

**FILED**

**May 29, 2026**

**Hon. Thomas Daniel McCloskey, J.S.C.**

**The Hon. Thomas Daniel McCloskey, J.S.C.**

Superior Court of New Jersey  
Chancery Division, General Equity Part  
Middlesex County  
Middlesex County Courthouse  
56 Paterson Street, 3<sup>rd</sup> Floor  
Chambers/Courtroom 306  
New Brunswick, New Jersey 08903-0964

**PREPARED BY THE COURT:**

<p><b>NEW BRUNSWICK BOARD OF EDUCATION,</b></p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p><b>NEW BRUNSWICK TODAY,</b></p> <p style="text-align: right;">Defendant.</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION GENERAL EQUITY PART MIDDLESEX COUNTY DOCKET NO. MID-C-85-26</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;"><b>ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION WITH TEMPORARY RESTRAINTS PURSUANT TO <u>R. 4:52</u></b></p>
--	--

**THIS MATTER** has come before the Court by way of an application (“Application”) for an Order to Show Cause under Verified Complaint filed by George F. Hendricks, Esq. of the law firm of Hendricks & Hendricks, Esqs., attorneys for and on behalf of the Plaintiff, **NEW BRUNSWICK BOARD OF EDUCATION** (“Plaintiff”), against the Defendant, **NEW BRUNSWICK TODAY** (“Defendant”), seeking preliminary injunctive and other related relief by way of temporary restraints pursuant to R. 4:52, based upon the facts set forth in the Verified

Complaint and the Attestation Certification attached as Exhibit “A” thereto of Dr. Aubrey A. Johnson, Ed.D., Superintendent of Schools for the Plaintiff, and filed herewith;

**AND THE COURT**, having determined that the action may be commenced, as it has been, by Verified Complaint and Order to Show Cause as a summary proceeding pursuant to R. 4:52-1, *et seq., inter alia*; that the Plaintiff has timely filed its Application, that notice has been served upon the Defendant and its counsel:

**AND THE COURT**, having reviewed and considered the moving papers of the Plaintiff, having heard and considered the oral argument of counsel for the Plaintiff, and that of Bruce S. Rosen, Esq. of the law firm of Pashman Stein Walder Hayden P.C. (Mr. Rosen and Iris Bromberg, Esq., appearing), attorneys for and appearing on behalf of the Defendant in response and opposition thereto, and for good cause having otherwise been shown:

**IT IS** on this 29th day of **MAY 2026 ORDERED**, that the Plaintiff’s Application for an Order to Show Cause, be, and hereby is, **GRANTED**; and, more specifically, it is

**ORDERED**, that the Defendant, **NEW BRUNSWICK TODAY** (“Defendant”), appear and show cause on **JULY 7, 2026** (the “Return Date”) before the Honorable Thomas Daniel McCloskey, J.S.C., at the Middlesex County Courthouse, 56 Paterson Street, New Brunswick, New Jersey, Courtroom 306, **in-person, at 1:30 P.M.** in the afternoon or soon thereafter as counsel may be heard, as to why judgment and/or an Order should not be entered:

**A.** Mandating the Defendant’s immediate removal of confidential security/surveillance video taken at Plaintiff’s New Brunswick High School, as posted on the website of *New Brunswick Today*;

**B.** Preliminarily and permanently restraining and enjoining the Defendant, New Brunswick Today, from any and all future postings of confidential school security/surveillance video as taken at any of the schools in the Plaintiff’s District; and

**C.** Granting such other, further, and different relief as the Court may deem equitable and just; and

**IT IS FURTHER ORDERED**, that pending the Return Date herein, the Defendant, **NEW BRUNSWICK TODAY**, be, and hereby is **IMMEDIATELY COMPELLED** to remove all confidential school security/surveillance video taken at Plaintiff's New Brunswick High School, as posted on the website of *New Brunswick Today*; and further **TEMPORARILY RESTRAINED AND ENJOINED** from (i) writing or posting about the content of the confidential video footage of the 16-year juvenile/student specifically at issue in this matter, and (ii) making any further postings of confidential school security/surveillance video as taken at any of the schools in the Plaintiff's District (collectively, the "**Temporary Restraints**"); and

**IT IS FURTHER ORDERED**, that the Defendant may move to dissolve or modify the Temporary Restraints herein imposed on three (3) business days' notice to the Plaintiff and Plaintiff's counsel; and

**IT IS FURTHER ORDERED**, that a copy of this Order to Show Cause, the Verified Complaint and all supporting affidavits or certification(s) submitted in support of the Application be immediately served upon the Defendant either personally, or by electronic transmission via email (with proof of transmission) and/or by overnight delivery with signature confirmation only, in accordance with R. 4:4-3 and R. 4:4-4, this being original process. **Delivery by regular mail and certified mail, return receipt requested, without more, shall not constitute effective service**; and

