

Haynes Boone Wins Precedent-Setting Workers' Compensation Appeal for ExxonMobil

February 29, 2024 Mark Trachtenberg, Lynne Liberato, Ryan Pitts

PRACTICES Labor and Employment, Litigation, Traditional Labor Law, Appellate

Haynes Boone secured a significant victory for ExxonMobil in the Houston Fourteenth Court of Appeals. The court's decision established the company has immunity from more than 20 personal injury claims while also setting a crucial precedent with implications for Texas employers and premises owners.

The case stems from claims brought by employees of subcontractors injured at an ExxonMobil plant in 2019. While not directly employed by ExxonMobil, the plaintiffs argued the company should be liable.

Haynes Boone successfully proved ExxonMobil met the specific requirements outlined in the Texas Workers' Compensation Act to qualify for the exclusive-remedy defense. This defense shields employers and premises owners from common-law negligence claims when they provide workers' compensation coverage to employees of subcontractors. The court's ruling sets a precedent that clarifies and strengthens the legal standing of employers and premises owners in similar cases.

Haynes Boone Partner [Mark Trachtenberg](#) led the firm's appeal team along with Senior Counsel [Lynne Liberato](#) and Associate [Ryan Pitts](#).

"This decision provides much-needed clarity for Texas businesses that have provided workers' compensation coverage about the standards of proof needed to invoke the statutory exclusive remedy defense, especially at the summary judgment stage," Trachtenberg said. "By upholding the exclusive-remedy defense in this case, the Court has established a clear standard that will provide important guidance on this frequently-recurring issue."

The decision follows a series of recent notable victories for Haynes Boone's appellate group, which holds a Chambers Band 1 group rating in Texas. The group won [a \\$4 million M&A fee dispute](#) in the U.S. Court of Appeals for the Fifth Circuit. It also [recently won two appeals](#) in the Supreme Court of Texas and in the Twelfth Court of Appeals of Texas at Tyler related to railroad litigation.

About Haynes Boone

Founded in 1970, Haynes Boone provides a full spectrum of legal services across multiple sectors, including energy, financial services, private equity and technology. The firm's nearly 700 lawyers practice in 19 offices in California, Colorado, Illinois, New York, North Carolina, Texas, Virginia and Washington, D.C., as well as London, Mexico City and Shanghai. Haynes Boone was recognized in the 2022 BTI Consulting Group's A-Team report, which identified firms commended by in-house counsel for superior client service, and it was ranked 21st in The American Lawyer's 2023 Diversity Scorecard, which evaluated 228 participating firms by the diversity of their attorney populations. For more information, visit haynesboone.com.