



FOR IMMEDIATE RELEASE

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## **NEWMEYER & DILLION LLP WINS \$6.7 MILLION JURY AWARD FOR PROPERTY OWNER AGAINST THE CITY OF SAN JUAN CAPISTRANO**

SANTA ANA, CALIF. — [Chuck Krolikowski](#) and [Carol Zaist](#) of the law firm of [Newmeyer & Dillion LLP](#) completed a multi-year legal battle for their client, the Scalzo Family Trust, against the City of San Juan Capistrano for the [temporary taking](#) of the Trust's property.

Following four years of litigation, Newmeyer & Dillion was successful in getting an Orange County jury to award \$6,768,000 in just compensation to the Trust.

Chuck Krolikowski, lead trial Counsel for the Trust, noted: "My clients are thrilled with the verdict. After years of struggling with the City, their rights have finally been vindicated. Their confidence in the judicial system is confirmed."

This complex property rights case involved the City's imposition of an unconstitutional condition on the Trust when approving plans for a proposed residential subdivision, according to Krolikowski. The condition required the Trust to dedicate land to the City without compensation, causing the Trust to miss the peak of the real estate market for its proposed ocean-view custom home lots in San Juan Capistrano. While the City finally removed the unlawful dedication condition in response to the court's decision, damage to the property was done; the Trust could not develop its property for almost three years, he stated.

After a two-month bench trial, the court ruled that the dedication condition constituted a temporary taking of the Trust property, and the Trust was entitled to compensation for the period in which the dedication condition was in place. A nearly month-long jury phase ended with an award of \$6,768,000, the exact amount requested

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by the Trust. In addition to the verdict amount, the Trust is entitled to recover its costs, litigation expenses and attorney fees.

Currently celebrating its 25<sup>th</sup> anniversary, Newmeyer & Dillion LLP offers statewide legal services from offices in Walnut Creek and Newport Beach, with more than 50 lawyers handling a diverse scope of business, real estate and financial matters. For additional information on the firm, please visit [www.ndlf.com](http://www.ndlf.com). Chuck Krolikowski and Carol Zaist of Newmeyer & Dillion LLP, Counsel for the Trust, can be reached at (949) 854-7000 or [charles.krolikowski@ndlf.com](mailto:charles.krolikowski@ndlf.com) and [carol.zaist@ndlf.com](mailto:carol.zaist@ndlf.com) respectively.

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