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## Litigation Roundup: Settlement Reached in \$352M Injury Case, SCOTX Sides with UT in Document Fight

JULY 3, 2023 | MICHELLE CASADY

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In this edition of Litigation Roundup, the Texas Supreme Court held that the attorney-client privilege means a conservative nonprofit news organization cannot get access to certain documents stemming from a University of Texas admissions process investigation, and the parties on either side of a personal injury lawsuit that netted a \$352 million jury verdict told an intermediate appellate court a settlement has been reached.

Have a development we should cover in the next Litigation Roundup? Please let us know at [tlblitigation@texaslawbook.net](mailto:tlblitigation@texaslawbook.net).

**Dallas County District Court**

**Jury Awards Hospitality Supply Co. \$1.45M In Lease Row**

A jury that started hearing evidence June 20 in a breach of contract case between Consolidated Hospitality Supplies and a national real estate broker issued a verdict June 26 agreeing that Jones Lang LaSalle Americas owed CHS about \$1.45 million in compensatory damages in a dispute over a lease that lapsed.

CHS purchased the assets of American Hotel Register Company in 2021, and that purchase included a breach of contract claim AHR had against its former national real estate broker, JLL.

This lawsuit was filed in April 2019, accusing JLL of breaching a real estate services agreement that required JLL to give AHR notice before its leases expired. AHR and CHS alleged JLL's failure to provide a heads up that its lease of a warehouse in Carrollton was about to expire caused that lease to lapse and cost it about \$1.45 million when it had to lease a new warehouse near the Dallas-Fort Worth International Airport.

JLL filed counterclaims, alleging AHR interfered with its right to earn a commission for having identified the new warehouse as an option.

The jury found JLL failed to comply with the real estate services agreement, that the failure wasn't excused, and that AHR hadn't intentionally interfered with JLL's prospective business.

The verdict was unanimous.

Judge Emily Tobolowsky presided over the case.

Consolidated Hospitality Supplies is represented by **Andy Ryan** and **Mitch Garrett** of Ryan Law Partners.

Jones Lang LaSalle Americas is represented by Jay Madrid and Monica Niewiarowski of Dorsey & Whitney.

The case number is DC-19-05105.

## **Travis County District Court**

### **Judge OK's Release of Records in Uvalde Shooting**

A group of news organizations that were seeking the release of documents related to the mass shooting at Robb Elementary in Uvalde prevailed June 29 when Judge Daniella Deseta Lyttle of the 261<sup>st</sup> District Court issued an order granting summary judgment to those parties, over objections from the Texas Department of Public Safety.

The lead attorney for the media groups, Haynes Boone partner Laura Lee Prather, issued a statement calling the ruling "a huge victory" for Uvalde and transparency.

"It's long past time for the Texas Department of Public Safety to release the records detailing what happened the day of the horrific school shooting in May 2022," she said. "Disclosing all of the requested law enforcement information — not just bits and pieces of it — will help the people of Uvalde, the news media and the public at large hold public officials accountable in hopes of preventing a similar tragedy in the future."

The media groups — ABC News, CBS News, NBC News, the New York Times, Pro Publica, Texas Tribune, Gannett, the Washington Post and others — had sought the documents under the Texas Public Information