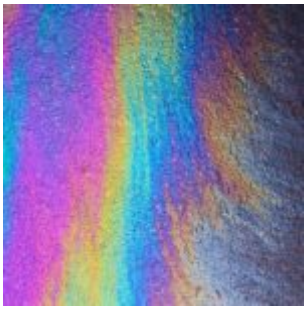
Lawsuit Dismissed Because No Ties Between Prior Ownership & Subsequent Spill



Several homeowners sued various companies, including Shell, over a hydrocarbon release from a service station, which Shell had owned between 1977 and 1988 and licensed to subsequent owners until 2000 when its involvement with the site ended. Although the spill occurred 10 years after Shell's last involvement with the site, the homeowners claimed that it had contaminated the site during its ownership and the 2010 spill pushed that contamination onto their properties. Shell asked the court to dismiss the lawsuit. An engineer who'd investigated the site for contamination before Shell sold it testified that she'd found no major problems with contamination. Thus, Shell hadn't left any contaminants behind to be pushed into the homes by the later spill. Because there was no evidence to show a connection between Shell's ownership and the homeowners' damages, the court dismissed the lawsuit as to Shell [*Floate v. Gas Plus Inc.*, [2015] ABQB 725, Nov. 17, 2015].