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**NEW YORKERS FILE FEDERAL CLASS ACTION LAWSUIT AGAINST NYC TRANSIT AUTHORITY FOR SEIZING TAX REFUNDS TO COLLECT ON DECADES-OLD DEFAULT JUDGMENTS, IN VIOLATION OF DUE PROCESS**

NEW YORK (February 19, 2019) – New Yorkers have filed a federal class action lawsuit charging the NYC Transit Authority, an arm of the Metropolitan Transportation Authority, with systemic due process violations. The civil rights action challenges the Transit Authority for seizing people’s state tax refunds to collect on alleged default judgments for NYCTA violations, some going back 20 years or more, without legally-required notice or opportunity to review documentation that would support the Transit Authority’s actions.

Filed jointly in the Southern District of New York by law firm [Drinker Biddle](#), the [National Center for Law and Economic Justice](#), and [New Economy Project](#), the lawsuit claims that the NYCTA has failed to provide even minimal documentation concerning alleged violations – including basic information concerning the original infraction or copies of any relevant notice. The Transit Authority’s failure to provide such information makes it all but impossible for those whose refunds were confiscated to effectively contest the default judgments against them.

In addition to the NYCTA, named defendants include NYCTA Acting Chairman Fernando Ferrer and NYCTA President Andy Byford.

“The MTA had no right to take my tax refunds without giving me a chance to defend myself,” said David Evans, a disabled Marine Corps veteran and named plaintiff in the lawsuit. “I’m bringing this lawsuit so the MTA stops doing this to New Yorkers.” Both Mr. Evans and the other named plaintiff, Nathaniel Robinson, are African-American and formerly homeless. Their seized tax refunds would help cover critical living expenses.

“We believe that in the majority of these seizures there is no actual record of the original infraction,” said Drinker Biddle litigation partner Clay Pierce. “Whatever the challenges the Transit Authority may face in making its budget, its treatment of these plaintiffs is entirely inappropriate and violates the most basic norms of due process guaranteed by the Constitution.”

“We are seeking relief for thousands of New Yorkers who, like the named plaintiffs, have been harmed by these gross due process violations,” said Katharine Deabler-Meadows, a staff attorney with the National Center for Law and Economic Justice.

“The lawsuit shines a light on the racial and economic injustice caused by the MTA’s Kafkaesque practices,” said Susan Shin, legal director at New Economy Project. “The agency is pursuing low-income New Yorkers of color, including many who are formerly and currently homeless, to collect relatively small sums of money, without due process – effectively punishing people for being poor.”

Plaintiffs seek an injunction prohibiting the NYC Transit Authority from collecting on default judgments until it has developed procedures to provide people with adequate notice and an opportunity to be heard, among other relief.

Also supporting the case is retired Drinker Biddle employment partner Gerald Hartman, now head of the [Barbara McDowell Foundation](#), which supports high-impact social justice litigation. Drinker Biddle is litigating the case pro bono under the auspices of the Foundation.