

Bond Case Briefs

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Fort Worth Transportation Authority v. Rodriguez

Supreme Court of Texas - April 27, 2018 - S.W.3d - 2018 WL 1976712

Daughter of pedestrian who was fatally struck by public bus brought action against regional transportation authority, its contractors, and bus driver.

The District Court granted summary judgment in favor of authority and its contractors, dismissed bus driver, and denied request for attorney fees by authority and contractors. Parties appealed. The Fort Worth Court of Appeals affirmed in part and reversed in part. Defendants filed petition for review.

The Supreme Court of Texas held that:

- The liability of any number of independent contractors performing essential governmental functions for a regional transportation authority is limited to a single damages cap under the Texas Tort Claims Act (TTCA);
- Bus driver was protected from individual liability by TTCA's election-of-remedies provision, disapproving *Castro v. Cammerino*, 186 S.W.3d 671; and
- Authority and its contractors were not entitled to attorney fees from interpleaded funds.