

**APPENDIX XII-H**

OSC AS ORIGINAL PROCESS –  
SUBMITTED WITH NEW COMPLAINT  
PRELIMINARY INJUNCTIVE RELIEF AND  
TEMPORARY RESTRAINING ORDER

*PURSUANT TO RULE 4:52*

FORM CAN ALSO BE FOUND AT  
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SUPERIOR COURT OF NEW JERSEY  
\_\_\_\_\_ DIVISION \_\_\_\_\_ COUNTY  
\_\_\_\_\_ PART

[*Insert the plaintiff's name*]

Plaintiff(s),

v.

[*Insert the defendant's name*]

Defendant(s).

Docket No.:

CIVIL ACTION

ORDER TO SHOW CAUSE  
WITH TEMPORARY RESTRAINTS  
PURSUANT TO RULE 4:52

THIS MATTER being brought before the court by \_\_\_\_\_, attorney for plaintiff, [*insert the plaintiff's name*], seeking relief by way of temporary restraints pursuant to *R. 4:52*, based upon the facts set forth in the verified complaint filed herewith; and it appearing that [the defendant has notice of this application] *or* [defendant consent's to plaintiff's application] *or* [immediate and irreparable damage will probably result before notice can be given and a hearing held] and for good cause shown.

It is on this \_\_\_\_ day of \_\_\_\_\_ **ORDERED** that defendant, [*insert the defendant's name*], appear and show cause before the Superior Court at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, New Jersey at \_\_\_\_ o'clock in the \_\_\_\_ noon or as soon thereafter as counsel can be heard, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ why an order should not be issued preliminarily enjoining and restraining defendant, [*insert the defendant's name*], from

- A. [*Set forth with specificity the return date relief that the plaintiff is seeking.*];
- B. \_\_\_\_\_;
- C. \_\_\_\_\_;

D. Granting such other relief as the court deems equitable and just.

And it is further *ORDERED* that pending the return date herein, the defendant is [*temporarily*] enjoined and restrained from:

A. [*Set forth with specificity the temporary restraints that the plaintiff is seeking.*];

B. \_\_\_\_\_;

C. \_\_\_\_\_.

And it is further *ORDERED* that:

1. The defendant may move to dissolve or modify the temporary restraints herein contained on two (2) days notice to the [plaintiff's attorney *or alternate*: plaintiff].

2. A copy of this order to show cause, verified complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the defendant [personally *or alternate*: describe form of substituted service] within \_\_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

3. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant no later than three (3) days before the return date.

4. Defendant shall file and serve a written response to this order to show cause and the request for entry of injunctive relief and proof of service by \_\_\_\_\_, 20\_\_\_. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to Judge \_\_\_\_\_, whose address is \_\_\_\_\_, New Jersey. You must also send a copy of your opposition papers to the plaintiff's attorney whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ \_\_\_\_\_ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

5. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by \_\_\_\_\_, 20\_\_\_. The reply papers must be filed

with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge \_\_\_\_\_.

6. If the defendant does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

7. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

8. Defendant take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer to the complaint and proof of service within 35 days from the date of service of this order to show cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$\_\_\_\_\_ filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands.

9. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

10. The court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than \_\_\_ days before the return date.

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J.S.C.

[Note: Adopted as Appendix XII-H July 9, 2008 to be effective September 1, 2008.]

ATLANTIC COUNTY: Deputy Clerk of the Superior Court Civil Division, Direct Filing 1201 Bacharach Blvd., First Fl. Atlantic City, NJ 08401	LAWYER REFERRAL (609) 345-3444 LEGAL SERVICES (609) 348-4200
BERGEN COUNTY: Deputy Clerk of the Superior Court Case Processing Section, Room 119 Justice Center, 10 Main St. Hackensack, NJ 07601-0769	LAWYER REFERRAL (201) 488-0044 LEGAL SERVICES (201) 487-2166
BURLINGTON COUNTY: Deputy Clerk of the Superior Court Central Processing Office Attn: Judicial Intake First Fl., Courts Facility 49 Rancocas Rd. Mt. Holly, NJ 08060	LAWYER REFERRAL (609) 261-4862 LEGAL SERVICES (609) 261-1088
CAMDEN COUNTY: Deputy Clerk of the Superior Court Civil Processing Office 1st Fl., Hall of Records 101 S. Fifth St. Camden, NJ 08103	LAWYER REFERRAL (856) 964-4520 LEGAL SERVICES (856) 964-2010
CAPE MAY COUNTY: Deputy Clerk of the Superior Court 9 N. Main Street Box DN-209 Cape May Court House, NJ 08210	LAWYER REFERRAL (609) 463-0313 LEGAL SERVICES (609) 465-3001
CUMBERLAND COUNTY: Deputy Clerk of the Superior Court Civil Case Management Office Broad & Fayette Sts., P.O. Box 615 Bridgeton, NJ 08302	LAWYER REFERRAL (856) 692-6207 LEGAL SERVICES (856) 451-0003
ESSEX COUNTY: Deputy Clerk of the Superior Court 50 West Market Street Room 131 Newark, NJ 07102	LAWYER REFERRAL (973) 622-6207 LEGAL SERVICES (973) 624-4500
GLOUCESTER COUNTY: Deputy Clerk of the Superior Court Civil Case Management Office Attn: Intake First Fl., Court House 1 North Broad Street, P.O. Box 129 Woodbury, NJ 08096	LAWYER REFERRAL (856) 848-4589 LEGAL SERVICES (856) 848-5360
HUDSON COUNTY: Deputy Clerk of the Superior Court Superior Court, Civil Records Dept. Brennan Court House-- 1st Floor 583 Newark Ave. Jersey City, NJ 07306	LAWYER REFERRAL (201) 798-2727 LEGAL SERVICES (201) 792-6363
HUNTERDON COUNTY: Deputy Clerk of the Superior Court Civil Division 65 Park Avenue Flemington, NJ 08822	LAWYER REFERRAL (908) 735-2611 LEGAL SERVICES (908) 782-7979
MERCER COUNTY: Deputy Clerk of the Superior Court Local Filing Office, Courthouse 175 S. Broad Street, P.O. Box 8068 Trenton, NJ 08650	LAWYER REFERRAL (609) 585-6200 LEGAL SERVICES (609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court  
Administration Building  
Third Floor  
1 Kennedy Sq., P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL

(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court  
Court House  
71 Monument Park  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL

(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

MORRIS COUNTY:

Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Pl., P.O. Box 910  
Morristown, NJ 07960-0910

LAWYER REFERRAL

(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

LAWYER REFERRAL

(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton St.  
Paterson, NJ 07505

LAWYER REFERRAL

(973) 278-9223  
LEGAL SERVICES  
(973) 345-7171

SALEM COUNTY:

Deputy Clerk of the Superior Court  
92 Market St., P.O. Box 18  
Salem, NJ 08079

LAWYER REFERRAL

(856) 935-5628  
LEGAL SERVICES  
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Fl.  
P.O. Box 3000  
Somerville, NJ 08876

LAWYER REFERRAL

(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL

(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL

(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL

(973) 267-5882  
LEGAL SERVICES  
(973) 475-2010