



Kelley Drye Wins Case for CenterPoint

February 5, 2008

On February 5, 2008, the United States District Court for the Southern District of Florida entered a final order granting CenterPoint, LLC's motion for summary judgment against defendant Bruce Langson. The Court awarded CenterPoint more than \$2 million on its claims for breach of contract, account stated and attorneys' fees.

In 2004, CenterPoint entered into an agreement with Las Vegas-based real estate developer Nevada Towers. Under the agreement, Nevada Towers promised to provide certain condominium units to CenterPoint in exchange for media and marketing goods and services, including radio, print, and television commercials. CenterPoint simultaneously obtained a personal guaranty from the principal of Nevada Towers, Bruce Langson, that obligated him to honor the obligations of Nevada Towers in the event of a default. Although CenterPoint provided more than \$2 million in goods and services under the agreement, Nevada Towers failed to perform and, in March 2007, filed for Chapter 11 bankruptcy protection.

Kelley Drye represented CenterPoint in this matter. Kelley Drye decided to move for summary judgment prior to discovery—an unusual move especially for a plaintiff. The strategy paid off and provided CenterPoint a complete and efficient victory, including recovery of all its attorneys' fees.

Associate Clifford Katz assisted with the matter.