

## Haynes Boone Secures Fifth Circuit Victory Affirming Nearly \$40 Million Judgment for Polaris Engineering

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**PRACTICES** Appellate, Oil and Gas, Oil and Gas Litigation

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Haynes Boone successfully secured a major appellate victory for Polaris Engineering, Inc. before the U.S. Court of Appeals for the Fifth Circuit, which affirmed in full a nearly \$40 million judgment in a high-stakes contract dispute involving the construction of a petroleum refining facility.

The Fifth Circuit upheld the district court's multimillion-dollar judgment entered after a five-week jury trial in a case involving competing claims of breaches of three interrelated contracts, among other claims.

Haynes Boone Partners [Mark Trachtenberg](#) and [Polly Fohn](#) led the appellate effort, with support from Associate [Chloe Warnberg](#).

"This decision reinforces the strength of our client's position and reflects a careful and thorough review by both the trial court and the Fifth Circuit," said Trachtenberg. "We are proud to have helped secure and defend this outcome for Polaris."

The dispute arose from contracts related to the construction and operation of a crude oil refining facility in Galveston, Texas. The district court previously granted partial summary judgment in favor of Polaris on key contract interpretation issues, including findings that the defendant breached the agreement by failing to properly certify "stable operations" and by preventing performance testing.

Following a lengthy jury trial, Polaris prevailed in its core claims, with the jury determining that the defendant breached first and awarding substantial damages. The Fifth Circuit affirmed the judgment in all respects, concluding that the district court's rulings and the jury's verdict were supported by the record and consistent with Texas law.

Haynes Boone's appellate team supported a trial team from Pillsbury Winthrop, led by Anthony Guerino and Liz Klingensmith. The Haynes Boone team successfully defended the judgment against multiple post-trial challenges and appellate arguments, preserving the full award for the client.

Haynes Boone's Chambers-ranked [Appellate Practice Group](#) is nationally recognized for winning precedent-setting appeals and shaping litigation strategy at every stage of trial. Ranked Band 1 in Chambers USA, the group is known by clients and peers alike for its collaborative approach, empirically driven strategy and success in bet-the-company appeals.