



# STATE OF RHODE ISLAND JUDICIARY

## SUPERIOR COURT

### OMNIBUS CALENDAR ASSIGNMENT FORM

<input type="checkbox"/> Providence/Bristol County	<input type="checkbox"/> Kent County	<input type="checkbox"/> Washington County	<input type="checkbox"/> Newport County
			CASE NUMBER
VS.			
<b>CALENDAR TYPE MUST BE SELECTED FOR SCHEDULING PURPOSES</b>			
<input type="checkbox"/> FORMAL SPECIAL CAUSE CALENDAR <input type="checkbox"/> BUSINESS CALENDAR <input type="checkbox"/> DISPOSITIVE MOTION CALENDAR			

FORMAL SPECIAL CAUSE AND BUSINESS CALENDAR	
<input type="checkbox"/> AGENCY APPEAL <input type="checkbox"/> ASSESSMENT OF DAMAGES <input type="checkbox"/> APPOINTMENT OF A SPECIAL MASTER <input type="checkbox"/> CONFIRM ARBITRATION <input type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> ENTRY OF JUDGMENT <input type="checkbox"/> EVIDENTIARY HEARING <input type="checkbox"/> FIRST AND FINAL REPORT <input type="checkbox"/> FORECLOSURE OF RIGHT OF REDEMPTION <input type="checkbox"/> FRIENDLY SUIT <input type="checkbox"/> APPOINTMENT OF PERMANENT RECEIVER <input type="checkbox"/> MOTION TO ATTACH <input type="checkbox"/> MOTION FOR ATTORNEYS FEES <input type="checkbox"/> MOTION TO COMPEL RECEIVER <input type="checkbox"/> MOTION TO DEFAULT <input type="checkbox"/> MOTION FOR ENTRY OF FINAL JUDGMENT <input type="checkbox"/> MECHANIC'S LIEN <input type="checkbox"/> MOTION FOR APPROVAL <input type="checkbox"/> MANDATORY INJUNCTION <input type="checkbox"/> MOTION TO ADJUDGE IN CONTEMPT <input type="checkbox"/> OTHER FORMAL MATTER (EXPLAIN) _____ _____ <input type="checkbox"/> OTHER BUSINESS MATTER (EXPLAIN) _____ _____	<input type="checkbox"/> MOTION FOR PROTECTIVE ORDER <input type="checkbox"/> MOTION TO RECONSIDER <input type="checkbox"/> ORAL PROOF OF CLAIM <input type="checkbox"/> PETITION TO ALLOW SECURED CLAIM <input type="checkbox"/> PETITION TO APPOINT TEMPORARY RECEIVER <input type="checkbox"/> PROOF OF CLAIM <input type="checkbox"/> PETITION TO ENFORCE <input type="checkbox"/> PETITION FOR INSTRUCTIONS <input type="checkbox"/> PRELIMINARY INJUNCTION <input type="checkbox"/> APPOINTMENT OF PERMANENT SPECIAL MASTER <input type="checkbox"/> PETITION TO RECLAIM <input type="checkbox"/> PARTITION PROCEEDINGS <input type="checkbox"/> PETITION TO SELL <input type="checkbox"/> RECEIVERSHIP PROCEEDINGS <input type="checkbox"/> SHOW CAUSE HEARING <input type="checkbox"/> SUPPLEMENTARY PROCEEDINGS <input type="checkbox"/> TITLE PROCEEDINGS <input type="checkbox"/> TEMPORARY RESTRAINING ORDER <input type="checkbox"/> TRUSTEE PROCEEDINGS <input type="checkbox"/> VACATE ARBITRATION <input type="checkbox"/> WRIT OF MANDAMUS <input type="checkbox"/> WRIT OF REPLEVIN

**If you require witnesses, state the estimated time frame of said hearing and attach a witness list and expected testimony to this form.**

DISPOSITIVE MOTION CALENDAR	
<input type="checkbox"/> MOTION TO DISMISS, UNDER RULE 12 <input type="checkbox"/> MOTION FOR ENTRY OF JUDGMENT ON PLEADINGS <input type="checkbox"/> OTHER DISPOSITIVE MOTION: (EXPLAIN) _____ _____	<input type="checkbox"/> MOTION FOR PARTIAL SUMMARY JUDGMENT <input type="checkbox"/> MOTION FOR SUMMARY JUDGMENT

<b>HEARING DATE:</b>	<b>APPROVED BY:</b>
<b>Failure to fill out this form properly may result in your hearing date not being approved.</b>	

Signature of Attorney or Self-represented Litigant /s/ _____	Address:
Rhode Island Bar Number:	Office Telephone Number:
	Date:

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

SUPERIOR COURT

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STATE OF RHODE ISLAND, )  
 )  
*Plaintiff,* )  
 )  
 v. )  
 )  
 AECOM TECHNICAL SERVICES, INC., )  
 AETNA BRIDGE COMPANY, )  
 ARIES SUPPORT SERVICES, INC., )  
 BARLETTA HEAVY DIVISION, INC. )  
 BARLETTA/AETNA I-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.* )

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C.A. NO. PC-2024-4526

**DEFENDANT JACOBS ENGINEERING GROUP, INC.’S  
MOTION TO DISMISS COLLINS ENGINEERS, INC.’s CROSS-CLAIM**

Pursuant to Rhode Island Superior Court Rule of Civil Procedure 12(b)(6), Jacobs Engineering Group, Inc. (“Jacobs”) moves to dismiss the cross-claim for apportionment, indemnity, and/or contribution asserted against it by Collins Engineers, Inc. (“Collins”). In support of this Motion, Jacobs incorporates by reference the arguments set forth in its pending Motion to Dismiss the claims brought against it by the State of Rhode Island (the “State”).

Collins’s cross-claim for apportionment, indemnity, and/or contribution is contingent on a finding that Jacobs is liable to the State. *See Wampanoag Grp., LLC v. Iacoi*, 68 A.3d 519, 522 (R.I. 2013) (holding that for a contribution claim joint tortfeasors must be “liable in tort to the

original plaintiff and their respective wrongful conduct caused the same injury to the original plaintiff”) (internal quotation marks omitted); *R & R Assocs. v. City of Providence Water Supply Bd.*, 724 A.2d 432, 434 (R.I. 1999) (holding that a party “seeking indemnity must be liable to a third party”). For all of the reasons discussed in Jacobs’s Motion to Dismiss the State’s claims, the State has failed to plausibly allege any claims against Jacobs. Thus, if the Court dismisses the State’s claims against Jacobs, the Court should also dismiss Collins’s cross-claim for apportionment, indemnity, and/or contribution against Jacobs.

For the foregoing reasons, and those provided in its October 31, 2024 Motion to Dismiss, Jacobs respectfully requests that the Court (1) grant this Motion; (2) dismiss Collins’s cross-claim for apportionment, indemnity, and/or contribution against Jacobs; and (3) grant any other relief as the Court deems just and necessary.

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Dated: November 20, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 20th day of November 2024, I filed and served this document through the electronic filing system on all registered users. The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's electronic filing system.

/s/ Michael R. Creta  
Michael R. Creta