

## Carter Ledyard Obtains Favorable Decision on Behalf of Suffolk County Following Bench Trial

**April 19, 2021**

Carter Ledyard obtained a favorable decision on behalf of its client Suffolk County following a bench trial before Justice John J. Leo, Supreme Court, Suffolk County, as to the damages caused by the County's acquisition, using its eminent domain power, of an easement on a parcel located in the Seaview section of Fire Island, in connection with the Fire Island Inlet to Moriches Inlet (FIMI) Project, a beach stabilization project undertaken by the County of Suffolk, the State of New York, and the Army Corps of Engineers to repair and maintain sand dunes damaged by Superstorm Sandy along the 12.5 mile coastline of Fire Island.

The Court largely accepted the positions put forth by the County's appraiser and rejected claimant's arguments that the easement substantially destroyed her property value. Key among the Court's findings are that no development potential was lost as a result of the easement and that the evidence does not support the argument that the height of the dune might someday be raised to block the ocean view from this home. Claimant recovered less than 10% of the additional compensation sought. Suffolk County was represented by Carter Ledyard partner John Casolaro, counsel Lee Ohliger, and counsel Madelyn White.

### related professionals

**John R. Casolaro** / Partner

D 212-238-8736

[casolaro@clm.com](mailto:casolaro@clm.com)

**Lee A. Ohliger** / Counsel

D 212-238-8716

[ohliger@clm.com](mailto:ohliger@clm.com)

**Madelyn K. White** / Counsel

D 212-238-8614

[white@clm.com](mailto:white@clm.com)

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