

OUR PRACTICE

Motor Carrier

The trucking arena is a complex, regulation-ridden industry whose members are beholden to any number of local, state and federal oversights. And clients know we have the knowledge, experience and industry connections to assist them with virtually every challenge. Our geographic reach, experience and knowledge of the motor carrier industry give our clients access to unrivaled comprehensive legal advice. Whether you are looking for a rapid-response investigation after an accident, taking your company public or seeking interstate operating authority from the Federal Motor Carrier Safety Administration, our team is uniquely capable of helping you achieve your goals. We know the rules and the regulations. We know the business.

Clients turn to us for assistance with complex transportation litigation in state and federal courts throughout the United States. We counsel on and defend against environmental issues unique to the transportation industry, and we assist with the acquisition and sale of assets and/or stock of transportation companies. We guide carriers through international operating rights, and review, create and litigate transportation agreements. We also defend our self-insured motor carriers who are sued by third parties for personal injury and property damage. We draft agreements between motor carriers and shippers; assist in the acquisition and sale of operating rights; represent carriers in workers' compensation, retaliatory discharge, Americans With Disabilities Act, and wage and hour issues; guide carriers through public and private security placement offerings; defend against civil and criminal forfeiture procedures instated by the DOT; and assist with many other related issues.

Our [24-hour Emergency Response Team](#) is just one example of our Firm's commitment to our motor carrier clients. The Team was developed to provide instantaneous post-accident intervention and investigation throughout the Firm's footprint and beyond, whenever and wherever you need us. We will evaluate the gravity of an accident; counsel and protect the company and its employees; preserve evidence; work with law enforcement personnel; identify and interview witnesses; arrange for local adjusters, photographers, reconstructionists and other experts as needed; and use our experience to anticipate and avoid issues detrimental to the company. An early game plan and a team approach are the keys to avoiding litigation and/or a successful defense. Our Motor Carrier Emergency Response Team ensures that we will be there for you at every critical moment after an accident.

Representative Services

- Represent many of the largest truckload and less-than-truckload motor carriers and largest brokers and third-party logistics providers in all aspects of the transportation industry
- Assist with contract and regulatory work, including contract negotiations and drafting
- Defend against complex transportation litigation in state and federal courts throughout the United States
- Provide federal court representation for Department of Transportation-initiated civil and criminal forfeiture procedures
- Counsel and defend motor carriers and shippers regarding environmental issues and regulatory proceedings unique to the transportation industry
- Defend major cargo claim litigation, including Carmack Amendment standards of liability, claims handling regulations, and cargo insurance issues
- Draft, negotiate, and litigate transportation agreements between motor carriers, shippers, freight forwarders, and 3PLs

- Represent buyers and sellers in mergers, consolidations, sales, acquisitions and roll-ups
- Provide counsel regarding public and private security placement offerings
- Advise on international operating rights



Case Studies

- [Successful Casualty Trial in Defense of Motor Freight Trucking Company](#) - Casualty Litigation



Representative Matters

- Defending an international logistics company against catastrophic personal injuries, wrongful death, and survival claims arising from a 140-vehicle incident in north Texas.
- Defending an international logistics company against wrongful death and survival claims arising from intentional torts of a contracted service provider's driver.
- Defending an international logistics company as preferred counsel against catastrophic personal injury claims—including traumatic brain injury, wrongful death, and survival claims—across our geographic footprint.
- Served as southeastern regional counsel for a Fortune 500 truck leasing company.
- Defended an interstate trucking operation in a class action relating to the training and licensing of a nationwide class of drivers.
- Successfully defended against claims for brain-related and other personal injury damages arising from a motor carrier accident.
- Represented a trucking company accused of underpaying and overworking local truck drivers in a wage and hour collective action claim.
- Obtained the dismissal of a wrongful death claim arising out of a rear-end collision between commercial vehicles.
- Obtained the dismissal of a wrongful death claim in Louisiana state court and recovered the client's property damage in a case involving a collision between commercial motor vehicles.
- Obtained dismissal of 50-plus nationwide antitrust class actions filed against an LTL Commercial Motor Carrier. The plaintiffs alleged the client wrongfully conspired with other motor carriers in the industry to set surcharge rates.
- Successfully mediated wrongful death trucking accident claims prior to a suit being filed.
- Successfully enforced a limitation of liability provision in a transportation agreement for a trucking company in a dispute involving stolen cargo.
- Successfully defended KLLM Transport Services, Inc. in a jury trial in state court, DRI™ *The Voice*.
- Handled investigation and defense of hundreds of transportation cases of all types involving numerous types of commercial equipment, including tractor-trailers, box/straight trucks, passenger vehicles, and mobile equipment.



Emergency Response Team

- [Click here](#) for our Emergency Response Team.