

There was a Court Conference in Goshen on Tuesday (10/8) on the Booth v. Village of Tuxedo Park litigation. Judge Robert Onofry presided.

After hearing from both attorneys, Mr. Golden (for the Village) and Mr. MacCartney (for Ms. Booth), the Judge then asked that they meet with him in chambers to discuss the matter further.

The result of the Court Conference is that Judge Onofry set a schedule for the Village's motion to dismiss the litigation. The Village will submit its motion on October 22nd, Ms. Booth must respond by November 6th, and the Village may submit a Reply to that response by November 13th. The matter on the Article 78 will then be fully submitted and Judge Onofry will then render his decision sometime thereafter. There is no present deadline for the Judge to issue his decision.

In addition, the Judge advised the attorneys that he will also decide on the propriety of the pending Temporary Restraining Order, which is preventing the Village from restoring the Causeway wall, and whether Ms. Booth's request for a Preliminary Injunction on the same issue should be granted. The Judge stated he will decide the restraining order and injunction issue before his Article 78 decision, but did not set a specific date.