**IT IS FURTHER ORDERED**, that counsel for the Plaintiff must file with the Court a Certification and Proof of Service of their pleadings on the Defendants **no later than three (3) days before the Return Date**; and

**IT IS FURTHER ORDERED**, that the responding Defendant shall file and serve a written Answer, an answering affidavit(s), or a motion returnable on the Return Date of the Order to Show

Cause, or on such date the Court shall determine, as to the relief requested in the Verified Complaint together with proof of service of the same on the Plaintiff's attorneys, on behalf of the Defendants, **no later than 4:00 P.M. on JUNE 23, 2026**. The Answer, answering affidavit(s), or a motion, as the case may be, must be filed with the Clerk of the Superior Court in Middlesex County via eCourts or JEDS and a "courtesy copy" of the papers must be sent directly to Ashley K. Mitrow, Judicial Law Clerk to the Hon. Thomas Daniel McCloskey, J.S.C., at [Ashley.Mitrow@njcourts.gov](mailto:Ashley.Mitrow@njcourts.gov); and

**IT IS FURTHER ORDERED**, that the Defendant must file with the Court a Certification and Proof of Service of its Answer, answering affidavit(s), or a motion (as the case may be) upon Plaintiff's counsel, on behalf of the Defendant, **no later than three (3) days before** the Return Date; and

**IT IS FURTHER ORDERED**, that the Plaintiff shall file any opposition/reply to the Defendant's Answer, answering affidavit(s), or motion (as the case may be) **by no later than 4:00 P.M. on JUNE 30, 2026**. The opposition/reply papers of the Plaintiff must be electronically filed with the Clerk of the Superior Court in Middlesex County via eCourts or JEDS and a "courtesy copy" of the papers must be sent directly to Ashley K. Mitrow, Judicial Law Clerk to the Hon. Thomas Daniel McCloskey, J.S.C., at [Ashley.Mitrow@njcourts.gov](mailto:Ashley.Mitrow@njcourts.gov). **Except as herein provided, there shall be no other or further briefing permitted to either the Plaintiff or the Defendant prior to the Return Date**; and

**IT IS FURTHER ORDERED** that if the Defendant does 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 counsel for the Plaintiff files a Certification and

Proof of Service and a proposed form of Order **at least three (3) days prior** to the Return Date; and

**IT IS FURTHER ORDERED**, that the Court will entertain argument, but not testimony, at the hearing on the Return Date of the Order to Show Cause Application of the Plaintiff, and the Defendant's Answer, answering affidavit(s), or motion, unless the Court advises the parties to the contrary no later than three (3) days before the Return Date. **Absent a showing of exceptional and unforeseen circumstances, the Court will not entertain adjournment requests received on the day of the Return Date.**

**IT IS FURTHER ORDERED**, that a copy of this Order shall be deemed served on all counsel of record upon its posting by the Court to the eCourts case jacket for this matter.

SO ORDERED:



**HON. THOMAS DANIEL McCLOSKEY, J.S.C.**

(X) By the Court.

**On this date, pursuant to R. 1:6-2, the Court's Statement of Reasons has been set forth on the record.**

-----  
**## Note:** Except as may be hereinafter modified by further Omnibus Order of the Supreme Court, the parties are directed to note, and insofar as the deadlines and other provisions for relief set forth herein are implicated, to comply with, the following:

**Statewide Protocols** (Pertinent Provisions – Civil/General Equity):

1. In general, courts will continue to schedule routine case management conferences and routine motion arguments in a virtual format, consistent with paragraph 4(a) of the Court's October 27, 2022 Order (the "Court's Order").
2. In general, the following straightforward matters also will be scheduled in a virtual format:
  - Initial applications.

- Routine status conferences, not including conferences in criminal matters as provided in paragraph 3(c) of the Court's Order, or civil settlement conferences as provided in paragraph 3(d); and
- Uncontested proceedings, including but not limited to uncontested divorces, uncontested adoptions, and uncontested guardianships.

3. The court will provide as much advance notice as possible if the court determines that any of the above or comparable matters are to be conducted in -person. To the extent practicable, the court will inform attorneys and parties at least 5 days before the scheduled event. When possible, written notices as used in the Family Division, are encouraged as a way to advise participants in advance of the format of a scheduled court proceeding.

4. If 5 days' notice is not practicable, the court will either accommodate a request by an attorney or party to participate in the in-person matter virtually or will rescheduled the matter to proceed in-person on a future date.

5. To the extent practicable, judges will provide relevant information in advance about the nature of a court event – e.g., that a conference is for settlement purposes or that a routine event involves so many participants that in in-person format is preferable – to support understanding of why it is scheduled to proceed in-person.