

INADMISSIBLE

■ **White Whale.** In a case that's outlived two judges, a 15-year legal battle between the **Washington Metropolitan Area Transit Authority** and the construction contractors who built Metro's Green Line is one step closer to resolution. The joint-venture contractor **Mergentime-Perini** sued the transit authority in 1990, seeking nearly \$50 million for claims that two Metro contracts had been wrongfully terminated. In response, WMATA filed \$28 million in counterclaims, which included excess costs for completing work on the subway line. In November, Chief Judge **Thomas Hogan** issued a 192-page opinion, likening the case to Moby Dick and granting WMATA \$21.8 million in procurement costs and the contractor just \$200,000 in damages. "The latest chapter is quite gratifying," says **Crowell & Moring's George Ruttinger**, who, along with partner **Stanfield Johnson**, represents WMATA. Mergentime-Perini is represented by **Steptoe & Johnson's Stephen Fennell** and **Peter Kutile** of New York's **King & King**. But the long-running saga isn't over quite yet. Both sides dispute how interest on the judgment should be awarded. A final resolution is expected this year. The case had originally been assigned to Judge **George Revercomb**, who died in 1993, and then to Judge **Harold Greene**, who died in 2000. —JASON MCLURE