



## PRESS RELEASE

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## DILWORTH OBTAINS \$2.6 MILLION JUST COMPENSATION VERDICT IN MARLTON CIRCLE RECONSTRUCTION CONDEMNATION

September 25, 2014

Dilworth Paxson LLP successfully represented 120 Route 73 Property, LLC—the property owner of the former DeSimone BMW dealership site in Marlton, New Jersey—in obtaining a unanimous jury verdict, awarding their client over \$2.6 million against the State of New Jersey Department of Transportation. Dilworth attorneys James Landgraf and Benjamin Spang successfully presented the claims of significant loss of use in the remaining property after a portion was taken by the State for the construction of the elevated Route 73 Highway and ramp from Route 70, significantly blocking visibility of a portion of the property.

On September 12, 2014, after eight days of trial and deliberations of approximately one and a half hours, an eight-member jury in the Superior Court of New Jersey, Law Division, Burlington County unanimously concluded the circle reconstruction project prevented the property's continued use as a car dealership location. The project included the construction of the ramp and elevated highway, with a barrier wall on and next to the former car dealership property. The jury found that this resulted in a loss of value to the property, which together with other compensation exceeded \$2.6 million due as just compensation.

**James H. Landgraf** is Of Counsel with Dilworth, based in the Firm's office in Cherry Hill, New Jersey. Since 1988, he has been Certified by the New Jersey Supreme Court as a Civil Trial Attorney. He focuses his practice on civil commercial litigation as well as construction transactional and trial practice. Mr. Landgraf currently serves as Co-Chair of the American Bar Association's Construction Litigation Committee within the Section of Litigation. He previously served as Co-Chair of the New Jersey State Bar Association Construction Law Section, and as President of the Burlington County Bar Association. He is the 2014 recipient of the New Jersey State Bar Association's Professionalism Award for Burlington County.

**Benjamin W. Spang** is an Associate at Dilworth, also based in the Firm's Cherry Hill office. He focuses his practice on civil commercial litigation and financial services litigation. He has experience prosecuting and defending cases arising under the Uniform Commercial Code, Electronic Funds Transfer Act, and other payment systems cases. He regularly appears in state and federal courts to represent clients in complex commercial litigation matters.