

October 30, 2023

# Traub Lieberman Partner Michael K. Kiernan and Associate Brandon Christian Obtain Dismissal with Prejudice in Favor of Defendant

Related Attorneys: Michael K. Kiernan, Brandon Christian

In a 14-count breach of contract action brought in the Fifteenth Judicial Circuit in Palm Beach County, Florida, Partner Michael K. Kiernan and Associate Brandon Christian obtained dismissal with prejudice in favor of Defendant St. Joseph's Episcopal Church of Boynton Beach, Florida ("Church").

Plaintiffs, St. Joseph's Episcopal School ("School") and its benefactor, William Swaney, filed suit to enforce an alleged 99-year oral lease agreement which Swaney asserted had been made to him by a prior rector of the Church in exchange for his contributions to the School. Plaintiffs also sought emergency injunctive relief to allow the School to continue to operate on Church property. The Church maintained in part that the only lease in effect was a written lease, approved by the Church Vestry and the Diocese of Southeast Florida, and which the Church Vestry unanimously voted not to renew in 2022.

Traub Lieberman first successfully responded to Plaintiffs' request for injunctive relief, arguing that Plaintiffs were not entitled to a temporary injunction because they were not likely to prevail on the merits of their claims to enforce an alleged 99-year oral lease. Traub Lieberman then moved to dismiss Plaintiffs' Complaint, arguing that the ecclesiastical abstention doctrine barred the trial court from exercising jurisdiction over Plaintiffs' claims. The doctrine, recognized by state and federal courts as a component of the First Amendment, bars secular courts from becoming entangled in controversies that are essentially religious in nature. In moving to dismiss, Traub Lieberman asserted that deciding the validity of the alleged oral lease would require the trial court to interpret and apply Canon Law of the Episcopal Church as it applies to matters of Church administration and governance. The trial court agreed, concluding that the validity of the alleged oral lease depended upon the application of Canon law. The trial court determined that it lacked subject matter jurisdiction over any of the claims contained in Plaintiffs' Complaint and dismissed the action with prejudice.