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Hudson County Superior Court Judge Rules Jersey City and Embankment Coalition in Compliance with OPRA Requests; Third, Unsuccessful Attempt by Hyman to Delay Embankment Litigation

JERSEY CITY – Mayor Steven M. Fulop and the Jersey City Embankment Coalition announced today another court victory in their effort to exercise the City’s right to purchase the **Sixth Street Embankment** as a public property for use by the residents.

The plaintiffs, 212 Marin Boulevard, LLC on behalf of Steven Hyman, were seeking through a motion to have the City and the Embankment Coalition re-do their searches and certifications through OPRA. The City has produced numerous documents as part of the ongoing litigation through OPRA and has been completely compliant.

According to today’s ruling in Hudson County Superior Court, Judge Sarkisian found that Jersey City and the Embankment Coalition are in compliance with all requests.

This is the third, unsuccessful attempt by Hyman, the current property owner, to engage the City in voluminous records requests to delay the legal process.

“As the City and the Embankment Coalition continue to be victorious in federal court on this issue, moving us closer to acquiring the Sixth Street Embankment, Steve Hyman and his attorneys continue to file frivolous lawsuits in an attempt to delay the process,” said **Mayor Fulop**. “The ruling today shows just that. We will continue to work through the legal process and believe that the Sixth Street Embankment will rightfully become property of the City of Jersey City for residents to enjoy.”

In his ruling, Judge Sarkisian found that “when looked at in their totality, show Jersey City making a conscientious effort to comply with the intent behind OPRA “to maximize public knowledge about public affairs in order to ensure an informed citizenry and to minimize the evils inherent in a secluded process.” Mason v. Hoboken, 196 N.J. 51, 64 (2008) (quotation omitted). Any further searches are redundant and would frustrate the purpose of OPRA. The Court finds, therefore, that Jersey City, has complied with Judge Maron’s October 15, 2012 and July 25, 2014 Orders.”

In February, a panel of federal judges upheld a lower court decision that said the Sixth Street Embankment in Jersey City was classified as a rail line, and not a spur. As a rail line, the embankment is subject to federal laws that require the City of Jersey City to have the first opportunity to purchase the embankment.

All media inquiries should be directed to Jennifer Morrill, Press Secretary to Mayor Steven M. Fulop at 201-547-4836 or 201-376-0699.////