



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*610 Federal Plaza
Central Islip, New York 11722*

May 4, 2015

By ECF

The Honorable Sandra J. Feuerstein
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Friends of the East Hampton Airport, Inc., et al. v. Town of East Hampton*, 2:15 Civ. 02246 (SJF)(ARL)

Dear Judge Feuerstein:

This office represents the Federal Aviation Administration (the "FAA"). On January 29, 2015, the Friends of the East Hampton Airport, Inc., among others ("Plaintiffs"), commenced an action against the FAA in connection with various noise and access restrictions for East Hampton Airport ("EHA") which have recently been adopted into local law by the Town of East Hampton (the "Town"). See *Friends of East Hampton Airport, Inc., et al. v. FAA*, 9:15-cv-0041 (the "FAA Action"). Specifically, in the FAA Action, Plaintiffs seek to compel the FAA to take action to ensure that the Town's restrictions comply with applicable federal laws and FAA regulations. The deadline for the FAA to respond to Plaintiffs' complaint is June 8, 2015.

As the Court is aware, on April 21, 2015, Plaintiffs commenced the above-referenced matter against the Town, challenging the same EHA restrictions at issue in the FAA Action (the "Town Action"). Plaintiffs have sought to consolidate the FAA and Town Actions and currently before the Court is Plaintiffs' application for a temporary restraining order seeking to enjoin the Town from enforcing the proposed EHA restrictions during the pendency of the FAA and Town Actions.

The FAA is currently reviewing Plaintiffs' claims and the Town's restrictions and, therefore, is not expressing any view on the merits of either the FAA or Town Action at this time. Notwithstanding, please be advised that the FAA believes that Plaintiffs' application to enjoin the Town from enforcing the EHA restrictions should be granted. Indeed, an injunction is necessary so that the FAA can properly consider Plaintiffs' claims and the Town restrictions, develop its position on the issues, and, should the FAA determine that the Town restrictions are

contrary to federal law(s) and/or FAA regulation(s)—and/or the Court rule in favor of Plaintiffs in the FAA Action— commence appropriate enforcement action.

Thank you for your consideration.

Respectfully submitted,

KELLY T. CURRIE
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: /s/ Robert W. Schumacher
Robert W. Schumacher
(631) 715-7871

cc: parties of record