



HURCHALLA CASE BEGINS

Quarry owner seeks damages for breach of contract

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Treasure Coast Newspapers
USA TODAY NETWORK - FLORIDA

STUART — A lawsuit that touches on issues including environmental pollution, government transparency and the use of private email accounts started Monday in the Martin County Courthouse.

The case — a breach-of-contract lawsuit brought by Lake Point Restoration, a rock quarry, against prominent environmentalist Maggy Hurchalla — is four years in the making.

Lake Point contends that misleading statements made by Hurchalla interfered with contracts to mine western

Martin County land that it had entered into with Martin County and the South Florida Water Management District nearly a decade ago.

Lake Point is seeking up to \$22 million in damages, according to court documents.

Monday was dedicated to jury selection in Judge William Roby's courtroom.

Lake Point lead attorney Ethan Loeb laid out his client's case as one in which a small business was gravely harmed by the dishonest interference of an individual.

Loeb told the nearly 40 potential jurors that Lake Point wanted to both turn

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Lake Point Restoration, a rock-mining company located in Martin County, is seeking \$22 million in lost profits from Maggy Hurchalla (pictured), a former Martin County commissioner, in a civil trial that began Monday 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.

LEAH VOSS/TCPALM

ONLINE: See more photos on TCPalm.com.

Hurchalla

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a profit and do right by the environment.

Hurchalla, by contrast, was not fighting for wetland protection, as she claims, but purposefully tried to damage Lake Point, Loeb said.

"Mrs. Hurchalla falsely stated Lake Point would destroy, had destroyed, wetland. We believe the facts will show this isn't true," Loeb told the jury pool.

Loeb questioned potential jurors about their attitudes toward contracts and government transparency and tried to suss out whether jurors would be comfortable potentially awarding Lake Point millions of dollars.

"We're seeking jury-awarded damages in this case, and we're not ashamed of this," Loeb said.

Meanwhile, Howard Heims, one of Hurchalla's attorneys, directed his questions toward more personal issues, asking jurors how long they'd lived in Martin County, what they liked about it and whether they moved here for "the small-town feel."

Heims painted Hurchalla's statements about Lake Point as the First Amendment-protected speech of a private citizen rather than the intentional interference with a contract that Loeb described.

"Does anyone think it would be wrong to contact county commissioners to ask questions? Would it be wrong to make suggestions to commissioners even though there was a contract already in place?" Heims asked. "Anyone ever been sued for doing nothing wrong?"

Many in the jury pool indicated they held strong feelings about the environment. Questioning from Loeb and Heims revealed a group that said they cared about wetlands and protecting water quality, but with few who were familiar with the name Maggy Hurchalla or who would embrace the title "environmentalist."

After nearly four hours of questioning, the attorneys selected a pool of three men, three women and two alternates.

Hurchalla is the only remaining defendant in the lawsuit filed by Lake Point against Martin County, the South



Lake Point Restoration representative Jamie Rusbridge, from left, and attorneys Ethan Loeb, Christina Dodd, in background, and Colin Thompson introduce themselves to potential jurors in the case against Maggy Hurchalla on Monday at the Martin County Courthouse in Stuart.

PHOTOS BY LEAH VOSS/TCPALM



Attorney Ginny Sherlock is representing Maggy Hurchalla in a civil trial against Lake Point Restoration, seen Monday at the Martin County Courthouse in Stuart.

Florida Water Management District and Hurchalla in 2013. The county and Water Management District have since agreed to settle.

The civil case is related to criminal cases against County Commissioners Sarah Heard and Ed Fielding.

Fielding in late November was charged with two counts of public-rec-

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ords violations related to his handling of Lake Point-related emails. He pleaded not guilty to the misdemeanor charges, court records show.

Heard, in early January, also was charged with two criminal misdemeanor counts for public-records violations, according to the State Attorney's Office. Heard also faces a non-criminal infraction related to her handling of public records.

Heard has pleaded not guilty to both the criminal charges and non-criminal infraction, according to court records.

Attorneys are to present opening statements in the civil trial Tuesday morning. The trial could take up to two weeks.

SPACEWATCH

Launches

Today: A SpaceX Falcon Heavy rocket will launch on its first demonstration flight. The heavy-lift rocket is formed of three Falcon 9 rocket cores strapped together with 27 Merlin 1D engines firing at liftoff. This would be the first Falcon Heavy rocket launch. Launch window: 1:30 to 4:30 p.m.

Feb. 22: A SpaceX Falcon 9 rocket will launch the Hispasat 30W-6 communications satellite, formerly known as Hispasat 1F, for Madrid-based Hispasat. Hispasat 30W-6 will provide television, broadband, corporate networks and other communications services over Europe, North Africa and the Americas. The Hispasat 30W-6 satellite was built by Space Systems/Loral. Launch window: TBD

March 1: A United Launch Alliance Atlas 5 rocket, designated AV-079, will launch GOES-S, the second next-generation geostationary weather satellite for NASA and NOAA. GOES-S will orbit 22,300 miles above the equator to monitor weather conditions across the United States. The rocket will fly in the 541 vehicle configuration with a five-meter fairing, four solid rocket boosters and a single-engine Centaur upper stage. Launch window: 5:02 to 7:02 p.m.

March 20: A SpaceX Falcon 9 rocket will launch NASA's Transiting Exoplanet Survey Satellite (TESS). The TESS mission will identify planets ranging from Earth-sized to gas giants, orbiting a wide range of stellar types and orbital distances. The principal goal of the TESS mission is to detect small planets with bright host stars in the solar neighborhood, so that detailed characterizations of the planets and their atmospheres can be performed. TESS will be stationed in a high-Earth elliptical orbit. Launch window: TBD

April 2: A SpaceX Falcon 9 rocket will launch the 16th Dragon spacecraft mission on its 14th operational cargo delivery flight to the International Space Station. The flight is being conducted under the Commercial Resupply Services contract with NASA. Launch window: TBD