

After Legal Battle Threw Redevelopment Plans Into Limbo, Miami Judge Greenlights Sawyer's Landing

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by Melea VanOstrand

A redevelopment project that broke ground earlier this year can now continue after an 18-month legal battle over the property has come to an end.

The litigation involved Block 55 in Overtown, home to a 300,000-square-foot retail and 60,000-square-foot office mixed-use development known as Sawyer's Landing.

Developers Don Peebles and Barron Channer brought two breach of contract claims against the project's developer Swerdlow Group, alleging they lost out their initial rights to develop the land because of a breach of contract.



Sawyer's Landing is a 578-unit affordable housing project with Target-anchored retail in Miami's Overtown.

But those claims were dismissed after Miami-Dade Circuit Judge Michael Hanzman found "no genuine dispute of material fact exists" and concluded that there was no breach of

contract, according to a summary judgment order.

The result is good news for Alan Kluger, Steve Silverman, Marko Cerenko and Lisa Jerles of Miami law firm Kluger, Kaplan, Silverman,

Katzen & Levine. They represent Swerdlow Group, and argued the litigation only served to obstruct progress.

“Mr. Peebles’ lawsuit had no merit from the very beginning and was brought solely to paralyze the development of Sawyer’s Landing. With all of Mr. Peebles’ claims now dismissed, Swerdlow Group can forge ahead in delivering a direct, positive impact in Overtown in the form of new jobs, new tax revenues and much-needed affordable housing,” Kluger said.

Peebles and Channer sued Swerdlow Group over Block 45 and Block 55 in 2020, after the Miami Community Redevelopment Agency ended the Peebles-Channer camp’s previously granted rights to those properties. According to court documents, the parties entered into a membership interest purchase and sales agreement in 2016 to formalize the agreement for Overtown Gateway Partners LLC to sell its interest in the development rights for Blocks 45 and 55 in Overtown.

Overtown Gateway Partners and the CRA mutually terminated the Block 45 development agreement in 2016, and they never entered a formal agreement to develop Block 55. The CRA later awarded Block 55 development rights to Swerdlow and his Downtown Retail Associates LLC. Overtown Gateway Partners claimed it was only terminated because it was strong-armed by the CRA for the benefit of developer Michael Swerdlow.

The first count claimed Swerdlow violated confidentiality and non-circumvention clauses of their prior agreement by disclosing confidential information to the CRA, which “set in motion a series of events culminating in the CRA’s termination of the Block 55 negotiations with the plaintiffs” after a meeting with the CRA in May 2016. The second count claimed Swerdlow communicated with the CRA in violation of a joint agreement entered between the Swerdlow Group, Peebles and Channer.

Kluger Kaplan attorneys argued Swerdlow Group didn’t breach its agreement with the Peebles and Channer entities, and that Swerdlow fairly won the development rights to Block 55.

Hanzman issued two summary judgment orders in favor of Swerdlow’s team on the Peebles-Channer breach of contract claims.

Hanzman concluded that the CRA did not terminate its Block 55 negotiations due solely “to anything that transpired in this May 11, 2016 meeting, even assuming that a breach of confidentiality occurred.”

Sawyer’s Landing will now continue to move forward as planned, according to Swerdlow’s attorneys, who said the project is set to be complete in 2022.

According to court documents, Glen Waldman of Waldman Barnett represented the plaintiff TPC Overtown Block 45. He did not respond to a request for comment by the deadline.