

Gordon Arata Client Lonesome Development Prevails in Lawsuit

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Gordon Arata client Lonesome Development LLC prevailed against the Town of Abita Springs in a lawsuit tried in the 22nd Judicial District Court for the Parish of St. Tammany. On Thursday, May 20, 2021, District Court Judge William Burris ruled that Lonesome Development could proceed with developing Abita Meadows, its 167-acre planned unit development. Judge Burris also ordered the town to pay \$4.9 million plus interest and attorneys' fees in damages to Lonesome Development. The case was tried by Gordon Arata attorneys Howard Sinor and Phil Antis.

Howard Sinor said, "Our client [Lonesome Development] is obviously very pleased with the result and is looking forward to completing development of Abita Meadows."

In January 2018, after months of direct negotiations with the Mayor of Abita Springs and 14 public hearings before the Planning and Zoning Commission and the Board of Aldermen, Abita Springs approved the plan for Abita Meadows and entered into a development agreement with Lonesome to govern the development. Lonesome subsequently began development and spent millions to install infrastructure for the project. In July 2019, Abita Springs' abruptly halted construction, contending that Lonesome had violated the town's ordinances. After weeks of unsuccessful attempts to schedule a meeting with the Mayor, Lonesome sued Abita Springs alleging breach of the 2018 development agreement and seeking specific performance and damages.

Despite delay tactics by the town and the intervening COVID-19 shutdown, Sinor and Antis were able to file suit and try the case in about 20 months. Phil Antis said, "We were able to drill down to a few critical documents. Those, together with the testimony of key witnesses, demonstrated that it was the town—not our client—that had breached the contract."

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