

Thompson & Knight Attorneys Secure Jury Verdict for Landlord in Breach of Lease Dispute

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Press release from: [Thompson & Knight LLP](#)

Thompson & Knight attorneys recently secured a jury verdict in favor of 9555 West Belt L.P./Bayview USA Holdings LLC, the owner of an office building located at 9555 W. Sam Houston Parkway, in a dispute involving a tenant's breach of a long-term lease. The defendants in the suit were Quality Infusion Care, Inc., a company which provides services for home health care, and its owners Jim and Linda Rutherford. Moody Rabin Interests managed the property for 9555 West Belt L.P.

Quality Infusion was accused of entering into a seven-year lease of office space in 2002, abandoning the premises in 2005, and failing to pay the remainder of the rent and building operating expenses that were due through 2009. The defendants claimed they abandoned the space because the property was unsuitable for their business and because the owner breached the implied warranties of suitability and quiet enjoyment. Specifically, the defendants claimed the building's power supply failed repeatedly. The jury, after a three-day trial, found in favor of the Firm's client, and the court entered final judgment on August 6, 2007.

Partner Hunter M. Barrow was the lead attorney representing the plaintiffs and was assisted by Associate Charles A. Lestage. Both are residents in Thompson & Knight's Houston office.

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