

MTA pays \$540 an hour to top lawyers

EXCLUSIVE
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THE MTA has paid a white-shoe law firm more than \$560,000 to help fight its contract clash with transit workers — even though the agency has hundreds of its own lawyers and the state attorney general's office on its side.

The Proskauer Rose law firm has billed the Metropolitan Transportation Authority up to \$540 an hour for its talent, documents obtained by the Daily News reveal.

And the tab is growing. The \$560,000 covers legal battles and maneuvers from November through January, but not the past four months.

"The MTA is half a million dollars poor-

er because the agency didn't use its own attorneys, and the MTA still has no contract," Gene Russianoff of the Straphangers Campaign griped.

The state attorney general's office is responsible for enforcing the state's Taylor Law, which prohibits strikes by transit workers and some other public employees.

State prosecutors filed a lawsuit and related motions in December, seeking to prevent Transport Workers Union Local 100 from walking off the job. After the union did strike, state prosecutors successfully argued for significant financial penalties to be imposed on the union, and persuaded a judge to jail the TWU's president, Roger Toussaint.

MTA spokesman Tom Kelly said Proskauer Rose provided crucial support

throughout, preparing papers, doing research and making in-court arguments.

"They are considered, to my knowledge, to be one of the best in the country in what they do as far as labor law," Kelly said.

The MTA and its Transit Authority both have labor relations and legal departments with a combined staff of more than 500, many of them lawyers. Kelly said strike-related litigation is not their expertise. He said the union is to blame for the legal bills.

"All of this money that was spent was spent as a result of the illegal actions and rhetoric that the union took part in," he said. "Do we wish we didn't have to spend it? Absolutely. But it was precipitated by the actions of the union."

The attorney general's office declined to comment.

Taking the TWU to court during negotiations is not a new road for the MTA or the state attorney general's office. It was done during the two rounds of negotiations prior to last year's tumultuous talks. This time the TWU pulled the trigger for the first time since the 1980s.

Proskauer Rose partners Neil Abramson and David Zurndorfer charged the highest rate, \$540 an hour, according to documents provided by the MTA.

Others charged between \$176 and \$420 an hour, according to MTA documents, which say that the firm provided the authority a discount from its usual fees.

The MTA, meanwhile, says it faces looming budget deficits and is considering hiking tolls and fares again next year.

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