

# Boca Raton News

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## Restaurant owners win \$2 million in lawsuit

By REBECCA REYNOLDS  
STAFF WRITER

The owners of a now defunct Boca Raton restaurant won almost \$2 million in damages on Thursday after a Palm Beach County jury found they had been wrongfully evicted, were victims of fraud and unfair trade practices.

James and Michele Robinson, principals of PNR, Inc., were evicted from One North Ocean Boulevard in 1996, two years after taking over Goodfellas Restaurant.

The couple filed suit shortly afterward against property owners and managers Ocean One North, Inc.; Beacon Property Management, Inc.; and Ernest W. Willis, a principal in both companies.

The suit, filed by Fort Lauderdale attorney C. Vincent LoCurto on behalf of the Robinsons, claimed that several actions by the defendants caused an interruption of business, lost revenues and profits and injury to name and reputation, among other injuries.

Defendants denied the allegations and the case went to court last week.

The jury had several findings, including:

- Ocean One North breached its lease agreement and a covenant of quiet enjoyment with PNR. A total of \$100,000 was awarded for damages.

- Beacon Property Management did not breach its management agreement with Ocean One North.

- Ocean One North practiced unfair and deceptive trade practices with PNR. The jury awarded damages of \$200,000 for the offense.

- Beacon Property Management did not intentionally interfere with a business relationship of PNR. However, the jury found that Willis did interfere. It awarded \$100,000 for cessation of business.

- One Ocean North, Beacon Property Management and Willis fraudulently misrepresented a statement of material fact to PNR. Cessation of business damages were \$200,000.

- Willis and Ocean One North wrongfully evicted PNR. Beacon Property Management did not wrongfully evict the tenant. Damages of \$200,000 were awarded.

Along with actual damages, the jury also found that punitive damages were warranted against all three defendants. The jury ordered a \$500,000 punitive assessment against Ocean One North and \$500,000 against Willis. Beacon Property Management was assessed \$140,000 in punitive damages.

The total amount awarded to the Robinsons came to \$1.9 million.

After fighting the case for three years, LoCurto said his clients were happy with the judgment.

"The wheels of justice turn very slowly ... but we fought the good fight and justice prevailed," LoCurto said.

However, defense attorney Harry J. Ross had another perspective about the outcome of the case.

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THE PALM BEACH POST

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## Owners of Boca restaurant win almost \$2 million in civil suit

By Scott Haaasen  
Palm Beach Post Staff Writer

The owners of an Italian restaurant in Boca Raton who said their landlord let their building deteriorate and tried to force them out were awarded nearly \$2 million last week by a jury in a civil trial.

The proprietors of Goodfellas restaurant said they had to close down for seven months in 1995 and 1996 because their building at the corner of Palmetto Park Road and A1A was condemned after a wall of the edifice collapsed. The restaurant was on the third floor overlooking the ocean.

In the lawsuit, the restaurant owners said the landlord, Ocean One North Inc., and property

managers did not fulfill promises to improve the property and wrongly evicted them in an effort to sell the building, said Vincent LoCurto, a lawyer for James and Michele Robinson, Goodfellas' owners.

When the building was condemned, the restaurant's chef took another job, LoCurto said. The Boca Raton couple, who bought Goodfellas in 1994, reopened their restaurant under a new name, Nightingales.

"My clients, with that one single event, are basically put out of business," LoCurto said.

After an eight-day trial in Palm Beach County Circuit Court, jurors on Dec. 17 found the building's owners and managers broke

their 10-year lease with the Robinsons and were deceitful in dealing with them. The restaurant owners were awarded \$800,000 in compensatory damages and \$1.14 million in punitive damages.

Harry Ross, a lawyer for the property owner, said he plans to file for a new trial on Monday or to have a judge override the verdict. He said the jury's award "was so contrary to the evidence that was presented" and did not believe punitive damages were justified.

Ross said the lawsuit named the wrong property manager as a defendant. He also said the plaintiffs could not show that they lost profits "because the restaurant wasn't profitable."