

Dismissal Obtained of Claims for Breach of Personal Guaranty and Promissory Estoppel Against Client for Over \$1.5 Million

We represented an individual who is a member and manager of a limited liability company that invests in real estate. Our client was sued by a lender for breach of a personal guaranty and promissory estoppel for over \$1.5 million as well as other claims for lesser amounts. The Superior Court granted our motion to dismiss the breach of personal guaranty claim because the alleged guaranty did not comply with the requirements of the statute of frauds, the pleadings and exhibits failed to demonstrate any agreement between the parties, and the pleadings and exhibits failed to show our client received any consideration. Additionally, the Court granted our motion to dismiss the promissory estoppel claim as time barred and unenforceable because Plaintiff's reliance on the alleged promise would not be reasonable under the circumstances.

For more information, please contact Richard Robbins, Alexa Ross, or Craig Kunkes.