

**New Jersey Commissioner of Education**

**Final Decision**

U.C. and E.C., on behalf of minor child, N.C.,

Petitioners,

v.

Board of Trustees of the Thomas Edison  
EnergySmart Charter School, Somerset,  
County, and Jessica Graf,

Respondent.

**Synopsis**

Petitioners appealed the results of the respondent charter school’s lottery system for selecting 3<sup>rd</sup> grade students for the 2023-2024 school year and sought a declaratory judgment that the actions and practices of the school and its enrollment coordinator violated New Jersey’s charter school laws; further, petitioners demanded that their child, N.C., be admitted to Thomas Edison EnergySmart Charter School (TEECs) as a third-grade student for the 2023–2024 school year.

The ALJ found, *inter alia*, that: there are no material facts at issue in this case, and the matter is ripe for summary decision; petitioners received written notice on February 6, 2023 that their child had not been selected in the 3<sup>rd</sup> grade lottery and had instead been waitlisted; the February 6, 2023 notice constituted a final order, ruling, or other action of a board of education as set forth in *N.J.A.C. 6A:3-1.3(i)*; therefore, petitioners were required to file their petition of appeal within ninety days of the final notice, i.e., by May 7, 2023, but did not file the petition until August 14, 2023; further, petitioners’ arguments regarding alleged illegal actions and practices of TEECS in conducting the 3<sup>rd</sup> grade lottery were without merit. Accordingly, the ALJ granted TEECS’s motion for summary decision and dismissed the petition.

Upon review, the Commissioner concurred with the ALJ that the petition was filed more than 90 days after petitioners received notice that N.C. was not selected in the 2023-2024 lottery and was therefore untimely pursuant to *N.J.A.C. 6A:3-1.3(i)*; further, the Commissioner concurred that petitioners failed to provide any legal basis for their argument that respondents’ lottery system was unlawful. Accordingly, the respondent’s motion for summary decision was granted, and the petition was dismissed.

This synopsis is not part of the Commissioner’s decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commissioner.

186-24  
OAL Dkt. No. 07604-23  
Agency Dkt. No. 222-8/23

**New Jersey Commissioner of Education**  
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Respondent.

The record of this matter and the Initial Decision of the Office of Administrative Law (OAL) have been reviewed and considered. The parties did not file exceptions.

Upon review, the Commissioner concurs with the Administrative Law Judge (ALJ) that the petition of appeal was untimely pursuant to *N.J.A.C. 6A:3-1.3(i)*, as it was filed more than 90 days after petitioners received notice that N.C. was not selected in the 2023-2024 lottery.<sup>1</sup> The Commissioner further concurs with the ALJ that petitioners failed to provide any legal basis for their argument that respondents' lottery system was unlawful, and that summary judgment in favor of respondents is therefore appropriate.

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<sup>1</sup> As such, the Commissioner does not reach the issue of whether petitioners' claim regarding the 2023-2024 school year is moot.

Accordingly, respondents' motion for summary decision is granted, and the petition of appeal is hereby dismissed.

IT IS SO ORDERED.<sup>2</sup>



ACTING COMMISSIONER OF EDUCATION

Date of Decision: May 10, 2024

Date of Mailing: May 10, 2024

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<sup>2</sup> This decision may be appealed to the Appellate Division of the Superior Court pursuant to *N.J.S.A.* 18A:6-9.1. Under *N.J.Ct.R.* 2:4-1(b), a notice of appeal must be filed with the Appellate Division within 45 days from the date of mailing of this decision.



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION GRANTING**  
**MOTION FOR SUMMARY DECISION**

OAL DKT. NO. EDU 07604-23

AGENCY REF. NO. 222-8/23

**U.C. AND E.C. ON BEHALF OF  
MINOR CHILD N.C.,**

Petitioners,

v.

**BOARD OF TRUSTEES OF THE THOMAS  
EDISON ENERGYSMART CHARTER  
SCHOOL, SOMERSET COUNTY, AND  
JESSICA GRAF,**

Respondents.

