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Jacobs v. Metropolitan Transportation Authority

Supreme Court, Nassau County, New York - July 9, 2018 - N.Y.S.3d - 2018 WL 3405441 - 2018 N.Y. Slip Op. 28218

Railroad commuters brought purported class action against Metropolitan Transportation Authority (MTA) and commuter railroad for breach of contract and negligence as alleged consequences of extensive infrastructure problems which needed emergency repair and construction work.

Defendants moved to dismiss.

The Supreme Court, Nassau County, held that action fell under the public interest exception to the notice of claim requirement.

Railroad commuters' purported class action against Metropolitan Transportation Authority (MTA) and commuter railroad for breach of contract and negligence arising from alleged extensive infrastructure problems which needed emergency repair and construction work fell under the public interest exception to the notice of claim requirement, where action case sought to vindicate a public interest, namely that MTA and railroad should have maintained safe and adequate facilities and service in accordance with transportation law, and the disposition of that claim would have directly affected the rights of the public.