

Bond Case Briefs

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CONTRACTS - CONNECTICUT

Bellsite Development, LLC v. Town of Monroe

Appellate Court of Connecticut - January 27, 2015 - A.3d - 2015 WL 248939

Bellsite Development, LLC filed a civil action against the Town of Monroe after the Town reneged on its commitment to place Police Department telecom equipment in a communications tower to be built by Bellsite. Bellsite alleged three counts: breach of contract, promissory estoppel, and negligent misrepresentation. Following a trial, the jury returned a verdict in favor of the plaintiff on the breach of contract and negligent misrepresentation claims, and a verdict in favor of the defendants on the promissory estoppel claim. The jury awarded the plaintiff \$700,000 in damages. After receiving the jury verdict, the defendants filed a motion to set aside the verdict, which was denied. Defendant appealed.

On appeal, the defendants claim that the court erred in denying the motion to set aside the jury's verdict as the jury's findings of a breach of contract and negligent misrepresentation were not supported by the evidence adduced at trial.

The appeals court reversed, setting aside the jury verdict. The court found that the Town selectman who had been negotiating with Bellsite had neither express, nor apparent, authority to bind the Town. The court also found no evidence that the town council acted in any way that could reasonably be interpreted as ratification of the agreement, as the town never accepted or received any benefit from the purported agreement. The court also rejected the negligent misrepresentation claim, as there had been no false statement.