

Donald Trump and Palm Beach County back in court arguing over airport noise

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A long-running dispute between Donald Trump and Palm Beach County over jets flying over Mar-A-Lago was back in court Friday with county officials arguing the GOP presidential hopeful is a sore loser who is forcing them to squander taxpayers' money, and Trump attorneys claiming airport officials are carrying out a personal vendetta at the expense of a historic landmark.



Donald Trump at recent campaign event

The latest suit, which seeks yet again to block jets from flying over Trump's private club on Palm Beach, is as frivolous as the two others he filed against the county over the years, attorney Eric Pilsk, a Washington, D.C. lawyer who is representing the county, told Palm Beach County Circuit Judge Richard Oftedal.

"(It) does not serve any legitimate purpose, and appears designed to create press buzz for Trump's announced presidential campaign, cocktail party braggadocio, and negotiating leverage while imposing unnecessary expense on the county and taking up this court's valuable time," he wrote in court papers. He wants Oftedal to throw out Trump's lawsuit.

Renowned constitutional law attorney Bruce Rogow countered that Airports Director Bruce Pelly is using his powers to improperly influence Federal Aviation Administration air traffic controllers to target Mar-A-Lago. While most airports fan jets as they leave airports, Pelly has instructed controllers to send flights directly over the grand, nearly 90-year-old former home of Marjorie Merriweather Post, which Trump purchased in 1985 and turned into a private club.

Oftedal questioned Rogow's depiction of Pelly as a modern-day Svengali, who can direct federal aviation officials to do his bidding.

But attorney John Marion, who also represents Trump, told Oftedal not to underestimate Pelly's influence. While he acknowledged that Trump's legal team doesn't have a "smoking gun," such as a memo that would prove Pelly is targeting Trump's club, unnamed FAA officials have told him that the longtime airports director has ordered jets to fly over Mar-A-Lago even though there are other options.

“If Mr. Pelly decides he wants to direct the aircraft straight over Mar-A-Lago, if it’s safe, FAA will approve it,” he said. “We have people telling us all flights are going over Mar-A-Lago.”

Urging Oftedal not to dismiss the lawsuit, he said, given more time, he said he is sure he can find the elusive smoking gun.

Marion said the refusal to fan jets contradicts a previous agreement the county made to reduce the impact airport noise and jet fuel emissions have on the historic mansion. But Pilsk countered that Marion and Rogow are misconstruing the accord.

The agreement to fan jets only dealt with Stage 2 aircraft: noisy, pollution-spewing planes that were removed from commercial fleets by federal order decades ago. The approved FAA flight path for more than 25 years has been to send all eastbound jets straight out of PBIA, 1,000 feet north of Mar-A-Lago.

When the flight pattern was set, after countless noise studies and with input from hundreds of others who live in the flight path, Trump lobbied to have all flights fanned. His request was rejected, Pilsk said.

Trump didn’t like the outcome and has spent the last two decades filing unsuccessful lawsuits, trying to change it, Pilsk said. Rogow countered that fanning aircraft, to allow everyone in the flight path to share some of the pain, is a reasonable solution.

Describing the arguments as “interesting,” Oftedal promised to rule soon.