

MTA 2024 Annual Report - Litigation

General

The MTA and its affiliates and subsidiaries maintain extensive property, liability, station liability, force account, construction, and other insurance, which is described in the Annual Disclosure Statement for the MTA's Combined Continuing Disclosure Filings. Monetary claims described below may be covered in whole or in part by insurance, subject to the individual retentions associated with such insurance.

The Related Entities also provide accruals in their financial statements for their estimated liability for claims by third parties for personal injury arising from, among other things, bodily injury (including death), false arrest, malicious prosecution, and libel and slander, for property damage for which they may be liable as a result of their operations, and advertising offense, including defamation, invasion of right of privacy, piracy, unfair competition, and idea misappropriation. The estimated liabilities are based upon independent actuarial advice obtained by the Related Entities. However, except in special circumstances and except for the annual judgments and claims budgeted amounts, additional cash reserves are not generally established in an amount equal to the full amount of the accrual.

MTA

Lockheed Martin Transportation Security Solutions v. MTA Capital Construction¹ and MTA. In April 2009, Plaintiff Lockheed Martin Transportation Security Solutions ("Lockheed") filed a lawsuit for breach of contract against the MTA and MTA Capital Construction (now MTA C&D) arising out of a contract for Lockheed to furnish and install an electronic security system. Lockheed seeks damages of approximately \$149 million and MTA asserted counterclaims for approximately \$205 million. MTA obtained partial summary judgment that reduced Lockheed's potential damages to approximately \$94 million. A trial was held in November 2014, followed by post-trial motions in December 2014. The Court has not rendered any decision. The outcome of this litigation cannot be determined at this time.

Actions for Personal Injuries/Property Damage/Workers' Compensation. As of December 31, 2024, there were approximately 7 actions and claims pending against the MTA based on the Federal Employers' Liability Act, no-fault claims, and other torts, which would be paid from the MTA's operating budget in the event of any liability. Also, as of that date, there were approximately 10 pending Workers' Compensation cases.

Transit System

Actions for Personal Injuries/Property Damage. As of December 31, 2024, MTA New York City Transit and MaBSTOA had an active inventory of 12,832 personal injury claims and lawsuits and 1,065 property damage matters arising out of the operation and administration of the Transit System. In addition, with respect to the Access-A-Ride (Paratransit) program, as of December 31, 2024, there was an active inventory of approximately 650 personal injury cases and approximately 56 property damage cases arising out of the operation of vehicles leased to outside vendors that provide Access-A-Ride service. Such Access-A-Ride claims are covered by a commercial automobile policy which as of March 1, 2024, had policy limits of \$3 million per occurrence to fund self-insured losses.

¹ Now MTA Construction & Development.

As of December 31, 2024, MTA Staten Island Railway had a pending inventory of 10 claims and lawsuits relating to personal injury and property damage arising from the operations of MTA Staten Island Railway.

