

**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
CIVIL ACTION**

ATC OUTDOOR DAS, LLC	:	No. 2011-09455
	:	
vs.	:	
	:	
BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP	:	
	:	
and	:	
	:	
MICHAEL T. SOLOMON Director of Code Enforcement	:	

ORDER

AND NOW, this day of June 2012, upon consideration of the Motion for Expedited Disposition filed by CONTACT, an unincorporated association, and any response thereto, it is hereby ORDERED AND DECREED that said Motion, for good cause shown, is hereby GRANTED, and a hearing upon the Petition for Intervention of CONTACT is scheduled to be held on June ____ 2012, at _____ a.m./p.m. in the Bucks County Courthouse, Doylestown, Courtroom No. _____.

BY THE COURT:

Wallace H. Bateman, Jr., J.

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: No. 2011-09455

vs.

BOARD OF SUPERVISORS OF
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and

MICHAEL T. SOLOMON
Director of Code Enforcement

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OF BUCKS COUNTY
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**MOTION OF INTERVENOR, "CONTACT"
FOR EXPEDITED DISPOSITION**

Petitioner, CONTACT, by and through its constituent members as identified in its petition to Intervene, by and through its attorneys, Hill Wallack LLP, hereby moves the Court to hear and consider its Petition for Intervention on an expedited basis, and in support thereof, avers as follows:

1. Plaintiff, ATC Outdoor DAS, LLC, ("ATC") filed a Motion for Enforcement of Pre-emptory Judgment, Determination of Contempt and Injunctive Relieve on or about May 18, 2012.
2. The Court on June 4, 2012 scheduled a hearing upon the said Motion for Enforcement of Pre-emptory Judgment to be held June 19, 2012 at 1:30 pm.
3. CONTACT is an unincorporated association, the constituent members of which are members of Northampton Township, the majority of whom live in the

residential neighborhoods in which 25 foot tall wireless telecommunications towers are proposed to be installed by ATC.

4. As more fully set forth in its Petition to Intervene, which is incorporated herein by reference as if fully set forth at length, the harm that will be occasioned to the property rights and interests of the constituent members of CONTACT is substantial, direct and immediate, hence, justifying intervention to defend against the attempt of ATC to circumvent the municipal review process and install telecommunication towers in violation of the rights of the members of CONTACT.

5. Given the short time frame between the Court's scheduling of a hearing on ATC's Motion and the date of the hearing itself, and given the intrinsic delay to which petitions are generally subject by virtue of the applicable Rules of Civil Procedure, the Petition to Intervene of CONTACT will not be decided before the June 19 hearing on ATC's Motion absent the exercise of the Court's equitable powers.

6. Hence, CONTACT will be unable to meaningfully participate and defend against the Motion of ATC unless the Petition to Intervene is disposed of on an expedited basis.

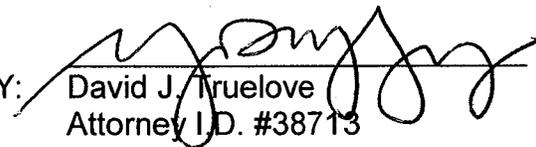
7. In the interest of justice, CONTACT prays that this Honorable Court will issue an Order scheduling a conference and/or hearing on an expedited basis so that the Petition to Intervene of CONTACT may be disposed of in advance of the June 19, 2012 hearing now scheduled for 1:30 pm.

WHEREFORE, CONTACT, an unincorporated association, by and through its constituent members, respectfully request that the Court grant its Motion and enter an Order in the form provided.

Respectfully submitted,

HILL WALLACK LLP

BY:



David J. Truelove
Attorney I.D. #38713
Timothy J. Duffy
Attorney I.D. #65430
777 Township Line Road, Suite 250
Yardley, PA 19067

VERIFICATION

I, Timothy J. Duffy, Esquire, state that I am an attorney with the law firm of Hill Wallack LLP, attorneys for Petitioner, which lacks sufficient knowledge or information to verify the statements in the foregoing Motion for Expedited Disposition in that the statements contained therein are predicated upon the results of investigations that have not been communicated to the clients or involve legal interpretation; and therefore, under the provisions of Pa. R. Civ. P. 1024(c), I hereby verify that the statements made in the foregoing Motion for Expedited Disposition and any attachments thereto are true and correct to the best of my information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. §4904 relative to unsworn falsification to authorities.

DATE: _____

6/7/12

Timothy J. Duffy



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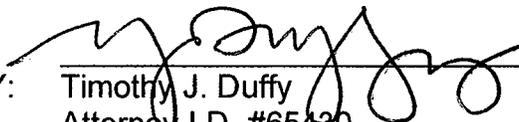
CERTIFICATE OF SERVICE

I, Timothy J. Duffy, Esquire, hereby certify that on 6/8, 2012, I served a true and correct copy of the aforesaid Motion for Expedited Disposition upon the following by United States First Class mail, postage prepaid, addressed as follows:

John A. VanLuvanee, Esquire
Eastburn and Gray, P.C.
60 East Court Street
P.O. Box 1389
Doylestown, PA 18901-0137

Michael J. Savona, Esquire
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HILL WALLACK LLP

BY: 
Timothy J. Duffy
Attorney I.D. #65430