

Court rules in favor of Fraport in Pittsburgh International Airport dispute



A Pennsylvania Superior Court has ruled that Allegheny County Airport Authority's eviction of [Fraport Pittsburgh](#) from [Pittsburgh International Airport](#) was improper and resulted in irreparable harm to Fraport.

According to the company, the Pennsylvania Superior Court entered an opinion and order directing that a preliminary injunction be issued "restoring Fraport's rights in accordance with the Master Lease" and directing that Fraport Pittsburgh return as the master tenant for the concessions program at the Pittsburgh International Airport. This order reverses a previous trial court decision.

Michael Mullaney, CEO of Fraport USA, Fraport Pittsburgh's parent company said, "We are delighted that the Superior Court has recognized the nature of Fraport Pittsburgh's interest in the Airport and further determined that the Allegheny County Airport Authority's eviction by force and without a court process was improper.

"Fraport Pittsburgh, and all of the Fraport USA family of companies, strive to provide a high-end, and safe, shopping and dining experience for the traveling public. We look forward to further vindicating our rights as the case progresses, while expeditiously returning to our world-class management of the Pittsburgh Airport concession program and continuing to serve the Pittsburgh community in conjunction with our subtenant partners, as we have done for the past 30 plus years."

In reaching its decision, the Superior Court noted that the Allegheny County Airport Authority's grounds for termination were "dubious," that its "conduct was tantamount to harassment," and "its reasons for termination were essentially manufactured." The Court determined that the "ACAA interfered with Fraport's property rights and effectively forced the result it wanted" and that Fraport Pittsburgh's harm was "irreparable."

The Court went on to rule that the ACAA improperly "employed self-help by using Allegheny County Police, who are at the Airport to protect the public safety, to advance instead its commercial interests to forcibly remove Fraport personnel from the property. By doing so, the ACAA's actions were contrary to both the Landlord Tenant Act as well as the terms of the Master Lease limiting its remedies to only those available in law and equity and constituted irreparable harm as a matter of law." Moreover, the Superior Court determined that the agreement between the ACAA and Fraport Pittsburgh was in fact a lease noting, "these are two sophisticated parties" and that "there is nothing in the Master Lease to even give a whiff that the ACAA and Fraport intended to do anything other than enter a lease."

Fraport Pittsburgh is being represented in this matter by the firm of Nelson Mullins and their Pittsburgh-based attorneys Tom Jones, Ron Hicks, Kevin Meacham, and Cara Brack.