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Contact: Andrew Nehring  
andrew@fourthstreetadvocacy.com

## **LANDOWNER VICTORY: SECOND JUDGE DENIES TEXAS CENTRAL RAILWAY'S REQUEST TO BE DECLARED RAILROAD**

**Ellis County, Texas** – Last Friday, Ellis County landowners Ronny Caldwell, William Getzendaner, and Darren Eagle celebrated another devastating blow to Texas Central Railway's ill-advised high-speed rail project. In Ellis County – where Texas Central has sued more than ten landowners – Judge Jim Chapman denied Texas Central's motion for a summary judgment order declaring that Texas Central qualifies as a railroad company under Texas law. As it stands, Texas Central still has no legal right to enter onto private property, nor does it have the right to force landowners to sell their property under the threat of eminent domain. In short, everything Texas Central has been telling landowners and the public for the past three years continues to be proven false in courtrooms up and down the proposed HSR corridor. Hopefully now, after losing in court again, Texas Central will finally realize that – in Texas – merely saying you are a railroad doesn't mean that you are a railroad.

**Landowner Ronny Caldwell** said he is pleased with the ruling, especially since this is the second time he has been sued by the promoters of the proposed HSR. "Texas Central sued me back in 2016, then dropped the lawsuit after I hired an attorney and filed my papers. Then they sued me again in 2018. For years, I've been asking them to show me proof they are a railroad with eminent domain. They never could. And as it turns out, they couldn't prove it in court either."

Our legal team, led by Blake Beckham and Patrick McShan of The Beckham Group, worked countless hours alongside Ron Bunch, Derek Rollins, and Dan Gus, attorneys for William Getzendaner and Darren Eagle, in defense of these landowners' property rights. Glenn Sodd, Jason Sodd and Jody McSpadden of the Dawson Sodd firm also contributed to this legal victory.

**Patrick McShan** said, "Once again, Texas Central bullied innocent landowners, sued them, threatened them with attorney's fees, filed thousands of pages of papers, and then lost in court. It's like a broken record. How many more of these cases does Texas Central and their army of lawyers have to lose before they get it through their heads that bringing a bunch of boxes of papers to the courthouse to show how much work you've done doesn't mean you can violate someone's private property rights? They've filed 43 cases in six counties and still can't find a single court to sign off on their absurd legal arguments. And it's not going to happen on our watch."

**Kyle Workman**, president of Texans Against High-Speed Rail, said, "This ruling doesn't surprise us, given that Texas Central has never produced any documentation of eminent domain authority. This company has been threatening and suing landowners, sending harassing letters, trespassing, and coercing "option contracts" with the unsubstantiated threat of eminent domain for years. With no eminent domain authority and no money or approval to construct, calling this project a pipe dream is putting it mildly. In truth, it's just a bunch of consultants feeding at a Japanese-funded trough. It's time for *Texas Central* to call it quits and move on."

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