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Holdouts' deal clears way for Nets arena in Brooklyn

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Developers of the \$5-billion Atlantic Yards project on Thursday finally removed the last biggest obstacle to the Nets moving to a new arena in Brooklyn.



AP FILE PHOTO

The site of the proposed Atlantic Yards mega-development project in Brooklyn.

But it took a \$3-million condominium purchase from a bitter opponent of the project to get it done.

"I would rather still be in my home," said Daniel Goldstein of the three-bedroom condominium that rests within the footprint of the proposed Barclays Center basketball arena. "But if I'm going to be forced from my home in quick fashion, I want to be paid for it."

The offer is almost six times the amount offered to Goldstein at the start of several hours of separate negotiations Thursday among Goldstein, New York State officials and Forest City Enterprises executives. Judge Abraham Geroges of New York Supreme Court — the equivalent of New Jersey Superior Court — oversaw the negotiations.

Goldstein agreed to leave by May 7 — a timetable that project officials said would alleviate millions in monthly losses.

Gerges also helped produce deals with the other two remaining holdouts — a self-storage facility and a real estate developer. Those tenants, whose land is elsewhere on the Atlantic yard footprint, agreed to leave by June 30. Those deals set the stage for Russian billionaire Mikhail Prokhorov to buy the team. He wanted all of the land issues settled before he took over.

While the war between Goldstein and the developers may be over, skirmishing continued Thursday.

The agreement, written by the judge, declared that Goldstein would be "free to speak and exercise his First Amendment rights," but that he "cannot actively oppose the project." Goldstein's attorney, Michael Rikon, said the developers tried unsuccessfully to prevent Goldstein from criticizing the project publicly anymore.

The ambiguity of the deal was in evidence almost immediately, as Goldstein eagerly exercised his speech rights in an interview with three reporters moments after the surprising settlement was revealed in court.

"It's an illegitimate project that never should have gone forward," Goldstein said. "And it still shouldn't."

He also called it "perverse" to tear down the converted warehouse that he bought for \$600,000 in 2003 — and for which he was offered \$516,539.18 Thursday morning before the number escalated to \$3 million.

During the interview, Goldstein's attorney, Michael Rikon, asked for the identity of a man lurking nearby and who appeared to be taking notes electronically via a hand-held device. The man said he was Michael Rapfogel, a vice president with Forest City Ratner Companies, the developer.

When Rikon asked the reporters to move down the hall, Rapfogel followed and continued to eavesdrop.

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And when Forest City Ratner released its official statement shortly thereafter, no mention was made of Goldstein nor the amount it would pay him. Goldstein is expected to receive more than \$500,000 this morning — and the balance as soon as he vacates the premises.

The agreement includes a promise by Goldstein to stop all litigation against the project. Goldstein sued in both federal and state court on several occasions since 2006, and Nets executives have blamed him for years of project delays that also were reflective of the difficult economic climate.

Goldstein, who said he plans to move somewhere nearby in Brooklyn, has been living for several months with his wife and child as the only residents of the condo.

The other seven remaining residential units at the project site signed deals on Tuesday, leaving only Goldstein, developer Harry Weinstein and Pack-It-Away storage to be persuaded. Other long-time opponents, including the owners of Freddy's Bar, cut their own deals earlier this week.

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