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Cambridge North Point suit ends battle between developers

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The NorthPoint project, long tied up in court battles between the project's partners, Cambridge North Point LLC and Boston and Maine Corp., has shed several major obstacles to the project's development. Delaware Chancery Court ruled in favor of Cambridge NorthPoint, which had been seeking millions in fees and damages and other relief from Boston and Maine.

The ruling ends more than three years of legal wrangling, including two trials, which contributed to continuing delays in development of NorthPoint—a massive 40-acre development designed to have 5.2 million s/f of office, laboratory, retail, residential and hotel space. In finding for Cambridge NorthPoint on all claims, the Delaware Chancery Court required Boston and Maine to pay Cambridge North Point millions in damages and attorney's fees as well as ordered Boston and Maine to transfer its interest in the NorthPoint property to the partnership. The court also voided an easement in the property granted by Boston and Maine to an entity owned by Boston and Maine's majority shareholder, Timothy Mellon, clearing the way for sale of the property to a new developer.

"This completely vindicates CNP which was awarded everything it asked for," says Cambridge NorthPoint's attorney, Peter McGlynn, a partner with Bernkopf Goodman LLP. McGlynn, who characterized the suit as a "very lengthy and bitter business divorce," says the ruling may cost Boston and Maine roughly \$14 million, in addition to a court ordered payment by Boston and Maine of \$7.2 million into an escrow fund to cover potential future claims.

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