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# They Were Friends Working To Transform Wynwood, Now They Face Each Other In Litigation

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Former friends working on a venture meant to transform Miami's Wynwood neighborhood, the largest landowner and one of the area's prominent real estate brokers are no longer on speaking terms, locked instead in a legal fight over a key parcel.

Moishe Mana, an Israeli entrepreneur with plans to turn 25 acres between Northwest Second Avenue and Northwest Sixth Avenue into an arts-focused complex, is suing Tony Cho, a broker whose Metro 1 Properties Inc. has arranged the bulk of Mana's Wynwood acquisitions since 2009.

In a lawsuit filed in February by Mana's Miami attorney, Bruce Fischman, he claimed Cho waited until there was only one key piece of land left to complete an assemblage both men had been working toward—and cut a deal for himself that left out Mana.

Mana, who splits his time between his New York business empire of moving, real estate and art firms and the Miami project, is suing Cho and associate Scott Alan Silver for the alleged lost business opportunity. In an interview with the Daily Business Review, the landlord said he's not stopping at just suing Cho and won't rest until he sees the broker stripped of his professional license by the Florida Real Estate Commission.

"I told Tony, 'I met you on the way up, now I'm meeting you on the way down,'" Mana told the DBR.

Cho, whose Metro 1 signs advertising exclusive leasing opportunities are ubiquitous in Miami's urban core, is keenly aware of the target on his back and has countersued Mana in a case filed by Bruce A. Weil of Boies, Schiller & Flexner in Miami. The suit claims the landlord is looking to slander him with a baseless lawsuit to destroy his business and steal his top agents.

"What's happening is a personal vendetta because he now sees me as competition," Cho told the DBR. "A lot of people just don't want to see you succeed."

## Lucky Star And Rabbi

The bitter legal fight is a sharp turn of events for two men who until recently had a tight professional and personal relationship. No one disputes Cho introduced Mana to the potential windfall that could come from buying up a large assemblage in Wynwood and working to potentially develop the site.

Mana said Cho was his "lucky star" in coming to the neighborhood and the "rabbi" of Wynwood real estate, while Cho said, "I introduced [Mana] to the golden goose opportunity."

Both men agree their working relationship started going south over differences in Cho's role as Mana's Wynwood venture moved forward. Cho said he asked Mana allow him an equity stake in the assemblage and also suggested Mana employ Metro 1 as a leasing agent for the newly acquired properties. Cho said he saw those entreaties as a way to further strengthen his bond to the venture.

Mana said he perceived those requests as distasteful begging, a sign that Cho was getting too big for his britches.

"I told Tony I didn't need a partner," Mana said. "I told him I needed a broker, and that I didn't think he had anything to offer me in this project."

## 'Too Small For Me'

That's where Mana and Cho diverge in the retelling of the story.

Mana's side is clear from the lawsuit he filed against Cho and Silver, a Palmetto Bay attorney who worked with the men on the assemblage.

Mana claims he repeatedly asked Cho and Silver from 2010 to 2014 to work four vacant lots southwest of Northwest Second Avenue and 23rd Street into the assemblage. The land is owned by Miami-Dade County and was set aside in 2008 to build a community center in partnership with the South Florida Puerto Rican Chamber of Commerce Inc. Mana's suit claims he repeatedly asked about the lots but "was always told that nothing is happening with the properties."

As the assemblage was nearly complete, Mana said Silver and Cho went behind his back and negotiated a development agreement for the county lots. When Mana found out, he confronted Cho.

"He told me, 'I'm sorry. I want to be a developer,'" Mana told the DBR. "He said it would end up benefiting me."

Cho said Mana is distorting the truth. The broker claims the landlord decided not to pursue the county land in the assemblage and became interested only after he heard something else would be developed there.

"He said to me, with witnesses, 'I don't need [the county] site. I'm not going to develop it. Forget it,'" Cho said. He claims only then did Silver approach the Puerto Rican Chamber to work on an independent deal.

