

Bond Case Briefs

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EMINENT DOMAIN - ALASKA

Alaska Laser Wash, Inc. v. Department of Transportation & Public Facilities

Supreme Court of Alaska - May 8, 2020 - P.3d - 2020 WL 2299931

Owner of car wash brought inverse condemnation action against the State, claiming business damages resulting from State's acquisition of car wash site as part of highway improvement project.

Following jury trial, the Superior Court denied State's motion for directed verdict, entered jury verdict in favor of owner, and awarded attorney's fees and costs to owner. State appealed, and the Supreme Court reversed, vacated, and remanded. On remand, the Superior Court awarded attorney's fees to the State as the prevailing party pursuant to pretrial offer of judgment, and car wash owner appealed.

The Supreme Court held that State was entitled to award of attorney's fees based on pretrial offer of judgment.