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DAILY BUSINESS REVIEW

PRESENTS

*Litigation  
Department  
OF THE Year*  
2014

AN **ALM RECOGNITION** EVENT

BUCHANAN INGERSOLL & ROONEY  
**REAL ESTATE**

## REAL ESTATE Buchanan Ingersoll & Rooney

# Buchanan handled litigation threatening Dania casino deal

by **Mary Hladky**  
Special to the Review

Dania Jai-Alai was one of the hottest venues in Broward County decades ago, with thousands pouring into the fronton to watch the fast-paced play. But in recent years, crowds dwindled to 50 or less, and the owner was losing millions each year.

The large Dania Beach property now has a new lease on life with a new owner and a remodeled facility that opened in February, featuring a casino with slot machines, poker room, bistro, bar and a stage for musical shows.

The Miami office of Buchanan Ingersoll & Rooney represented the buyer, Dania Entertainment Center LLC, in litigation that threatened to kill the sale.

DEC originally contracted with Las Vegas-based Boyd Gaming Corp. in 2011 to buy the property for \$80 million. But a Dania Beach activist group, Citizens for Responsible Development, sued to

block the deal by seeking to void the development agreement between DEC and Dania Beach.

That litigation threatened DEC's plans and caused title issues. The closing was called off, and Buchanan filed suit.

After nearly 18 months of litigation, Boyd Gaming dropped its claim to DEC's \$7 million deposit and agreed to sell the property to DEC for \$65.5 million—a \$14.5 million reduction in purchase price. The deal closed last May.

Along the way, Richard Morgan, lead counsel and managing partner of Buchanan's Miami office, and shareholders Matthew Feeley and Jennifer Olmedo-Rodriguez overcame two motions for summary judgment involving issues of the legal definition of "insurable title" and "good and marketable" title.

DEC partnered with Ondiss Corp., headed by wealthy Argentine businessman Christobal Lopez, which has invested \$85 million in reno-



J. ALBERT DIAZ

Buchanan Ingersoll's Miami office includes, standing, Richard A. Morgan and Matthew J. Feeley, and, sitting, Jennifer Olmedo-Rodriguez and Mark S. Auerbacher.

ventions. Ondiss plans additional expansion, including more slot machines and a hotel at the renamed Dania Casino & Jai Alai.

"The Dania Jai-Alai litigation was particularly satisfying because the clients did not ask us to simply extricate them from a deal gone south. The clients had a vision for the project

and wanted to see that vision through to reality," Feeley said. "It is rewarding to see the project becoming a reality."

Buchanan has two litigation shareholders, one associate and two counsel in its Miami office.