

BUSINESS CALENDAR HEARING DATE: TBD

STATE OF RHODE ISLAND
PROVIDENCE, SC

SUPERIOR COURT

STATE OF RHODE ISLAND, :
 :
 :
 Plaintiff, :
 :
 v. :
 :
 AECOM TECHNICAL SERVICES, INC., :
 AETNA BRIDGE COMPANY, ARIES :
 SUPPORT SERVICES, INC., :
 BARLETTA/AETNA 1-195 WASHINGTON: :
 BRIDGE NORTH PHASE 2 JV, COLLINS :
 ENGINEERS, INC., COMMONWEALTH :
 ENGINEERS & CONSULTANTS, INC., :
 JACOBS ENGINEERING GROUP, INC., :
 MICHAEL BAKER INTERNATIONAL :
 INC., PRIME AE GROUP, INC., STEERE :
 ENGINEERING, INC., TRANSYSTEMS :
 CORPORATION and VANASSE HANGEN :
 BRUSTLIN, INC., :
 :
 Defendants. :

CIVIL ACTION NO. PC-2024-04526

DEFENDANT, PRIME AE GROUP, INC.’S MOTION TO DISMISS PLAINTIFF’S COMPLAINT

NOW COMES the Defendant, Prime AE Group, Inc. (hereinafter referred to as “Prime”), and, pursuant to Rule 12(b)(6) of the Rhode Island Superior Court Rules of Civil Procedure, hereby moves to dismiss Counts II, XIX, and XX of the State of Rhode Island’s (“State”) Complaint as they pertain to Prime. In support of this Motion, Prime hereby incorporates by reference the arguments set forth in Defendant Aecom Technical Services, Inc.’s (“Aecom”) motion to dismiss as if fully set forth herein.

Specifically, Count II of the Plaintiff’s Complaint alleges negligence against Prime. As set forth more fully in Section III of Aecom’s memorandum of law in support of its motion to dismiss,

the Plaintiff's negligence claim against Prime is barred by the doctrine of economic loss. Further, with respect to the State's claims for declaratory relief against Prime contained in Counts XIX and XX of the Complaint, said claims are contingent, speculative, not ripe for adjudication, and otherwise fail to set forth a justiciable controversy. As further grounds, Prime incorporates by reference the arguments contained in Section V of Aecom's memorandum of law, as if set forth more fully herein.

WHEREFORE, for the reasons set forth in the motion to dismiss filed by Defendant Aecom Technical Services, Inc., Prime respectfully requests that Counts II, XIX, and XX of the Plaintiff's Complaint be dismissed and that the Court dismiss Prime from the State's action in its entirety.

Respectfully submitted,
Defendant, Prime AE Group, Inc.,
By Its Attorneys,

/s/ Samuel E. Cote
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DATED: October 31, 2024

CERTIFICATE OF SERVICE

I, Sameul E. Cote, hereby certify that the within document was filed through the Odyssey File & Serve and will be sent electronically to all registered participants as identified on the RI ECF filing system on October 31, 2024.

/s/ Samuel E. Cote