



THE CITY OF NEW YORK  
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March 29, 2024

Hon. Machel J. Sweeting  
Supreme Court New York County  
80 Centre Street, Part 62, Room 279  
New York, NY 10013

Re: New York Taxi Workers Alliance, et al. v. David Do, et al., Index No.160795/2023

Your Honor:

I represent City Respondents in the above-referenced proceeding and write to advise the Court of a recent decision issued in *New York Taxi Workers Alliance ("NYTWA"), et al. v. the New York City Taxi & Limousine Commission ("TLC") et al.*, Supreme Court, New York County, Index No. 154424/2023, a case in which NYTWA similarly challenged a decision by TLC to open additional applications for a type of for-hire vehicle ("FHV") license. NYTWA argued that TLC's pilot program for Street-Hail-Livery ("SHL") or green cab vehicles, requiring the issuance of 2,500 new FHV licenses, violated state law and would flood the FHV market.

By Decision and Order, dated March 28, 2024, the Honorable Nicholas W. Moyné denied petitioners' motion seeking to enjoin TLC's implementation of the program, and dismissed the case in its entirety on the basis of standing. Justice Moyné found that petitioners' alleged harm of oversaturation to the FHV market and loss in driver earnings was too speculative to establish injury-in-fact, and that a competitive injury, alone, does not confer standing to challenge an agency's decision. A copy of the decision is annexed hereto for the convenience of the Court.

Sincerely,

  
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Jessica Katzen  
Assistant Corporation Counsel

cc: Zubin Soleimany, Esq. (via ECF)  
Allison Langley, Esq. (via ECF)