



UPPER WEST SIDE COMMUNITY APPLAUDS APPELLATE DECISION REQUIRING THE AMERICAN MUSEUM OF NATURAL HISTORY TO LEAVE THEODORE ROOSEVELT PARK INTACT

(New York - NY - November 2, 2018) **Community United to Protect Theodore Roosevelt Park** (Community United) today applauded a decision by the Appellate Division, First Department to leave intact the provisions of a temporary restraining order (TRO) requiring the American Museum of Natural History to stop all pre-construction and construction activity in Theodore Roosevelt Park.

"They can't remove any trees, they can't remove any benches, they can't remove a single blade of grass, and they can't do anything that changes the configuration of the Park," said **Attorney Michael Hiller**, who argued the case on behalf of Community United.

Community United, a citizens' group of more than 5,000 established in 2016, filed a lawsuit earlier this year against the Museum and the City of New York to stop the Museum's takeover of portions of the Park, to preserve the precious greenspace comprising the Park, and to protect the surrounding community from an assortment of environmental hazards that would threaten local residents.

On October 29th, Justice Lynn Kotler, after reviewing the parties' submissions and case law, and entertaining a combined two hours of oral argument, issued a TRO halting all construction activity at the site. The order was effective through at least December 11, 2018.

In a surprise maneuver, and on just 24-hours' notice to Community United and Mr. Hiller, the Museum and the City appealed the TRO to the First Department today and demanded that the entire TRO be lifted. The Community United legal team was not given any legal papers until 1:00 p.m. - only one hour before the scheduled Appellate Division hearing. Despite the short notice, Community United's team successfully defended the provisions of the TRO that require preservation of the Park.

"Exactly what we wanted," said Hiller after oral argument.

Community United's co-President, Claudia DiSalvo, and William Raudenbush, the organization's Vice President, said, "Community United is delighted by today's decision. As a direct result, seven iconic canopy trees - three of which have been designated as endangered species by the State of New York - and other greenery and wildlife in the Park will be saved. Pathways will remain. And the park will remain a beloved oasis in this community."

Pre-construction began earlier this year and has already resulted in the removal and deaths of three trees as well as other plant life, and the elimination of Park entrances and substantial swaths of greenspace in the Park. If allowed to proceed, the expansion project would destroy 11,600 sq. ft. of New York City public parkland.

More than 5,000 concerned individuals have already signed the Concerned Citizens' [petition](#) to protect Theodore Roosevelt Park from private development.

To find out how you can help, click [here](#), or go to <https://www.saveourpark.nyc/take-action>.

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ABOUT COMMUNITY UNITED TO PROTECT THEODORE ROOSEVELT PARK: Community United to Protect Theodore Roosevelt Park was established in 2016 as a 501(c)3 not for profit organization after the American Museum of Natural History released plans for a building expansion into a public park that significantly reduced public green space and threatened the health and community-centered character of the neighborhood. www.saveourpark.nyc

