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Plaintiffs Lawyers Collaborate in SXSW Lawsuits

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After collaborating behind the scenes for months, plaintiffs attorneys from four Texas firms have filed a spate of lawsuits over the deadly crash during the March 2014 South by Southwest Music Festival.

Before filing their lawsuits, Trey Crawford of Dallas, Bill Curtis of Dallas, Scott Hendler of Austin and Don Kidd of Houston all met in person once to discuss their clients' cases and then conducted multiple conference calls to discuss legal issues, said Hendler, CEO and managing attorney in Hendler Lyons Flores. The collaboration resulted in nearly identical arguments, theories of liability and causes of action in seven lawsuits that bring claims related to eight crash victims.

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"I think the law firms involved are all top-shelf law firms in Texas with a lot of experience representing people in serious injury and death cases. I think we recognized that early on, and decided it made sense to combine our resources and our collective experience and legal intelligence to develop the theories that we were going to pursue these cases under," said Hendler, who filed a lawsuit in federal court for the wife and mother of deceased victim Steven Craenmehr.

On March 13, 2014, [Rashad Owens crashed his Honda Civic](#) through barricades on Red River Street in Austin and plowed into a crowd of SXSW attendees, killing four people and injuring more than 20. Owens, who faces criminal charges, is a named defendant in the lawsuits. Among other defendants are SXSW Holdings Inc. and SXSW LLC, which the lawsuits claim were negligent in failing to close streets using rigid, water-filled street barricades that would have stopped an errant driver.

SXSW's attorney, Pete Kennedy, shareholder in Graves, Dougherty, Hearon & Moody in Austin, wrote in an email, "What happened on Red River was a terrible tragedy, caused by Rashad Owens' utter disregard of human life. Our hearts continue to ache for those people that Owens injured and for the families of those whose lives he took. We look forward to seeing Owens prosecuted for his crimes."

Owens' criminal defense lawyer, Rickey Jones, managing partner in Campbell Jones & Marsaw in Dallas, didn't return a call seeking comment.

Crawford, Curtis and Hendler all said that SXSW could have prevented the incident.

"We represent different clients, but our goals are similar: to hold SXSW accountable for what happened and try to make changes so it can never happen again," said Curtis, who filed three lawsuits in Travis County district court on behalf of injured victims Curtisha Davis and Erica Hall, and for the mother and father of deceased victim De'Andre Tatum.

Crawford, who filed two lawsuits in Travis County district court for couple Patrick Sanchez and Gracie Nguyen, added, "We're not just blaming someone because it's a deep pocket. There truly are major problems with the way they underwent the safety and traffic control measures."

Hendler said the only way to force a private company like SXSW to change is to hold it accountable.

"I think SXSW had plenty of reasons to expect this type of thing could happen, and they had all the resources they needed to take steps to prevent it," he said. "I hope in the future that's exactly what they will do."

Collaboration

Kidd said that working with the other attorneys allowed him to amplify the investigation he conducted for his clients, injured victim Evan West and his deceased wife, Jamie West.

"Bill and Trey and Scott are all very fine lawyers. Working in conjunction with each other gives us the ability to better represent all of our clients, recognizing we each have our specific duty to our clients," said Kidd, partner in Perdue & Kidd. He noted that plaintiffs lawyers often collaborate together on certain types of cases.

"It is more common when you have an event like this with multiple deaths, multiple injuries arising from the same incident," he said. Lawyers in that situation "recognize it's in their clients' best interests to pool their clients' resources. You know, defendants do that all the time."

Curtis said the four plaintiffs lawyers compared notes, thoughts and ideas before filing the lawsuits.

"If one lawyer is smart, two are always smarter," said Curtis, owner and principal in Curtis Law Group in Dallas.

Crawford, partner in Gruber, Hurst, Johansen, Hail & Shank, said that the group researched background facts that are central in the lawsuits.

"We objectively reviewed all the evidence and have consulted with various experts," he noted.

As one example, Hendler said all four lawyers studied various regulations and ordinances that apply to event organizers.

"Having multiple sets of eyes looking at those things, I think, benefited everyone," he explained.

"Collectively, it's probably a more comprehensive evaluation of the facts, to the extent we could assemble them in advance of bringing the lawsuit."

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