

**In re Alleged Environmental
Contamination of Pompton Lakes**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
BERGEN COUNTY**

FILED

Case No. 290 (CM)

FEB 15 2011

CIVIL ACTION

**BRIAN R. MARTINOTTI
J.S.C.**

**ORDER REGARDING ELECTRONIC
SERVICE OF DOCUMENTS**

Order #5

Case Management Order No. ____

THIS MATTER, having come before the Court, and all parties having been represented by counsel, and for good cause shown, and the parties having consented to the form, substance and entry of this Order:

IT IS on this 15th day of February, 2011, hereby ORDERED as follows:

1. The parties shall use LexisNexis and its litigation system File & Serve for electronic service and storage of court-filed documents through a secure website to facilitate expeditious, efficient and economical communication by and amongst counsel. The Court, may, at its option, use File & Serve for these purposes as well to communicate with counsel of record.

2. File & Serve shall apply only to the service of documents, and not to their filing. Original documents must be filed pursuant to the N.J. Rules of Court.

3. Within 15 days of this Order, plaintiffs' counsel shall submit via email to LexisNexis, Eservice@fileandserve.com, a complete and current service list of counsel of record for this litigation and each attorney of record for this litigation shall register for electronic service in this litigation by completing the registration located at the following website: <http://www.lexisnexis.com/fileandserve>.

4. Within 15 days of the filing of a new case in this litigation, any counsel not previously registered for electronic service shall register for electronic service in this litigation by completing the registration located at the following website <http://www.lexisnexis.com/fileandserve>, and shall provide to plaintiffs' counsel all necessary service list information.

5. Plaintiffs counsel shall be liaison counsel to LexisNexis for all service list changes. Plaintiffs' counsel shall be responsible for monitoring the service list and advise LexisNexis File & Serve of any changes or corrections. The service list will identify one attorney of record for each firm, along with parties they represent, who are to receive service of documents in the case utilizing File & Serve. Once a firm is registered on File & Serve, each firm will be provided functionality on File & Service to designate a firm administrator to control the addition and deletion of registered users on File & Serve for their firm.

6. All references to "document" in this Order shall be interpreted to include any exhibits or attachments to the document.

7. LexisNexis will maintain the File & Serve Internet website ("File & Serve") for this litigation. When a transaction is submitted on File & Serve, File & Serve will electronically serve each document on the parties included on the service list provided to LexisNexis in accordance with the procedures herein.

8. Each attorney shall serve each document via electronic transfer of the document through File & Serve via the Internet (either as a word-processing file or a scanned image of the document). Each attorney shall title each document to identify the type and purpose of each document and the party who is submitting such document.

Each document electronically served pursuant to this Order shall be deemed to have been served under the New Jersey Court Rules. File & Serve may not be used for the service of complaints.

9. After an attorney uploads a document onto File & Serve, File & Serve will convert such document into Adobe Portable Document Format (“PDF”)

10. All documents posted on File & Serve will be identified by: (a) the name of the serving law firm; (b) the caption(s) of the case(s) to which the document belongs; (c) the title of the document set forth on its caption; and (d) the identity of the party on whose behalf the document is being served.

11. Access to File & Serve will be limited to registered users. Registered users will consist of authorized Court personnel, counsel of record and their designated staff members. Upon registration, LexisNexis will provide each registered user with a user name and password to access File & Serve and the documents served in the litigation.

12. Every pleading, document and instrument served electronically shall bear a facsimile or typographical signature of at least one of the attorneys of record, along with the typed named, address and telephone number of such attorney. Typographical signatures shall be treated exactly as personal signatures for purposes of electronically served documents under the Rules of the Superior Court of New Jersey. The serving party of any document requiring multiple signatures (e.g., stipulations, joint status reports) must list thereon all the names of other signatories by means of an “/s/___” block for each. By submitting such a document, the serving party certifies that each of the other signatories has expressly agreed to the form and substance of the document and that

the serving party has the actual authority to submit the document electronically. The serving party must maintain any records evidencing this concurrence for subsequent production to the Court if so ordered or for inspection upon request by a party.

13. Any document transmitted to File & Serve shall certify in the Proof of Service that a true and correct copy was electronically served on counsel of record by transmission through LexisNexis File & Serve, the date and time to be used on the Proof of Service will be the date and time reflected on the Transaction Receipt provided after submitting a transaction on File & Serve.

14. LexisNexis will make available to counsel of record and the Court a 24-hour 365 days Customer Support hotline at (888) 529-7587 and website--
<http://www.lexisnexis.com/fileandserve/support.asp>. In addition, each attorney is instructed to review Exhibit A attached to this Order which sets forth the procedure for registration with a service through LexisNexis File & Serve. See Exhibit A, LexisNexis File & Serve Welcome Kit.



BRIAN R. MARTINOTTI, J.S.C.