Publication copy

Order to Show Cause with Temporary Restraints (as submitted)

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Published by Ronald W. Yarbrough, plaintiff, as part of the public record of Yarbrough v. Lake Centerton Park Homeowners Association, Inc., et al., Superior Court of New Jersey, Chancery Division, Salem County, Docket No. SLM-C-000017-26.

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Ronald W. Yarbrough
11 Lake Centerton Drive
Pittsgrove, NJ 08318
[redacted]
Plaintiff, Pro Se

RONALD W. YARBROUGH, Plaintiff, v. LAKE CENTERTON PARK HOMEOWNERS ASSOCIATION, INC.; CLIFFORD C. WHEATON, individually; MICHAEL M. ROSSI III, individually; MICHELE MEHAFFEY; and DOUGLAS K. MEHAFFEY, Defendants.	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION - GENERAL EQUITY PART SALEM COUNTY DOCKET NO. SLM-C-_____-26 Civil Action ORDER TO SHOW CAUSE WITH TEMPORARY RESTRAINTS PURSUANT TO RULE 4:52 (OSC as Original Process - Submitted with Verified Complaint)

THIS MATTER being brought before the Court by plaintiff Ronald W. Yarbrough, appearing pro se, seeking relief by way of temporary restraints pursuant to R. 4:52, and leave to proceed summarily pursuant to R. 4:67-1 and R. 4:67-2 on Counts One, Three, Four, Five, Six, Seven and Eight of the Verified Complaint, based upon the facts set forth in the Verified Complaint, the Certification of Ronald W. Yarbrough with Exhibits A through KKK, the Certification of Kathleen A. Yarbrough (non-party witness), and the Brief filed herewith; and it appearing that [X] the defendants have notice of this application, and it further appearing that immediate and irreparable damage will probably result before a hearing can be held, in that defendants' own correspondence with the New Jersey Department of Environmental Protection dated August 4, 2026 states that a purchase offer for the Association's lake property is expected "by the end of this summer or sooner," that a contract for the Association's signature will follow, and that the dam is to be removed before closing; that the Association conveyed 12.97 acres of the same Common Area to private buyers in February 2022 by a deed signed by one officer without any member vote; and that the parcel was sold at tax sale on January 15, 2025 (Tax Sale Certificate No. 25-00037, recorded May 9, 2025) and again on January 14, 2026 (Tax Sale Certificate No. 26-00018), and is exposed to foreclosure of the right of redemption if the certificates are not redeemed; and for good cause shown;

IT IS on this _____ day of _____, 2026, ORDERED that defendants Lake Centerton Park Homeowners Association, Inc., Clifford C. Wheaton, Michael M. Rossi III, Michele Mehaffey and Douglas K. Mehaffey appear and show cause before the Superior Court of New Jersey, Chancery Division, General Equity Part, at the Salem County Courthouse, 92 Market Street, Salem, New Jersey, at _____ o'clock in the _____noon, or as soon

thereafter as the parties can be heard, on the _____ day of _____, 2026, why an order should not be issued:

A. Preliminarily enjoining and restraining defendants, and their officers, agents, and all persons acting in concert with them, pending final judgment, from executing, delivering, or performing any offer, option, agreement of sale, contract, deed, easement, dedication, or other instrument transferring or agreeing to transfer any interest in the real property known as Block 1503, Lot 73, Township of Pittsgrove, Salem County, New Jersey (Centerton Lake, its dam and the surrounding common land), including any offer or contract from or with the State of New Jersey, Department of Environmental Protection, Green Acres Program (Project No. D-1711005), unless and until the member action described in paragraph B of the Prayer for Relief of the Verified Complaint has occurred;

B. Preliminarily enjoining and restraining defendants, and all persons acting in concert with them, pending final judgment, from authorizing, permitting, contracting for, consenting to, or performing any removal, breach, drawdown, or [redacted] work on the Centerton Lake dam (NJDEP Dam File No. 35-3), other than emergency measures required in writing by the New Jersey Department of Environmental Protection for public safety, unless and until the member action described in paragraph B of the Prayer for Relief of the Verified Complaint has occurred;

C. Granting plaintiff leave pursuant to R. 4:67-1 and R. 4:67-2 to proceed in a summary manner on Counts One (enforcement of the recorded Declaration), Three (Article SEVENTH - authority to convey and to remove the dam), Four (open meetings), Five (books and records), Six (alternative dispute resolution), Seven (invalid assessments), and Eight (the maintenance covenant - the dam and the Common Area) of the Verified Complaint, and fixing a schedule for the summary disposition of those Counts;

D. Ordering defendants, within ten (10) days, to disclose to plaintiff and to every member of the Association every offer, appraisal, draft or executed contract, application, grant agreement, and communication with the Green Acres Program, the United States Fish and Wildlife Service, Citizens United to Protect the Maurice River and Its Tributaries, Inc., Princeton Hydro, the Natural Resources Conservation Service, and the New Jersey Department of Environmental Protection concerning the disposition of Block 1503, Lot 73 or the removal of the dam, and to produce the minutes, notices, votes, written consents, and record of members of the Association from January 1, 2018 to the present, together with the subdivision application, any authorization, the closing statement and the disposition of proceeds of the conveyance recorded February 8, 2022 at Deed Book 4621, Page 116, and the records of the January 15, 2025 tax sale and any redemption, this expedited discovery being limited to those categories;

E. Ordering defendant Association, within thirty (30) days, to notice and hold a meeting of the members at a neutral public facility on at least seven (7) days' written notice to every member stating the time, date, location and agenda, at which the Board shall report to the members on the matters described in paragraph D;

