 2022

Assistant Supervisor	
Wizeman, Eamonn	\$ 17.00

**RESOLUTION 22-320
AUTHORIZING TRANSFER OF FUNDS**

WHEREAS, there appears to be insufficient funds in the following accounts to meet the demands thereon for the balance of the Current Year; and

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand necessary for the balance of the Current Year;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provision R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account mentioned as being insufficient, to meet the current demands, and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following transfers:

ACCOUNT	TRANSFER FROM	TRANSFER TO
Group Insurance- OE	\$20,000.00	
Radio & Communications- OE		\$ 2,000.00
Water- OE		1,000.00
Street Lighting- OE		2,000.00
Social Security- OE		5,000.00
Seniors- OE		<u>10,000.00</u>
Totals	\$20,000.00	\$20,000.00

**RESOLUTION 22-321
EXECUTIVE SESSION**

BE IT RESOLVED, pursuant to the Open Public Meetings Act, that the Township Committee of Long Hill Township meets in closed session to discuss the following matters:

- Attorney Client Privilege – Anticipated litigation
