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Tom Claud found three beachcombers watching a sunrise from Hutchinson Island near Stuart. CONTRIBUTED PHOTO BY TOM CLAUD

## Opening statements in Hurchalla case

### Quarry owner seeking millions in damages

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STUART — Martin County, the South Florida Water Management District and Lake Point rock quarry once shared a harmonious partnership and optimistic outlook for a proposed public-works project, Jamie Rusbridge, Lake Point general manager testified in court Tuesday afternoon.

But that working relationship soured, in large part, because of misleading statements made by prominent environmental activist Maggy Hurchalla, Lake Point attorney Ethan Loeb has argued over the last two days.

What Hurchalla meant in her statements to Martin County commissioners — whether she intended to harm Lake Point or simply to glean information — is at the heart of her civil trial.

Lake Point alleges Hurchalla's statements about potential wetland damage interfered with contracts to mine western Martin County land that it had entered into with the county and the South Florida Water Management District nearly a decade ago.

The civil breach-of-contract lawsuit brought by Lake Point against Hurchalla, a former county commissioner, has been in litigation since 2013.

Attorneys for Lake Point and Hurchalla made their opening statements Tuesday before six jurors in Martin County Judge William Roby's courtroom.

Lake Point attorney Ethan Loeb strongly disputed Hurchalla's claims.

"When you hear about the destruction of wetlands? Not true. Absolutely false," he said, adding, "Using the words 'destroy wetlands' has the power to get anybody in this county — including elected officials — riled up."

Hurchalla's attitude, Loeb said, is that the ends justify the means.

He also revealed the exact amount the company will be seeking in damages

from Hurchalla: \$4 million.

While Lake Point suffered \$22 million in damages, a \$12 million financial settlement with Martin County and a business agreement valued at \$6 million with the South Florida Water Management District leaves \$4 million remaining, Loeb told jurors.

Virginia Sherlock, representing Hurchalla, countered that communications between Hurchalla and county commissioners about the Lake Point project were First Amendment-protected questions, and simply attempts by Hurchalla, an environmentalist, to learn more about the rock quarry's potential effect on wetlands.

"Maggy Hurchalla contacted public officials to get information, to provide facts, to ask questions, to see whether the Lake Point project was working and — if it wasn't — how to fix it. You will learn that Maggy acted out of concern for the environment, for Martin County and that her concerns were genuine," Sherlock told jurors.

Tuesday afternoon, jurors heard extended testimony from two witnesses called by Lake Point.

Rusbridge, the Lake Point general manager, spoke about helping develop the project, which was to include mining lime rock as well as handle problematic runoff water, in partnership with the Water Management District.

Asked how Lake Point would benefit water quality, Rusbridge explained it would act as a "kidney," helping to "store, cleanse and convey water" from Lake Okeechobee.

Rusbridge's testimony focused on numerous environmental studies conducted by Lake Point, which, he said, were "favorable toward the project."

His testimony is to continue Wednesday and is expected to focus on how Hurchalla's alleged interference affected the project.

Prior to Rusbridge taking the stand, Don Donaldson, Martin County deputy administrator and former county engineer, testified for more than two hours about staff's knowledge of the project and communication with county commissioners about the project.



Lake Point Restoration, a rock-mining company located in western Martin County, is seeking \$22 million in damages from Maggy Hurchalla (not pictured), a former Martin County commissioner, in a civil trial that began Monday, Feb. 5, 2018 at the Martin County Courthouse in Stuart. Lake Point claims Hurchalla interfered with its contract with Martin County and the South Florida Water Management District by emailing commissioners; Hurchalla claims she was a private citizen exercising free speech. Attorney Ethan Loeb (left) is leading the Lake Point team and attorney Ginny Sherlock (right) is leading the Maggy Hurchalla team. LEAH VOSS/TCPALM