

Madalyn Letellier

From: Chris Dwan [REDACTED]
Sent: Friday, August 4, 2023 1:11 PM
To: All City Council; City Clerk Contact
Cc: MARK NIEDERGANG; william white; Mary Jo Rossetti; Pat Jehlen; Denise
Subject: The city has abandoned our lawsuit against Newport Construction

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Honorable counselors,

I would like to draw your attention to the fact that the city's lawsuit against Newport Construction for the improper removal of trees on Beacon Street has been dismissed after the administration failed to respond to an "Order for Status Review" from the court earlier this year.

I have a short piece in the Somerville Times today that provides a bit more detail on the situation: <https://www.thesomervilletimes.com/archives/126230>

This is deeply disappointing for me and others who worked to bring a measure of accountability and transparency to that unfortunate situation. I suspect that it is also frustrating for those of you who served on the council in 2018 and 2019. You dedicated hours of committee and council time to pressure the city to follow through on investigating, issuing citations, and finally filing in court.

This is a terrible precedent, especially given the amount of construction currently planned in the city. A contractor flaunted city and state law, destroying tens of thousands of dollars in civic infrastructure. They publicly thumbed their nose at the city's grudgingly-issued citation, and have now won a default judgement against us in court for lack of follow-up from the administration.

Without attempting to re-litigate the past, I believe that it would be prudent for the current council to take up the question of how the city might do better than this going forward.

Thank you, as always, for all your work for the city.

-Chris Dwan