

FILED  
APR 15 2026  
ANTHONY V. D'ELIA, J.S.C

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*Attorneys for Plaintiff, Hudson Hospital Opco, LLC d/b/a Heights Hospital  
f/k/a Christ Hospital*

**HUDSON HOSPITAL OPCO, LLC d/b/a  
HEIGHTS UNIVERSITY HOSPITAL,  
f/k/a CHRIST HOSPITAL,**

Plaintiff,

v.

**STATE OF NEW JERSEY; DR. REYNARD E.  
WASHINGTON in his official capacity as  
Acting Commissioner for the New Jersey  
Department of Health; and STATE OF NEW  
JERSEY, DEPARTMENT OF HEALTH;**

Defendants.

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
HUDSON COUNTY

DOCKET NO.: HUD-C- **60-26**

Civil Action  
**ORDER TO SHOW CAUSE WITH  
TEMPORARY RESTRAINTS  
PURSUANT TO R. 4:52**

**THIS MATTER**, having been opened to the Court by Mandelbaum Barrett PC, attorneys for Plaintiff Hudson Hospital Opco, LLC d/b/a Heights University Hospital, f/k/a Christ Hospital (“**Plaintiff**”), seeking relief by way of temporary restraints pursuant to R. 4:52 prior to the return date set forth below and for a preliminary injunction at the return date, based upon the facts set forth in the Verified Complaint filed herewith, and it appearing that immediate and irreparable damage will result before notice can be given to Defendants, State of New Jersey (“**State**”), Dr. Reynard E. Washington, in his capacity as Acting Commissioner for the State of New Jersey Department of Health (the “**Commissioner**”), and State of New Jersey, Department of Health (“**DOH**”) (collectively, “**Defendants**”) and a hearing held, and for good cause shown:

IT IS, on this 15 day of April, 2026,

**ORDERED** that Defendants appear and show cause before the Superior Court, Hudson County Chancery Division, at the ~~William J. Brennan Jr.~~ *Judge Mary Costello* Courthouse, 583 Newark Avenue, Jersey City, New Jersey 0730610, or as soon thereafter as counsel can be heard, on the 22 day of May, 2026 why an order should not be issued:

- A. Preliminarily enjoining and restraining Defendants from advancing Plaintiff's Certificate of Need ("CN") closing application or conducting any hearings applicable thereto, pending the outcome of this litigation; and
- B. Granting such other relief as the Court deems just and equitable.

And it is **further ORDERED** that pending the return date herein:

- (i) Defendants are temporarily enjoined and restrained from further reviewing and advancing the CN application ~~including~~ vis-à-vis the public hearing scheduled for April 15, 2026; and

**AND IT IS FURTHER ORDERED THAT:**

1. Defendants may move to dissolve or modify the temporary restraints herein contained on two (2) days' notice to the Plaintiff's attorney.
2. A copy of this order to show cause, legal memorandum, and any supporting affidavits or certifications submitted in support of this application be served upon Defendants, by overnight mail to Defendants' last known address or electronic mail to Michael J. Kennedy, Esq., Executive Director, Division of Certificate of Need and Licensing, New Jersey Department of Health, [michael.kennedy@doh.nj.gov](mailto:michael.kennedy@doh.nj.gov) and Defendants' Counsel, the State of New Jersey, Office of Attorney General, 25 West Market Street, Trenton, New Jersey, 08625, within \_\_\_\_ days of the date hereof.
3. Plaintiff must file with the court their proof of service of the pleadings on Defendants no later than three (3) days before the return date.

4. 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 May 14, 2026.

The 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 <https://www.njcourts.gov/public/directories/court-services/civil-dir>. You must

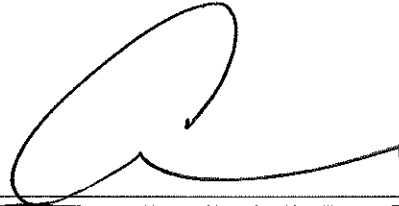
send a copy of your opposition papers directly to the chambers of the Judge Mary Costello *via ecourts only* J.S.C., whose address is the William J. Brennan Jr. Courthouse 583 Newark Avenue, Jersey City, New Jersey 07306. You must also send a copy of your opposition papers to the Plaintiff's attorney whose name and address appears above, or to the Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ \_\_\_\_\_ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

5. Plaintiff must file and serve any written reply to Defendants' order to show cause opposition by May 19, 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 Mary Costello, J.S.C. *via ecourts only*.

6. If 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 Plaintiff files a proof of service and a proposed form of order at least three (3) days prior to the return date.

7. If Plaintiffs have 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.

8. 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 3 days before the return date.



Hon. Mary Costello, P.J.Ch.

Hon. Anthony V. DiElio, J.S.C.

Date: 4/15/26