

9/11 Firefighter Helps Forge Final Battle to Stop New York City 'Ground Zero Mosque'

Published March 15, 2011 | FoxNews.com

In a last-chance effort to stop the so-called "Ground Zero Mosque," opponents were in court Tuesday arguing the building where the mosque is to be built should be a historic landmark -- thus making it ineligible for new construction.

"Why did they insist on building this mosque on the graveyards of our friends?" asked New York City firefighter Tim Brown, a 9/11 survivor who was among those that brought the lawsuit to New York State Supreme Court, along with the American Center For Law and Justice. "I'd like it to be an historical landmark to teach America about what happened here," Brown told Fox News.

The suit maintains the 152-year-old building should have been declared an official landmark by the New York City Landmarks Preservation Commission. It claims the project's developers colluded with the administration of New York City Mayor Michael Bloomberg to push the project through in a move of political correctness, and allow the construction of an Islamic center in the shadow of Ground Zero. Brown's lawyer, Jack Lester, charged there was "active participation" between the Bloomberg administration and project developers.

That claim was refuted by city officials. "As our court papers demonstrate, Landmarks Commission's decision not to designate the building a landmark is irrefutably rational," according to a spokesman for the New York City Law Department.

Supporters of the project, known as Park51, contend the opposition is the result of "pure bigotry," and said the decision not to grant the structure landmark status was appropriate.

"Imagine, instead of building a community center with a mosque in it, they were building a grocery store. Do you think Timothy Brown would be in this case?" asked attorney **Adam Leitman Bailey**. "We only have a case today because they don't want Muslim people building a few blocks away from Ground Zero."

As for the building, "there is nothing about it that deserves architectural integrity," maintained **Leitman Bailey**.

Lester said in court that he wanted to "analyze the rationale that was provided by the Landmarks Commission" to determine if it could "in any way stand up to scrutiny."

"This case is unprecedented," said Lester, who noted that the landing gear from one of the planes that hit the World Trade Center punctured and damaged the building's roof. "The building is a monument to that day."

Leitman Bailey, meanwhile, argued Brown had no standing in the case. "Because his friends died on that day does not give him standing. He has no case. The building is not historic." He also said the building is "not in the Ground Zero area," but is two blocks away and an "eight-minute walk."

But Brown remained unswayed, and called the mosque's supporters un-American. "It's disgusting. It angers me ... I think that their claim that they are sensitive bridge-builders is a lie."

A decision in the case is expected in about a month.