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**REPRESENTATIVE CASES:**

- Mr. Krumeich represented a home owner in an arbitration against a construction manager for breach of contract and negligence before the American Arbitration Association. The arbitrator entered an award in favor of the owner of \$1,209,940 on July 11, 2014. No motion to modify or set aside the award was filed. An application to confirm the award is pending.
- Mr. Krumeich represented a builder in an arbitration concerning the construction of a new house in Greenwich tried in June, 2012. The owners commenced the proceeding before the American Arbitration Association alleging that the builder had breached his contract and owed them approximately \$228,000. Mr. Krumeich represented the Respondent, and counterclaimed for work for which the builder had not been compensated. The Arbitrator denied the owners' claim and awarded \$391,933.63 to our client.
- [Kelly v. Mita](#) is actually three separate cases that were consolidated and tried in July and September, 2012 before Judge Grant Miller of the Complex Litigation Docket of the Hartford Superior Court. The cases stemmed from a dispute between two partners who, along with a third partner, developed waterfront property in Groton. After the real estate market crashed in 2008, two of the partners engaged in a protracted dispute about whether the LLC holding the property should be dissolved and how profits and losses should be distributed. Mr. Krumeich as lead counsel represented a member of a limited liability company that was formed to develop real estate in Groton, Connecticut. The members had a falling out and Mr. Krumeich brought suit to enforce certain agreements and to dissolve the entities and also alleged violation of the Connecticut Unfair Trade Practices Act against one member of the LLC. Judge Miller rendered a decision in favor of our client finding breach of contract, breach of fiduciary duty, violation of CUTPA and dissolving the LLC and any partnership and set a hearing for award of damages, punitive damages and litigation expenses. The case settled shortly thereafter.
- In September 2012, Mr. Krumeich tried a probate appeal from the Fairfield Probate Court (Ganim, J.) before Judge Salvatore Agati of the Complex Litigation Docket of the Waterbury Superior Court. He represented his partner Donat C. Marchand, Esq., Administrator of the Estate of Albert A. Garafalo in a proceeding in which Mr. Garafalo's widow Althea Dinan, a former attorney, had challenged the Administrator's interim accounting. This appeal was consolidated for trial with two other probate appeals by Ms. Dinan. This probate proceeding has been hotly contested by

Ms. Dinan for many years and has been the subject of litigation at every level of the judicial system including at least one appeal to the Supreme Court, [Dinan v. Marchand](#), 279 Conn. 558 (2006). Judge Agati affirmed the decision of the Probate Court and approved the interim accounting in [Dinan v. Patten](#), 2013 WL 1493031 (March 20, 2013). Although the case is on appeal there was no appeal from the approval of the Marchand accounting.

- On October 23, 2012, the Appellate Court by Judge Joseph P. Flynn issued its opinion in [98 Lords Highway, LLC v. One Hundred Lords Highway, LLC, et al.](#), 138 Conn. App. 776, 54 A.3d 232 (2012). Mr. Krumeich had argued this appeal in February, 2012 from a decision by Judge Melville in a case he tried in 2010 in the Judicial District of Fairfield at Bridgeport, 2011 WL 925412 (2011). The Appellate Court affirmed the decision below quieting title in favor of our client to certain real property in Weston that had been claimed by a real estate developer. The Court also granted our cross-appeal and reversed the decision below which had denied Mr. his counterclaim for adverse possession of a portion of the developer's property.
- In November, 2012, Mr. Krumeich represented The Nature Conservancy of Connecticut, Inc. in the trial of [The Nature Conservancy of Connecticut, Inc. v. Three Feathers, et al.](#), a quiet title action against a real estate developer which claimed record title to a portion of the Devil's Den Nature Preserve in Weston. The case was tried before Judge David Tobin of the Stamford Superior Court. The same developer involved in the Lords Highway case had sought to take advantage of a scrivener's error in the description of the property in a 1931 deed to the Bridgeport Hydraulic Company, the Nature Conservancy's predecessor in title. Plaintiff asked to reform the deed to correct the property description or to find ownership by adverse possession. On April 3, 2012, Judge Tobin issued a decision finding for the Nature Conservancy on both grounds: reformation of the deed and adverse possession. This case is withdrawn.
- In [Fabri v. United Technologies International, Inc.](#), Mr. Krumeich was lead counsel in a case that was tried over five weeks before the Hon. Peter C. Dorsey, J. of the United States District Court for the District of Connecticut that resulted in a jury verdict in favor of our clients, who were sales representatives who had brokered the sale of a Black Hawk helicopter to the president of Argentina against United Technologies and Sikorsky under the Connecticut Unfair Trade Practices Act. Mr. Krumeich successfully argued the appeal before the United States Court of Appeals for the Second Circuit. See [Fabri v. United Technologies International, Inc.](#), 387 F.3d 109 (2d Cir. 2004). The case settled after remand.
- In [Western Dermatology v. Vitalworks et al.](#), Mr. Krumeich represented a medical records software company in a suit brought by a dermatology practice in Albuquerque, New Mexico alleging that it was sold defective software in a trial before the Hon. Mary E. Sommer in Danbury Superior Court. By unanimous opinion released on October 1, 2013, the Appellate Court reversed the judgment against our client and remanded the case with direction to render judgment for defendant on all counts. The opinion written

by Judge Joseph P. Flynn addressed important issues raised below relating to the disclaimer of warranties and limitation of remedies under the UCC and choice of law and the extra-territorial reach of the Connecticut Unfair Trade Practices Act. The Appellate Court reversed the trial court's decision and directed that judgment enter in favor of our client. [Western Dermatology Consultants P.C. v. Vitalworks](#), 146 Conn. App. 169, 78A 3d 167 (2013). This case is on appeal before the Connecticut Supreme Court.

