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November 22, 2016

VIA ECF

The Honorable Joanna Seybert  
United States District Court  
Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

Re: *Friends of the East Hampton Airport, et al. v. Federal Aviation Administration, et al.*,  
15 Civ. 441 (JS) (ARL)

Dear Judge Seybert:

The parties respectfully request that the Court continue to stay this action pending the outcome of further appellate proceedings in the related case of *Friends of the East Hampton Airport, et al. v. Town of East Hampton* (the "Town Action"), No. 15 Civ. 2246 (JS) (ARL), on appeal, Dkts. 15-2334-cv(L), 15-2465-cv(XAP).

On March 11, 2016, Your Honor granted the FAA's request to stay this action in full until the appeal in the Town Action was decided, because the outcome of the appeal could potentially moot the District Court's need to reach the merits of issues in this case. (ECF No. 46 at 2).

On November 4, 2016, the Second Circuit Court of Appeals issued its decision on that appeal, holding, among other things, that federal law preempts the Town of East Hampton's local airport restrictions because the Town enacted those local laws without first complying with the procedural requirements of the Airport Noise and Capacity Act.

Last week, the Town advised that it intends to file a petition with the U.S. Supreme Court, seeking review of the Second Circuit's November 4, 2016 decision.

The parties accordingly request that this action remain stayed while any further appellate proceedings are pending in the Town Action. Specifically, counsel for the FAA, the Town, and the Committee to Stop Airport Expansion have each advised counsel for Plaintiffs that they consent to this request.

Respectfully submitted,

  
Charles Spada

cc: All counsel of record