



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

THOMAS FISH.	)	
PETER ADKINS, and	)	
STUART HOLLAND,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO.:
	)	
R.E.M. DIRECTIONAL, INC.,	)	<u>JURY DEMAND</u>
	)	
Defendant.	)	

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

PARTIES

1. Plaintiff, Thomas Fish, (hereinafter “Fish”) is a resident of Shelby County, Alabama.
2. Fish resides at 431 Lake View Circle Vandiver, Alabama 35176.
3. Plaintiff, Peter Adkins, (hereinafter “Adkins”) is a resident of Shelby County, Alabama.
4. Adkins resides at 39 Lake View Circle Vandiver, Alabama 35176.
5. Plaintiff, Stuart Holland, (hereinafter “Holland”) is a resident of Shelby County, Alabama.
6. Holland resides at 121 Lake View Circle Vandiver, Alabama 35176.

7. Defendant, R.E.M. Directional, Inc. (hereinafter “REM”), is a domestic corporation incorporated in Alabama and located at County Road 20, Boligee, Greene County, Alabama.

JURISDICTION AND VENUE

8. This Court has jurisdiction over the subject matter of this action.

9. Venue is proper in Shelby County, Alabama.

10. This Court has jurisdiction over REM because REM is a domestic corporation incorporated in the State of Alabama.

FACTUAL BACKGROUND

11. Fish, Adkins, and Holland are all landowners in the Lake View Circle community.

12. Fish, Adkins and Hollard are all landowners who each, individually, have a water well on their land that is the sole source of water to their respective properties and residences.

13. REM is a company that provides drilling services.

14. The Alabama Power Company contracted with REM to provide drilling services to run fiber optic cable underground.

15. During the process of drilling, REM has drilled into underground water reservoirs that has resulted in tens thousands of gallons of water to run out of the reservoirs thereby causing the water wells respectively owned by Fish, Adkins and

Holland to be adversely affected (Adkins's well is empty and Holland's well is empty).

16. Fish has some water from his well coming into his residence, but his water surges.

17. Adkins's water well is empty, so he has no water in his residence.

18. Adkins and his family have been without water since January 24, 2025.

19. Holland's water well is empty, so she has no water in her residence.

20. Holland and her family have been without water since January 10, 2025.

21. Fish, Adkins and Holland, as well as the adjacent landowners and the entire community of Lake View Circle, have been adversely impacted by the loss of the underground water.

COUNT 1 – NUISANCE

22. That Fish owns the land and residence at 431 Lake View Circle, Vandiver, Alabama 35176.

23. That Adkins owns the land and residence at 39 Lake View Circle, Vandiver, Alabama 35176.

24. That Holland owns the land and residence at 121 Lake View Circle, Vandiver, Alabama 35176.

25. That the Defendant, REM, drilled into underground water reservoirs in the Lake View Circle community area.

26. That the Defendant's, REM's, drilling drained the water reservoirs.

27. That the drained water supported Fish's, Adkins's and Holland's land and water wells on their respective lands.

28. That Fish's, Adkins's and Holland's land, including the water wells on their respective land, was harmed as a natural result of the drainage.

29. That the harm being the drained water has caused Fish's, Adkins's and Holland's respective land to be less valuable.

30. That the harm REM has caused by drilling into the underground water reservoirs resulted in tens thousands of gallons of water to drain out of the reservoirs causing the water wells of Fish, Adkins and Holland to be adversely affected (Adkins's well is empty and Holland's well is empty).

31. That Fish does not have proper water from his well flowing into his residence, and he and his family have suffered as a result of water problems, including suffering emotional distress.

32. That Adkins has no water from his well flowing into his residence, and he and his family have suffered as a result of having no water, including suffering emotional damage.

33. That Holland has no water from her well flowing into her residence, and she and her family have suffered as a result of having no water, including suffering emotional damage.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, Fish, Adkins and Holland, individually demand a judgment against Defendant, R.E.M. Directional, Inc., for compensatory and punitive damages in excess of the jurisdictional limits of the Circuit Court and request legal and equitable relief including, but not limited to, reasonable attorney's fee and costs.

COUNT II – INJUNCTIVE RELIEF

34. That the Defendant, REM, is continuing to drill and continuing to drain the water from the water reservoirs.

35. That an injunction should be immediately issued to stop REM from drilling and to stop the continued draining of the Plaintiffs' water reservoirs.

36. That without an injunction, Fish, Adkins, and Holland will continue to suffer immediate and irreparable injury.

37. That Fish, Adkins and Holland have no adequate remedy at law.

38. That Fish, Adkins and Holland have a reasonable chance of success on the ultimate merits of their claims and this case.

39. That the hardship imposed if any on the Defendant, REM, by an injunction would not unreasonably outweigh the benefit accruing to Plaintiffs, Fish, Adkins and Holland.

