

NFIB Files Brief in Support of a Vorys Client

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A small business owner turned to Vorys when the city of Westerville offered him only \$145,000 for part of his property they intended to use to install decorative fencing and extensive landscaping. Vorys lawyers Bruce Ingram, Joseph Miller and John Kuhl argued that eminent domain could not be used for these aesthetic enhancements and that the fence and landscaping the city planned to construct on the property would block visibility and restrict access, ultimately harming business. In May 2013, a jury found that the city must pay more than \$1.3 million for the property.

Westerville appealed the matter. In March 2014, the Vorys trial team filed a brief on the appeal arguing that Westerville wants to reverse the law of Ohio which has historically protected private property rights. Three major organizations devoted to the preservation of property rights have joined together to file an amicus brief with the court supporting the jury award to the property owner: the National Federation of Independent Businesses (NFIB), the Ohio Council of Retail Merchants and the Ohio Realtors' Association.

The NFIB issued a press release on their brief, which is available [here](#).