

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FRIENDS OF THE EAST HAMPTON AIRPORT, INC.,
ANALAR CORPORATION, HELICOPTER
ASSOCIATION INTERNATIONAL, INC., HELIFLITE
SHARES LLC, LIBERTY HELICOPTERS, INC., and
SHORELINE AVIATION, INC.,

15 Civ. 0441 (JS)
(ARL)

Plaintiffs,

-against-

THE FEDERAL AVIATION ADMINISTRATION and
MICHAEL P. HUERTA, FAA Administrator, in his official
capacity,

ORDER

Defendants

JOINT MOTION TO DISMISS AS MOOT

The parties respectfully ask the Court to dismiss this case without prejudice, pursuant
Fed. R. Civ. P. 41(a)(2), if it enters the recently proposed order in *Friends of East Hampton
Airport, et al. v. The Town of East Hampton*, 15 Civ. 2246 (JS) (ARL) (the "*Town Action*"),
permanently enjoining enforcement of Sections 75-38 and 75-39 of the Town of East Hampton
Code. In support of this motion, the parties state as follows:

1. In the *Town Action*, the Plaintiffs have asked the Court to enter a proposed order,
which the Defendant Town of East Hampton does not oppose, that, among other
things, would enter a final judgment permanently enjoining enforcement of Sections
75-38 and 75-39 of the Town of East Hampton Code;
2. Plaintiffs believe that if this Court enters the proposed permanent injunction in the
Town Action, Plaintiffs will have effectively received the relief they were seeking in
this case.

3. Plaintiffs and Defendants agree that Plaintiffs' request for relief in this case will be moot once the proposed order in the *Town Action* is entered.
4. By jointly moving this Court to dismiss this case without prejudice as moot, neither Plaintiffs nor Defendants make any representations, admissions, concessions, or stipulations about any other aspect of this case, including but not limited to the underlying merits of Plaintiffs' claims.

The parties therefore respectfully ask this Court to dismiss this action without prejudice as moot if the proposed order is entered in the *Town Action*.

Dated: July 27, 2017

Respectfully submitted,

LANKLER SIFFERT & WOHL LLP

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 COUNSEL FOR DEFENDANTS

The parties' joint motion to dismiss is GRANTED and this action is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court is directed to mark this case CLOSED

SO ORDERED:
 15/ JOANNA SEYBERT
 Joanna Seybert, USDJ
 Dated: Aug. 14, 2017
 Central Islip, NY