

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.

TRANSPORTATION
DOCKETS

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Committee to Stop Airport Expansion,
Pat Trunzo, III, Pat Trunzo, Jr., and
Edward Gorman,

Complainants,

v.

Town of East Hampton

Respondents

FAA Docket No. 16-02-04

FAA-02-12981-17

ORDER OF DISMISSAL

This matter is before the Federal Aviation Administration (FAA) Associate Administrator for Airports on appeal of the Director of Airport Safety and Standards *Order of Dismissal* dismissing the complaint in the above-referenced proceeding with prejudice pursuant to the *FAA Rules of Practice for Federally-Assisted Airport Enforcement Proceedings*, 14 C.F.R. Part 16 (FAA Rules of Practice).

On April 24, 2002, the Committee to Stop Airport Expansion, Pat Trunzo, III, Pat Trunzo, Jr., and Edward Gorman, (Complainants) filed a formal complaint pursuant to 14 C.F.R. §16.23 against the Town of East Hampton, New York (Respondent) alleging violations of the Airport Improvement Program Grant Assurances Nos. 6, 7, and 29 by the Respondent.

On June 24, 2002, the Director issued an *Order of Dismissal* dismissing the complaint with prejudice pursuant to 14 C.F.R. § 16.25(b) for failure to state a claim that warrants an investigation or further action by the FAA.

Complainants appealed the Director's *Order of Dismissal* to the Associate Administrator for Airports on July 24, 2002, pursuant to 14 C.F.R. § 16.33(b). Respondent filed its Reply to the appeal on August 14, 2002.

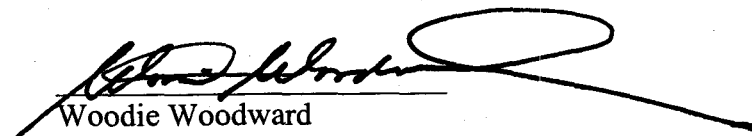
After being advised of a Federal Grand Jury investigation of allegations similar to those in the Part 16 complaint, the FAA issued an Order of Stay on February 4, 2003 pursuant to 14 C.F.R. Part 16, subpart B, § 16.11, until further notice.

On April 29, 2005, the FAA and Complainants concluded a Settlement Agreement to resolve the issues between them without further litigation. In ¶ 3 of the Settlement Agreement, Complainants agreed to submit a request to the FAA seeking dismissal with prejudice of the proceeding, *Committee to Stop Airport Expansion v. Town of East Hampton*, FAA Docket No. 16-02-04, and the FAA agreed to withdrawal its June 24, 2002 *Order of Dismissal*.

On June 10, 2005, the Complainants filed a *Request for Dismissal* of the proceeding with the FAA.

Consistent with the Settlement Agreement, the FAA hereby grants the Complainants' *Request for Dismissal* with prejudice of *Committee to Stop Airport Expansion v. Town of East Hampton*, FAA Docket No. 16-02-04. The FAA also hereby withdraws its June 24, 2002 *Order of Dismissal*.

Accordingly, these proceedings are dismissed with prejudice and the docket is closed, consistent with 14 C.F.R. Part 16 and the terms of the Settlement Agreement.



Woodie Woodward
Associate Administrator
for Airports

Issued in Washington, D.C. this 28 day of June, 2005.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 28, 2005, I caused to be placed in the United States mail (first class mail, postage paid) a true copy of the foregoing document addressed to:

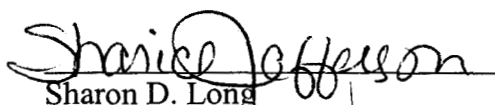
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