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**U.C.**, petitioner and attorney

**David L. Disler**, Esq., for respondents (Porzio, Bromberg & Newman, P.C., attorneys)

Record closed: January 26, 2024

Decided: March 8, 2024

BEFORE **JEFFREY N. RABIN**, ALJ:

## **STATEMENT OF THE CASE AND PROCEDURAL HISTORY**

Petitioners, U.C. and E.C. on behalf of minor student, N.C., appeal the results of the respondents' lottery system for selecting students for third grade for the school year 2023--2024 at Thomas Edison EnergySmart Charter School, Somerset County (respondents or TEECS), and seek a declaratory judgment that the actions, conduct, and practices of respondents Graf and TEECS violated the charter school laws of the State of New Jersey, and that minor child N.C. be admitted to the TEECS third-grade program for the 2023–2024 school year.

Petitioners filed a due process petition as well as a motion for emergent relief on August 14, 2023, with the New Jersey Department of Education (DOE), Office of Controversies and Disputes (OCD). These matters were transmitted to the Office of Administrative Law (OAL), where they were filed on August 15, 2023. N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13. An emergent hearing in this matter took place via Zoom on August 21, 2023, and on August 22, 2023, the motion was denied.

Petitioners filed an Amended Petition on August 29, 2023, and respondents filed the within motion for summary decision in lieu of an Answer. Oral argument was conducted on January 11, 2024, supplemental letter briefs were submitted on January 26, 2024, and the record closed.

## **FINDINGS OF FACT**

Based on the parties' briefs and the testimony offered by the parties and their representatives, I **FIND** the following to be the undisputed facts:

1. TEECS, a charter school for grades K–12 in Franklin, New Jersey, accepted students from three area school districts: Franklin, North Brunswick and South Brunswick Townships. Each year, more students applied than there was room for, and TEECS implemented an admissions policy using a lottery. Preference was given to students who resided in either Franklin, North Brunswick or South

Brunswick Townships, and TEECS entered the names of economically disadvantaged students four times in the lottery to provide a weighted advantage.

2. Petitioners have been residents of Franklin Township, Somerset County, New Jersey since 2022. They were the parents of minor child N.C., an eight-year-old. Petitioners identify racially as “Black African and American.” From 2021 through 2023, petitioners applied for and were denied admission for N.C. to attend TEECS. By letter dated February 6, 2023, petitioners were notified that N.C. had not been chosen in the lottery for enrollment in TEECS for 2023–2024, that he would be waitlisted, and that no further correspondence would be forthcoming unless N.C. was later chosen from the waitlist. (The “Notice”.) As enrollment was full, a child could only be admitted from the waitlist if a student at TEECS disenrolled.

### **LEGAL ANALYSIS**

The issue is whether respondents had proven by a preponderance of the evidence that there was no genuine issue as to any material fact challenged and that they were entitled to prevail as a matter of law, pursuant to N.J.A.C. 1:1-12.5(b).

N.J.S.A. 18A:6-9 authorizes the Commissioner of Education to consider controversies between a parent and a school board. The OAL is the appropriate venue for hearing an appeal of a school board’s findings, and the DOE properly forwarded this matter to the OAL for this matter to be heard.

Summary decision may be granted when the papers and discovery that have been filed show that there is no genuine issue as to any material fact challenged, and the moving party is entitled to prevail as a matter of law. N.J.A.C. 1:1-12.5(b). No evidentiary hearing needs to be held if there are no disputed issues of material fact. Frank v. Ivy Club, 120 N.J. 73, 98, cert. denied, 498 U.S. 1073 (1991). “When the evidence is so one-sided that one party must prevail as a matter of law, the [tribunal] should not hesitate to grant summary [decision].” Della Vella

v. Bureau of Homeowner Protection, OAL Dkt. No. CAF 17020-13, 2014 WL 1383908 (N.J. Adm. 2014) (quoting Brill v. Guardian Life Ins. Co. of Am., 142 N.J. 520, 529 (1995)).

Further, the non-moving party has the burden “to make an affirmative demonstration . . . that the facts are not as the movant alleges.” Spiotta v. William H. Wilson, Inc., 72 N.J. Super. 572, 581 (App. Div. 1962). This requirement, however, does not relieve the moving party from having to initially establish in its moving papers that there was no genuine issue of fact and that they were entitled to prevail as a matter of law. It is the “movant’s burden to exclude any reasonable doubt as to the existence of any genuine issue of fact.” Conti v. Bd. of Educ., 286 N.J. Super. 106 (App. Div. 1995) (quoting Judson v. Peoples Bank and Trust Co. of Westfield, 17 N.J. 67, 74 (1954)).

