

# Airport Update



June 7, 2022

Bill O'Connor

**Cooley**



# HTO Closed; JPX is Open

- The FAA permanently closed the public-use East Hampton Airport (HTO)
- The FAA activated the new East Hampton Town Airport (JPX) on May 19, 2022
  - FAA charts confirm JPX is private (“Pvt”)
- JPX offers all safety and operational capabilities that were available at HTO



# Litigation Update

- Several coordinated cases filed by airport users
  - Five state court cases proceeding in Suffolk County Supreme Court
  - One federal court case proceeding in Eastern District of New York
  - Two administrative cases proceeding before the FAA
- Town is operating JPX consistent with all court orders and applicable laws

# Next Steps

- Town is discussing several options related to the litigation and future of JPX
  - 2021 Public Engagement Session made clear that the community will not tolerate unrestricted operations to and from JPX
- If community's desire for a balanced airport will not be imminently achieved, Town has instructed counsel to begin process of permanently closing JPX
  - Due to current status, Town has asked counsel to effectuate permanent closure as soon as legally possible
  - Town continues to coordinate with FAA

# Airport Funds

- All of JPX's capital and operating costs are paid for with airport funds
  - No general funds are used
  - Capital and operating costs include all consultant fees and litigation costs
- The airport funds are derived from landing fees, fuel flowage fees, and leases

Questions or Comments?

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# Appendix – Related Litigation

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# Blade Lawsuit

Action	Named Plaintiffs	Counsel
<b><i>Blade Air Mobility, et al. v. Town of East Hampton, et al.</i>, Index No. 602802/2022 (New York Supreme Court, Suffolk County)</b>	Blade Air Mobility, Inc. Bonnie Brady Thomas Dean Jason Deland Lisa Deveglio Michael Donnelly Russell Munson Alicia Whitaker	Gibson, Dunn & Crutcher LLP Randy Mastro Harris Mufson Gabriel Hermann Paul Kremer Akiva Shapiro Declan Conroy Tessa Gellerson Jialin Yang Margolinbesunder LLP Linda Margolin



# Coalition Lawsuit

Action	Named Plaintiffs	Counsel
<b><i>Coalition to Keep East Hampton Airport Open, Ltd., et al. v. Town of East Hampton, New York, Index No. 602801/2022 (New York Supreme Court, Suffolk County)</i></b>	The Coalition to Keep East Hampton Airport Open, Ltd.  Andrew Sabin  Michael Mancuso  Edmond Chakmakian  Kelly Bloss  Jennifer Faga  Robert Aspenleiter  Thomas Griffin  Douglas Donaldson  Harry Ellis  Dr. George Dempsey	Greenberg Traurig LLP  Steven Russo  Brian Doyle  Dale Goldstein  Michael Berlin  Adam Kirschbaum  Michael Mirdamadi

# East End Lawsuit

Action	Named Plaintiffs	Counsel
<i>East End Hangars, Inc., et al. v. Town of East Hampton, New York, Index No. 602801/2022 (New York Supreme Court, Suffolk County)</i>	East End Hangars, Inc. Hampton Hangars, Inc. a/k/a Hampton Hangers, Inc. Thomas Bogdan Joseph Dryer Suse Lowenstein Lynden Restrepo Louise Sasso	Pillsbury Winthrop Shaw Pittman LLP (for East End Hangars and Hampton Hangars) James Catterson Brianna Walsh Danielle Stefanucci Eckert Seamans Cherin & Mellott LLC (for individuals) Riyaz Bhimani

# Vilar Lawsuit

Action	Named Plaintiffs	Counsel
<i>Manny Vilar v. Town of East Hampton</i> , Index No. 606362/2022 (New York Supreme Court, Suffolk County) (transferred from Nassau County)	Manny Vilar	Lynn Gartner Dunne & Frigenti LLP Christopher Renke

# Long Island Airlines Lawsuit

Action	Named Plaintiffs	Counsel
<i>Long Island Airline LLC v. Town of East Hampton</i> , Index No. 618836/2021 (New York Supreme Court, Suffolk County)	Long Island Airline LLC	Lynn Gartner Dunne & Frigenti LLP  Robert Lynn  Christopher Renke

# NBAA Lawsuit

Action	Named Plaintiffs	Counsel
<i>National Business Aviation Association, Inc. v. Town of East Hampton</i> , 22 Civ. 2824 (Eastern District of New York)	National Business Aviation Association, Inc.	Arnold & Porter Kaye Scholer LLP James Herschlein David Russell

# *Doupe* Administrative Proceedings

Action	Named Plaintiffs	Counsel
<i>Doupe Services, LLC d/b/a Curtis Air Taxi and Jobs Lane Aviation, LLC v. Town of East Hampton, New York (FAA and DOT Administrative Proceedings; 16-22-05)</i>	Doupe Services, LLC d/b/a Curtis Air Taxi Jobs Lane Aviation, LLC	KMA Zuckert LLC Jol Silversmith Barbara Marrin