



Stephanie D. Clouston

Partner

Dallas

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Stephanie is a skilled and seasoned litigator focusing on complex commercial litigation and government investigations, enforcement, and compliance. She has been recognized by *Chambers USA* and *The Best Lawyers in America*[®] for her commitment to delivering resolutions in courtrooms and before government and regulatory agencies on behalf of her clients.

Stephanie is a seasoned trial lawyer who has successfully represented clients in both federal and state courts across the U.S. in major bet-the-company commercial disputes, consumer class actions, and product liability and mass tort actions. She has secured victories for clients in commercial disputes pertaining to breach of contract, negligence, fraud, and non-compete and trade secrets. Stephanie has led several companies through product liability and mass tort litigation—from obtaining early resolutions including dismissals on through trial—involving claims of personal injury and wrongful death.

She also has experience appearing before governmental agencies, including the Federal Trade Commission, Federal Communications Commission, Department of Energy, various Attorneys General, and Consumer Product Safety Commission. She serves clients in highly regulated sectors, including telecommunications, energy and infrastructure, consumer products, and manufacturing.

Stephanie is a dynamic leader in the Center for Women in Law, promoting women in the legal field in both Texas and throughout the United States.

Key Matters

Some of the experience represented below may have been handled at a previous firm.

COMMERCIAL

- Lead trial counsel in a hundreds of millions of dollars dispute for one of the world's largest construction products companies
- Lead trial counsel in defense of an actuarial consulting firm against a claim for actuarial malpractice and breach of contract by a former client.
- Successfully utilized the "snap removal" strategy to remove and defend removal to federal court in multimillion-dollar wrongful death action.

BUSINESS DISPUTES

- Lead counsel for Swedish manufacturing company in an iron fence manufacturing suit.
- Lead counsel for computer software company in a software licensing dispute. Obtained summary judgment for software company, leading to successful dismissal of suit.
- 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 US\$200 million.
- 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.

PRODUCT LIABILITY AND MASS TORT LITIGATION

- Lead counsel for large U.S. fence manufacturer and Swedish-related corporation in obtaining full summary judgment dismissal in wrongful death suit in Texas state district court.
- National lead counsel for fireplace manufacturer in multiple cases across the U.S. alleging harm from glass front fireplaces.
- 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.
- Represented fireplace manufacturers nationwide in multiple products liability lawsuits involving alleged burn injuries due to contact with the glass front of clients' fireplaces.
- 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.

CONSUMER CLASS ACTIONS

- Serving as Texas liaison counsel for a luxury automobile importer in a number of class actions.
- Obtained dismissal of a local exchange carrier in a putative class action alleging improper third-party billing practices, commonly referred to as "cramming."
- Assisted in the representation of a food producer and marketer in various class actions involving exposure to pesticides.

INTELLECTUAL PROPERTY

- Represented a leading inmate telecommunications services provider in two patent infringement lawsuits brought by a competitor involving three-way calling and VoIP. 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.

TECHNOLOGY, NEW MEDIA, AND TELECOMMUNICATIONS

- 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.
- 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.
- Obtained summary judgment for a computer software client to enforce an end-user license agreement in Texas state court.
- Represented a large telecommunications provider in various billing disputes with third-party billing aggregators.

ENERGY AND INFRASTRUCTURE

- Prosecuted substantial damage claims against gas suppliers on behalf of a leading North American chemical
- 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.
- Counseling clients on compliance with water and energy conservation standards and labeling requirements regulated by the Department of Energy and Federal Trade Commission.

Recognitions

- *Chambers USA*: Litigation, General Commercial – Texas (2018–2023)
- *The Best Lawyers in America*®: Commercial Litigation (2021–2024)
- *D Magazine*: Best Lawyers (2016–2020, 2022–2024)
- *Super Lawyers*: Texas Super Lawyer (2012–2023)
- *Lawdragon* “500 Leading Litigators in America” for Commercial Litigation (2023)
- *Lawdragon* “500 Leading Lawyers in America” for Commercial Litigation (2024)
- *Texas Monthly and Super Lawyers*: Texas Rising Star (2006, 2009–2011)
- *Texas Monthly*: Top Women Lawyers in Texas (2019–2022)

Activities

- Litigation Counsel of America, Fellow (2009–2012)
 - Patrick E. Higginbotham Chapter of American Inns of Court, Barrister (1997–1999)
 - Clouston Family Political Science and Public Policy Faculty Fellowship, Co-Founder
 - North Dakota State Pre-Law Student Scholarship, Co-Founder
 - The Center for Women in Law, University of Texas School of Law, Circle of Leaders and Champion
 - The Center for Women in Law, Chair of the Development Committee
 - Annual Fundraising Committee for The Hockaday School for Girls, Member
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Credentials

EDUCATION

Stephanie received her B.A., *cum laude*, from the University of Arkansas, Fayetteville in 1993. She received her J.D., *cum laude*, from Southern Methodist University in 1997.

ADMISSIONS

- Texas

Related Insights & News

- “Who’s In and Who’s Out? Determining the Proper Parties,” Dallas Women’s In-House Network, Speaker, May 16, 2018
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RECOGNITIONS

Winston Attorneys Named to *D Magazine’s* 2024 Best Lawyers in Dallas List

APRIL 19, 2024

RECOGNITIONS

Winston Attorneys Featured on the 2024 *Lawdragon* 500 Leading Lawyers in America List

JANUARY 12, 2024

PRO BONO IN ACTION

Winston and Toyota Team Up to Support Veterans in Dallas

NOVEMBER 15, 2023

RECOGNITIONS

Winston & Strawn Partners Recognized in 2024 *Lawdragon* 500 Leading Litigators in America

SEPTEMBER 8, 2023

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

IN THE MEDIA

Stephanie Clouston Joins Winston & Strawn in Dallas Office

JUNE 27, 2023

PRESS RELEASE

Winston & Strawn Adds Prominent Litigator Stephanie Clouston to Dallas Office

JUNE 27, 2023

Capabilities

Litigation/Trials

Commercial Litigation & Disputes

Product Liability & Mass Torts

Intellectual Property

Class Actions & Group Litigation

Energy

Technology, Media & Telecommunications