

Haynes and Boone Defeats Class Action Bid by Property Owners in Federal Suit Against AT&T

September 26, 2018 Michelle Jacobs, Mark Trachtenberg

PRACTICES Class Action Defense, Litigation

A team of Haynes Boone lawyers led by Partner Thad Behrens and Associate [Michelle Jacobs](#) has secured a major litigation victory for firm client AT&T Corp.

A putative class of hundreds of property owners between Dallas and Houston filed suit in federal court in Houston, alleging that AT&T telephone cable buried underneath their properties — pursuant to easements that had been granted to AT&T in the 1950s — were contaminating their properties. The plaintiffs sought more than \$35 million in damages.

On Sept. 25, 2018, Judge Alfred Bennett of the Southern District of Texas issued an order denying class certification, adopting arguments advanced by Haynes Boone. “Individualized issues pertaining to each proposed class member’s property and related easements predominate any issues common to the class,” Judge Bennett ruled.

The Haynes Boone legal team includes Partners [Mark Trachtenberg](#), Polly Fohn, Suzanne Murray and Associate Billy Marsh.

Multiple news outlets reported the win, including:

[Law360](#) (Subscription required)

[Texas Lawbook](#) (Subscription required)