For an adverse party to a motion for summary decision to prevail, they must, by responding affidavit, set forth specific facts showing that there was a genuine issue which could only be addressed in an evidentiary proceeding. N.J.A.C. 1:1-12.5(b).

It must be noted that in their oral argument summation brief of January 26, 2024, petitioners requested a second amendment of their original petition, asking this court to issue a stay of TEECS’s kindergarten lottery to be conducted on February 3, 2024. On January 31, 2024, petitioners asked this court whether their second amendment to the petition (the stay request) had been granted. However, such a request to amend needed to be filed pursuant to the guidelines of the New Jersey Court Rules and the New Jersey Administrative Code, and not as a comment in the body of a summation brief summarizing the oral argument. Although petitioners are pro se in this matter, petitioner U.C. is a New Jersey attorney and should be familiar with the rules and requirements for motions, pleadings and amendments to pleadings.

Further, and most importantly, this court never approved a first amendment of the petition; the within matter is a motion for summary decision filed by respondents in lieu of an answer to petitioners’ attempt to amend their petition a first time.

On January 31, 2024, before this court had addressed petitioners' informal attempt to amend their petition a second time, petitioners copied this court on an email to respondents, in which they stated that in lieu of formal papers, petitioners were notifying respondents that it was their intention on February 1, 2024, to apply to this court for an entry of an order to show cause for an emergent injunction staying TEECS's kindergarten lottery on February 3, 2024. Petitioner attempted to cite to Crowe v. DeGioia factors (the four-prong test for emergent relief) and stated that motion papers would be forthcoming.

This court cannot waive the filing and notice requirements of the New Jersey Rules of Court or the New Jersey Administrative Code in order to accommodate the petitioners. While amendments of initial pleadings may be made by motion, petitioner was attempting a second amendment of a petition for which no first amendment had been granted. Accordingly, this court issued a Letter Order on January 31, 2024, denying petitioners' attempt to informally request a second amendment to their initial pleadings. It must be further noted that petitioners failed to file either an order to show cause or other formal request for injunctive relief with this court, nor did they indicate that this court had the legal authority to unilaterally stay a school board's admissions lottery. This court was never noticed as to whether petitioners filed an order to show cause or other formal request for injunctive relief with the New Jersey Superior Court.

Petitioners also attempted, via their briefs in response to respondents' motion for summary decision, to "reserve" the right to add additional parties to this litigation. This was an attempt to add another child of theirs to their petition, a child who had not been entered into the third-grade TEECS lottery for which they filed their initial pleading. Petitioners cited to N.J.A.C. 6A:3-1.8, which allows parties to intervene in a matter subject to compliance with the New Jersey Administrative Code. Petitioners have not complied with the New Jersey Administrative Code, nor is this a situation where an outside party sought to intervene in a docketed case; petitioners were attempting to conflate a second child's case with their first child's case, as a means to expedite the formal filing and notice requirements set forth in the New Jersey Rules of Court and the New Jersey Administrative Code. No legal support for a right to add extra litigants in the instant case was supplied by petitioners; no such right was in fact "reserved" by



this court, and, again, such a request is subject to the formal legal procedures set forth in the New Jersey Court Rules and New Jersey Administrative Code. No addition of a second case and a second child, I.C., to the within case had ever been granted.

Additionally, even if petitioners had complied with the proper procedural rules and regulations for amending petitions and adding parties, petitioners failed to provide any proof to this court that they had actually entered their kindergarten-aged child I.C. into the February 3, 2024, TEECS kindergarten lottery, and did not advise this court as to the results of any such entry into the kindergarten lottery, and therefore there was no demonstrable negative result or harm to child I.C. from which petitioners could appeal.

To reiterate the language of this court's Letter Order of January 31, 2024, petitioners' informal request for a second amendment to their original petition of appeal, seeking to add a second child (I.C.) as a petitioner and challenge the TEECS 2024–2025 kindergarten lottery, has been **DENIED**.

