

**NEW YORK STATE PUBLIC AUTHORITIES SECTION 2800(1)(A)(17) REPORT
METROPOLITAN TRANSPORTATION AUTHORITY**

Pursuant to New York State Public Authorities Section 2800(1)(a)(17), the Metropolitan Transportation Authority (“MTA”), on behalf of itself and its affiliates and subsidiaries (collectively, the “MTA Entities”), submits this report of material pending litigation in which one or more of the MTA Entities were involved as a party during 2025.

MTA

None.

MTA CONSTRUCTION AND DEVELOPMENT

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 a decision.

**NEW YORK CITY TRANSIT AUTHORITY
MANHATTAN AND BRONX SURFACE TRANSPORTATION OPERATING AUTHORITY
MTA BUS COMPANY
STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY**

Actions for Personal Injuries. Collectively, these entities were parties to 20 material lawsuits that were pending in 2025. Material lawsuits that were settled or reached a verdict in 2025, as well as other notable material lawsuits that were pending in 2025, are described below.

Beauchamp v. MTA New York City Transit Authority. On March 6, 2017, plaintiff was struck by a NYCT bus making a left turn onto Houston Street from Avenue D and sustained multiple injuries. After a trial, a jury rendered a verdict for plaintiff in the amount of \$72.5 million. NYCT has appealed.

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 resulted in multiple injuries and caused damage to subway cars, track, and other infrastructure. Of the thirty lawsuits commenced, nine remain pending.

Sang Gi Kang, et al v NYCTA & MTA. On September 18, 2017 a NYCT bus making a right turn was struck by a Dahlia Group, Inc. tour bus travelling straight at an excessive rate of speed and passing through two red traffic signals. The National Transportation Safety Board concluded that the probable cause of the accident was the Dahlia bus driver’s “unintended acceleration of the motor coach and inability to brake for reasons that could not be conclusively determined from the information available.” 24 lawsuits resulted: 4 fatalities, 14 personal injury and 6 property damage claims, including an

¹ Now MTA Construction & Development.

affirmative litigation case by NYCT to recover against Dahlia for the damage caused to NYCT's bus. Most of the lawsuits have been settled, in the total amount of \$38,170,031 million, \$5 million of which is being paid by Dahlia. Four lawsuits remain pending.

Maycock v NYCTA. On June 6, 2014, after boarding a NYCT bus on Utica Avenue near its intersection with Fulton Street in Brooklyn, then 8-year-old plaintiff told the bus driver his grandmother, with whom he was traveling, had not boarded the bus and asked to be let off. The bus driver discharged the infant on the other side of the intersection. The infant ran back across the intersection against the light and was struck by co-defendant's vehicle. He suffered multiple injuries. A jury apportioned liability for the accident at 20% against co-defendant and 80% against NYCT. Following a damages trial, the jury awarded plaintiff \$18 million. NYCT's post-trial motion to dismiss the case was granted and plaintiff has appealed.

Bronx Bus Overhang Cases. On January 14, 2021, an articulated NYCT bus making a left turn onto the George Washington Bridge overpass in the Bronx went onto the sidewalk and through a metal guardrail. The front of the bus hung perpendicular to the roadway below, while the rear portion of the bus located behind the accordion remained on University Avenue. Seven lawsuits were commenced, which remain pending.

36th Street Station Shooting Cases. On April 12, 2022, a shooting took place on a Manhattan-bound N train as it traveled between 59th Street and 36th Street subway stations in Brooklyn. Six lawsuits were commenced, all of which have been dismissed or discontinued.

Ozsoy v. NYCT. On May 21, 2023, plaintiff was pushed from behind into a moving "E" train at 63rd Street/Lexington Avenue station. Claimed injuries include paralysis and multiple fractures. This litigation is pending.

School Bus Accident at Claremont Parkway. On May 23, 2024, a NYCT bus traveling straight made contact with a school bus that was making a left turn at the intersection of Claremont Avenue and Washington Avenue in the Bronx. Four lawsuits were commenced, which remain pending.

