

Couple Slams 'Ping-Pong' Brief In Conn. Waterfront Feud

By **Isaac Monterose**

Law360 (May 8, 2025, 8:21 PM EDT) -- A married Bridgeport, Connecticut, couple are urging a state court to strike a post-trial reply brief that was filed by companies that the couple are suing over local waterfront access, arguing that counsel for both sides previously agreed to only make one set of post-trial filings simultaneously.

According to the **strike motion** filed on Wednesday by Davidson D. Williams and Barbara R. Williams, the Williamses' counsel and counsel for married couple Edward and Amy Stern and their companies made the agreement in January after a three-day trial for the suit.

At the time, the presiding judge said counsel should file simultaneous post-trial briefs because the judge didn't want the post-trial period to become "a ping-pong match," the Williamses asserted in the motion.

Counsel for both sides made their simultaneous filings in April, but counsel for the Sterns filed a **post-trial reply brief** on Tuesday.

"Plaintiffs believe that reply briefs were not to be exchanged, nor are they permitted nor does the court deem them necessary," the Williamses' motion to strike states. "Accordingly, plaintiffs would request that defendants' reply brief and exhibits be stricken or that the court not consider them."

Also, according to the couple, the brief is time-barred under state law since it was filed 15 days after the couple's counsel filed their post-trial brief.

If the court decides to accept the Sterns' post-trial reply brief, then the Williamses want the court to give them 21 days to file a response.

"Defendants' filing came out of the blue," the couple claimed. "Plaintiffs counsel is involved in a federal case in the District of Connecticut where we have potentially 15 depositions to complete in [the] next few weeks and a summary judgment motion to file by May 30, 2025."

"As [the] defendants' filing was unexpected, we will need to find an open time period for the research and drafting," they also claimed.

In their post-trial reply brief, the Sterns and their companies, Green Power Ventures LLC and 141 Anchorage LLC, argued that the Williamses failed to back up their claims alleging that the defendants' construction activity at 141 and 145 Anchorage Drive blocked access to a local waterfront.

The defendants pointed out that the state appellate court didn't find that the defendants' construction activity maliciously and deliberately stopped the Williamses from going to the waterfront. The appellate court also rejected the Williamses' argument that the construction altered the dimension easement, the defendants claimed.

Additionally, the defendants argued that there isn't any case law that supports the Williamses' argument that the defendants needed their permission as the owners of a relevant easement for how construction would progress.

"Contrary to plaintiffs' assertion, defendants are unaware of any Connecticut case law, nor have

plaintiffs cited to any, that holds that the owners of a servient estate are required to obtain easement holders' permission — much less their input or suggestions — before installing a gate or a fence or making material changes if those material changes do not unreasonably interfere with the easement holders' rights," the defendants reply brief states.

"Simply put, defendants are permitted to do anything as the fee simple owners of 145 Anchorage which does not unreasonably interfere with the use of the right-of-way," the defendants added.

The defendants also argued, in part, that the Williamses shouldn't be awarded attorney fees since the couple's bid for attorney fees wasn't backed with evidence, such as legal services invoices.

The Williamses began their suit in August 2021, and litigation eventually reached a state appellate court, which **ruled** in September 2023 that the couple should have a new trial for their claims.

In August 2024, both sides **sparred** over allowing the court to examine the relevant properties in the suit.

Neither counsel for the Williamses nor counsel for the Sterns responded to requests for comment Thursday.

The Williamses are represented by Eric Grayson of Grayson & Associates PC.

The Sterns and their companies are represented by Colin B. Connor and Amanda T. Heffernan of Russo & Rizio LLC.

The case is Williams, Davidson et al. v. Green Power Ventures LLC et al., case number FBT-CV21-6109667-S, in the Bridgeport Judicial District of the Connecticut Superior Court.

--Editing by Amy French.