

Vizcayans verdict set aside

The taste of victory Thursday proved illusory.

A jury awarded the Vizcayans, a nonprofit group that raises money for the Vizcaya Museum and Gardens, \$3.1 million in legal fees in its suit against high-powered developer Related Group.

Moments later Miami-Dade Circuit Judge Daryl Trawick set aside the award and granted a directed verdict in favor of Related.

“On behalf of our clients, I am delighted to see them vindicated,” said John Shubin of ShubinBass in Miami, who led the developer’s defense team.

The Vizcayans sought \$1.3 million to cover the legal fees it spent fighting Related’s proposal to build a three-tower condo project next to Mercy Hospital in Miami’s Coconut Grove. The group claimed the developer secretly manipulated the zoning process to win approval and also accused Related of offering two neighborhood groups \$8 million for their support.

“We are confident the jury’s findings will be upheld on appeal,” said Stephen Darmody, a partner at the Miami office of Foley & Lardner who led the plaintiffs’ case.

The Vizcayans successfully sued after the Miami City Commission

approved the project in 2007. A three-judge circuit court appellate panel overturned the decision, finding then-Mayor Manny Diaz had improper discussions with Related chairman Jorge Perez, and the project would be wildly out of character for the neighborhood. Vizcaya is Miami’s only national historic landmark.



Vizcaya

The proposed towers on a 6.7-acre parking lot next to the hospital would have topped out at more than 400 feet.

The Vizcayans said Related formed a conspiracy with other development partners that forced them to waste money on a long legal battle.

Shubin and co-counsel Israel Reyes of the Reyes Law Firm argued Friday that the Vizcayans failed to

prove Perez’s company deliberately set out to harm them.

After dismissing the jury, Trawick said he did not need to hear further arguments on the defense motion for a directed verdict.

“I commend Judge Trawick for exemplifying what a judge is supposed to do, and that is to follow the law,” said Reyes, who left the circuit bench in 2011 to return to private practice.

“The court’s decision today confirms what we have known for years — that all actions of the Related Group were lawful and were never designed to harm the Vizcayans,” added Betsy McCoy, the developer’s general counsel.

Also on the defense team were ShubinBass associates Deana Falce and Kate Maxwell.

Foley & Lardner partner William Davis and associates Natalia Salas and Andrea Gonzalez rounded out the plaintiffs team.