



Media Summary from Polsinelli PC: Class Action Lawsuit Filing on 12/30/2020

On Dec. 30th, 2020, the Polsinelli law firm, along with co-counsel Cohen Milstein of Washington, D.C., filed a class action lawsuit in the United States Court of Federal Claims against the United States on behalf of over 60 plaintiff landowners from Kansas, Missouri, Nebraska and Iowa. The filing seeks just compensation from the Federal Government for the U.S. Army Corps of Engineers' violation of the takings clause of the Fifth Amendment that bars the Government from taking private property without compensation.

The class action filing follows the [Dec. 14th, 2020 decision](#) by the United States Court of Federal Claims in *Ideker Farms, Inc. et al. v. United States of America*, which found that a permanent flowage easement has been taken from landowners situated along the Missouri River for which compensation is owed. That decision remains subject to appeal.

The class of landowners are those along the geographical reach of the river from Burt County, Nebraska, on the north to Leavenworth County, Kansas, on the south, who flooded as a result of changes to river management under the Missouri River Recovery Program implemented by the U.S. Army Corps of Engineers beginning in 2004. The allegations in the class action are consistent with those in *Ideker*, which has been extensively litigated.

"This action follows the favorable rulings received in our related mass action case for the *Ideker* plaintiffs, and seeks to compensate others for the unconstitutional taking of their properties by flooding. Many along the river have been hurt and deserve to be compensated" said lead counsel R. Dan Boulware, with Polsinelli.

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More information on the *Ideker Farms, Inc. et al. v. United States of America* lawsuit can be found [here](#).

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