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MALPRACTICE SUIT

Surf Club settles suit against Bilzin for \$250,000

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Inactive members of the exclusive Surf Club in Surfside have settled their malpractice lawsuit against Bilzin Sumberg Baena Price & Axelrod in Miami.

Bilzin Sumberg agreed to pay \$250,000 to the club's former proprietary membership under the settlement, which will be covered by the law firm's insurer, said Coral Gables attorney Harley Tropin, a partner at Kozyak Tropin & Throckmorton who represented Bilzin Sumberg in the case.

The members in an amended complaint filed last December claimed Bilzin partner Stanley B. Price's advice in obtaining a historic

SEE SURF CLUB, PAGE A2

SURF CLUB: Litigation set up for 'ultimate doom'

designation for tax reasons ended up costing the club \$50 million by restricting its development.



Bailey

In September, Miami-Dade Circuit Judge Jennifer Bailey refused to dismiss the lawsuit against the law firm and Price, chair of its government relations and land development practice.

But Bailey limited discovery to whether the malpractice lawsuit was illegally assigned by current club members to previous members.



Zarco

Miami attorney Robert Zarco, a partner at Zarco Einhorn Salkowski & Brito, told Bailey she was setting the litigation up for "ultimate doom."

In a statement on the settlement, both parties stated: "Further investigation has shown that Bilzin Sumberg has done nothing wrong and that Bilzin Sumberg and its part-



J. ALBERT DIAZ

Developers purchased the private oceanfront club at 9011 Collins Ave. for \$116 million last year and plan to build luxury condominiums.

ner, Stanley B. Price, effectively represented the Surf Club at all times in obtaining the tax relief the Surf Club requested."

Developers purchased the private oceanfront club for

\$116 million last year and plan to build luxury condominiums. The club's 122 active members received \$700,000 each and lifetime memberships from the sale.

Turkish conglomerate Koc Group, through Miami affiliate SC Property Acquisition LLC, plans to temporarily close the club and build three 12-story buildings on the beach side of

the street and two four-story buildings on the west side. In addition to the 285 condo-hotel units, the project includes a four-star hotel and spa, 661 parking spaces and a gourmet food store.



Price

Tropin said he was pleased the settlement stipulates Bilzin Sumberg and Price did no wrong.

Zarco, who was a club member and attorney for the club at 9011 Collins Ave., said the joint statement speaks for itself and, "The Surf Club is pleased to have amicably resolved this matter with Stanley Price and Bilzin Sumberg."

Members initially sued three law firms: Bilzin Sumberg, White & Case and GrayRobinson. Tropin White & Case entered a confidential settlement, and GrayRobinson was dropped for "strategic purposes."



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