

Two Burns Charest Lawyers to Lead Hurricane Harvey Flooding Class-Action Claims

The U.S. Court of Federal Claims has appointed two attorneys from the firm of **Burns Charest LLP** to lead proposed class-action claims arising from flooding in Houston that resulted from Hurricane Harvey.

Trial lawyers Daniel Charest and Larry Vincent of Burns Charest were appointed co-lead counsel, along with Charles Irvine of Irvine & Conner PLLC, to manage discovery and dispositive motions. Vincent was also appointed co-lead counsel for jurisdictional discovery and motions to dismiss.

The plaintiffs in the case are Houston homeowners whose properties were ravaged by floodwater releases from the Addicks and Barker reservoirs, which were designed for flood control.

During the massive rains that resulted from Hurricane Harvey, the Army Corps of Engineers performed controlled releases of floodwater from the reservoirs out of concern the dams would break. But the retention of flood water and subsequent releases inundated many neighborhoods, leading to hundreds of millions of dollars in damage both upstream and downstream of the reservoirs. The homeowners claim that by intentionally flooding the area, the government took their land without providing compensation in violation of the Fifth Amendment to the U.S. Constitution.

“Our clients suffered enormous damages as a result of the government’s design of the reservoirs and actions during Hurricane Harvey,” said Charest. “We are committed to helping the people of Houston receive just compensation.”

Burns Charest represents homeowners whose properties are in the flood zone upstream of the reservoirs. There are currently hundreds of upstream lawsuits pending before the U.S. Court of Federal Claims, but the attorneys estimate that number could eventually grow to more than 15,000. The court has laid out an aggressive schedule, with dispositive motions due by June 15, 2018.

“We are very pleased that the court recognizes the urgency in resolving these claims and the need to help residents who are desperate to move forward with plans to recover, rebuild or relocate,” said Charest.

Burns Charest has brought claims throughout the United States, and is currently leading the national class action litigation against EpiPen manufacturer Mylan, and against 3M Co., based on claims of defective dental crowns.

The Houston case is *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, U.S. Court of Federal Claims.