

## Haynes and Boone Secures Fifth Circuit Win for Caterpillar

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November 6, 2020 Mark Trachtenberg, Ryan Pitts

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PRACTICES Appellate

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Haynes Boone Partner [Mark Trachtenberg](#) and Associate [Ryan Pitts](#) successfully persuaded the U.S. Fifth Circuit Court of Appeals to affirm a summary judgment in favor of client Caterpillar Inc.

In the suit, AIG Europe Ltd. asserted negligence and products liability claims against Caterpillar, which manufactured an engine used in pumping units at an oil and gas well site in Loving County, Texas. A 2016 fire at the site led to millions of dollars in damages, which AIG sought to recover from Caterpillar and another defendant.

Haynes Boone was retained after a U.S. District Judge in the Eastern District of Texas denied AIG's motion for partial summary judgment and granted Caterpillar's motion for summary judgment on each of AIG's claims.

In an opinion issued Nov. 4, the Fifth Circuit affirmed the lower court's ruling, concluding there was no evidence that Caterpillar's engine was the cause of the fire.

A *Law360* report on the Fifth Circuit's ruling can be found [here](#).

"My client has been vindicated, and justice has been served," Trachtenberg told the publication. "We are very pleased that the Fifth Circuit agreed with the district court that there were gaping holes in the plaintiff's theories ... against Caterpillar. We believe the Fifth Circuit reached the right result."

Haynes Boone is an international corporate law firm with offices in Texas, New York, California, Charlotte, Chicago, Denver, Washington, D.C., London, Mexico City and Shanghai, providing a full spectrum of legal services in energy, technology, financial services and private equity. With more than 575 lawyers, Haynes Boone is ranked among the largest U.S.-based firms by *The National Law Journal*, *The American Lawyer* and *The Lawyer*. It also was recognized across the board for excellence in the BTI Consulting Group's 2020 "A-Team" report, which identifies the law firms that in-house counsel commend for providing superior client service.