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BRIEFLY

Jury verdict awards \$5.2 million

A Carson City jury entered a combined verdict Wednesday of \$5,188,489 against defendants Tim Bertagnolli and T. E. Bertagnolli & Associates Inc.

The case arose from Tim Bertagnolli's allegedly fraudulent sale of worthless water rights to Jack White and D & D Tire, Inc./Retiremen LLC in 2004, during the Dayton land boom, according to J. D. Sullivan of Sullivan Law in Minden.

Tim Bertagnolli and Bertagnolli Aggregates operate a gravel pit in Brunswick Canyon, along the Carson River, and were allegedly engaged in sales and attempted sales of the gravel pit water rights from 2004-2008.

The water rights were intended to be used for White's 211-unit Heritage Ranch residential development in Dayton, approved by Lyon County in 2006, and for D & D's new tire store property nearby, set to open in Dayton later this year.

The plaintiffs contended that Tim Bertagnolli had misrepresented his Bertagnolli Aggregates gravel pit water rights as being permanent water rights, good for land development in Dayton, but that the water rights were in fact temporary water rights, which were worthless and could not be used for the intended developments.

The jury entered findings of fraud, negligent misrepresentation and breach of contract against Tim Bertagnolli and T. E. Bertagnolli & Associates Inc., but did not award any punitive damages.

The Bertagnolli defendants were represented by Carson City attorney, Day Williams. Plaintiffs were represented by Sullivan Law of Minden, Nevada, with the

Honorable James Wilson presiding.