



# TOWN OF EAST HAMPTON

159 Pantigo Road  
East Hampton, New York 11937

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## PRESS STATEMENT

RE: Lawsuit Against Town of East Hampton

April 21, 2015

### **CONTACT:**

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The Town of East Hampton was served with a lawsuit in Federal Court this morning by the Friends of the East Hampton Airport organization (along with several corporations). Stripped of its rhetoric, the 34-page complaint is entirely predictable and contains no surprises. The plaintiffs assert that the Town's three new restrictions on aircraft are unreasonable and violate the U.S. Constitution. (*Friends of the East Hampton Airport et al. v. Town of East Hampton*, U.S. District Court for the Eastern District of New York, filed April 21, 2015)

The complaint cites several federal laws and provisions of the U.S. Constitution, but conveniently forgets what makes these restrictions unique:

- Plaintiffs ignore the years of studies, analyses, public meetings, consultations with airport users, and deliberative process and Town Board deliberations that led to the three restrictions.
- Plaintiffs forget that the Town has patiently waited for federal contractual obligations to expire before taking this action.
- Plaintiffs don't mention that the Airport Noise and Capacity Act no longer applies to this airport.
- Plaintiffs conveniently ignore the many, many steps that led to the Town Board decision that these restrictions are necessary – steps that included federally mandated flight paths for helicopters, voluntary flight paths for all aircraft, voluntary curfews, voluntary altitude requirements and other measures. All of these efforts proved ineffective.
- Plaintiffs don't admit that the restrictions are narrowly targeted to address the operations of most concern that generate the most disturbance – and that the restrictions will not affect almost 80 percent of the operations at the Airport.

We have, with surgical precision, defined precise restrictions that limit only the most disturbing operations at East Hampton Airport. The Town has committed to an incremental approach – and to reevaluation of the restrictions after the end of the 2015 season to make sure that they have been only as restrictive as necessary.

The Town is fully prepared for this litigation and will vigorously defend its legal and constitutional right to impose reasonable, non-arbitrary, and carefully balanced restrictions. Plaintiffs raise issues that we are fully prepared to defend. The issues that plaintiffs raise have been litigated over and over again in lawsuits throughout the nation and airport proprietors have consistently won.

While we anticipated this lawsuit, it is sad that these airport users are now going to force the Town to spend scarce airport funds to defend these restrictions rather than working to make this airport the best it can be.