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JUDGE RULES IN FAVOR OF CITY AND FTA ON RAIL SUIT CLAIMS

A favorable ruling today in the federal lawsuit against the City's rail transit project reduced the number of disputed recreational and historic site claims from more than 40 to fewer than 10.

"This is a significant and positive ruling that narrows the litigation," said Dan Grabauskas, Executive Director and CEO of the Honolulu Authority for Rapid Transportation. "We appreciate the court's well-reasoned analysis."

The ruling by Ninth Circuit Court Senior Judge A. Wallace Tashima, sitting as a District Court judge, held that the plaintiffs had no standing to challenge certain site evaluations with respect to Piers 10/11, the Pacific War Memorial Site, the Makalapa Navy Housing Historic District, the Hawaii Employers Council, the Tamura Building, Ke'ehi Lagoon Beach Park, Queen Street Park and any other sites not mentioned in the plaintiffs' standing declarations.

The court dismissed additional claims with respect to the Pearl Harbor Landmark and the Merchant Street Historic District because the plaintiffs had waived them by failing to properly raise their concerns during the environmental review process.

The City will seek to formally dismiss remaining claims by a separate motion, scheduled to be heard in oral argument on August 21, 2012.

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