

Tipp City restaurant lawsuit pits mother against son



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3:02 p.m Thursday, Feb. 16, 2017 Filed in [News](#)



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Nick Hoover, the chef-owner of Coldwater Cafe, is shown in 2013. File photo by Daniel Feldkamp/www.visualedgeimaging.com

A lawsuit filed today in Miami County Common Pleas Court pits a mother — who was founder of the [Coldwater Cafe](#) restaurant in Tipp City — against her son, who is the current owner of restaurant.

Betty Peachey, who the lawsuit says now lives in Rockport, Texas, claims in the lawsuit that her son, Nicholas Hoover, has reneged on an agreement to pay her \$40,000 per year for the rest of her life in exchange for full ownership of the restaurant that she founded in 1994.

The lawsuit names Hoover and the restaurant as defendants. Hoover this afternoon declined to comment on the lawsuit.

After Coldwater Cafe's launch 23 years ago, "as a result of Peachey's creativity, outgoing personality, dedication, and hard work, Coldwater became one of the most popular and successful restaurants in the Miami Valley," the lawsuit says.

Peachey originally hired her son to work in Coldwater Cafe's kitchen, then sent him to culinary school in California to groom him to take over as executive chef at the

restaurant, the lawsuit says.

By 2002, mother and son had entered into two written agreements — a buy-sell agreement followed by an option-to-purchase agreement — and over the next seven years, Hoover purchased half of Peachey's shares in Coldwater Cafe, although Peachey "did not sell any of her voting shares and maintained full and complete control" of the restaurant, the lawsuit says.

By 2011, Peachey was 61 and eyeing retirement. She agreed to transfer full ownership to Hoover in exchange for "Hoover's promise to pay Peachey a retirement of \$40,000 per year for the remainder of her life," the lawsuit says. Peachey maintained a presence in the restaurant, "greeting customers and helping decorate."

In March 2014, however, Hoover, "to the shock and dismay of Peachey, told his mother he no longer wanted her to be at the restaurant," the lawsuit says. But she continued receiving payments until August 2015, when Hoover informed his mother that he was stopping the payments.

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"Peachey would not have allowed Hoover to acquire ownership and control of Coldwater (Cafe) had she known he would break his promise to her," the lawsuit says.

Peachey seeks compensatory and punitive damages as well as court costs and attorneys' fees. The lawsuit was filed by Centerville attorney Craig T. Matthews.

Coldwater Cafe has been a popular full-service dining destination for several years. Just two weeks ago, the Tipp City restaurant was included in the online-reservations website OpenTable.com's 2017 list of the "100 Most Romantic Restaurants in America."

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