

KP LAW SUCCESSFULLY NEGOTIATES \$22.8 MILLION DOLLAR SETTLEMENT FOR TOWN OF PLYMOUTH IN SEWER CASE

KP Law, led by Attorney Richard Holland, and with assistance from Attorney David Doneski and other attorneys in the firm's contracts and litigation practice areas, successfully represented the Town of Plymouth in two lawsuits arising from the December 2015 and January 2016 collapse of the Town's 4.5 mile sewer force main after little more than 13.5 years in operation. The collapse of the force main resulted in significant damages to the Town, substantial risk of harm to public health and safety, and a lawsuit by the Commonwealth of Massachusetts for alleged violations of environmental laws and permits against the Town and Veolia Water, which operates and maintains the Town's sewer system under a long-term service contract.

Seeking to recover costs to repair the force main and other damages, the Town sued Veolia Water and a number of other parties, including CDM Smith, Inc. and Stantec Consulting Services, Inc., which had worked on the design of the force main. The Town asserted that the force main had collapsed from internal corrosion due to the presence of hydrogen sulfide, a condition which the Town alleged had been caused by Veolia Water's failure to maintain the force main and by defects in the design of the force main.

After years of extensive litigation among the parties, the lawsuit was settled shortly before trial for payment to the Town of \$22,825,000.00. The Commonwealth's lawsuit was resolved in 2018, with Veolia Water paying a civil penalty to the Commonwealth.

The firm congratulates the Town of Plymouth, and Attorney Richard Holland, on this hard fought, successful outcome!

Attorneys Richard Holland and David Doneski, along with Attorney Thomas McEnaney, represent many cities and towns in significant construction litigation. The firm's success in this important case highlights the value KP Law brings to our clients.

Please contact Attorney Richard Holland (rholland@k-plaw.com) at 617.556.0007 with any further questions concerning this case or the construction litigation generally.

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