1. *Beauchamp v. MTA New York City Transit Authority* On March 6, 2017, plaintiff, then 62 years old, was crossing southbound in the crosswalk on Houston Street when she was struck by an M14D Bus turning left from Avenue D. Plaintiff sustained multiple injuries, requiring future care. On February 22, 2024, a New York County Supreme Court jury found NYCT 100% liable and awarded plaintiff \$72.5 million in damages. Post-trial motions were denied. NYCT will appeal once judgment has been entered. This matter has been reported to the Excess Loss Fund, which would be responsible for payments up to the remaining available limits. The outcome of this litigation cannot be determined at this time.
2. *Pisano v. SIRTOA* On November 24, 2016, at about 4:00 am, then 23-year-old Robert Pisano, Jr., was struck by a SIRTOA train at the Bay Terrace station in Staten Island. Plaintiff, who was intoxicated, sustained a traumatic amputation of his right leg below the knee which was surgically raised to an above the knee amputation due to infections and debridements, a head injury with degloving to the scalp, surgical removal of left kidney, removal of spleen, pelvic fracture, L-5 fracture, lacerations to liver, bladder and prostate, colectomy with subsequent reversal, diaphragmatic hernia and psychological injury involving stress, nightmare, anxiety and depression. Settlement will be explored at the completion of discovery.
3. *125th Street Derailment* On June 27, 2017, a southbound A train pulling into the 125th Street station in Harlem derailed with wheels of two cars off the tracks. The derailment also caused damage to subway cars, track, and related track equipment and infrastructure in the vicinity of the derailment. Thirty-six claims were filed and 30 lawsuits were commenced. Nine lawsuits remain active.
4. *Queens Main Street Bus Accident* On September 18, 2017, at 6:21 am, an MTA NYCT bus making a right turn was struck by a Dahlia Group, Inc. tour bus. 24 lawsuits resulted. Settlement of all cases was reached following global mediation. Cases are being closed upon receipt of closing papers.
5. *Barbecho v. NYCT* On November 10, 2017, then 22-year-old William Barbecho slipped on an alleged defect on the platform at the 191st Street station on the “1” line in Manhattan and fell to the roadbed in the path of an oncoming train. Claimed injuries include amputation of dominant, bilateral jaw fractures, multiple dental fractures, acute respiratory failure resulting in a tracheostomy, major depressive disorder, PTSD, phantom limb pain, seizures, and vision issues. The case has been stayed since late 2023 due to Barbecho’s death.
6. *Pantaleon v. NYCT* On January 19, 2018, at approximately 2:45 am, then 28-year-old Eduardo Pantaleon was struck by a subway train entering the 82nd Street-Jackson Heights station in Queens County. Plaintiff was intoxicated at the time of the accident and does not know how he came to be on the roadbed. Claimed injuries include multiple leg fractures and bilateral above the knee amputations, right frontal craniotomy, traumatic brain injury and emotional and psychological injuries including depression, malaise and anxiety.
7. *Powell v. NYCT* On June 30, 2018, at approximately 1:00 am, the then 50-year-old plaintiff Lamont Powell was struck by a Manhattan bound “L” train at the Broadway Junction subway station in Brooklyn. Plaintiff’s claimed injuries include amputation of his left leg and various fractures to his right leg. Plaintiff was hospitalized for a month and released to a rehabilitation

facility where he was admitted for over a year. Plaintiff now resides in an assistive medical setting. A Kings County jury apportioned 85% fault to NYCT and 15% to plaintiff who was intoxicated at the time of the accident and awarded plaintiff a total of \$90M (\$27 million for past pain and suffering, \$50 million for future pain and suffering and \$13 million for future medical expenses). NYCT's motion to set aside the verdict is pending. Appellate practice is anticipated once the motion is decided, and a final judgment is entered.

