

Golden Bear Int'l loses suit, may appeal ruling

Attorneys awaiting appeal decisions in Colorado case

By Mark Leslie

BRECKENRIDGE, Colo. — The attorney for Golden Bear International Inc. said the Jack Nicklaus firm will probably appeal a jury ruling that it owes the town of Breckenridge \$414,988 in a case of alleged faulty golf course construction.

A six-member jury in the Summit County District Court ruled in

January that Golden Bear International Inc. and Golf Force Inc., now a part of Golden Bear, breached a contract in construction of the municipal Breckenridge Golf Course.

Attorney Janet Savage of Denver said, "I'm sure we'll appeal the decision, if it stands. It's still right before the trial court on post-trial motions."

Those motions are for judgment notwithstanding verdict and for a new trial. Savage said she did not expect a decision on those motions before March.

"That's when a decision on an

appeal will be made. Depending on what the court decides, maybe it will be the town that will appeal," she said.

Jurists awarded damages in the principal amount of about \$414,988. That included reconstruction costs of \$325,000, plus \$89,000 in lost profits while the course was closed to rebuild its greens.

An issue before the court regarding award of costs and pre-judgment interest that could total \$140,000 is pending. The judge must also rule on whether to charge

Golden Bear for court costs that could be \$10,000 to \$15,000.

"The basic issue was the sand used on the greens," said the town's attorney, Craig Blockwick of Wells, Love and Scovy of Boulder, Colo. "We argued, and the jury agreed, there was not proper quality control and decision making in connection with the sand used."

The sand was provided by Pioneer Sand Co. of Colorado Springs, but Pioneer avoided the suit because the four-year statute of limitations

ran out before the suit was commenced.

The course opened in 1985 and, according to Blockwick, the greens began to fail within a month. "The decision to replace the greens was made by the end of that season," he said.

The course was closed for reconstruction in 1986 and reopened in 1987.

Various post-trial motions have been filed. Golden Bear has 435 days from when the judge rules on those motions to appeal them.

Grossinger's in Chapter 7, up for sale

LIBERTY, N.Y. — Laughter will be muted for awhile at the world-famous Grossinger's Golf Resort and Country Club in Sullivan County.

Long center stage for celebrated comedians and for more than 75 years synonymous with elegance and luxury, Grossinger's has been put up for sale by U.S. Bankruptcy Court.

Barbara Balaber-Strauss, appointed Chapter 7 trustee, has retained Keen Realty Consultants Inc. of Great Neck, N.Y., as consultants.

The year-round resort, which once housed more than 1,000 guests weekly, covers 450 acres, with an additional 450 acres suitable for further development.

Amenities include a 27-hole PGA golf course, indoor and outdoor swimming pools, tennis courts, a 50-acre lake for boating, and swimming and winter ski facilities.

The resort filed for bankruptcy while undergoing major renovations.

For sale information, contact Moe Bordwin or Russell Silver, Keen Realty Consultants Inc. at 516-482-2700.

Ex-Lt. governor Fla. Council head

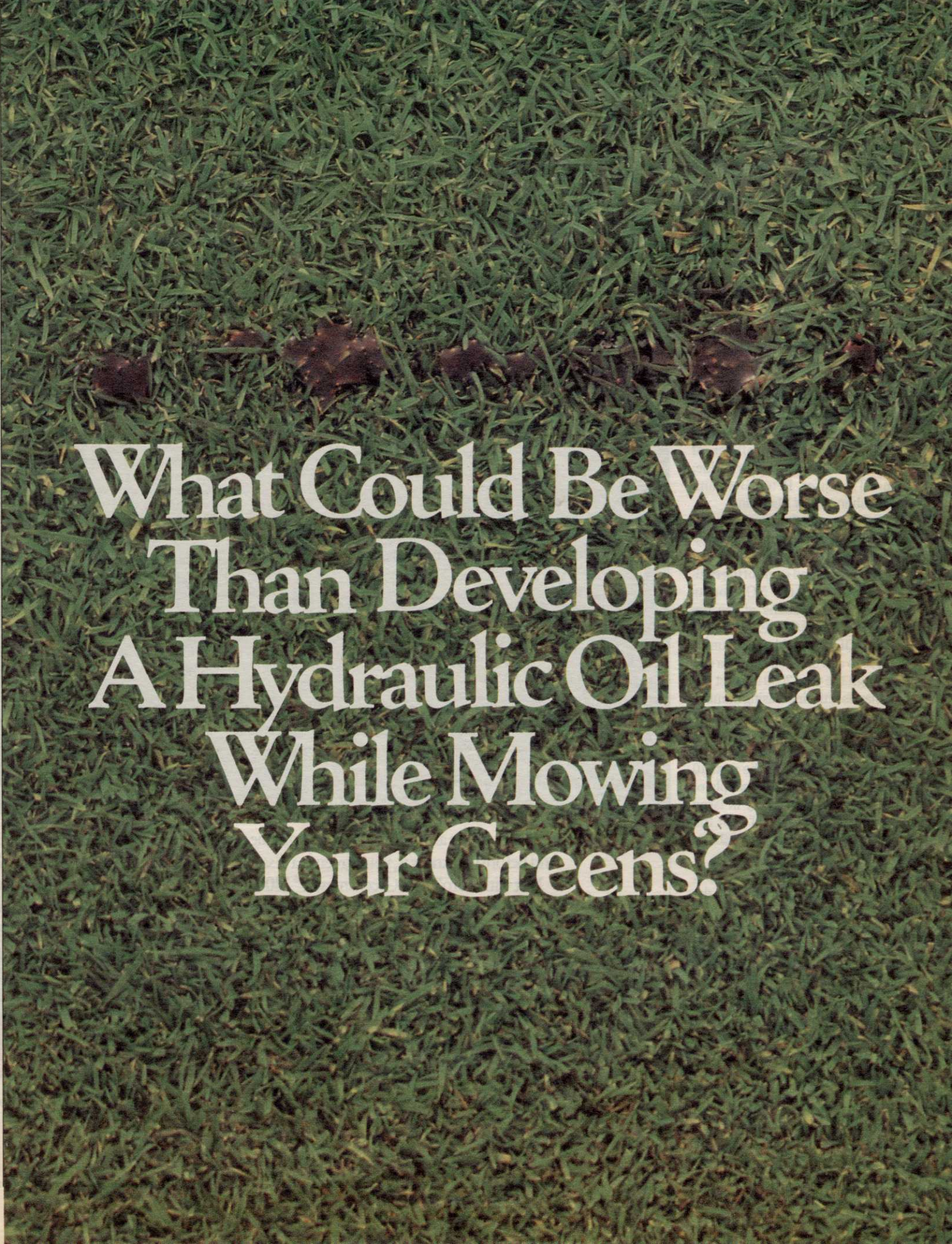
Golf is a "good, clean, positive industry" whose side of the development story has rarely been told to legislative hearings, said the man who plans to change that.

Bobby Brantley of Tallahassee, Florida's lieutenant governor from 1986-90, has taken over as executive director of the newly formed Florida Golf Council.

Brantley, who owned and operated the nine-hole public Seminole Golf Club in Longwood, Fla., before entering politics, will lobby for the state's \$5.3-billion-a-year industry.

He said that in many legislative hearings he had to vote after hearing only the legislative side of an issue because golf had no representative present.

His first efforts are to get financing for the council, and he expects to get all of the industry involved.



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