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MSP AIRPORT NEIGHBORS FILE AIRPORT NOISE COMPLAINT.

AFTER WAITING YEARS FOR LONG-PROMISED SOUND INSULATION,
HOMEOWNERS NOW LOOK FOR HELP IN A CLASS ACTION LAWSUIT.

MINNEAPOLIS: In the late 1990's, the Metropolitan Airports Commission (MAC) made a determination to expand the operations of the Minneapolis – St. Paul International Airport through the construction of a new runway. In making its decision, the MAC participated in an Environmental Impact Study and worked with numerous leaders who represented communities surrounding the MSP Airport. To obtain approval from the Cities of Richfield and Minneapolis and their homeowners, for the added airplane volume and noise, the MAC promised it would implement a Noise Mitigation Program to homes that were within a 60 day/night level (dnl) noise contour to the airport. In 1998, the Cities of Richfield and Minneapolis entered into contracts with the MAC, which memorialized that the MAC would provide sound insulation program to the 60 dnl contour. The Cities agreed to the plan and the MAC moved ahead with its airport expansion. Since that time, homeowners have waited for the promised remediation. But the promised remediation never happened.

After exhaustive efforts to resolve the issue, in April of this year, the Cities filed actions against the MAC, seeking fulfillment of its long-standing promises. That case is now before Hennepin County District Judge, Stephen Aldridge. In that action, the MAC is denying it can be held to its prior commitment.

Now, the homeowners are asserting claims, attempting to hold the MAC accountable. According to one Minneapolis resident, "Did we agree to the expanded airport? Yes. But our agreement was conditioned on the MAC providing extra sound insulation for the houses that would be most affected by the increased noise. We kept our promise, and let them expand, increasing the noise over our homes. But the MAC broke its promise. I never thought this could happen."

For years, local homeowners have attended meetings, written letters and contacted their council members in attempts to get the issue resolved - to no avail. In all attempts to compel the MAC to keep its commitment, the homeowners have met resistance and disrespect. Another Minneapolis resident noted, "our communities have tried to do everything we could to work out this disagreement through the system. We believed if we gave permission to build, that the MAC would keep its word. When they didn't, we went to MAC meetings. We wrote letters. But nothing happened. So, we decided a class action lawsuit might be our only hope of getting ourselves heard in a way that the MAC might finally listen."

The homeowners are represented by Minneapolis-based Zimmerman Reed, PLLP. According to attorney, Bob Moilanen, "This community feels it has been completely betrayed by the MAC. It's



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troubling that after all these years, after all this community's efforts, despite the involvement of numerous political subdivisions and the state legislature, that this issue has not been resolved.”

The community filed a class action lawsuit today in Hennepin County on behalf of all homeowners within the 60 dnl noise contour of the MSP Airport. The class is expected to encompass about 4,000 homes and include about 20,000 residents. The homeowners cite to the MAC's contract obligations and seek relief under the Declaratory Judgment Act. Northwest Airlines is also named under the Declaratory Judgment Act claims. According to the Complaint, the sound insulation program was to be funded by passenger fees and concessions at the airport. Instead, those funds have been diverted to airport expansion, much of which has directly benefited Northwest Airlines.

A copy of the Complaint is available at www.zimmreed.com