8. *Bronx Bus accident with FDNY Truck* On the afternoon of November 16, 2018, an MTA NYCT bus traveling northbound on Webster Avenue in the Bronx, collided with an FDNY firetruck that had turned onto Webster Avenue from East 175th Street in the Bronx. There are 12 personal injury lawsuits which have been consolidated. All lawsuits are stayed due to the death of plaintiff Norman Williamson, who passed away from causes unrelated to this incident. Motions to dismiss the Williamson case for failure to timely appoint a representative of the estate are pending.
9. *Bronx Bus Concrete Median cases* On September 9, 2019, at approximately 12:48 pm, an articulated MTA NYCT bus struck a concrete median in the roadway while attempting a left turn in the vicinity of Webster Avenue and 165th Street in the Bronx. Ten personal injury claims were filed, all passengers on the bus, and 9 are in suit. One lawsuit settled. Discovery is ongoing. Settlement is being explored.
10. *Brooklyn Bus Brownstone cases* On June 7, 2021, at about 2 pm, an MTA NYCT bus traveling on Bedford Avenue near Lincoln Road, rear-ended a truck that was stopped in traffic. The bus then crossed over the opposing lanes of traffic, contacted three other vehicles and drove into a brownstone. Of the 24 claims filed, 20 are in suit. Discovery is ongoing. Settlement is being explored.
11. *Gak as parent and natural guardian of MG and individually v. NYCT* On January 22, 2022, at approximately 11:50 am, the then 15-year-old infant plaintiff was struck by a right-turning MTA NYCT bus at the intersection of Marine Avenue and 3rd Avenue in Brooklyn, seconds after running into the crosswalk. Injuries alleged include facial, temporal bone and skull fractures and traumatic brain injury with residual cognitive impairments and emotional disturbance. Plaintiff underwent a craniectomy a cranioplasty. Discovery is ongoing. Settlement is being explored.
12. *Staten Island Bus Collision with Dump Truck* On March 7, 2022, at approximately 9:56 am, an MTA NYCT bus made contact with a dump truck that was double-parked on Richard Terrace, near Stuyvesant Avenue, in Staten Island. Fourteen claims have been filed, 10 of which have been put into suit. Discovery is ongoing. Settlement is being explored.
13. *Bronx Bus El Pillar cases* On August 4, 2022, approximately 8:23 am, an MTA NYCT bus traveling on Boston Road in the Bronx struck an elevated train pillar. The impact was to the front of the bus and was captured on bus video. Eleven personal injury claims, all passengers on the bus, have been filed. Six of the 11 claims have been put into suit. Discovery is ongoing. Settlement is being explored.
14. *Nixon v. NYCT* On October 16, 2022, at about 4:13 am, then 32-year-old Julius Nixon was found unconscious on the northbound "E" train at the 50th Street Station in New York County. Claimed injuries include electrocution and 3rd degree burns to his head and face, skin grafts, burns to the right hand, blindness in the right eye and mental distress. Discovery is ongoing.

15. *Ancona, individually, and as Admin for Estate of Joseph Ancona and Diane Ancona, v. NYCT* On October 24, 2022, at about 4:47 pm, the clothing and/or body of 20-year-old decedent Joseph Ancona got caught in the closing doors of the southbound “1” subway train as he was attempting to board at Columbus Circle in New York County. Decedent was dragged along the platform, fell onto the roadbed and was struck by an incoming train. Discovery is ongoing.
16. *Brooklyn Bus Accident at Essex Street* On the evening of May 28, 2023, at about 8:27 pm, an MTA NYCT bus traveling on New Lots Avenue and its’ intersection with Essex Street, in Brooklyn, was involved in an accident with 3 other cars. There are 10 personal injury claims stemming from this incident, five of which are in suit. A motion to consolidate the five actions is pending.
17. *Bronx Bus and NYC Sanitation Truck Cases* On December 20, 2023, at approximately 9:07 pm, an MTA NYCT bus that entered the intersection with a red traffic light and, collided with a NYC sanitation truck at the intersection of Bruckner Boulevard and Hunts Point Boulevard in the Bronx. 14 personal injury claims have been filed, 7 of which are in suit. Discovery is ongoing.
18. *96th Street Derailment* On January 4, 2024, at approximately 3:00 pm, a northbound #1 train made contact with another northbound #1 train outside the station limits of the 96th Street station in New York County which caused the trains to partially derail. 45 personal injury claims have been filed, 23 are in suit. The time to commence a lawsuit has not expired.

Workers’ Compensation and No-Fault. As of December 31, 2024, MTA New York City Transit and MaBSTOA had an active inventory of approximately 12,766 Workers’ Compensation cases and approximately 1,539 no-fault cases. As of December 31, 2024, there were 13 Workers’ Compensation cases for MTA Staten Island Railway.

Actions Relating to the Transit Capital Program. MTA New York City Transit has received claims from various contractors engaged in work on various Transit Capital Program projects. The aggregate amount demanded by all such claimants, if recovered in full, could result in an increase in the cost of the capital projects that are the subject of such disputes. The capital program contemplates the payment of such claims from project-specific and general program contingency funds, as well as other available monies pledged for capital purposes.

