

078

DUANE MORRIS LLP

A DELAWARE LIMITED LIABILITY PARTNERSHIP

By: Christopher L. Soriano (No. 032142003)

Philip H. Lebowitz (*pro hac vice*)

Erin M. Duffy (No. 024742004)

Seth A. Goldberg (No. 024742004)

1940 Route 70 East, Suite 100

Cherry Hill, NJ 08003

856.874.4200 (Phone)

856.874.4388 (Fax)

csoriano@duanemorris.com

lebowitz@duanemorris.com

eduffy@duanemorris.com

sagoldberg@duanemorris.com

Attorneys for Plaintiffs-Applicants, Virtua Health, Inc. and
Capital Health System, Inc.

RECEIVED

JAN -4 P 2:58

SUPREME COURT
CLERK'S OFFICE

VIRTUA HEALTH, INC. and CAPITAL	:	SUPREME COURT OF NEW JERSEY
HEALTH SYSTEM, INC.,	:	
	:	No. S-38 September Term 2015
Plaintiffs-Applicants,	:	(077046)
	:	
v.	:	CIVIL ACTION
	:	
STATE OF NEW JERSEY and	:	NOTICE OF EMERGENT MOTION TO
CHRISTOPHER J. CHRISTIE, in his	:	VACATE OR MODIFY THE APPELLATE
official capacity as Governor of	:	DIVISION'S STAY PENDING APPEAL
the State of New Jersey,	:	
	:	SAT BELOW:
Defendants.	:	HON. JOSEPH L. YANNOTTI,
	:	P.J.A.D.
	:	HON. JEROME M. ST. JOHN, J.A.D.
	:	HON. DOUGLAS H. HURD, P.J. CV.
	:	

TO: Jacqueline Augustine, DAG
R.J. Hughes Complex
25 Market Street, PO Box 112
Trenton NJ 08625

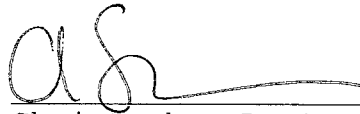
PLEASE TAKE NOTICE that pursuant to the Order entered by
the Honorable Barry T. Albin on December 31, 2015, the
undersigned counsel hereby applies to the Supreme Court of New

Jersey for an order vacating the stay pending appeal issued by the Appellate Division on December 29, 2015 ("Stay Order"), or in the alternative, modifying the Stay Order to permit plaintiff-applicant Virtua Health, Inc. to remain as ALS provider in the City of Camden, pending appeal in this matter; and

PLEASE TAKE FURTHER NOTICE that the undersigned will rely upon the attached brief and Certification of Scott A. Kasper in support of the motion; and

PLEASE TAKE FURTHER NOTICE that eight copies of plaintiffs-applicants' Appellate Division submissions are submitted herewith.

Dated: January 4, 2016



Christopher L. Soriano