

Shutts Attorneys Garner Win in “Dirty Stopper” Equestrian Case

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[Patricia A. Leonard](#), a partner in the West Palm Beach office of Shutts & Bowen, and associate Colleen Smeryage garnered a victory for their client Colin Syquia in a dispute over the sale of a competitive show jumping horse named Vorst.

Based upon the jury's verdict in favor of the Syquia on all counts, Judge Kenneth A. Marra of the U.S. District Court for the Southern District of Florida entered final judgment in favor of the defendants on Friday, August 18, 2017, after a two-week trial (Alejandro Zendejas vs. Eugenie H. Redman and Colin J. Syquia, Case 9:15-cv-81229-KAM).

The plaintiff had accused Vorst's owner, Eugenie Redman, and trainer, Colin Syquia, of misrepresenting the medical history and performance of the horse. Among other things, Zendejas alleged that he was sold what's known in equestrian circles as a “dirty stopper,” a term used to describe a horse that has a pattern of refusing to jump obstacles in competition for no good reason. The jury disagreed.

“This horse was not a ‘dirty stopper,’ and the jury found that there were no misrepresentations or omissions of material fact regarding Vorst's medical history or performance,” Leonard said.

The testimony in the case revealed that the buyer purchased Vorst for \$250,000, using his trusted buyer's agent, only after his son had test ridden the horse twice, after a veterinarian retained by the buyer provided Zendejas with the results of a pre-purchase examination, and after Zendejas declined to take Syquia up on his offer to speak with Vorst's veterinarian. It wasn't until after the purchase, when Vorst was injured in competition, that the plaintiff wanted to return the horse and have his money refunded.

The plaintiffs were seeking \$450,000 in damages as well as punitive damages.

“We are pleased that the jury considered all of the evidence and reached the right verdict,” said Smeryage.

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Professionals

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