



# David Hatem, Kelly Martin Malone and Dillon Aisenberg Analyze SJC Ruling Impacting Design and Construction Professionals

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MG+M The Law Firm Partners [David Hatem](#) and [Kelly Martin Malone](#) and Associate [Dillon Aisenberg](#) were recently [published](#) in *Massachusetts Lawyers Weekly* analyzing the Massachusetts Supreme Judicial Court's ruling in *Trustees of Boston University v. Clough, Harbour & Associates LLP*. The court held that a contractual indemnification claim was not barred by the six-year Statute of Repose under G.L. c. 260 § 2B—a decision that significantly alters the long-standing legal protections for design professionals.

The authors examine the court's reasoning and explore the implications of the ruling on risk allocation and indemnification provisions in design and construction contracts. They also consider potential legislative responses to address the expanded scope of liability exposure now facing design professionals.

Read the [full article](#) (subscription required).