

# Court Rules PennEast Pipeline Co. Can't Seize New Jersey Lands

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Yesterday, a federal appellate court ruled that the developers of the \$1 billion PennEast natural gas pipeline could not seize land owned by the state of New Jersey.

Represented by Selendy & Gay, the [Niskanen Center](#), a leading policy think-tank, submitted a critical amicus brief in support of New Jersey, arguing against PennEast's attempt to use eminent domain to gain access to properties along the pipeline route.

Citing the *amicus* brief, the Third Circuit vacated the lower court's decision, holding that the Eleventh Amendment bars private parties from condemning state lands under the Natural Gas Act. The decision could provide other states with ammunition to block similar projects that seek to cross state-owned lands.

News of the victory was reported by [Reuters](#), [Politico](#) and [Law360](#), among other outlets.

## The Selendy & Gay Team

Representing the Niskanen Center from Selendy & Gay were Jennifer Selendy, Philippe Selendy, Caitlin Halligan, Vivek Tata, Erica Iverson and Daniel Metzger.

### Attorneys

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