I **FIND** that the relief sought by petitioners, requiring respondents to accept N.C. into their third-grade program for the 2023–2024 school year, is now moot, as the 2023–2024 school year is already well underway and will end before a full due process hearing can be heard and decided in this matter.

Petitioners also requested that the entire TEECS lottery system be nullified by this court, which relief is not currently moot. Towards that end, petitioners claimed two genuine issues of fact for which, they argued, a full due process hearing was warranted. First, petitioners claimed that they had never received notice that N.C. had not been selected in the 2023–2024 TEECS third-grade lottery; therefore, the ninety-day time period for filing their petition never started. Second, petitioner reiterated their primary claim from their original pleadings that TEECS's lottery system was an unlawful selection system.

Regarding the ninety-day filing rule, respondents argued that a petition of appeal before the Commissioner of Education must be brought within ninety days of receipt of "notice of a

final order, ruling or other action by the district board of education, individual party, or agency, which is the subject of the contested case hearing.” N.J.A.C. 6A:3-1.3(i). Caselaw indicates that this requirement is strictly enforced, only to be relaxed with a showing of exceptional or compelling circumstances. M.N. & E.Y. o/b/o K.N. v. State-Operated Sch. Dist. of Jersey City, OAL Dkt. No. EDU 11136-03 (June 17, 2004), aff’d (Comm. Ed. July 21, 2004). In Kaprow v. Bd. of Ed. of Berkeley Tp., 131 N.J. 572, 582 (1993), the New Jersey Supreme Court explained the rationale for strict enforcement of the ninety-day rule as being a means to provide school districts with “a measure of repose, an essential element in the proper and efficient administration of the school laws” and to give “school districts the security of knowing that administrative decisions regarding the operation of the school cannot be challenged after ninety days.”

Respondent TEECS’s third-grade lottery for the 2023–24 school year was held on February 4, 2023. The lottery was broadcast online in order to provide maximum transparency. The Notice was sent by respondents to petitioners and was dated February 6, 2023. (Petitioner’s December 12, 2023, Brief Exhibit B). The Notice was entitled “2023–2024 Lottery Results and Waiting Lists” and was addressed by respondent Jessica Graf to the petitioners, the parents of N.C. The Notice confirmed that petitioners entered N.C. into the third-grade lottery for 2023–2024. The Notice stated in its first sentence that waiting lists can be viewed online and gave the address for petitioners to check N.C.’s status on the waiting list.

It must be noted that petitioners never claimed that they were unaware that N.C. had been waitlisted instead of chosen for TEECS third grade; in fact, petitioner U.C. confirmed through her testimony at oral argument that she was aware that N.C. had been waitlisted instead of being chosen in the TEECS third-grade lottery.

The main paragraph of the Notice explained the waiting list and stated that “[s]tudents on the waiting list are **NOT** guaranteed enrollment.” It explained that the waiting list would be used for the entire 2023–2024 school year and that seats would be filled as they became available. Key to the letter was the bolded statement, “**Parents will receive an email if enrollment is being offered.**”

I **CONCLUDE** that it was clear from the Notice that N.C. had not been chosen in the third-grade lottery, that he had been added to the waiting list, that this was the last notice petitioners would receive from respondents regarding the 2023–2024 third-grade lottery unless N.C. was later chosen from the waiting list, and that petitioners were aware as of February 6, 2023, that N.C. had been waitlisted instead of chosen in the lottery.

While petitioners seemingly argued that they received no final order because T.C. still could have been selected from the waiting list even after the school year began, this did not comport with a plain reading of either the Notice or the statute. Respondents properly set forth that the Commissioner of Education considered even “informal awareness” of an action by a public body as starting the appeal timeline when a prospective petitioner had “reason to know that he has a cause of action against an identifiable respondent.” Mazzeo v. Bd. of Ed. of Tp. of Barnegat, OAL Dkt. No. EDU 4561-05, Agency Dkt. No. 151-6/05 (August 18, 2005), aff’d (Comm. Ed. September 29, 2005). Again, petitioners were aware that N.C. had been waitlisted instead of being chosen in the lottery as of February 6, 2023.

