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Jury awards Palm Beach construction magnate, wife \$79K of \$12M sought for disputed mansion repairs

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WEST PALM BEACH –

After spending \$45.5 million on a Mediterranean-style villa overlooking the Atlantic Ocean in Palm Beach, heavy construction magnate Leo Vecellio and his wife, Kathryn, were understandably upset that their dream house made them sick.

In a legal battle that played out for two months in Palm Beach County Circuit Court, they and their legal team tried to persuade a jury that builder Danny Swanson and a host of construction companies should reimburse them for the \$11.9 million they spent removing mold and preventing it from coming back. Further, they argued, the companies should cover the \$1.6 million they spent on alternative housing while the massive repairs were underway.

Late Friday, after roughly eight hours of deliberation, the jury awarded the Vecellios just under \$79,000.

“They got zipped,” said attorney Daniel Levin, who represented Gulfstream Roofing in the marathon trial.

Leo Vecellio, head of The Vecellio Group, which includes road building giant Ranger Construction, acknowledged that the verdict was disappointing. But, he said, the legal fight is far from over.

Beginning Aug. 19, they will try to persuade Circuit Judge Gregory Keyser to make Addison Construction Corp., the company that built the house, and Dean and Laura DeSantis, whose corporation bankrolled the project, to pay for problems that erupted.

"It's something we're not exactly thrilled about," Vecellio said of the jury verdict. "But we have multiple parties we can recover from."

Because of the complex contract that accompanied the sale of 25,000-square-foot mansion and carriage house, the jury could only hear some of the Vecellios' claims. According to the contract, allegations against Addison and the DeSantis must be decided by a judge.

While Vecellio voiced confidence that Keyser's ruling would be far different than the jury's, Levin and attorney George Truitt, who also represented the roofer, disagreed.

"Do I think the judge is going to do something drastically different than the jury? No I don't," Truitt said. While Keyser could award more than \$79,000, Truitt predicted it would be far less than the nearly \$14 million the Vecellios are seeking.

During the trial, it became clear that the mold remediation project was really an expensive remodeling project to vastly upgrade the house, Levin said. For instance, the Vecellios spent \$1.2 million to replace 144 windows and doors with ones made of German mahogany, he said. The original doors and windows cost \$230,000.

Likewise, he said, the original roof cost \$250,000. The new one, made of imported Italian tiles, cost \$750,000, Levin said. "He wanted a house that was so airtight it could float in water," he said.

Vecellio countered that the jury found that Swanson should pay \$79,000 because the builder "knowingly made a false statement or intentional omission" about the house. That the jury found Swanson committed fraud and that he was an agent of Addison and the DeSantis will loom large in the upcoming weeklong trial before Keyser, he said.

He called Truitt's predictions about what Keyser will do "presumptuous."

"It's not over until after the judge makes a decision," he said.

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