- In [Metcoff v. Lebovics](#), Mr. Krumeich was sole counsel representing the officers and directors of a publicly held company alleged to have defrauded shareholders of a merged corporation. The Court, Hon. Barry J. Stevens of the Complex Litigation Docket, Judicial District of Waterbury, granted defendants' motions to strike the complaint which had alleged violation of the Connecticut Unfair Trade Practices Act and tortious interference and entered judgment. Mr. Krumeich successfully defended an appeal before the Appellate Court of Connecticut. See [Metcoff v. Lebovics](#), 123 Conn. App. 512, 2A.3d 942 (2010).
- In [Hardy v. Saliva Diagnostics](#), Mr. Krumeich was sole counsel in a case tried before the Hon. Holly Fitzsimmons, United Magistrate Judge for the District of Connecticut that resulted in a jury verdict in favor of our client, the former Chief Financial Officer of a medical technology company, for breach of an employment contract. See [Hardy v. Saliva Diagnostics, Inc.](#), 52 F.Supp. 2d 333 (D. Conn. 1999).
- In [Coastal Power International Ltd. v. Transcontinental Capital Corporation](#), Mr. Krumeich represented the seller of a company that owned a floating power plant in the Dominican Republic in a suit brought by the buyer for breach of warranty. Mr. Krumeich was sole counsel at the trial before the Hon. Lewis Kaplan, Judge of the United States District Court for the Southern District of New York that resulted in a decision by Judge Kaplan that the seller did not breach any contractual duty, although the other defendant was found liable with a substantial damage award. See [Coastal Power International Ltd. v. Transcontinental Capital Corporation](#), 10 F.Supp. 2d 345 (S.D.N.Y. 1998).
- In [Cavanaugh v. Newtown Bridle Lands Association](#), Inc., Mr. Krumeich represented a Toll Brothers entity as a land owner that had conveyed property subject to a horse trail easement that was challenged by a neighbor in a quiet title action. Mr. Krumeich was co-counsel at trial before the Hon. Arthur Hiller in Danbury Superior Court who quieted title in favor of our client's grantee. Mr. Krumeich successfully argued the appeal before the Supreme Court of Connecticut. See [Cavanaugh v. Newtown Bridle Lands Association, Inc.](#), 261 Conn. 464, 803 A.2d 305 (2002).
- In [Devengoechea v. Barnett](#), as sole counsel, Mr. Krumeich tried a case before T. F. Gilroy Daly of the United States Court for the District of Connecticut and recovered a jury verdict under the Connecticut Unfair Trade Practices Act against defendants who had defrauded our clients in a ponzi scheme which defrauded many members of the Fairfield Hunt Club.

Subsequently, Mr. Krumeich defeated defendant's efforts to discharge the debt in the Bankruptcy Court for the District of Connecticut. See [In Re Barnett](#), 115 B.R. 22 (B.Ct. Conn. 1990).

- In [Kim v. Magnotta](#), Mr. Krumeich was sole counsel in a trial before the Hon. Lawrence L. Hauser in Bridgeport Superior Court that resulted in a jury verdict in favor of our client who had been defrauded in connection with the purchase of a car wash in violation of the Connecticut Unfair Trade Practices Act. On appeal, Mr. Krumeich defended the award and obtained reversal of a prior Appellate Court decision which resulted in rescission of a stipulated judgment obtained by fraud. See [Kim v. Magnotta](#), 249 Conn. 94, 733 A.2d 809 (1999). This was one of four cases Mr. Krumeich brought on behalf of Korean immigrants defrauded in the purchase of Connecticut carwashes in the '90s. The other cases were settled before trial.
- In [Irianne Rodriguez v. Stamford Antique Center, Inc. et al.](#), Mr. Krumeich defended a case alleging wrongful termination against both the employer and its owners that resulted in a jury verdict for the defense in a case tried before the Hon. Alfred J. Jennings, Jr. in Bridgeport Superior Court. Plaintiff had been arrested and acquitted of theft of antiques and sued her employer and its owners for wrongful discharge, defamation, breach of privacy and various other tort theories. The verdict was never appealed.
- In [Estate of Lydia Williams](#), Mr. Krumeich represented the family of decedent in a Will contest in which William Soto, the decedent's handyman, challenged the admission of a Will into probate in favor of another Will which named him as primary beneficiary and executor. Judge Fox of the Stamford Probate Court admitted the Will into probate after an extensive hearing about undue influence and mental capacity. A civil case against Mr. Soto is pending.