Bronx Independent Living Services, et al. v. MTA, et al. This lawsuit was commenced in 2016 relating to a specific capital project, captioned, challenging the lack of elevator accessibility at Middletown Road Station. MTA and NYCT were sued by two disabled rights advocacy organizations and two individuals who allege violations of the Americans with Disabilities Act and other legislation, for proceeding with certain construction work at the station without including, in the scope of such work, the installation of elevators or ramps. The complaint seeks declaratory and injunctive relief; no claim for monetary relief is asserted. MTA and NYCT answered the complaint in September 2016 and denied any asserted violation of applicable law. In March of 2018, the federal government was granted leave to join the action, and filed an intervenor-complaint, which defendants answered in April of 2018. Fact discovery was conducted and Plaintiffs’ motion for partial summary judgment was granted by the court in March of 2019. The court held that the alterations made at the Middletown Road station affected the “usability” of the station, thereby triggering the application of the federal DOT regulation set forth in 49 C.F.R. Section 37.43(a)(1). Following expert discovery relating to the defendants’ principal defense—that installing an elevator or ramp at the Middletown Road Station as part of a larger renewal project was “technically infeasible” within the meaning of the federal DOT regulations and hence not legally required—the parties

filed cross-motions for summary judgment, which were both denied on March 29, 2021. On September 29, 2023, the Parties reached an agreement for the settlement of this matter that was approved by the Court on April 12, 2024. And on August 23, 2024, the Parties reached an agreement for the settlement with respect to the amount of attorneys' fees and costs to be paid by Defendants that was approved by the Court on August 27, 2024. This case will no longer be reported.

In late April 2017, two purported class actions relating to subway system accessibility were filed against NYCT and the MTA by several individuals and advocacy organizations on behalf of persons with disabilities that prevent them from using the stairs in the subway system. The plaintiffs in both cases seek declaratory and injunctive relief, not money damages. The City of New York was also named as a defendant in both cases but was voluntarily dismissed, with a tolling agreement, from the federal class action. In *Center for Independence of the Disabled, New York ("CIDNY"), et al. v. MTA, et al.* (Southern District of New York), plaintiffs allege, among other things, that defendants inadequately maintain the existing elevators in the subway system, provide insufficient notice to elevator users about outages, and provide insufficient alternative transportation during elevator outages. These alleged deficiencies are claimed to constitute discrimination in violation of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the City Human Rights Law. Defendants' motion for summary judgment was granted in March 2020. In that decision, the District Court noted that the NYCT had shown that system-wide, elevators are in working order an average of 96.5 to 98.7 percent of the time, reported a median system-wide elevator availability of 98% and that the plaintiffs had not identified any legally required elevator maintenance that NYCT had failed to undertake. In August 2021 the Second Circuit vacated the judgment and remanded the case to the District Court, but solely for further consideration of whether NYCT provides reasonable accommodations to those subway riders impacted by elevator outages by way of notification and alternative modes of transportation such as paratransit and buses.

We filed a renewed summary judgment motion on March 17, 2023, and briefing was completed on May 5, 2023. Judge Daniels heard oral argument on MTA's motion for summary judgment on May 8, 2024 and issued his Decision and Order on August 29, 2024. Judge Daniels denied the motion finding that MTA did not carry its burden of showing an absence of a genuine issue of material fact concerning the promptness and accuracy of elevator outage notifications to the public and the reasonableness of the accommodations offered to members of the class in light of plaintiffs' proposed accommodations calling for the MTA to implement on-board announcements of elevator outages and additional training of station personnel so they can provide better assistance to passengers during an outage. We are seeking to resolve these three issues with plaintiffs in order to conclude this matter.

