

## GN lawyer wins historic settlement

By Anthony O'Reilly | Posted: Thursday, October 16, 2014 1:50 pm

Great Neck resident and lawyer Jennifer Polovetsky made history last week when her Manhattan-based firm won a \$35 million eminent domain settlement from the state Department of Transportation on behalf of a Mapseth-based manufacturing company, the largest eminent domain settlement in state history.

“We are thrilled to be a part of the survival and success of American manufacturing, and we are proud that because of our firm’s aggressive representation, KARP was able to successfully move its business, save over 100 union jobs and thrive after relocation,” said Polovetsky, a resident of the Village of Thomaston.

KARP Associates, a manufacturer of door panels, had been claimed under eminent domain about two and a half years ago by the state Department of Transportation to make way for the Kosciusko Bridge Replacement Project.

The project would repair the “eastbound Kosciuszko Bridge carrying the Brooklyn-Queens Expressway (Interstate 278) over Newtown Creek between Brooklyn and Queens in New York City,” according to Gov. Andrew Cuomo’s office.

The state DOT had seized KARP Associates machinery and equipment as part of an effort to clear the 30,000 square foot building out of the way of construction workers.

On Aug. 26, 2012, Polovetsky went to court to block the eminent domain claim and have the courts force the state to repay the company for the cost of the seized equipment.

On Oct. 6, the state DOT agreed to a \$35 million settlement in the case, which included \$23 million for the seized equipment. The other \$12 million was to compensate for money lost by the state’s action, including lost wages.

Polovetsky said she was surprised the company was able to get back 100 percent of the property’s assessed value.

“In a settlement, if you get back 70 percent of your assessed value, you’ve done well,” she said.



Jennifer Polovetsky

“We were very pleased that we got the client 100 percent of its appraised value.”

She also said the two and a half year time line for the settlement was “relatively quick.”

Polovetsky also won another case involving the Kosciusko Bridge Replacement Project when a judge dismissed the state’s eminent domain claim against a Chinese immigrant’s business that was in the way of the proposed project.

“They tried to bamboozle [the business owner] and tried get away with it,” Polovetsky said.