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COST Drops Lawsuit Against Metro Orange Line Construction

- No further court delays anticipated

(Feb. 1, 2005) A San Fernando Valley group opposed to construction of the Metro Orange Line has dropped its lawsuit, clearing the way for construction to proceed without further court delays.

In an out-of-court settlement, Metro has agreed to pay COST (Citizens Organized for Smart Transit) a total of \$350,000 to cover legal fees incurred during the protracted lawsuit.

Attorneys for the group initially had sought some \$600,000 in legal fee reimbursement.

According to Assistant County Counsel Steve Carnevale, COST was expected to receive repayment for legal fees when the California Court of Appeal ruled in its favor last summer.

The court required Metro to reopen the Orange Line environmental impact report and consider Metro Rapid service as a possible alternative to the 14-mile cross-valley transitway. The study showed that, for a number of reasons, the Orange Line was a better choice for the Valley transit corridor.

"The sad part about the lawsuit is it cost us money...for no reason whatsoever. That was a shame," Supervisor Zev Yaroslavsky told the Daily News during a Monday media event at which he announced that the project is now 60 percent complete.

During the 23 days Orange Line construction was halted, Metro officials estimated the delay was costing some \$70,000 a day. In addition, the agency spent nearly \$500,000 fighting the COST lawsuit.

COST Chairwoman Diana Lipari told the newspaper that Orange Line construction had moved ahead despite the lawsuit, which was launched in 2002. "We ran out of time to make any meaningful change to this busway."