40. Pursuant to Rule 65 of the Alabama Rules of Civil Procedure, Fish, Adkins and Holland, respectfully request the Court issue a temporary restraining order and preliminary injunction against the Defendant, R.E.M. Directional, Inc., prohibiting REM from any further drilling.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, Fish, Adkins and Holland, request a Temporary Restraining Order and Permanent Injunction against Defendant, R.E.M. Directional, Inc.

RELIEF

WHEREFORE, Plaintiffs' respectfully request as follows:

A. That this Court enjoin Defendant R.E.M. Directional, Inc. from drilling and draining any water.

B. That this Court enjoin Defendant R.E.M. Directional, Inc., and all persons and entities acting in concert with Defendant, from drilling and draining water.

C. That this Court enjoin Defendant R.E.M. Directional, Inc., and all persons and entities acting in concert with Defendant, from directly or indirectly drilling and draining water.

D. That Fish, Adkins, and Holland be awarded all of its damages caused by Defendant's, R.E.M. Directional, Inc's, wrongful acts, including compensatory damages and punitive damages, with costs and attorney's fees incurred in bringing these claims.

E. That this Court award Fish, Adkins and Holland such other further relief as law and equity as it deems appropriate.

**PLAINTIFFS DEMAND TRIAL BY STRUCK JURY AS TO THE
NUISANCE CLAIM**

Respectfully submitted:

/s/ *Stewart Springer*

Stewart Springer
Attorney for Plaintiffs

/s/ *Bruce Romeo, Jr.*

Bruce Romeo, Jr.
Attorney for Plaintiffs

OF COUNSEL:

SPRINGER, ROMEO & ASSOCIATES

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Birmingham, Alabama 35243

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E-mail: stewartspringer@aol.com

Thomas W Fish
THOMAS WILLIAM FISH

STATE OF ALABAMA)
JEFFERSON COUNTY)

VERIFICATION

Before me, the undersigned authority, a Notary Public in and for said county in said State, personally appeared Thomas William Fish, who being by me first duly sworn and who, being known to me, deposes and says that the facts of the foregoing Verified Complaint are true and correct, to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED before me, this the 6th day of FEB, 2025.

Stewart Springer

Notary Public

My Commission Expires: 11-9-2025



Peter M. Adkins
PETER M. ADKINS

STATE OF ALABAMA)
JEFFERSON COUNTY)

VERIFICATION

Before me, the undersigned authority, a Notary Public in and for said county in said State, personally appeared Peter M. Adkins, who being by me first duly sworn and who, being known to me, deposes and says that the facts of the foregoing Verified Complaint are true and correct, to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED before me, this the 6 day of February, 2025.

Stewart Springer
Notary Public
My Commission Expires: 11-9-2026



Stuart E. Holland
STUART E. HOLLAND

STATE OF ALABAMA)
JEFFERSON COUNTY)

VERIFICATION

Before me, the undersigned authority, a Notary Public in and for said county in said State, personally appeared Stuart E. Holland, who being by me first duly sworn and who, being known to me, deposes and says that the facts of the foregoing Verified Complaint are true and correct, to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED before me, this the 6 day of Feb., 2025.

Stuart G. Springer
Notary Public
My Commission Expires: 11-9-2026



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

THOMAS FISH.

PETER ADKINS, and

STUART HOLLAND,

Plaintiffs,

V.

R.E.M. DIRECTIONAL, INC.,

Defendant.

CIVIL ACTION NO.:

ATTORNEY AFFIDAVIT

BEFORE ME the undersigned, a Notary Public in and for said County and State, personally appeared Bruce W. Romeo, Jr. as attorney for Plaintiffs in this cause who are known to me and who by me first being duly sworn depose and say as follows:

1. That I, Bruce W. Romeo, Jr., do hereby certify that I have made no effort to give notice for the ex parte order to the Defendant in this cause. Based upon the information supplied to me by the Plaintiffs, it is my judgment that notice should not be required and that giving notice would cause the Defendant to cause irreparable damage to Plaintiffs' property and residences from the jurisdiction of the Court.

FURTHER, AFFIANT SAYS NOT

Bruce Romeo

Bruce W. Romeo, Jr.

300 Cahaba Park Circle

Suite 200

Birmingham, AL 35243

Telephone: (205) 266-8435

E-mail: bruce@srk.law

Sworn to and subscribed before me, this the 6th day of February, 2025.




NOTARY PUBLIC
My Commission Expires: 8-8-2027

SERVE ALONG WITH SUMMONS AND COMPLAINT

**DEFENDANT, R.E.M. DIRECTIONAL, INC., TO BE SERVED WITH THE
SUMMONS AND COMPLAINT VIA SPECIAL PROCESS SERVER AT
THE FOLLOWING ADDRESS:**

**R.E.M. Directional, Inc.
c/o Joel Colgrove, Jr., registered agent
County Road 20
Boligee, Alabama 35443**