



# COLE SCHOTZ

COLE, SCHOTZ, MEISEL, FORMAN & LEONARD, P.A.

A Professional Corporation

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## SPRING 2008

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**Robert Dowd** (Member Litigation) obtained a dismissal of all claims filed by a subcontractor against the owner of a \$10 million construction project in Middlesex County, NJ. The subcontractor had initially sued the owner for damages due to delays and for the value of additional and upgraded materials supplied on the project based on quasi-contractual and third party beneficiary theories. When the motion filed by Bob resulted in a dismissal of these claims, the subcontractor filed an amended complaint alleging that the owner had tortiously interfered with the subcontractor's contract with the general contractor. With the provision of substantial documentation from the project, Mr. Dowd was able to persuade the subcontractor's counsel that no such tortious interference occurred, resulting in the dismissal of all claims against the owner, without the owner incurring substantial additional legal fees.