

PRESS RELEASE



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Warrick County Residents May Use Any Hauler for its Waste and Recycling Service

Evansville, IN – March 29, 2016 – The United States District Court for the Southern District of Indiana (“the Court”) today issued a temporary injunction against the Warrick County Solid Waste Management District (“the District”) striking down its plan to establish an exclusive curbside waste and collection service that would have restricted competition and create a de facto monopoly for the processing of waste and recycling in the County. The complaint for an injunction was brought by the National Waste and Recycling Association (NWRA) on November 13, 2015 on behalf NWRA’s Indiana Chapter. The Court also rejected the District’s counterclaim for a preliminary injunction against NWRA in the matter.

In granting NWRA’s motion for a preliminary injunction, the Court found, among other things, that “NWRA’s members will suffer irreparable harm absent the preliminary injunctive relief.” The Court enjoined the District from enforcing its plan against any NWRA member or other party that wishes to compete to provide waste and recycling collection services in Warrick County. The plan, which was enacted by the District, was known as Resolution 2015-03. NWRA had detailed in its complaint that Resolution 2015-03 violates both the Commerce Clause of the United States Constitution and various Indiana statutes.

“This is a victory for the citizens of Warrick County,” commented Terry Guerin, chairman of the Indiana Chapter of the NWRA. “Competition is good for consumers, and residents of Warrick County are free to choose who will provide their curbside collection.”

This Case No. 3:15-cv-00158-RLY-MPB, which can be accessed at <http://www.insd.uscourts.gov/case-search-information>.

ABOUT NWRA

The National Waste & Recycling Association is the leading organization providing leadership, advocacy, research, education and safety expertise for the waste and recycling industries. NWRA advocates at the Federal, State and Local levels on all issues of importance to our member companies as they provide safe, economically sustainable and environmentally sound services to communities in all 50 states and the District of Columbia. The Indiana Chapter of NWRA represents the private waste and recycling industry statewide. For more information visit wasterecycling.org.

Contact:

Brandon Wright
bwright@wasterecycling.org
(202) 364-3706

CONTACT US



@wasterecycling
wasterecycling.org • 202-244-4700
info@wasterecycling.org
1550 Crystal Drive, Suite 804 Arlington,
VA 22202