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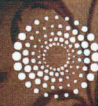
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## EMINENTLY QUALIFIED

**PRINEET SHARMA MAKES SURE LAND-TAKINGS ARE FAIR TO ALL** BY ADRIENNE SCHOFHAUSER



Prineet D. Sharma had just closed dozens of cases against Florida Gas Transmission Co. on behalf of property owners whose land was taken for a \$2.5 billion pipeline expansion. When the gas company officials needed new counsel, they thought of the man they had eyed across the table—and asked him to go to work for them.

"I took it as a huge compliment," says Sharma, 39. He agreed to serve as their property rights counsel and complete the legal work on the project. "I guess [they asked me] because I had just completed 40 cases against them, and I'd done so, I think, with a level of professionalism and competency and, frankly, civility."

And perhaps because Sharma has a record of making both sides of the eminent domain process—the authority taking the land and the property owner—feel respected. In the last seven years, he's amassed more than \$100 million in compensation for clients whose property was acquired for public infrastructure.

"Whatever side I'm on, the objective is the same," Sharma says. That would be to determine the fair market value of the property.

"The taking authority has an obligation to the public to provide these types of services for the greater good," says Sharma, a founding partner of Harris Harris Bauerle Sharma, an Orlando eminent domain firm. "But that should not be done at the sole expense of any individual owner."

He notes that the Fifth Amendment guarantees both the government's right to take the property for public use and the property owner's right to fair compensation. "There's something about

that constitutional right that I've always been attracted to," he says. "Whether you're an owner or you're representing a taking authority, this is something that makes society work."

The additional pipeline, finished in spring, delivers enough natural gas to power 1 million new homes per day and is intended to serve Florida's energy needs for 50 years or more. But Sharma's more typical role is representing the other side—the landowners—in the often frustrating process.

"Property is very personal," he says. "A lot of times that property has been owned by those family members for a long time, or represents security for the future."

Before he calls in the appraisers, land planners or engineers who will help calculate that fair market price, Sharma gets a personal feel for what the owner feels is the value of the property: "In the case of an orange grove, walk the orange grove. If it's in a case of a development or a manufacturing facility, spend as much time as I need to be prepared in the case, and for that owner to feel that I've made an investment as if it were my own property." His rule is to give the same attention to his \$200 cases as to those worth \$20 million.

One such multimillion-dollar case brought back memories of his childhood in Orlando. "I grew up [watching] the Gustafson milk commercials," he says of the Florida dairy farm. "A year and a half ago, I had the opportunity to represent the Gustafson family." A state natural gas company took a 50-foot easement for a pipeline, bisecting their property. Sharma worked with the current generation of Gustafsons. "The case was fascinating because we would sit in his off-road vehicle and he would take me to 10,000 acres of old-country Florida. To just hear the stories of the milk company and what it was like when his parents originally got the property in the Great Depression—that type of stuff is just fun for me," Sharma says.

Yet, he never intended to do eminent domain. Reading *To Kill a Mockingbird* in

seventh grade inspired Sharma to become a lawyer. After law school, he served as an assistant county attorney in Hillsboro and loved it. "As a young lawyer, I was able to learn the important work a local government does," he says. Soon that experience paid off in a way he wasn't expecting. A friend coaxed Sharma into joining his firm and introduced him to the world of eminent domain. "Sometimes life finds a way of giving you opportunities," he says, "and you hit traction when all the pieces match up. ... The legal work is the legal work, and I appreciate it; we all have jobs to do. But that relationship with the client, that's something that I enjoy."

In 2005, a huge, controversial U.S. Supreme Court decision, *Kelo v. City of New London*, against owners whose property was taken for a private redevelopment plan, threw into question the definition of "public use." The court determined that the project's promised 3,000 jobs and \$1.2 million in tax revenues were enough to prove that the property had been taken for "public use." Sharma says the ruling led to a backlash from property owners, who pressured state and local lawmakers for legislation to prevent land from being taken purely for economic benefit. "While *Kelo* put a focus on limiting [through local laws] government's power to condemn property, it has not a wide-ranging effect on eminent domain because, by and large, the government appropriately takes property [for public benefit]," Sharma says.

Still, in Florida, land is sacred. Sharma knows that if a client does feel trampled on by the system, the argument can be taken to his client's peers. "The only time you're entitled to a 12-person jury in Florida," he notes, "is when they're taking your life in a capital murder case, or they're taking your property in an eminent domain case." ■