



Waterford's Brace sued by lawyer for \$500,000

By **Jim Martin**

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Robert Brace, talking about his lawyer: "He didn't do anything. That's why I had to fire him."

For more than 30 years, Waterford farmer Robert Brace has been battling the federal government in a case that's drawn national attention to the issue of property owners' rights.

Now, Brace is facing another legal battle – this time with a New York City lawyer who represented him in the most recent legal battle with the government.

It was a case that 80-year-old Brace, owner of one of Erie County's largest farms, lost in U.S. District Court.

Regardless of the outcome, the New York City-based Kogan Law Group, led by Lawrence Kogan, says Brace, his family and Robert Brace & Sons Inc. owe him more than \$500,000.

In a complaint filed Feb. 5 in the Southern District of New York, Kogan wrote: "At the defendant's request and insistence, the plaintiff also provided significant billing discounts and accommodations to the defendants"

Even with those discounts, he calculates Brace's unpaid bill at \$479,639.

The lawsuit also claims an additional \$72,000 for the services of a wetlands expert who testified on behalf of Brace.

Adding those together, Kogan seeks \$551,913, plus an additional \$2,803 for unpaid expenses.

Brace, who has been battling the federal government for 32 years, first reached out to Kogan in 2016 and hired him in 2017.

Kogan represented him in an \$8 million federal suit that Brace filed against the government. That case ended in August when U.S. District Judge Barbara J. Rothstein issued an order granting the U.S. government's motion for summary judgment, essentially dismissing the claim.

For years, Brace, whose case led to the formation of the Pennsylvania Landowners' Association, has expressed frustration with the government, explaining that he was working under government supervision through the U.S. Agricultural Stabilization and Conservation Service when he first got in trouble for cleaning out drainage ditches on his farm.

In 1996, testifying before the U.S. House Judiciary Committee, Brace said: "Little did I dream, nor have any reason to, that someday bureaucrats and appellate judges would declare my farm to be waters of the United States and my normal farming activity to be unlawful."

Brace had just as much passion when asked Friday about his lawyer's claims for payment.

"There is a lot going on here," Brace said. "He didn't do anything. That's why I had to fire him. I basically think he owes me. He didn't do what was right."

In an interview in August, Brace told the Erie Times-News that he had fired Kogan over disagreements about how the case should be handled.

"He was making a wetlands issue out of a normal farming issue," Brace said Friday. "I told him you're going down the wrong road. You can't win on that issue."

Brace, who said he has spent millions of dollars on his legal case over the years, said he did pay a substantial amount to Kogan.

“But he didn’t do what his client told him to do. That’s why I had to fire him.”

Jim Martin can be reached at 870-1668 or by email. Follow him on Twitter at www.twitter.com/ETNMartin.