

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

STATE OF RHODE ISLAND,

Plaintiff,

v.

C.A. No. PC-2024-04526

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.,
TRANSYSYSTEMS CORPORATION, and
VANASSE HANGEN BRUSTLIN, INC.,

Defendants.

ORDER

The Parties appeared before the Court-appointed Special Master, retired Associate Justice Netti C. Vogel, on August 11, 2026 for a hearing regarding (i) Defendant, AECOM's Technical Services, Inc.'s ("AECOM") Motion to Compel Plaintiff, the State of Rhode Island (the "State")¹, to Produce Electronically Stored Information created or Sent after its Self-Imposed April 10, 2024 Cutoff Date dated July 22, 2026; (ii) AECOM's Renewed Motion to Compel the State's Answers to AECOM's First Set of Interrogatories dated June 8, 2026; and (iii) the State's Motion to Compel AECOM's Answers to Interrogatories dated July 1, 2026.

¹ AECOM and the State are referred to as the "Parties" for purposes of this Order.

Filed in PSC Court
Date 8/24/26
Carin Miley Sr. Deputy Clerk

Upon consideration of the Parties' respective submissions and hearing argument from the respective counsel for AECOM and the State regarding the above Motions, it is hereby **ORDERED** as follows:

I. Defendant, AECOM's Technical Services, Inc.'s ("AECOM") Motion to Compel Plaintiff, the State of Rhode Island (the "State"), to Produce Electronically Stored Information created or Sent after its Self-Imposed April 10, 2024 Cutoff Date

AECOM seeks to compel the State to gather and produce Email Electronically Stored Information ("Email ESI") for the requested date range of "June 1, 2013 *to present*." The State does not oppose the proposed start date of the requested date range but opposes the requested end date of the "present." It is the State's position that it should not be compelled to collect and produce Email ESI from its email custodians for the period after April 10, 2024 because (i) that is the date on or about when the State retained outside counsel to represent it, and (ii) the State has already produced certain documents dated after April 10, 2024 relating to the demolition and replacement of the Washington Bridge.

Upon consideration of the Parties' written submission and hearing oral argument from both Parties, it is hereby Ordered that:

- a. The Special Master finds that Email ESI dated after April 10, 2024 is potentially relevant and discoverable in this litigation.
- b. The State shall expeditiously collect and produce Email ESI to Defendants for the requested date range of June 1, 2013 *to present*. Such production shall be subject to all previously agreed upon Email Custodians and Search Terms.
- c. In accordance with the ESI Protocol previously ordered by the Court, the State may withhold any privileged documents, but shall list all such withheld documents on a Privilege Log compliant with the ESI Protocol, to be promptly produced to AECOM contemporaneously with its production of documents pursuant this Order.

- d. The State shall report to the Special Master no later than September 2, 2026 regarding the volume and status of such collection and production, as well as a proposed deadline by which all such documents will be produced. The State shall not wait until September 2, 2026 to commence production of such documents, but shall begin such production expeditiously and without undue delay.

II. AECOM's Renewed Motion to Compel the State's Answers to AECOM's First Set of Interrogatories dated June 8, 2026

AECOM seeks to compel the State to answer the following parts of AECOM's First Set of Interrogatories: 2(c); 3(c) and 3(e); 4(c), (d) and (e); 6(a) and (c); 7(a), (c) and (d); 8(a); 9(b) and (d); 10(a) and (b); 11; 12; 13; 18; 19; 20; 21; 22; 23; 24; and 29. The State opposes the motion, asserting that its responses and supplemental responses satisfy the requirements of Rule 33 of the Superior Court Rules of Civil Procedure.

Upon consideration of the Parties' written submission and hearing oral argument from both Parties, it is hereby Ordered that:

- a. Interrogatory No. 2(c): The State is ordered to provide a supplemental response to Interrogatory 2, subpart (c), in narrative format no later than September 10, 2026.
- b. Interrogatory No. 3(c) and 3(e): The State is ordered to provide a supplemental response to Interrogatory 3, subparts (c) and (e), in narrative format no later than September 10, 2026. The State should avoid the use of "for example" or the like in its response. The State's response to subpart (e) should address both the 2014 and 2019 AECOM Contracts.
- c. Interrogatory No. 4(c), (d) and (e): The State is ordered to provide a supplemental response to Interrogatory 4, subparts (c), (d) and (e), in narrative format no later than September 10, 2026.

