

Stephanie D. Clouston

Partner

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Stephanie Clouston leads Alston & Bird's Dallas litigation practice. She is an experienced and effective litigator who has been recognized for her experience by *Chambers USA: America's Leading Lawyers for Business* and *The Best Lawyers in America*®. Stephanie focuses her practice on business disputes in the telecommunications, manufacturing, energy, and construction industries. She represents clients in state and federal courts across the U.S. in major commercial disputes concerning breach of contract, negligence, products liability, and fraud. Stephanie has also represented clients in regulatory and investigative matters before governmental agencies, including state attorneys general, the Federal Trade Commission, Federal Communications Commission, Department of Energy, and Consumer Product Safety Commission.

Outside the courtroom, Stephanie is an active leader in the Center for Women in Law, an organization dedicated to promoting the legal careers of women throughout Texas and the U.S.

Stephanie is a member of the State Bar of Texas and is admitted to practice in the state and federal courts of Texas, U.S. Supreme Court, and Fifth and Sixth Circuit Courts of Appeals.

Representative Experience

- Lead counsel for Swedish manufacturing company in an iron fence manufacturing suit.
- National lead counsel for fireplace manufacturer in multiple cases across the U.S. alleging harm from glass front fireplaces.
- Lead counsel for computer software company in a software licensing dispute. Obtained summary judgment for software company leading to successful dismissal of suit.
- National counsel for two major cell phone companies in cases across the U.S. alleging personal injury from exploding phones.
- Lead counsel for a multinational conglomerate company and a manufacturing company in a Texas wrongful death suit.
- Serving as Texas liaison counsel for a luxury automobile importer in a number of class actions.
- Served as lead trial and appellate counsel for a major wireless telecommunications provider in federal court on an issue of first impression involving 911 services liability. Obtained dismissal at the trial level and affirmance before the Fifth Circuit and U.S. Supreme Court on the basis that the client was entitled to 911 service provider immunity.
- Won a challenge to personal jurisdiction in Texas state court on behalf of an Australian power company, resulting in dismissal and voiding of a default judgment that had previously awarded relief of approximately \$200 million.
- Obtained dismissal of a local exchange carrier in a putative class action alleging improper third-party billing practices, commonly referred to as "cramming."

- Represented fireplace manufacturers nationwide in multiple products liability lawsuits involving alleged burn injuries due to contact with the glass front of clients' fireplaces.
- Obtained a ruling of first impression at the motion to dismiss stage, for a major wireless telecommunications provider that the client was entitled to immunity under the Texas Health and Safety Code from claims related to the provision of E911 services and a dismissal of multimillion-dollar claims against the client.
- Obtained a take-nothing dismissal on behalf of a major wireless communications provider in a Texas state court suit alleging dram shop liability and negligence involving the wrongful death of an employee.
- Represented a preeminent telecommunications company in obtaining an injunction and favorable verdict on a market rental determination involving a significant telecommunications center.
- Represented a leading inmate telecommunications services provider in two patent infringement lawsuits brought by a competitor involving three-way calling and VoIP technology. Obtained a transfer of the second lawsuit to the same venue as the first for consolidation of the matters.
- Represented another prison telecommunications company in a jury trial alleging breach of a patent portfolio agreement that ended in a favorable settlement.
- Obtained summary judgment for a computer software client to enforce an end-user license agreement in Texas state court.
- Prosecuted substantial damage claims against gas suppliers on behalf of a leading North American chemical manufacturer.
- Represented a DFW-based manufacturer of HVAC and refrigeration products in claims involving defective component parts from a foreign supplier used in commercial refrigeration systems.
- Obtained a favorable settlement in a Department of Energy investigation of alleged violations of the energy conservation standards for certain faucets sold by the client, a global leader in manufacturing and distribution of copper, brass, and plastic tubes, fittings, pipes, and valves.
- Obtained the dismissal, before trial, of a non-manufacturing distributor of a gas valve from a Dallas suit involving a gas explosion that resulted in substantial personal injuries and a fatality.
- Obtained favorable dismissals and settlements in several products liability cases based on products distributed but not made by the client. The settlements limited the client's exposure and allowed the client to seek indemnity from the foreign manufacturers of the products.
- Represented a leading technology provider in a multimillion-dollar lawsuit involving a global outsourcing agreement for the design and operation of a telecommunications network operating system. Obtained a favorable settlement before trial.
- Represented a large telecommunications provider in various billing disputes with third-party billing aggregators.
- Represented a large developer in defamation and business tort litigation and injunctive proceedings between former partners concerning a real estate development project that resulted in a positive settlement before trial.
- Counseling clients on compliance with water and energy conservation standards and labeling requirements regulated by the Department of Energy and Federal Trade Commission.
- Assisted in the representation of a food producer and marketer in various class actions involving exposure to pesticides.

Publications & Presentations

Presentations

- “Who’s In and Who’s Out? Determining the Proper Parties (issues concerning related entities, such as piercing and discovery),” Dallas Women’s In-House Network, Dallas, TX, May 16, 2018.
- Center for Women in Law Award Luncheon, co-chair and leader, Austin, TX, April 13, 2018.

Professional & Community Engagement

- Dallas Bar Association
- Litigation Counsel of America, Fellow (2009–2012)
- Patrick E. Higginbotham Chapter of American Inns of Court, Barrister (1997–1999)
- Circle of Leaders, Center for Women in Law, University of Texas School of Law (membership by invitation only)

Accolades

- *Chambers USA*: Litigation: General Commercial - Texas, Band 3 (2022), Band 4 (2020 and 2021)
- “Best Lawyers” by *D Magazine* (2016-2020, 2022)
- “Texas Super Lawyer” by *Super Lawyers* (2012-2020)
- “Texas Rising Star” by *Texas Monthly* and *Super Lawyers* (2006, 2009, 2010 and 2011)
- “Top Women Lawyers in Texas” by *Texas Monthly* (2019-2022)

Education

- Southern Methodist University (J.D., 1997)
- University of Arkansas, Fayetteville (B.A., 1993)

Admitted to Practice

- Texas

Related Services

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