



Skydiving Lawsuit Against City of Longmont Dismissed

05.29.19

On May 28, 2019, Judge Thomas Mulvahill of the Boulder County District Court handed our client—the City of Longmont—an important victory when he dismissed a lawsuit by Mile-Hi Skydiving for lack of jurisdiction. In the suit, Mile-Hi sought injunctive and declaratory relief to block the City from collecting a fee from Mile-Hi for Mile-Hi’s use of City property for a parachute landing area at Vance Brand Municipal Airport. Mile-Hi claimed that the permit fee violated certain conditions of the City’s grants from the FAA. Judge Mulvahill granted the City’s Motion to Dismiss the complaint, finding that the FAA has exclusive jurisdiction over claims involving FAA grant assurances. Although Mile-Hi can continue to pursue its administrative “Part 16” complaint against the City before the FAA, it cannot turn to state courts to seek injunctive or declaratory relief based on grant assurance claims.