Firm Obtains Success on Constitutional Claim in Missouri Supreme Court

June 17, 2008

The Missouri Supreme Court last week found in favor of Clay County Realty Co. and Edith Investment Co., the owners of Gladstone Plaza, in a ruling that allowed the owners of Gladstone Plaza, a Missouri shopping center, to sue under the Missouri constitution's prohibition of the seizure of private land for public use without compensation. Member Michael Abrams (Business Litigation - Kansas City) led the successful legal team in this matter.

In one of its most important property-rights decisions in recent years the Missouri high court unanimously held that property owners can sue municipalities which engage in "untoward activity or undue delay" for inverse condemnation.

The Clay County Circuit Court had granted summary judgment in the original suit in favor of the city, which hoped to prevent the property owners from being allowed to bring suit before their property was condemned. The Missouri Court of Appeals, Western District, also had ruled for the city of Gladstone against the firm clients, in earlier phases of this dispute.

This latest decision from the state's high court gives new life to the lawsuit and sends it back to the Clay County Circuit court for trial.

Mr. Abrams focuses his practice in commercial litigation matters that include all phases of business and contract law, accounting law, insurance matters, and media and communications law. Mr. Abrams has successfully defended and prosecuted jury and bench trials involving business torts, fraud, consumer protection claims, trade secrets, covenants not to compete, and professional liability and insurance coverage.

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