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Cowboys winning in suite suits

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Cowboys Stadium LP has settled more than half of \$130 million in lawsuits it filed in the past two years for nonpayment of luxury suite leases, an official said.

The settlements have allowed the stadium to put valuable suites back on the market and, in many cases, move nonpaying leasees to other seats in the stadium.

"We've had real good luck in getting the lawsuits settled," said Levi McCathern, of McCathern Mooty LLP, the attorney representing the Arlington-based limited partnership. "There are a lot of people in a different financial situation than they have in the contract. We've been able to put them elsewhere in the stadium and they are still spending with the Cowboys. We did not want to burn bridges with our fans."

The 18 lawsuits totaled nearly \$130 million in 20-year contracts ranging from \$3 million to \$42 million each. Stadium officials did not release the amount recovered from the 11 settled lawsuits.

The largest suit was filed against the Dallas Center for Cosmetic Dentistry for \$42 million in a 20-year, six-suite contract. Cowboys Stadium settled with the individual registered on the contract, Dr. **James Addison**, for \$6 million, according to court documents. Addison did not return calls seeking comment.

"The recession caused a lot of this," McCathern said. "If you look at who the defaulters are, their industries were hammered by the economic downturn, such as homebuilders and developers."

Cowboys Stadium also has won a default judgment for \$3 million against The Colony-based Just Da Boyz Inc. and \$6 million against **Larry Davis**, a general manager of a Lake Worth logging company, according to court documents. Both judgments equaled the amounts the stadium was seeking and included interest and attorney's fees, according to documents. Attempts to reach Davis and the principal of Just Da Boyz for comment were unsuccessful.

Cowboys Stadium will likely continue to file suits against fans in breach of suite lease contracts, if needed, McCathern said.

Brett Daniels, spokesman for the [Dallas Cowboys](#), said filing the lawsuits is a business decision the stadium reluctantly made.

"We had a contract with these various companies to secure a suite and we set that suite aside and took it out of our inventory," Daniels said. "When they chose not to pay and were in breach of the contract, it cost our ability to sell the asset prior to the season."

The lawsuits involve a small fraction of the 300 suites at Cowboys Stadium and won't have a significant impact on the business, he said.

Once the lawsuits are settled, the suites fall back into the available inventory at the stadium, Daniels said.

About 90 percent to 95 percent of the stadium's suites are leased for nearly two decades, he said.

Nationally, more people are attempting to break luxury suite leases, said **Bill Dorsey**, chairman of the Association of Luxury Suite Directors.

"The percentages have gone up over the last few years and this isn't unusual. It's happening everywhere," Dorsey said.

Cowboys Stadium has twice the number of suites compared with other stadiums and prices its suites higher, reflecting the team's status, he said.

"Dallas, in football, is pinnacle," he said. "There are slightly different rules that apply."

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