Thompson as father on behalf of CT, an infant deceased v. NYCT (001) and Rivera as mother and on behalf of CT, an infant deceased v. NYCT (002). On September 6, 2024, an 11-year-old was killed when "subway surfing" on top of a "G" train between the 4th Avenue and 9th Street and Smith Street subway stations in Brooklyn. A lawsuit was commenced on behalf of the decedent and remains pending.

Harger Da Silva v. NYCT. On August 2, 2016, plaintiff fainted and fell onto the roadbed in front of a northbound "B" train entering Atlantic Avenue-Barclay Center Station in Brooklyn. Claimed serious injuries include partial amputations of her left arm and left leg. In November 2025, after a federal court trial, the jury rendered a verdict in favor of the plaintiff in the amount of \$81.7 million. Post-trial motions have been filed and NYCT intends to appeal.

Pedraza v. NYCT. On October 26, 2012, plaintiff fell on to the roadbed and was struck by a southbound "6" train at the Spring Street Station. Claimed serious injuries include fractures to the left leg and head with surgery and amputation of one arm. In January 2019, a jury rendered a verdict in the total amount of \$5,322,000 that apportioned negligence between NYCT at 60% and plaintiff at 40%. In January 2022, the case was remanded for a new trial after appeal. On retrial in April 2025, a jury rendered a verdict that found NYCT 100% liable and awarded plaintiff the amount of \$45,322,000. Post-trial motions are pending and NYCT intends to appeal.

Martinez v. NYCT. On February 27, 2016, plaintiff, who was intoxicated, was struck by a southbound “6” train at the Spring Street Station in Manhattan while on the roadbed. Claimed injuries include fractures to the leg and head with surgery, and an amputated leg below the knee. In April 2025, a jury found NYCT 100% liable for the incident and awarded plaintiff \$59,111,051. Post-trial motions are pending and NYCT intends to appeal.

McClendon v. NYCT. Plaintiff alleges that on January 3, 2011, a NYCT bus collided with the parked vehicle he was sitting in, causing him to suffer serious injuries. In May 2024, a jury rendered a verdict in favor of plaintiff in the amount \$53 million. NYCT is appealing the verdict.

Brown v. NYCT. On May 8, 2013, plaintiff slipped in the Halsey Street Station in Brooklyn allegedly due to a water condition, and his leg became lodged between the train and the platform edge. Plaintiff claimed extensive leg injuries. On October 26, 2022, a jury rendered a verdict in favor of plaintiff in the amount of \$14 million. NYCT intends to appeal.

Davis v. NYCT. On January 2, 2018, a NYCT bus and a NYC sanitation truck collided at the intersection of Crescent Street and Etna Street in Brooklyn. Plaintiff was a passenger on the bus. Claimed serious injuries include injuries to plaintiff’s back, knees and shoulder. In December 2023, a jury rendered a verdict in favor of plaintiff in the amount of approximately \$30 million. NYCT’s motion to set aside the verdict was denied but the court reduced the verdict by \$7.5 million. NYCT has appealed.

Powell v. NYCT On June 30, 2018, plaintiff was struck by a Manhattan bound “L” train at the Broadway Junction subway station. Claimed serious injuries include amputation of plaintiff’s left leg and fractures to his right leg. In May 2024, a jury apportioned negligence between NYCT at 85% and plaintiff at 15% and rendered a verdict in the total amount of \$90 million. As a result of post-trial motions, the trial court reduced the verdict amount to \$38,674,697 of which NYCT is responsible for \$32,873,492. NYCT has appealed.

Bronx Bus Concrete Median cases. On September 9, 2019, an articulated 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. Nine lawsuits were commenced, all of which have been settled.

Brooklyn Bus Brownstone cases. On June 7, 2021, a 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, came in contact with three other vehicles and drove into a brownstone. Sixteen personal injury lawsuits were commenced. Five have been settled, and the others remain pending.

Bronx Bus and NYC Sanitation Truck Cases. On December 20, 2023, a NYCT bus entered the intersection Bruckner Boulevard and Hunts Point Boulevard in the Bronx with a red traffic light and collided with a NYC sanitation truck. Eleven lawsuits were commenced.