I **CONCLUDE** that the February 6, 2023, Notice from respondents to petitioners served as final notice that N.C. had not been chosen in the third-grade lottery and that, instead, T.C. had been added to the waiting list. I **CONCLUDE** that the Notice of February 6, 2023, constituted a notice of a final order, ruling or other action by the district board of education, as set forth in N.J.A.C. 6A:3-1.3(i), and that therefore petitioners were to have filed their appeal within ninety days of the Notice, that being by May 7, 2023. I **CONCLUDE** that petitioners failed to file the within petition in a timely manner, having filed their appeal on August 14, 2023, after the May 7, 2023, deadline.

I **CONCLUDE** that, regarding petitioners’ failure to file the within appeal in a timely manner, there is no genuine issue of material fact for which a full hearing is required.

As to petitioners’ second argument, even if, arguendo, petitioners had filed this appeal in a timely manner, there was no genuine issue of fact regarding petitioners’ claim that respondents’ lottery selection system was unlawful.

Petitioners argued that TEECS's lottery system failed to comply with New Jersey law because it failed to apportion seats properly between the three constituent school districts, it failed to consider an applicant's race, and its sibling preference and other policies violate the School Ethics Act. Petitioners did not challenge the waitlist process itself, but essentially argued that if the lottery had been carried out lawfully in the first instance, N.C. would have been enrolled in the TEECS third-grade program, and not waitlisted. In other words, petitioners would not have been concerned that the third-grade lottery system was unlawful if their child had been selected for third grade, but since he was not selected, petitioners thereby challenged the entire lottery system.

N.J.S.A. 18A:36A-8 provides that charter schools may use a "random selection process" to select students if there are more applicants than available seats. Such was the situation in the within matter; respondents employed a lottery system because there were more applications than there were available seats in their third-grade program. On its surface, TEECS's lottery complied with N.J.S.A. 18A:36A-8. However, petitioners argued that the third-grade lottery was unlawful because it used a sibling preference system. However, N.J.S.A. 18A:36A-8(c) states that a "charter school may give enrollment priority to a sibling of a student enrolled in the charter school." The applicable regulation, N.J.A.C. 6A:11-4.5, has identical language. I **CONCLUDE** that respondents have met their burden of proving by a preponderance of the credible evidence that there was no genuine issue of material fact as to a charter school's ability to conduct an admissions lottery and give priority to siblings.

Petitioners argued that TEECS only selecting twenty-five students during the third-grade lottery and then waitlisting the remainder of the applicants was unlawful but offered no basis for that argument. They vaguely pointed to the School Ethics Act. However, respondents correctly argued that neither the School Ethics Act nor any regulations regarding equality and equity addressed the issue of available seats in charter schools, nor the actual operation of the charter school selection and lottery processes. Even if petitioners had been able to show there was any genuine issue of material fact as to violations of the School Ethics Act, respondents correctly argued that the within matter would have to be dismissed for lack of jurisdiction, pointing out that the School Ethics Commission has exclusive jurisdiction over matters arising

under the School Ethics Act. N.J.A.C. 6A:28-1.4; Kubricki v. Pinelands Reg. Sch. Bd. of Educ., OAL Dkt. No. EDU 4612-20; Agency Ref No. 42-2/20 (Dec. 30, 2020); aff'd Comm'r, 42-21 (Feb. 16, 2021) (dismissing a complaint alleging a violation of the School Ethics Act which was filed with the OCD because violations of the School Ethics Act were solely within the jurisdiction of the School Ethics Commission.)

Petitioners also faulted TEECS for not employing “equal apportionment” in its third-grade lottery system. However, respondents correctly argued that petitioners were wrong to conclude that New Jersey law required “equal apportionment”; such a requirement was not in the statute, and the statute cited by petitioners, N.J.A.C. 6A:11-2.1(b)(4), was not applicable to the within scenario. N.J.A.C. 6A:11-4.5 permits a random selection process with a waitlist if the number of applicants exceeds the available number of spots. The lottery regulation does not reference apportionment by district, nor does it provide for a separate waitlist for each constituent district, and therefore petitioners’ argument that a separate admissions lottery was legally required for each of the three constituent sending townships was not supported by a plain reading of the applicable regulations. TEECS had advertised its admissions lottery to all three of its sending townships, Franklin, North Brunswick and South Brunswick, and proffered statistics indicating that in fact petitioner’s hometown, Franklin Township, was over-represented at TEECS, with 65% of TEECS students coming from that town.

