

MANDY ST. AMAND

Chef, former boss spar over contract: Someone may end up eating his words

Spending much of his life working in restaurants taught John Litwicki a few things. He knew that he would always work long hours, that he would rarely have weekends off and that the customer would always think he was right. He also knew, after 32 years, that some promises should be put in writing.

Earlier this year, Litwicki, 48, was working as the executive chef at a hotel in downtown St. Louis. Like many folks in the restaurant business, he was always looking for the next good opportunity.

That opportunity



came along in the person of businessman Steve Dubelbeis. He had bought the old building that once housed the Farmer's Inn restaurant between Millstadt and Columbia.

Dubelbeis had some past experience with restaurants and bars. He'd been involved in Bingham's and Mississippi Nights on Laclede's Landing in the 1970s and '80s.

Most recently, though, he'd been a real estate agent. When he saw the 110-year-old brick building along Illinois Route 158, he decided to try his hand at bringing back the restaurant.

To undertake such a task, he knew he would need someone with experience. He posted an ad on the Internet, and happened across Litwicki's own ad that described his experience.

The two men met to talk. When Litwicki told Dubelbeis he would need a salary of \$1,000 a week, Dubelbeis' interest waned. Too expensive, he told the chef, and he hired someone else.

A few weeks later, Litwicki said, he heard from Dubelbeis

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astamand@
post-dispatch.com
618-659-3634

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Foodies spar over contract

again. It was April, the owner was hoping to open in May, and he needed an executive chef. Dubelbeis told Litwicki he could meet his terms, if Litwicki could start immediately.

Litwicki wrote up a one-page contract that spelled out his salary, vacation and health insurance details. Dubelbeis added a few things, including that Litwicki must perform in a "professional, workmanlike manner."

Both men signed the contract, which is at the heart of the lawsuit Litwicki filed against Dubelbeis this month.

Litwicki said Dubelbeis also made him a verbal promise: If Litwicki lived up to his end of the contract, after a year he would get a 10 percent stake in Farmer's Inn. That incentive was what made Litwicki risk leaving a more secure and better-paying job.

Once the deal was done, Litwicki went to work. He said he drove to Millstadt from his home in south St. Louis County every day for 28 straight days. He wrote the menu, hired and trained staff and worked with contractors who were remodeling the building.

Farmer's Inn opened in late June. By all accounts, things went well. The dining rooms were full, and the parking lot overflowed.

Two weeks or so after the restaurant opened, Litwicki said, it closed for a day for staff training.

Dubelbeis sat down with Litwicki and told him he was fired. Litwicki said Dubelbeis told him he could hire someone else for less money.

When Litwicki reminded him of their contract, he said, Dubelbeis suggested where he could put that contract. It was not in a filing cabinet.

Within a month, Litwicki hired an attorney who sent Dubelbeis a letter demanding he honor the contract or face legal action. Litwicki got no response. His attorney, Ed Blake, filed a breach-of-contract lawsuit in St. Clair County.

Dubelbeis said Friday that he got the letter from Litwicki's attorney in August, but "I felt it was kind of frivolous." He said that he had not been served with the lawsuit and that until then, he would rather not talk about it.

It's not the first time Dubel-

beis has had legal trouble involving a restaurant.

In 1983, he was sued for non-payment of rent at Bingham's. The case was resolved after he paid more than \$2,300.

The new lawsuit involves quite a bit more money. Litwicki wants at least \$50,000 for the unpaid portion of his contract, legal fees and any other amounts considered "just and proper."

"I've never done this before, but I used my connections and my goodwill with people in the industry to help him get going," Litwicki said. "This was just the last straw."

Litwicki found another job. He's the dietary director of a nursing home in St. Louis County. That's a far cry from executive chef at a new restaurant that, someday, he might have partly owned.

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