96th Street Derailment. On January 4, 2024, a northbound #1 train made contact with another northbound #1 train outside the station limits of the 96th Street station in New York County, causing the trains to partially derail. Thirty-six lawsuits were commenced. Twelve have been settled and the others remain pending.

Other Material Litigation.

Center for Independence of the Disabled, New York et al. v. MTA, et al. In 2017, plaintiffs commenced this lawsuit in federal court, alleging 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.. The Court granted Defendants' motion for summary

judgment in March 2020 on the basis that NYCT had shown that system-wide elevators are in working order an average of 96.5 to 98.7 percent of the time, that median system-wide elevator availability was 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 for further consideration of the limited issue of whether NYCT provides reasonable accommodations to subway riders impacted by elevator outages by way of notification and alternative modes of transportation such as paratransit and buses. The parties are engaged in settlement discussions.

Paulino-Santos v. MTA, et al.. In 2023, plaintiffs commenced this class action in federal court, alleging that defendants do not provide paratransit service that is "comparable" to subway and bus service system in terms of wait times, routing and trip length, and advance reservation and cancellation requirements. This litigation is on-going.

Valerie Britt, et al. v. MTA, et al In February 2022, this putative class action was commenced in New York Supreme Court alleging 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. Defendants' motion to dismiss on the basis of state and federal pre-emption was denied, and Defendants motion for reargument or leave to appeal to the New York Court of Appeals is pending.

Goldenberg et al. v. MTA, et. al., In October 2022, a putative class action was commenced in New York Supreme Court alleging that defendants MTA, NYCT and the City of New York have violated the New York City Human Rights Law by failing to eliminate gaps between subway platforms and cars, rendering the subway inaccessible to persons with disabilities. This lawsuit is pending.

LONG ISLAND RAIL ROAD.

Long Island Rail Road was a party to the following material lawsuits pending in 2025.

New Hyde Park Collision. On October 8, 2016, work being performed on the LIRR track in the vicinity of New Hyde Park Station resulted in a train derailment. 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. Thirty-three lawsuits were filed against LIRR, of which 29 have been resolved.

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 and the last of the remaining lawsuits that were still pending against LIRR in 2025 have now been resolved.

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.

Newtown Creek. Newtown Creek is a federally listed Superfund site. A group of private parties known as the Newtown Creek Group (NCG) are collaborating on the investigation and remediation of Newtown Creek. In 2017, NCG sent a Notice of Potential Liability pursuant to CERCLA to LIRR. NCG has asserted that LIRR may be a potential responsible party due to its historical operations along Newton Creek. NCG also sent such notices to other parties. At present the parties are engaging in settlement discussions.

METRO-NORTH RAILROAD

Metro-North Railroad was a party to the following material lawsuit pending in 2025.

Valhalla Lawsuits. On February 3, 2015, a Metro-North Harlem Line train struck an automobile in a highway-rail grade crossing between the Valhalla and Hawthorne stations, resulting in the assertion of wrongful death and personal injury claims against Metro-North. The driver of the automobile and five train passengers were killed, and a number of passengers and the train engineer were injured. The National Transportation Safety Board adopted a report on the causes of the accident on July 25, 2017, finding that the probable cause of the accident was the driver of the automobile, for undetermined reasons, moving their vehicle onto the tracks and into the path of the Metro-North train while the highway-railroad grade crossing warning system was activated. A liability trial was held in June and July 2024, and the jury rendered a liability verdict finding that Metro-North was negligent because of the engineer's operation of the train, and in its maintenance and/or design of the third rail, and that the automobile driver was negligent in the operation of their motor vehicle. Defendants' post-trial motions were denied in their entirety, and a notice of appeal was filed. Following the liability verdict, the parties engaged in a series of private mediations and settlement conferences to resolve the claims covered by the liability verdict. The parties are in the process of finalizing the settlements, a number of which require court approval.

MTA Bridges and Tunnels

None.