As to petitioners’ claim that race should be a factor in setting up a lottery system, petitioners offered no legal grounds for the application of race as a factor in school admissions. They offered statistics from 2015 as to the racial makeup of TEECS but failed to provide any more recent statistics. Respondent TEECS pointed out that it publishes these statistics on its website, but petitioners simply failed to research these numbers and proffer current statistics. Conversely, TEECS offered the most recent statistics available as of the end of the 2022 school year: the three townships served by respondent had a total of 21,112 students. Of these students, 4,328 were African American, equaling 20%. Of the 599 students enrolled at TEECS, 114 were African American, equaling 19%. Therefore, it is undisputed that the percentage of African Americans closely reflected the percentage of African Americans in the three sending townships. Respondent TEECS also pointed out that despite undisputed facts showing that it

lawfully executed its third-grade lottery, petitioners sought to have race be a factor in having their child admitted to the TEECS third-grade program, despite a recent (uncited) United States Supreme Court case prohibiting the use of race in admissions.<sup>1</sup>

It is also worth noting that in its 2020 Renewal Summary for respondent TEECS, the DOE gave a score of “Meets Standard” for “Access and Equity,” noting that TEECS “demonstrates a commitment to serving and meeting the needs of all students,” while providing examples of TEECS’s exhaustive outreach efforts to the community. Respondents were right to argue that this certification from DOE negated any argument that TEECS did not have any plan or engage in any efforts to recruit students of diverse backgrounds throughout its constituent-sending districts.

I **CONCLUDE** that respondents met their burden of proving by a preponderance of the credible evidence that there was no genuine issue of fact in question for which a full due process hearing would be required because respondents have proven that petitioners failed to file the within appeal in a timely manner, and respondent has shown that TEECS acted lawfully in effectuating a lottery admissions system with waitlisting that gave preference to sibling admissions. I **CONCLUDE** that respondents are entitled to have the within appeal summarily dismissed, and therefore respondents’ motion for summary decision is **GRANTED**.

### **ORDER**

Respondents’ motion for summary decision is hereby **GRANTED**, and the within appeal is **DISMISSED**.

I hereby **FILE** this initial decision with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION** for consideration.

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<sup>1</sup> Respondents were referring to the as-yet-unpublished decision in *Students for Fair Admissions, Inc. (SFFA) v. President & Fellows of Harvard Coll. (Harvard) and SFFA v. Univ. of North Carolina (UNC)*, Nos. 20-1199 & 21-707 (June 29, 2023), concerning college admissions.

This recommended decision may be adopted, modified, or rejected by the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION**, who by law is authorized to make a final decision in this matter. If the Commissioner of the Department of Education does not adopt, modify, or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **COMMISSIONER OF THE DEPARTMENT OF EDUCATION, ATTN: BUREAU OF CONTROVERSIES AND DISPUTES, 100 Riverview Plaza, 4th Floor, PO Box 500, Trenton, New Jersey 08625-0500**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

March 8, 2024  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**JEFFREY N. RABIN, ALJ**

Date Received at Agency: \_\_\_\_\_

Date Mailed to Parties: \_\_\_\_\_

JNR/jm

**APPENDIX**

**WITNESSES**

**For petitioners**

U.C., parent and attorney

**For respondents**

David L. Disler, Esq.

**BRIEFS/EXHIBITS**

**For petitioners**

- Petition, dated August 14, 2023
- Brief in Response to Opposition Brief, dated August 21, 2023
- Amended Petition and Brief, dated August 29, 2023
- Brief in Response to Motion for Summary Decision, December 12, 2023
- Summation Brief, dated January 26, 2024

**For respondents**

- Brief in Response to Petition for Emergent Relief, dated August 20, 2023
- Motion for Summary Decision with Brief, dated August 29, 2023
- Summation Brief, dated January 26, 2024