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 Plaintiff Pro Se

JEREMY M. GLAPION,

Plaintiff,

v.

LEISURE VILLAGE WEST
 ASSOCIATION, INC.,

Defendant.

**SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION
 GENERAL EQUITY PART
 OCEAN COUNTY**

DOCKET NO. OCN-C-00182-26

Civil Action

**ORDER TO SHOW CAUSE WITH
 TEMPORARY RESTRAINTS
 PURSUANT TO RULE 4:52**

THIS MATTER being brought before the Court by Jeremy M. Glapion, plaintiff pro se, seeking relief by way of temporary restraints pursuant to R. 4:52, based upon the facts set forth in the Complaint filed on September 28, 2026 and the Certification of Jeremy M. Glapion submitted herewith; and it appearing that the defendant has notice of this application through its counsel, Michael Polulak, Esq.; and for good cause shown.

It is on this 30 day of September, 2026 **ORDERED** that defendant, Leisure Village West Association, Inc., appear and show cause before the Superior Court at the Ocean County Courthouse in Toms River, New Jersey at 9:00 o'clock in the am noon or as soon thereafter as counsel can be heard, on the 20 day of October, 2026 why an order should not be issued preliminarily enjoining and restraining defendant, Leisure Village West Association, Inc., its Board of Trustees, officers, managing agent, employees, and attorneys, and all persons in active concert or participation with them who receive actual notice of the order, from engaging in the

conduct described in paragraphs A through F below, and granting the relief described in paragraphs G through I below:

- A. Enforcing, applying, or threatening to enforce the Policy Resolution Relating to Member Conduct adopted by defendant's Board of Trustees on August 5, 2026 (the "Speech Policy"), Exhibit H to the Complaint, against any member, owner, tenant, occupant, resident, or guest, including by issuing any notice of violation, conducting any hearing or alternative dispute resolution proceeding on an alleged violation, imposing or collecting any fine, or suspending any right or privilege; provided, however, that this paragraph does not restrain enforcement of the Speech Policy as applied to physical conduct toward persons or property or to true threats of violence, or enforcement of any rule other than the Speech Policy;
- B. Imposing any fine, suspension, or other discipline under the Speech Policy based in whole or in part on any communication made before the entry of the order, and considering any such communication as evidence of frequency, pattern, repetition, or cumulative effect under paragraph 1(g) of the Speech Policy or otherwise;
- C. Without limiting paragraph A, suspending any right or privilege under paragraph 4(c) of the Speech Policy before the affected owner has been afforded an opportunity for a hearing as required by Article I, Section 9(B) of defendant's Bylaws, or for any period exceeding that permitted by Article I, Section 9(B);
- D. Without limiting paragraph A, suspending the voting rights of any member, or treating any member as not in good standing for purposes of voting, on the basis of any alleged violation of the Speech Policy;

- E. Without limiting paragraph A, imposing any fine, suspension, or other discipline on any owner under paragraphs 1(d) or 1(e) of the Speech Policy on account of any communication or conduct of a tenant, occupant, resident, or guest;
- F. Demanding, under threat of discipline under the Speech Policy, that any person remove, delete, retract, or modify any communication;
- G. Directing defendant, within seven (7) days of entry of the order, to give notice of the order to all members in the form attached as Schedule A, by each means through which defendant ordinarily communicates rules and policies to members, including email distribution to members and posting on the Association website or resident portal, and to file a certification of compliance within three (3) days thereafter;
- H. Providing that no communication made while any restraint entered in this action is in effect shall be the basis for discipline under the Speech Policy, notwithstanding any later dissolution or modification of that restraint, unless the Court expressly orders otherwise; and
- I. Granting such other relief as the Court deems equitable and just.

And it is further ORDERED that pending the return date herein, defendant, Leisure Village West Association, Inc., its Board of Trustees, officers, managing agent, employees, and attorneys, and all persons in active concert or participation with them who receive actual notice of this Order, ~~are temporarily enjoined and restrained from~~

- A. ~~Enforcing, applying, or threatening to enforce the Policy Resolution Relating to Member Conduct adopted by defendant's Board of Trustees on August 5, 2026 (the "Speech Policy"), Exhibit H to the Complaint, against any member, owner, tenant, occupant, resident, or guest, including by issuing any notice of violation,~~

~~conducting any hearing or alternative dispute resolution proceeding on an alleged~~
~~violation, imposing or collecting any fine, or suspending any right or privilege;~~
~~provided, however, that this paragraph does not restrain enforcement of the Speech~~
~~Policy as applied to physical conduct toward persons or property or to threats~~
~~of violence, or enforcement of any rule other than the Speech Policy; xxx~~