- d. Interrogatory No. 6(a) and (c): The State is ordered to provide a supplemental response to Interrogatory 6, subparts (a) and (c), in narrative format no later than September 10, 2026. Such answer shall include reference to all contracts not referenced in response to Interrogatory No. 1(a).
- e. Interrogatory Nos. 7(a), (c) and (d):
 - i. Interrogatory No.7, Subpart(a): In light of AECOM's agreement to accept the State's answer as written, the motion is denied as to this subpart.
 - ii. Interrogatory No. 7, Subpart (c): AECOM's motion is denied as to this subpart.
 - iii. Interrogatory No. 7, Subpart (d): The State is ordered to provide a supplemental response to Interrogatory 7, subpart (d), in narrative format no later than September 10, 2026.
- f. Interrogatory No. 8(a): AECOM's motion is denied as to this subpart.
- g. Interrogatory No. 9(b) and (d): The State is ordered to provide a supplemental response to Interrogatory 9, subparts (b) and (d), in narrative format no later than September 10, 2026.
- h. Interrogatory Nos. 10(a) and (b):
 - i. Interrogatory No. 10, subpart (a): AECOM's motion is denied as to this subpart.
 - ii. Interrogatory No. 10, subpart (b): The State is ordered to provide a supplemental response to Interrogatory 10, subpart (b), in narrative format no later than September 10, 2026.

- i. Interrogatory No. 11: The State is ordered to provide a supplemental response to Interrogatory 11 in narrative format no later than September 10, 2026. The State shall use the definition for “fiduciary duty” provided by the Rhode Island Supreme Court.
- j. Interrogatory No. 12: The State is ordered to provide a supplemental response to Interrogatory 12 in narrative format no later than September 10, 2026.
- k. Interrogatory No. 13: The State is ordered to provide a supplemental response to Interrogatory 13 in narrative format no later than September 10, 2026.
- l. Interrogatory No. 18: The State is ordered to provide a supplemental response to Interrogatory 18 in narrative format no later than September 10, 2026.
- m. Interrogatory No. 19: The State is ordered to provide a supplemental response to Interrogatory 19 in narrative format no later than September 10, 2026. In such response, the State shall provide facts to support the elements of the claim asserted.
- n. Interrogatory No. 20: The State is ordered to provide a supplemental response to Interrogatory 20 in narrative format no later than September 10, 2026.
- o. Interrogatory No. 21: In this interrogatory, AECOM seeks an itemization of the State’s damages and causation.
 - i. The State is ordered to provide a supplemental response to Interrogatory 21, subparts (a) through (i), no later than September 10, 2026.
 - ii. AECOM shall submit a brief no later than August 21, 2026 in support of its position that the information sought by Interrogatory 21, subpart (j), is discoverable under Rule 26(b)(1) and is not barred by the ruling in *Noonan v. Sambandam*, 296 A.3d 670 (R.I. 2023).

- p. Interrogatory No. 22: AECOM's motion is denied, as this interrogatory is more appropriately asked at deposition.
- q. Interrogatory No. 23: In light of AECOM's agreement to accept the State's answer as written, the motion is denied as to this interrogatory.
- r. Interrogatory No. 24: The State is ordered to provide a supplemental response to Interrogatory 24 in narrative format no later than September 10, 2026.
- s. Interrogatory No. 29: AECOM shall revise/clarify this interrogatory no later than August 21, 2026, which revision/clarification may include a separate interrogatory as to what "other work" the State has performed on the Bridge.

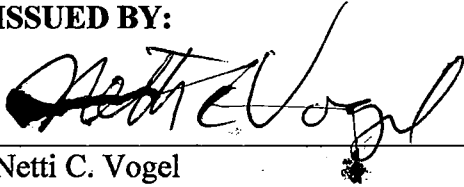
III. The State's Motion to Compel AECOM's Answers to Interrogatories dated July 1, 2026

The State seeks to compel AECOM to answer the following parts of the State's First Set of Interrogatories to AECOM: Interrogatory Nos. 1, 2, 3, 4, 7, 8, 10, and 11. AECOM opposes the Motion, asserting that its responses satisfy the requirements of Rule 33 of the Superior Court Rules of Civil Procedure.

Upon consideration of the Parties' written submission and hearing oral argument from both Parties, it is hereby Ordered that:

- a. No later than August 21, 2026, the State shall propound on AECOM revised versions of Interrogatory Nos. 1, 2, 3, 4, 7, and 8, and AECOM shall then provide responses to those revised interrogatories in narrative format no later than September 21, 2026; and
- b. The State's motion to compel AECOM to answer Interrogatory Nos. 10 and 11 is denied.

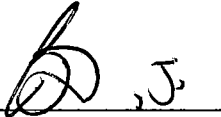
ISSUED BY:



Netti C. Vogel
Special Master Appointed by Court Order

Date: 8/19/26

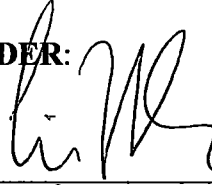
ENTER:



Brian P. Stern
Associate Justice

Date: 8/24/26

BY ORDER:



Clerk Sr. Deputy ±

Date: 8/24/26