

## **RULE 4:63A. Motion And Hearing On Filing Of Notice Of Lis Pendens**

A motion by a party in interest pursuant to N.J.S.A. 2A:15-7b shall be heard on no fewer than 10 days notice to the party filing the notice of lis pendens, who shall file and serve any opposing affidavits at least four days prior to the return date. The motion shall be determined on the pleadings, affidavits and any testimony taken by leave of court, which may be applied for ex parte, pursuant to R. 1:6-6. If testimony is allowed, it shall be taken expeditiously. The motion shall be decided within 10 days following the conclusion of the hearing.

**Note: Adopted July 22, 1983 to be effective September 12, 1983.**