

Trial Spotlight: Federal Court Grants Summary Judgement Win for Wisconsin Waterpark in \$20 Million Condo Owner Class Action

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A Hinshaw legal team in Milwaukee secured a significant summary judgment victory on behalf of client Chula Vista Inc. in a class action lawsuit filed in Wisconsin federal court. At issue were claims by condominium owners alleging that the waterpark's collection of club fees violated their property rights. The suit sought \$20 million in damages, with potential exposure under Wisconsin law at \$60 million. Hinshaw partner David Hanus represented Chula Vista in the case, with assistance from partner April Toy.

The court agreed that the named plaintiffs lacked standing to sue, as they did not personally own a condo unit at the resort. It also ruled there was no evidence the waterpark had withheld any property in which plaintiffs had a possessory interest. In addition, the court dismissed all claims filed against the resort Chairman and CEO. As stated by the court: "to obtain relief in court, a party must have standing to pursue a claim, the defendant must be plausibly liable, and the perceived wrong must be presented in terms of a cognizable claim for relief." Chula Vista successfully argued in its summary judgment motion that the plaintiffs' lawsuit failed to satisfy any of these elements.

[Read the full opinion and order](#)

The case is *Sartin et al. v. Chula Vista Inc. et al.*, case number 2:18-cv-01890, in the U.S. District Court for the Eastern District of Wisconsin.

Media coverage

["Wis. Resort & Waterpark Co. Beats Condo Owners' Rent Suit,"](#) *Law360*, February 25, 2022 (*subscription required*)

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