- B. ~~Imposing any fine, suspension, or other discipline under the Speech Policy based~~
~~in whole or in part on any communication made before the entry of this Order or~~
~~while this Order is in effect, and considering any such communication as evidence~~
~~of frequency, pattern, repetition, or similar effects under paragraph (g) of the~~
~~Speech Policy or otherwise;~~
- C. ~~Suspending any right or privilege under paragraph (c) of the Speech Policy;~~
- D. ~~Suspending the voting rights of any member, or treating any member as not in good~~
~~standing for purposes of voting, on the basis of any alleged violation of the Speech~~
~~Policy; xxx~~
- E. ~~Imposing any fine, suspension, or other discipline on any person under paragraphs~~
~~(d) or (e) of the Speech Policy on account of any communication or conduct of a~~
~~tenant, occupant, resident, or guest; and xxxxxxx~~
- F. ~~Demanding, under threat of discipline under the Speech Policy, that any person~~
~~remove, delete, retract, or modify any communication; xxx~~

And it is further ORDERED that, within five (5) days of service of this Order, defendant shall give notice of this Order to all members in the form attached as Schedule A, by each means through which defendant ordinarily communicates rules and policies to members, including email

distribution to members and posting on the Association website or resident portal, and shall file a certification of compliance no later than three (3) days before the return date.

And it is further ORDERED that nothing in this Order restrains defendant from enforcing any provision of its Master Deed, Bylaws, or rules other than the Speech Policy, or from contacting law enforcement.

And it is further ORDERED that:

1. The defendant may move to dissolve or modify the temporary restraints herein contained on two (2) days' notice to the plaintiff.

2. A copy of this order to show cause, the Complaint, legal memorandum, and the Certification of Jeremy M. Glapion submitted in support of this application be served upon the defendant personally, by service upon an officer, trustee, managing or general agent, or registered agent in accordance with R. 4:4-4(a)(5), within 7 days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process. Plaintiff shall also transmit a copy of this Order by email to defendant's counsel, Michael Polulak, Esq., on the date of its entry.

3. The plaintiff must file with the Court his proof of service of the pleadings on the defendant no later than three (3) days before the return date.

4. Defendant 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 October 15, 2026. The original documents must be filed with the Clerk of the Superior Court, Chancery Division, Ocean County (through eCourts if filed by an attorney). You must send a copy of your opposition papers directly to Judge Craig L. Wellerson, whose address is Ocean County Superior Court, 206 Courthouse Lane, 1st Floor, Toms River, New Jersey 08753. You must also send a copy of your opposition papers to the plaintiff, whose name and address appear 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. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by October 19, 2026. The reply papers must be filed with the Clerk of the Superior Court, Chancery Division, Ocean County, and a copy of the reply papers must be sent directly to the chambers of Judge Wellerson.

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

7. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date must be submitted to the Court no later than three (3) days before the return date.

8. Defendant take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The 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 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.

9. 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 1 days before the return date.

Craig L. Wellerson

The Honorable Craig L. Wellerson, P.J. Ch.

All documents to be filed in ecourts.

SCHEDULE A

NOTICE TO MEMBERS OF LEISURE VILLAGE WEST ASSOCIATION, INC. Court Order Regarding the Member Conduct Policy Adopted August 5, 2026

On _____, 2026, the Superior Court of New Jersey, Chancery Division, Ocean County, entered an Order in *Glaption v. Leisure Village West Association, Inc.*, Docket No. OCN-C-00182-26, concerning the Policy Resolution Relating to Member Conduct adopted by the Board of Trustees on August 5, 2026 (the “Policy”).

Until further order of the Court, the Association will not enforce the Policy, except as to physical conduct toward persons or property or true threats of violence. Specifically, the Association will not issue notices of violation, hold hearings, impose or collect fines, suspend any right or privilege (including voting rights), or demand that anyone remove or retract a communication under the Policy. This applies to members, owners, tenants, occupants, residents, and guests.

The Association also will not discipline anyone under the Policy for any communication made before the date of the Order or while the Order is in effect.

The Order is not a final decision on the merits of the lawsuit. It does not affect the Association’s enforcement of its Master Deed, Bylaws, or rules other than the Policy.

A copy of the Order is attached to an email sent to each member, and is also available via the resident portal and upon request to the Community Manager. A hearing on whether these restrictions will continue is scheduled for _____, 2026.

By Order of the Court.
Leisure Village West Association, Inc.