"When Moishe found out about it, he was incensed. Incensed," Cho said. "He told me he was going to bury me." Cho claims he went to Silver to see if there was any way to cut Mana in on the development plan but also made it clear to Mana that "I don't control it, and I don't own it, so I can't give it to you." That last comment only made the landlord angrier, Cho said.

The situation got more uncomfortable after Mana kept pursuing Cho on the matter. Before filing the lawsuit, Mana said he approached Cho with some stern words, but also sought to give him some benign—even fatherly—advice.

"I wrote him a few letters telling him it was wrong and that the honest way is the surest way," Mana said.

Cho interpreted the communication as a veiled threat.

"He said he was going to teach me a lesson," Cho said. "I didn't know if teaching me a lesson meant he was going to physically harm me, but my wife got scared and we started looking at maybe getting private security."

Mana, who is several inches shorter than Cho, said, "He's too small for me that I would get my hands dirty."

## Inside Information

Regardless of where the lawsuit ends up, the rift between Cho and Mana is significant for a Miami submarket where real estate professionals have presented a united front in helping shape the area's future.

Cho said the situation is "very detrimental, very uncomfortable and very unsettling" to both his business and the wider vision for Wynwood. Cho, a founding member of the neighborhood's business improvement district, has been working closely with others to improve public services and help devise special rezoning in the district. But the lawsuit has fractured the neighborhood's close-knit real estate community.

"Everybody on the BID supports my company and what I do and knows how much I've given to this community and what kind of driving force and visionary I am," Cho said. "But I don't have the kind of money Moishe Mana has, so obviously there's allegiances based on money."

Mana said Cho is nowhere near as popular with his peers as he pretends to be. He said Cho is basically unethical and that the real estate community will be better off without him. "How can you trust your broker if every time he does a deal for you, you have to worry that he's stealing?" Mana asked.

"This is not what you do as a broker. If you want to do development separately because there's conflict of interest, you open a different office and do that. But you can't take it from both ends if you have inside information on the deals. I see it as him dealing with inside information, since he knows what I'm assembling, and he knows what I'm doing."

## Grudge Match

The lawsuit is not the only legal trouble facing Cho. Another lawsuit filed by a client, 7205 Holdings LLC, claims Cho broke his fiduciary duty as a broker by undermarketing an exclusive listing and then taking advantage of the situation. The complaint filed by Eric Jacobs of Beloff | Parker | Jacobs in Miami Beach claims Cho hid the best offers on a warehouse complex at 7205 NE Fourth Ave. from his client.

Instead, Cho presented 7205 Holdings with an offer giving himself an ownership stake, the lawsuit reads. Once accepted, Cho immediately turned around and "flipped" part of his stake for a significantly higher price to a third-party investment group, the lawsuit claims.

Cho describes that legal action as sour grapes from a client with seller's remorse. He said the offer from the third party came together only after people heard he was taking a stake in the property with developer Avra Jain.

"When people saw that [Avra Jain and I] were involved, they wanted in," Cho said, "My deal got made only after I took the risk and put my balls on the line."

A third lawsuit filed by Gary Mansfield of Mansfield Bronstein in Hollywood claims Cho and Silver, acting as agents for the landlord of 3800 N. Miami Ave., grossly misrepresented the terms of a lease inked in late 2012 and then tried to fraudulently void the lease following a botched build-out of the Anima Domus Inc. store.

Yet while lawsuits are sometimes the price of doing business in a quick-moving market, the bitterness and personal backstory behind Mana's action has Cho particularly worried.

Mana is not known for letting grudges go. A June 2013 profile of the entrepreneur in Israel's Haaretz newspaper told a story of Mana being cheated out \$3,859 and "left with nothing" by his first business partner in a moving company. The article said 30 years after the event, Mana "can still rattle off in his sleep" the exact amount that was taken from him.

He sounds an equally unrelenting tone about his lawsuit against Cho, saying, "We will fight for this because as you know we're Israelis, and you know what we do best: we know how to fight."

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