Judge Luebbers Issues a "Watershed" Win for Cincinnati Waterworks

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Categories:

Experience

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On March 1, 2013, the Hamilton County Court of Common Pleas ruled in favor of Frost Brown Todd client Greater Cincinnati Waterworks (GCWW) in its dispute with the City of Harrison over water service rights in Northwest Hamilton County.

In denying Harrison's motion for summary judgment and granting GCWW's cross motion on all claims, Judge Luebbers found that GCWW and its contract partner Hamilton County had superior legal rights for water service over the disputed areas, that Harrison's action tortiously interfered with GCWW's contract rights, and that Harrison had waived any alleged legal right to serve the areas due to its decades of inaction while GCWW and Hamilton County built water mains to serve the disputed areas. Environmental attorneys Chris Habel and Steve Haughey represented GCWW with assistance from Thad Driscoll. Chris advises buyers, sellers, and lenders on environmental considerations in real estate and business transactions and divestitures. Steve represents governmental entities and industry in all aspects of water and wastewater regulation, planning, permitting and enforcement. Both represent local governments across Ohio, Kentucky and Indiana.

As a result of the decision, Harrison will be required to stop servicing customers in the disputed areas, pay all of GCWW's legal fees and costs, and pay GCWW its lost revenues.

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