

NOTICE OF CLAIM

IN THE MATTER OF THE CLAIM OF:

-----X
HF2 HOTEL OWNER LLC,

Claimant,

Claimants' Address:
HF2 Hotel Owner LLC
372 Court Street, Floor 2
Attn: Erik Warner
Brooklyn, NY 11231

-AGAINST-

VILLAGE OF GREENPORT and GREENPORT
PLANNING BOARD,

Respondents.

Claimants' Attorney:
Greenberg Traurig
David J. Gilmartin
2317 Montauk Highway
P.O. Box 3048
Bridgehampton, NY 11932
David.Gilmartin@gtlaw.com
631-994-2407

-----X
TO THE ABOVE NAMED RESPONDENTS:

PLEASE TAKE NOTICE, that the Claimant, by their attorneys Greenberg Traurig, hereby makes claim and demand against you as follows:

NATURE OF THE CLAIM:

The claim is for money damages by reason of: (a) the violation of Village Law, (b) the ultra vires actions of the Greenport Village Board and Greenport Planning Board as aforesaid. (c) the violation of Claimants' due process rights under the New York State's Constitution Article 1 §6 by acts aforesaid, (d) the violation by the Village of Greenport of Claimants' due process rights under the United States Constitution Amendment 14 and 42 U.S.C. §1983, and (e) intentional infliction of emotional distress.

DATE, TIME, PLACE AND MANNER IN WHICH THE CLAIMS AROSE:

The Claim arose starting on December 2, 2022, and continues each successive day thereafter, in Greenport, New York when the Greenport Village Board adopted an illegal administrative moratorium which continues through today and the Planning Board's refusal

without justification, to schedule the Claimant's application for site plan approval for the property located at 200 Main Street, Greenport, New York.

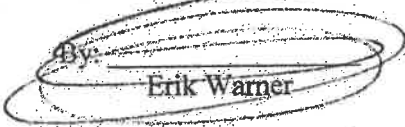
THE ITEMS OF DAMAGES OR INJURIES CLAIMED ARE:

The monetary damages sought consist of those for infliction of severe emotional distress, incursion of attorney's fees, violation of constitutionally and statutorily protected rights, loss of ability to improve property and generate income.

PLEASE TAKE FURTHER NOTICE that said Claim and demand are hereby presented for adjustment and payment, and upon default of Respondents to pay to Claimant the sum of monetary, compensatory, and punitive damages within the time limited for compliance with this demand by the statute in such cases made and provided, Claimant intends to commence action against Respondents to recover the aforesaid money damages, together with interest, costs, and disbursements.

Dated: March 10, 2023
Booklyn, New York

HF2 Hotel Owners, LLC

By: 
Erik Warner

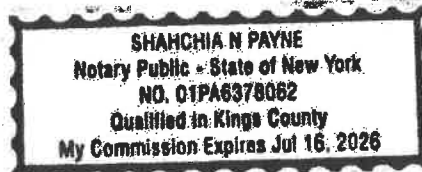
STATE OF NEW YORK)
 Kings)
COUNTY OF SUFFOLK)

Erik Warner, being duly sworn, deposes and says, that I am the Claimant in the above-captioned matter; I have read the foregoing Notice of Claim and the contents thereof are true to my own knowledge, except as to those matters stated to be alleged upon information and belief and, as to those matters, I believe them to be true.

By: 
Erik Warner

Sworn to before me this 13th
day of March, 2023.


Notary Public



ACTIVE 685941048v1