

## **Jury Awards \$62.4 Million to Maintenance Enterprises** **The Weinhardt Law Firm's Client Receives 'Total Vindication'**

DAVENPORT, IOWA — A federal court jury on Friday, October 12, 2018, returned a verdict awarding approximately \$62.4 million to Maintenance Enterprises, LLC (MEI) in a lawsuit against Orascom E&C USA, Inc. (Orascom).

The lawsuit arose from the Iowa Fertilizer Plant near Wever in southeast Iowa, which, at a total cost of approximately \$3 billion, is the largest construction project in Iowa history. Orascom, whose parent company is based in Cairo, Egypt, was the general contractor for the project. MEI, a Louisiana-based mechanical contractor with a stellar reputation for its specialized work in petroleum and chemical facilities, took over the mechanical construction in several parts of the project beginning in 2014. At the conclusion of MEI's work, Orascom refused to pay over \$50 million in MEI's invoices and confiscated MEI's tools.

In early 2016, MEI filed a lawsuit in federal court in Iowa, seeking damages for its unpaid invoices and confiscated tools. It later added a claim for loss in business value resulting from the nonpayment. Orascom filed \$94 million in counterclaims against MEI alleging defective work, unreasonable delays, cost overruns, and insufficient performance. The jury awarded Orascom \$0 on those counterclaims.

"I see this jury's verdict as a validation of the fact that we have remained as true today to our core values of safety, quality and production as we always have for the last 50 years," said Michael Campesi, Chairman and CEO of MEI.

Mark Weinhardt of The Weinhardt Law Firm served as lead trial counsel for Plaintiff MEI, and the trial team consisted of attorneys Todd Lantz and Elisabeth Archer of The Weinhardt Law Firm, and Richard Tyler and Chris Cazenave from Jones Walker LLP in New Orleans.

"We are very gratified with the jury's verdict," lead trial counsel Mark Weinhardt said. "This was a total vindication—to the very last dollar—of MEI's work on this project. That vindication means even more to the people from MEI who worked on this project than the monetary award."

About five months before trial, The Weinhardt Law Firm joined forces with the Jones Walker lawyers on the case for MEI and took on a leading role in summary judgment motions, pretrial motions, and at trial. Nearly half of Orascom's counterclaims were eliminated before trial as a result of the legal arguments brought by the combined MEI legal team.

After a lengthy trial, which began September 24, 2018, the jury found that MEI should be awarded approximately \$50.1 million for its invoices on the Iowa Fertilizer Plant project. Additionally, the jury awarded \$2.8 million in compensatory damages and \$2 million in punitive damages based on Orascom's conversion of MEI's small tools. Finally, the jury awarded approximately \$7.5 million for the loss in MEI's business value resulting from Orascom's nonpayment. The jury declined to award any damages to Orascom on its counterclaims.

"We hope this high-profile project provides useful insights to others," added attorney Mark Weinhardt. "In addition to rightly clearing MEI of any wrongdoing, it also illuminates Orascom's controversial choices during its management of this very troubled construction project and holds them accountable for their behavior."

The trial was held in Davenport, Iowa, the location of one of the courthouses for the United States District Court for the Southern District of Iowa, and the closest federal courthouse to the plant. The presiding judge was Stephanie M. Rose.

#### **About The Weinhardt Law Firm**

The Weinhardt Law Firm is a boutique firm that specializes in the litigation of complex civil and criminal cases. The firm has extensive experience in all types of civil and criminal matters, but its attorneys concentrate their practices in complex business disputes and the defense of white collar criminal matters. The firm practices in federal and state courts in Iowa and across the United States.

The Weinhardt Law Firm is located at 2600 Grand Avenue, Suite 450, Des Moines, less than 10 minutes from the U.S. Courthouse and the Polk County Courthouse, and eight minutes from the Des Moines International Airport. To learn more, visit [www.WeinhardtLaw.com](http://www.WeinhardtLaw.com) or call (515) 244-3100.

#### **About Jones Walker**

Jones Walker LLP ([www.joneswalker.com](http://www.joneswalker.com)) is among the 120 largest law firms in the United States serving local, regional, national, and international business interests with offices in Alabama, Arizona, the District of Columbia, Florida, Georgia, Louisiana, Mississippi, New York, and Texas. The firm is committed to providing a comprehensive range of legal services to major multinational, public and private corporations, Fortune® 500 companies, money center banks, worldwide insurers, and emerging companies doing business in the United States and abroad.

Jones Walker's Construction Practice Group is a team of approximately 30 attorneys who are involved in delivering comprehensive legal services to industry clients, including contract negotiation and drafting, real-time project advice, and dispute resolution services. The firm's national footprint and the depth and experience of the construction team on a wide array of projects enables the firm to provide effective counsel at every step of the construction process.

#### **About Maintenance Enterprises, LLC**

Founded by the Campesi family in 1967, MEI has had as many as 2000 skilled craftspeople in the field at one time throughout the Gulf Coast region and the world. The company based in White Castle, Louisiana, provided industrial project turnaround services, greenfield construction, and disaster recovery to refinery, petrochemical and agricultural chemical markets worldwide. In November of 2016 Brown & Root Industrial Services LLC in Baton Rouge acquired MEI's business assets. Brown & Root provides industrial engineering, construction and maintenance services, and the assets of the former MEI continue to be headquartered in White Castle, with several members of the Campesi family continuing to work in the business.

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