

## Haynes and Boone Helps Win Federal Court Victory in Coverage Dispute

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July 20, 2018 Mark Trachtenberg, Lynne Liberato

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**PRACTICES** Appellate, Litigation

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Haynes Boone Partner [Mark Trachtenberg](#) led a team of lawyers that won a federal court dismissal for Teichman Group, LLC and T&T Offshore, Inc.

OSG Lightering and its insurance carriers brought the declaratory judgment lawsuit against the firm's clients in federal court, claiming that neither OSG nor its carriers owed an indemnity for settlements that had been paid out because the agreement containing the indemnity had expired. Teichman and T&T filed a motion to dismiss that centered on a threshold jurisdictional issue: whether the agreement was a maritime contract that gave rise to the court's admiralty jurisdiction.

Following briefing and a lengthy oral argument by Trachtenberg, Southern District Chief Judge Lee H. Rosenthal on July 16, 2018, issued a 30-page opinion agreeing with the firm's clients that the agreement was not a maritime contract and thus did not give rise to admiralty jurisdiction in federal court.

"The district court's thorough and meticulous opinion was a major victory for our clients, and the court's analysis could have important implications as the dispute moves to state court," Trachtenberg said.

Trachtenberg was assisted on the matter by Haynes Boone Partner [Lynne Liberato](#) and by lawyers at Schouest, Bamdas, Soshea & BeMaier PLLC and Hall Maines Lugin, PC.

Recognized in 2016 and 2017 as one of the top 100 lawyers in Houston by *Texas Super Lawyers* (Thomson Reuters), Trachtenberg has been involved in many high profile cases in Texas, including serving as lead counsel at trial and on appeal for a coalition of 88 school districts in a lawsuit challenging the constitutionality of the state's school finance system. He serves as administrative partner of Haynes Boone's Houston office.