



The Voice

And The Defense Wins

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[Marc Goldstein](#) and [Eric Klein](#), shareholders with **Beveridge & Diamond PC** in Boston and Washington, D.C., respectively, secured a no-liability verdict for their clients, Siemens Industry, Inc. and Allis-Chalmers Energy Inc., in a multiparty cost recovery case tried to a jury in the federal court of Boston, Massachusetts.

The plaintiff, corporate successor to L.E. Mason Company of Boston, alleged that L.E. Mason's industrial neighbors, including Allis-Chalmers and its alleged corporate successor, Siemens, had released PCBs into Mother Brook in Hyde Park, Boston as a result of historic industrial operations during the twentieth century.

The \$12.6 million case involved 18 parties occupying six different properties with operations dating to the 1930s, hotly contested theories of liability, and a retinue of testifying scientific experts. The defense argued that the PCB contamination was primarily attributable to L.E. Mason's own operations as a die-casting foundry using thousands of pounds of PCB oils every year. The jury trial commenced in November 2015, and after a six-week trial the jury returned a verdict finding that Siemens (and, accordingly, its predecessor Allis-Chalmers) had no liability for PCB contamination to the brook, and therefore no share in an equitable allocation for the costs of cleaning up the contamination.

The case is *Thomas & Betts Corp. v. New Albertson's Inc., et al.*, No. 10-cv-11947 (D. Mass.).

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