

HDBD Attorneys Score Major Jury Trial Victory in High-Stakes Commercial Litigation Case

HARRIS COUNTY, TEXAS – [Hartline Dacus Barger Dreyer](#) attorneys [Jeff Patterson](#), [Clayton Callen](#), and [Tyler Stuart](#) secured a complete defense verdict last week in favor of Navistar, Inc., a heavy-duty truck and engine manufacturer and Texas Trucks, an authorized Navistar dealer, in a seven-day jury trial involving the company’s 2010 EPA 13L MaxxForce engines. This is a major bellwether victory for Navistar in the defense of MaxxForce litigation cases pending across the nation. The HDBD team, serving as lead defense counsel, was assisted by Kevin Jakopchek of Latham & Watkins, as well as Jonathan Bunge and Daniel Lombard of Quinn Emanuel.

The plaintiff, Houston-based Service Steel Warehouse (“Service Steel”), purchased 15 used International ProStar trucks with Navistar’s 2010 EPA 13L MaxxForce engine in 2012. The plaintiff accused Navistar of misrepresenting the quality and testing of the engines prior to sale, failing to disclose known issues with the engines prior to sale, and breach of warranty related to the reliability of emissions control components of the engines. The plaintiff also asserted these same claims against Texas Trucks of Houston, the dealership that sold the trucks to the plaintiff.

Evidence clearly demonstrated that Navistar had honored all warranty claims made, that Navistar had completed a rigorous testing and validation process prior to the launch, and disclosed problems with the engine before Plaintiff’s purchase. Additional evidence showed that Service Steel failed to properly operate and maintain the trucks as instructed by Navistar. Texas Trucks proved that it was honest in its communications with Plaintiff, advised Plaintiff on proper maintenance practices, and facilitated warranty repairs even when the problems were caused by Plaintiff’s practices. The jury deliberated about three and a half hours.

“We are grateful to these jurors who were able to focus on the facts and the witnesses with personal knowledge,” noted [Jeff Patterson](#), lead counsel for Defendants and Managing Partner of outside counsel Hartline Dacus Barger Dreyer LLP. “This is a very positive result for Navistar in our ongoing defense of the MaxxForce 13L engine.”



Jeffrey S. Patterson



Clayton J. Callen



Tyler G. Stuart