

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
CIVIL ACTION NO.

22-2121H

MASSACHUSETTS DEPARTMENT OF
TRANSPORTATION,

Plaintiff

V.

JOSEPH QUILL,

Defendant

COMPLAINT AND JURY DEMAND

PARTIES

1. Plaintiff, Massachusetts Department of Transportation ("MassDOT"), is an agency of the Commonwealth of Massachusetts located in Boston, County of Suffolk, Commonwealth of Massachusetts.
2. Defendant, Joseph Quill ("Quill"), is a resident of Esperance, New York.

FACTS COMMON TO ALL COUNTS

3. On September 20, 2019, Quill was operating a motor vehicle on Interstate 90 westbound in West Springfield, Massachusetts.
4. At the time, Quill was transporting an excavator on a flatbed trailer.
5. As Quill was traveling under the Birnie Avenue overpass in West Springfield, the excavator's boom was overheight, and it struck the bridge.
6. The impact of the collision caused substantial damage the bridge, which was owned by MassDOT.
7. After the collision, Quill pulled over in the breakdown lane and adjusted the excavator

boom. He then proceeded westbound on Interstate 90.

8. After traveling along Interstate 90 for several miles, Quill attempted to drive under another bridge owned by MassDOT, the Route 202/Southampton Street Bridge in Westfield, Massachusetts. However, the boom on the excavator that Quill was towing was again overheight and struck the overpass, causing significant damage to the bridge.
9. Quill then pulled over to the breakdown lane, and the excavator fell from the flatbed, damaging MassDOT's guardrail.
10. Following the incident, Quill was cited for failure to check height clearance.

COUNT I

Massachusetts Department of Transportation v. Joseph Quill Negligence

11. MassDOT repeats, re-alleges and incorporates all preceding paragraphs as if set forth herein.
12. Quill breached the duty of care that he owed to the plaintiff when he loaded and adjusted the excavator in a negligent, careless, and substandard manner.
13. Quill breached the duty of care that he owed to the plaintiff when he operated his vehicle in a negligent, careless, and substandard manner.
14. As a direct and proximate result, MassDOT was caused to sustain severe property damage.

WHEREFORE, plaintiff, Massachusetts Department of Transportation, demands judgment against defendant, Joseph Quill, granting the plaintiff damages, costs, interest, and any other relief which this Court deems just and proper.

JURY DEMAND

Plaintiff, Massachusetts Department of Transportation, demands a trial by jury on all issues presented in its Complaint.

Plaintiff
MASSACHUSETTS DEPARTMENT OF
TRANSPORTATION

By its Attorneys

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