

# BREACH OF COMMERCIAL LEASE

*Thomas Campaniello v. Guilty Pleasures SF LLC*

**Defense Verdict**



**LUKS, SANTANIELLO**  
**PETRILLO, COHEN & PETERFRIEND**

---

**Franklin H. Sato**

*Fort Lauderdale Senior Partner*

(954) 847-2942 | FSato@insurancedefense.net

**Vanesti E. Bennett**

*Fort Lauderdale Senior Associate*

(954) 847-2941 | VBennett@insurancedefense.net

*Following a 3-day trial in Broward County Circuit Court, the jury returned a defense verdict on December 3, 2021.*

Senior Partner, Franklin Sato, Esq., and Senior Associate, Vanesti Bennett, Esq., obtained a defense verdict in a breach of a commercial lease matter styled *Thomas Campaniello v. Guilty Pleasures SF LLC* in Broward County Circuit Court before the Honorable Keathan Frink.

This case stems from a breach of a commercial lease agreement between Mr. Campaniello, as Landlord, and Guilty Pleasures, as Tenant. Due to the Tenant's failure to make its monthly rent payments and failure to timely exercise its option to renew the lease under the lease terms, the Landlord filed suit against the Tenant. As a result of the lawsuit brought by the Landlord, the Tenant then countersued the Landlord alleging damages for its buildouts of approximately \$200,000.00, future loss of sales and its damaged inventory of approximately \$27,000.00 due to the heat in the building allegedly caused by the non-functioning air conditioning units.

Specifically, the Tenant brought four causes of action against the Landlord. A few weeks prior to the trial, as it relates to the Counterclaim, the Court granted summary judgment in favor of the Landlord on three out of the four counts that the Tenant brought against the Landlord, on the basis that the Tenant was not entitled to damages for its buildouts per the lease terms, there was no entitlement to future loss of sales as being too speculative and no basis for a declarative judgment. The trial, as to the Counterclaim, proceeded on the breach of lease count wherein the Tenant sought recovery for its alleged damaged inventory.













After less than an hour of deliberation, the jury rendered a verdict determining that the Tenant breached, there was no breach by the Landlord and awarded \$0 damages as to the alleged damaged inventory claimed in the Counterclaim. A proposal for settlement was previously served on behalf of the Landlord, as it relates to the Counterclaim, which was rejected by the Tenant. Consequently, the Landlord will move to recover its attorney's fees and cost on that basis and on the lease provisions.

***Our verdicts tell the story.***<sup>TM</sup> Luks, Santaniello, Petrillo, Cohen & Peterfriend is a Florida Corporate & Insurance Defense Litigation firm. The firm defends professionals, corporations and their insurance companies from both Liability and Workers' Compensation claims. From our eleven Florida offices in Key West, Miami, Fort Lauderdale, Boca Raton, Stuart, Fort Myers, Tampa, Orlando, Jacksonville, Tallahassee and Pensacola, the firm's 140+ attorneys deliver counsel and legal services in over 33 practice areas. The firm has several strategic and innovative practice areas including a dedicated Time and Policy Limit Demands and Tenders Practice Group and Surgical SIU | LOP Practice that handle a number of specialized issues. Members have tried over 200 cases in Florida State and Federal Courts.

Our mission is to provide our clients with legal services that help them manage risk and reduce exposure. Our goal is to ensure that our clients obtain equal justice in the courtroom. The Law Firm is Peer Review Rated by Martindale-Hubbell and is a member of [The Gavel.net LLC.](#), Nationwide Claims Defense Network. The firm's Partners are members of the National Retail and Restaurant Defense Association (NRRDA), the Trucking Industry Defense Association (TIDA), the Florida Defense Lawyers Association (FDLA), the Defense Research Institute (DRI) and the Claims and Litigation Management Alliance (CLM).

Managing Partner Dan Santaniello, Esq., and Tampa Partner Anthony Petrillo, Esq., are **Florida Bar Board Certified Civil Trial Experts**. Construction Law Partners Christopher Burrows, Esq., Patrick Hinchey, Esq., and Valerie Edwards, Esq., are **Florida Bar Board Certified Construction Law Experts**. The firm has a full service Appellate team in South, Central and Northern Florida to assist with summary judgments, motions in limine, discovery objectives, trial strategy and post-trial positions.

The Daily Business Review selected Luks & Santaniello as finalists for the Most Effective Lawyers for its innovation in filing a Declaratory Judgment Action in a multiple Wrongful Death claim. These times present extraordinary challenges to businesses and their insurers. ***Let us help even the playing field. [View Contact Directory now.](#)***

OFFICE LOCATIONS			
<p><b>MIAMI OFFICE</b> 150 West Flagler St. - STE 2600 Miami, FL 33130  (954) 847-2909</p>	<p><b>STUART OFFICE</b> 729 SW Federal Highway - STE 222 Stuart, FL 34994  (772) 678-6080</p>	<p><b>ORLANDO OFFICE</b> 255 S. Orange Ave - STE 750 Orlando, FL 32801  (407) 540-9170</p>	<p><b>PENSACOLA OFFICE</b> 3 W. Garden St. - STE 416 Pensacola, FL 32502  (850) 361-1515</p>
<p><b>FT. LAUDERDALE OFFICE</b> 110 SE 6th St. - 20th Floor Fort Lauderdale, FL 33301  (954) 761-9900</p>	<p><b>FT. MYERS OFFICE</b> 1422 Hendry St. - 3rd Floor Fort Myers, FL 33901  (239) 561-2828</p>	<p><b>JACKSONVILLE OFFICE</b> 301 West Bay St. - STE 1010 Jacksonville, FL 32202  (904) 791-9191</p>	<p><b>SUNRISE - ACCOUNTING OFFICE</b> 1000 Sawgrass Corporate Parkway - STE 125 Sunrise, FL 33323  (954) 761-9900</p>
<p><b>BOCA RATON OFFICE</b> 301 Yamato Rd. - STE 4150 Boca Raton, FL 33431  (561) 893-9088</p>	<p><b>TAMPA OFFICE</b> 100 North Tampa St. - STE 2120 Tampa, FL 33602  (813) 226-0081</p>	<p><b>TALLAHASSEE OFFICE</b> 6265 Old Water Oak Rd. Tallahassee, FL 32308  (850) 385-9901</p>	<p><b>KEY WEST OFFICE</b> 1101 Simonton St. - 1st Floor Key West, FL 33040  (305) 741-7735</p>