



HOLWELL SHUSTER & GOLDBERG FILES *AMICUS* BRIEF OPPOSING USE OF NEW YORK CITY PARKLAND FOR NYU EXPANSION

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New York—Holwell Shuster & Goldberg LLP submitted an *amicus* brief today opposing a controversial plan to alienate four long-established neighborhood parks in Greenwich Village as part of a two-million-square-foot expansion of New York University. HSG is representing New York Civic, a nonprofit, nonpartisan, good-government organization in an appeal now pending before New York State’s highest court. The *amicus* brief HSG prepared on behalf of New York Civic supports Greenwich Village residents, community associations, and others challenging the expansion plan, which would eliminate one park and render three others unusable during the 20-year duration of the project.

The case sets up an important test of the Public Trust doctrine, under which property long acknowledged as parkland cannot be alienated without approval of the state legislature, which was neither sought nor granted here. The challengers are appealing a decision of the Appellate Division, which reversed a trial court ruling largely favorable to the challengers. The Appellate Division ruled that the properties in this case were not parks because they were not formally mapped as such on internal City documents. The *amicus* brief, available here, explains that this decision “give[s] powerful local interests with an influence over administrative technicalities a secret veto over the dedication of parkland in spite of what the public reasonably understood.”

HSG attorneys who drafted the *amicus* brief are founding partner Richard J. Holwell; Daniel M. Sullivan, associate and former law clerk to Justice Antonin Scalia of the United States Supreme Court; and Andrew Breidenbach, associate and former law clerk to Judge Dennis Jacobs of the United States Court of Appeals for the Second Circuit.

ATTORNEYS

Richard J. Holwell

Daniel M. Sullivan