In *CIDNY v. MTA* (Supreme Court, New York County), the same plaintiffs asserted that defendants, by not having installed elevators in all subway stations in the system, discriminated against plaintiffs on the basis of their disabilities in violation of the New York City Human Rights Law.. The Settlement Agreement between the Plaintiffs and Transit Defendants, resolving all substantive issues raised by this lawsuit on a class-wide basis ("the Elevator Settlement"), was approved by the Court at the Fair Hearing held on April 24, 2023.

In May of 2019, *De La Rosa v. MTA, et al.* (formerly *Forsee, et al. v. MTA, et al*) was commenced in federal court (Southern District of New York) against MTA, NYCT and the City of New York challenging the lack of elevator accessibility at all NYC subway stations. This action was brought by three individuals and various advocacy organizations on behalf of people whose disabilities make the use of stairs "difficult, dangerous or impossible." The complaint alleged that defendants violated the Americans with Disabilities Act and other state and local laws by proceeding with renovation work at subway stations over the years without installing elevators or ramps. Plaintiffs sought declaratory and injunctive relief. The above-referenced Elevator Settlement Agreement also resolved all substantive issues raised by this lawsuit on a class-wide basis and was approved by the Court at the Fair Hearing held on April 7, 2023.

In April of 2023, *Paulino-Santos v. MTA, et al.*, a class action litigation, was commenced in federal court (Southern District of New York) against MTA and NYCT. Plaintiffs allege that defendants do not provide a paratransit service that is “comparable” to the service provided to users of the “fixed route” subway and bus system in terms of wait times, routing and trip length, and advance reservation and cancellation requirements. Plaintiffs allege violations of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and the City Human Rights Law and seek injunctive and declaratory relief. The MTA’s motion to dismiss the complaint was decided on March 29, 2024. The court found two of Plaintiffs’ claims invalid under the ADA but allowed them to proceed under the New York City Human Rights Law. The MTA’s answer was filed on April 12, 2024. The litigation is currently in the discovery phase, with fact discovery recently completed and expert discovery recently commenced with a current close date of November 14, 2025.

In February 2022, *Valerie Britt, et al. v. MTA, et al.* a putative class action was filed in Supreme Court, New York County against MTA and NYCT by five individual plaintiffs. They allege violations of the New York City Human Rights Law on the basis that fare discounts available to subway and bus customers are not available to Access-A-Ride customers. The complaint seeks injunctive relief and money damages. MTA and NYCTA moved to dismiss plaintiffs’ Complaint as preempted under both state and federal law. The motion was denied, and MTA intends to appeal, with a March 17, 2025 filing deadline. On November 15, 2024, MTA filed a motion to join the City of New York as a party. The motion is fully briefed, and oral argument is scheduled for March 7, 2025. Discovery is ongoing, and the parties have a dispute about the need for e-discovery of MTA employee emails, which resulted in plaintiffs filing a motion to compel. The Court scheduled oral argument on the motion to compel for March 7, 2025, as well. The outcome of this litigation cannot be determined at this time.

In October 2022, *Goldenberg et al. v. MTA, et. al.*, a putative class action, commenced and is pending in New York Supreme Court. The *Goldenberg* Plaintiffs are individuals with disabilities that allege that the MTA, NYCT and the City of New York violated the New York City Human Rights Law by failing to sufficiently reduce gaps between subway platforms and cars that make the subway inaccessible to those with disabilities. Plaintiffs seek declaratory and injunctive relief. We answered the complaint on February 8, 2023. The City’s moved to dismiss the complaint, and the motion was denied on July 17, 2024. The discovery phase began following the parties’ preliminary conference on October 24, 2024, during which the Court set deadlines for the close of document production (July 24, 2025) and the close of fact discovery (September 11, 2025).

Commuter System

Actions for Personal Injuries/Property Damage. As of December 31, 2024, Metro-North Railroad had an active inventory of approximately 355 personal injury claims and lawsuits arising out of the operation and administration of Metro-North Railroad, of which 145 were the result of claims filed by employees pursuant to FELA, and approximately 210 were claims filed by third parties. Also, as of that date, there were 0 pending property damage cases.