F. Ordering defendant Association to redeem Tax Sale Certificate No. 25-00037 (sold January 15, 2025; recorded May 9, 2025, Book 4728, Page 239) and Tax Sale Certificate No. 26-00018 (sold January 14, 2026), both presently held by Foundation Properties, LLC, and to keep the Township taxes on Block 1503, Lot 73 current pending final judgment; and

G. Granting such other relief as the Court deems equitable and just.

AND IT IS FURTHER ORDERED that pending the return date herein, defendants Lake Centerton Park Homeowners Association, Inc., Clifford C. Wheaton and Michael M. Rossi III, their officers, directors, agents, and all persons acting in concert with them who receive actual notice of this Order, are temporarily enjoined and restrained from:

A. Executing, delivering, accepting, or performing any offer, option, agreement of sale, contract, deed, easement, dedication, or other instrument transferring or agreeing to transfer any interest in Block 1503, Lot 73, Township of Pittsgrove, Salem County, New Jersey, including any offer, contract or closing with the State of New Jersey, Department of Environmental Protection, Green Acres Program (Project No. D-1711005);

B. Authorizing, permitting, contracting for, consenting to, or performing any removal, breach, drawdown, or [redacted] work on the Centerton Lake dam, NJDEP Dam File No. 35-3, other than emergency measures required in writing by the New Jersey Department of Environmental Protection for public safety, and other than the routine clearing of spillway channels of debris as directed by NJDEP; and

C. Taking any binding action of the Association concerning the disposition of Block 1503, Lot 73 or the removal of the dam other than at a meeting of members noticed and held in compliance with N.J.S.A. 45:22A-46(a), N.J.A.C. 5:26-8.12, N.J.S.A. 15A:10-11, and Article SEVENTH of the Association's Certificate of Incorporation.

AND IT IS FURTHER ORDERED that:

1. The defendants may move to dissolve or modify the temporary restraints herein contained on two (2) days' notice to the plaintiff, Ronald W. Yarbrough, 11 Lake Centerton Drive, Pittsgrove, New Jersey 08318, [redacted]

2. A copy of this Order to Show Cause, the Verified Complaint, the Brief, and the supporting Certifications and exhibits submitted in support of this application shall be served upon the defendants personally, in accordance with R. 4:4-3 and R. 4:4-4, this being original process, within _____ days of the date hereof, as follows: (a) upon defendant Lake Centerton Park Homeowners Association, Inc., by personal service upon its registered agent, Clifford C. Wheaton, at 23 Lake Centerton Drive, Pittsgrove, New Jersey 08318, or upon any officer or managing agent of the Association; (b) upon defendant Clifford C. Wheaton, personally at 23 Lake Centerton Drive, Pittsgrove, New Jersey 08318; (c) upon defendant Michael M. Rossi III, personally at 26 Lake Centerton Drive, Pittsgrove, New Jersey 08318; and (d) upon defendants Michele Mehaffey and Douglas K. Mehaffey, personally at 459 Old Deerfield Pike, Bridgeton, New Jersey 08302; in each case by the sheriff of the county in which the defendant is served or by a person authorized to serve process under R. 4:4-3. If personal service cannot be effected on any defendant within that period despite diligent effort, service on that defendant may be made by simultaneous certified mail, return receipt requested, and regular mail to the address stated above, and by email to the address used by that defendant for Association correspondence, and such service shall be deemed effective on the date of mailing, R. 4:4-4(b)(3), (c).

3. Plaintiff shall also serve a courtesy copy of this Order to Show Cause and the Verified Complaint, by email and regular mail, on the following non-parties who have been given written notice of this dispute and whose conduct is affected by the temporary restraints: (a) New Jersey Department of Environmental Protection, Green Acres Program, attention Allie Brody, 401 East State Street, P.O. Box 420, Mail Code 401-07B, Trenton, New Jersey 08625-0420, allie.brody@dep.nj.gov; (b) New Jersey Department of Environmental Protection, Bureau of Dam Safety, attention Clint J. Oman, P.E., Bureau Chief, and Richard G. Tamagno, P.E., 501 East State Street, P.O. Box 420, Mail Code 501-01A, Trenton, New Jersey 08625-0420; (c) United States Fish and Wildlife Service, New Jersey Field Office, attention Marc Virgilio, 4 East Jimmie Leeds Road, Unit 4, Galloway, New Jersey 08205-4465, marc_virgilio@fws.gov; and (d) Citizens United to Protect the Maurice River and Its Tributaries, Inc., attention Karla Rossini, [redacted]

4. Plaintiff must file with the Court his proof of service of the pleadings on the defendants no later than three (3) days before the return date.

5. Defendants 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 _____, 2026. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at njcourts.gov. Defendants must send a copy of their

opposition papers directly to Judge _____, whose address is _____, New Jersey. Defendants must also send a copy of their opposition papers to the plaintiff, whose name and address appear above. A telephone call will not protect defendants' rights; defendants must file their opposition and pay the required fee of $_____ and serve their opposition on their adversaries, if they want the Court to hear their opposition to the injunctive relief the plaintiff is seeking.

6. Plaintiff must file and serve any written reply to the defendants' Order to Show Cause opposition by _____, 2026. 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 _____.

7. If the defendants do 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 (3) days prior to the return date.

8. 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.

9. Defendants 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 directory of these offices is available in the Civil Division Management Office in the county listed above and online at njcourts.gov. Include a $_____ filing fee payable to the "Treasurer, State of New Jersey." You must also send a copy of your Answer to the plaintiff, whose name and address appear 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.

10. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW [redacted] 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 directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at njcourts.gov.

11. 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.

12. Plaintiff, appearing pro se, is not required to post security. R. 4:52-3.

_____ , J.S.C.