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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-0445-24**

ADONI PROPERTY GROUP, LLC,

Plaintiff-Respondent,

v.

TOWNSHIP OF MIDDLETOWN and
MAYOR AND COUNCIL OF THE
TOWNSHIP OF MIDDLETOWN,

Defendants-Respondents,

and

TOWNSHIP OF HOLMDEL,

Defendant/Intervenor-Appellant.

Submitted October 29, 2025 – Decided November 18, 2025

Before Judges Currier and Smith.

On appeal from the Superior Court of New Jersey, Law
Division, Monmouth County, Docket No. A-1260-23.

King, Moench & Collins, LLP, attorneys for appellant
(Michael L. Collins, of counsel and on the briefs;
Nicholas D. Hession, on the briefs).

Wilentz, Goldman & Spitzer, PA, attorneys for respondent Adoni Property Group, LLC (Donna M. Jennings, of counsel and on the brief; Anthony J. Zarillo, III, on the brief).

PER CURIAM

We were informed, prior to the scheduled appellate oral argument, that the complaint, filed April 21, 2023, and the amended complaint, filed December 1, 2023, in the matter of Adoni Property Group, LLC v. Township of Middletown and Mayor and Council of the Township of Middletown, Docket No. L-1260-23, were dismissed by the parties, effective October 28, 2025. The above-referenced parties have settled the underlying lawsuit which gave rise to this appeal.

We note that Intervenor-Appellant Township of Holmdel (Holmdel) appealed the trial court's order of October 3, 2024, which denied Holmdel's third motion to intervene pursuant to Rule 4:33.

An issue is moot if the decision "can have no practical effect on the existing controversy." Brehme v. Irwin, 259 N.J. 505, 511 (2025) (quoting In re Proposed Constr. of Compressor Station (CS327), 258 N.J. 312, 327 (2024)) (internal quotation marks omitted). Generally, "courts should not decide cases where a judgment cannot grant relief." In re Appeal of the Denial of R.W.T., 477 N.J. Super. 443, 476 (App. Div. 2023) (quoting Marjarum v. Twp. of

Hamilton, 336 N.J. Super. 85, 92 (App. Div. 2000)). Because the parties have now settled the underlying litigation in which Holmdel sought to intervene, any decision made by this court at this stage of the proceeding "can have no practical effect on the existing controversy." Brehme, 259 N.J. at 511. It follows that Holmdel's appeal of the trial court's October 3, 2024 order denying intervention is now moot.

Accordingly, the appeal is dismissed, in its entirety, with prejudice and without cost.

I hereby certify that the foregoing is
a true copy of the original on file in
my office.

M.C. Hanley

Clerk of the Appellate Division