Valhalla Lawsuits. A crossing accident occurred on February 3, 2015, at the Commerce Street highway-rail grade crossing between the Valhalla and Hawthorne stations when a Metro-North Railroad Harlem Line train struck an SUV. After impact with the SUV, sections of the third rail penetrated the lead railcar. The driver of the SUV and five passengers on the train were killed. Twenty-nine passengers, as well as the train engineer, were injured. The National Transportation Safety Board (NTSB) in its investigation of the incident, issued a report on July 25, 2017, finding that the probable cause of the accident was the driver of the SUV, for undetermined reasons, moving the vehicle onto the tracks while the

Commerce Street highway-railroad grade crossing warning system was activated, placing it in the path of the Metro-North Railroad train.

Lawsuits against Metro-North, and other entities, were filed in Westchester County for wrongful death and the physical injury claims by the passengers and Estate of the SUV Driver. A liability trial was held before Judge Marx in Westchester County from June 4, 2024, through July 16, 2024, when the jury rendered a liability verdict. The jury found that Metro-North was negligent due to the engineer's operation of the train, the absence of a second crossbuck at the location, and its maintenance and/or design of the third rail. The jury also found that the driver of the SUV was negligent in the operation of her vehicle at the crossing. Defense counsel submitted post-trial motions, which were recently denied. Appellate counsel is in the process of determining the viability of appeals and preparing appellate filings.

Under the damages cap provided by 49 U.S.C. § 28103(a)(2), we have argued that the liability cap of \$200 million applies to this accident. The current disclosures of the plaintiffs and the assessment of damages for wrongful death, personal injury, and psychological injury claims are estimated to exceed the self-insured retention, impact the FMTAC, and affect the excess insurance layers. With the assistance of Mediator Hon. George Silver and the participating carriers, the parties have been actively working toward resolving all of the damage claims. Fifteen of the passenger claims have been conditionally settled, including four of the five wrongful death claims. The parties continue to pursue settlement of the remaining claims. Currently the damages trial in The Estate of Ellen Brody (the SUV driver) is scheduled for March 25, 2025. If this case proceeds to trial, it will be the first damages trial following the liability verdict.

As of December 31, 2024, LIRR had an active inventory of approximately 1,254 personal injury claims and lawsuits arising out of the operation and administration of the LIRR, of which 553 were the result of claims filed by employees pursuant to FELA, and approximately were claims filed by third parties. Also, there were approximately 45 pending property damage matters and 77 affirmative claims.

1. *New Hyde Park Collision*

On October 8, 2016, while LIRR was conducting track work east of the New Hyde Park Station on a track placed out of service, a piece of track equipment derailed fouling live track and was struck by a train carrying passengers, causing the passenger train to derail. Numerous passengers and several employees were injured. There has been a total of 72 claims related to this accident; 57 passenger injuries, 8 employee injuries and the remaining are property damage claims. The derailment caused damage to three passenger cars, the track area and the track equipment involved. At this time, 33 lawsuits have been filed against LIRR. LIRR has paid out the entire \$11 million FMTAC Force Account retention limit in expenses and settlements and \$8.6 million has impacted the ELF program. The current outstanding reserves are \$3.3 million and there are 8 open lawsuits.

2. *Atlantic Terminal Bumper Block Strike*

This incident occurred on January 4, 2017, when a LIRR- Far Rockaway Line train struck a bumper block in the Atlantic Terminal-Brooklyn Station and resulted in 173 injury claims, including 11 employee FELA claims. To date, 122 claims have been put into suit. LIRR has paid out the entire \$11 million FMTAC Station Maintenance retention limit in expenses and settlements and \$19.6 million has impacted the ELF program. There are five remaining lawsuits with a total reserve of \$2.06 million.

