

Court affirms judgement for Fashion Blacksmith

October 6, 2023



Del Norte Superior Court Judge Robert Cochran stated he will confirm court approval of the Fashion Blacksmith arbitration award against the Crescent City Harbor District.

The legal maneuvering by Harbor counsel Best, Best and Krieger delayed the confirmation by one week when the Harbor sought injunctive relief related to additional damages Fashion is seeking. The Harbor has lapsed on the first of two arbitration deadlines: Major repairs including roofing and siding of the harbor-owned Fashion building by September 30, and the dredging of the inner Harbor adjacent to the Fashion pier by October 31 were mandated by the arbiter. Defense counsel asked if Fashion Blacksmith intended to remain a tenant in the Harbor.

According to the arbitration panel, the CCHD failure to dredge and remove years-old sand and other natural accumulations has prevented the functioning of the syncrolift, the key and indispensable elevator which facilitates the lifting and launching of vessels prior to and after vessel repairs have been completed.

Harbor counsel argued unsuccessfully for injunctive relief, attempting to persuade Cochran to reconsider signing the arbitration award for almost \$2 million. Judge Cochran stated he intends to sign off on the arbitrators' decision when both parties meet again.

Fashion counsel George Mavris objected to what he termed "gamesmanship." Mavris lamented, "The Harbor has already killed Fashion Blacksmith. Fashion will be unable to continue in business. By failing to make

long overdue repairs and failure to dredge the inner harbor since 2015, Fashion Blacksmith will be forced to close its doors by year's end."

The Harbor attempted to extend the delay until mid-October, unsuccessfully.

Judge Cochran made clear the court will rule only on whether the award will be paid in full or allow the CCHD to pay the judgment over a ten year installment plan.

Seven percent interest has already commenced following the September 30 deadline for the building repair.

At the most recent CCHD meeting, and upon exiting closed session, the CCHD failed to disclose to the public its decision to decline both deadline items: repairs to the building and dredging.

The Harbor sent a letter to Fashion owner, Ted Long, saying it will not be able to dredge the inner Harbor by the October 31 deadline and posed the question about Fashion's continued tenancy.