



# Judge Tosses Petition That Aimed to Block Tri-Rail Award

[KENRIC WARD'S BLOG](#) | POSTED: FEBRUARY 25, 2011 2:43 PM

A Broward County circuit judge rejected a request for an injunction that sought to delay and derail a \$109 million Tri-Rail locomotive contract.

MotivePower Inc. had filed the injunction petition, naming rival bidder Brookville Equipment Corp. and the South Florida Regional Transportation Authority as defendants.

Judge David Krathen upheld the right of SFRTA to award the contract Friday, saying public agencies have "wide discretion in soliciting and accepting bids for public improvements."

Krathen ruled that MotivePower "failed to produce any evidence of illegality, fraud, oppression or misconduct."

**Mitchell Bierman, an attorney for the law firm of Weiss Serota Helfman Pastoriza Cole & Boniske**, which filed the injunction request on behalf of MotivePower, said the company has not decided what, if any, action it will pursue.