Actions Relating to the Commuter Capital Program. From time to time, LIRR and MTA Metro-North Railroad receive claims relating to various Commuter Capital Program projects. In general, the aggregate amount demanded by all such claimants, if recovered in full, could result in a material increase in the cost of the capital projects that are the subject of such disputes. The capital program contemplates

the payment of such claims from project-specific and general program contingency funds, as well as other available moneys pledged for capital purposes.

1. *Amtrak v. LIRR* – Amtrak claims that the railroads operating in Penn Station (PSNY) are responsible for the cleanup of PCBs and other hazardous substances that were deposited on the tracks, which may have migrated to other areas of the station including but not limited to, lighting, drains and other equipment. LIRR operated commuter rail lines in PSNY during a 50-year period when PCBs were used in train transformers. Amtrak alleges that these transformers leaked and contaminated the tracks in PSNY. Amtrak presented to LIRR a model which claims, based on the number of trains and usage, that LIRR is responsible for 20% of cleanup costs which are approximately \$30 million to date. LIRR has entered into a tolling agreement with Amtrak while further investigation is being conducted.

2. *Newtown Creek*

Newtown Creek is a federally listed Superfund site. A group of private parties known as the Newtown Creek Group (NCG) are working together on the investigation and eventual remediation of Newtown Creek. In 2017, NCG sent a Notice of Potential Liability pursuant to CERCLA to LIRR concerning the Creek. In addition, the NCG has asserted that LIRR may be a potential responsible party due to its historical operations along Newtown Creek. Additional parties were sent similar notices, who are acting cooperatively along with LIRR as the “small parties group”. The NCG has approached the small parties group, requesting that the group agree to contribute to the cost of an “early action” remedy of the first two miles of the 3.5-mile creek. The members of the small parties group made an initial settlement offer for remediation costs relative to the first 0-2 miles of contamination at the Superfund site and investigation costs to date relative to the entire Superfund site which was rejected. The next phase of the small party group joint expert work is to review the existing material and develop a conceptual site mode for the small party group, essentially to argue that the small party group would not have any impact on the primary creek given the location of the facilities along Dutch Kills. This is meant to precede a request to the EPA to let our group out of any claim for liability for the east branch of the creek or seek a *de minimus* settlement with contribution protection.

MTA Bridges and Tunnels

Actions for Personal Injuries/Property Damage. As of December 31, 2024, MTA Bridges and Tunnels had an active inventory of approximately 129 personal injury claims and lawsuits (including intentional torts such as false arrest) and approximately 23 property damage matters arising out of the operation and administration of the MTA Bridges and Tunnels facilities (including construction).

Workers’ Compensation and No-Fault. As of December 31, 2024, MTA Bridges and Tunnels had an active inventory of approximately 124 Workers’ Compensation cases and zero no-fault cases.

Actions Relating to MTA Bridges and Tunnels’ Capital Program. From time to time, MTA Bridges and Tunnels receives claims relating to various MTA Bridges and Tunnels’ Capital Program projects. In general, the aggregate amount demanded by all such claimants, if recovered in full, could result in a material increase in the cost of the capital projects that are the subject of such disputes. The Capital Program contemplates the payment of such claims from project-specific and general program contingency funds, as well as other available moneys pledged for capital purposes. Therefore, such claims are not listed here.

MTA Bus

As of December 31, 2024, MTA Bus had an active inventory of approximately 1,725 personal injury claims and lawsuits, approximately 448 property damage matters, approximately 962 no-fault cases arising out of the operation and administration of the MTA Bus System, and approximately 2,692 Workers' Compensation cases.

Metropolitan Suburban Bus Company ²

Actions for Personal Injuries/Property Damage. As of December 31, 2024, MSBA had an active inventory of personal injury claims and lawsuits, and no property damage matters arising out of the operation and administration of MSBA.

Workers' Compensation and No-Fault. As of December 31, 2024, MSBA had approximately 28 Workers' Compensation cases and 1 open no-fault claims.

² The MTA subsidiary Metropolitan Suburban Bus Authority discontinued its provision of transportation services at the end of 2011. Its activities are limited to the winding up of its affairs.