

Professional Legal Services Questionnaire

A. Person or Firm Name & Principal Address:

Kelly Hart Pitre
400 Poydras Street, Suite 1812
New Orleans, La 70130

B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

Daniel Lichtl, Partner
Kelly Hart Pitre
400 Poydras Street, Suite 1812
New Orleans, LA 70130
Daniel.lichtl@kellyhart.com
Phone: (504)522-1812
Direct: (504)434-6726

C. Location of the principal:

Kelly Hart Pitre
400 Poydras Street, Suite 1812
New Orleans, LA 70130

D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field.

<input checked="" type="checkbox"/> Bond Services (Years: <u>2</u>) <input checked="" type="checkbox"/> Elections (Years: <u>5</u>) <input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>5</u>) <input type="checkbox"/> Antitrust Law (Years: <u> </u>) <input checked="" type="checkbox"/> Business Law (Years: <u>35</u>) <input type="checkbox"/> Criminal Justice (Years: <u> </u>) <input checked="" type="checkbox"/> Dispute Resolution (Years: <u>35</u>) <input checked="" type="checkbox"/> Environmental, Energy & Resources (Years: <u>35</u>) <input type="checkbox"/> Health Law (Years: <u> </u>) <input checked="" type="checkbox"/> Intellectual Property (Years: <u>12</u>) <input checked="" type="checkbox"/> International Law (Years: <u>15</u>) <input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>5</u>) <input checked="" type="checkbox"/> Public Contract Law (Years: <u>5</u>)	<input type="checkbox"/> Science & Technology Law (Years: <u> </u>) <input checked="" type="checkbox"/> State & Local Government Law (Years: <u>35</u>) <input type="checkbox"/> Taxation (Years: <u> </u>) <input checked="" type="checkbox"/> Tort Trial & Insurance Practices (Years: <u>35</u>) <input checked="" type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: <u>25</u>) <input type="checkbox"/> Securities (Years: <u> </u>) <input checked="" type="checkbox"/> Ethics Law (Years: <u>25</u>) <input type="checkbox"/> Civil Service Matters (Years: <u> </u>) <input type="checkbox"/> Civil Rights & the Constitution (Years: <u> </u>) <input type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u> </u>) <input type="checkbox"/> Code Enforcement Matters (Years: <u> </u>)
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<input type="checkbox"/> Public Utilities Law (Years: _____) <input checked="" type="checkbox"/> Communications Law (Years: <u>12</u>) <input checked="" type="checkbox"/> Transportation Law (Years: <u>25</u>) <input checked="" type="checkbox"/> Property (Years: <u>35</u>) <input type="checkbox"/> Trust & Estate Law (Years: _____) <input checked="" type="checkbox"/> Other/specific project as required by the advertisement (Years: <u>35</u>)	<input checked="" type="checkbox"/> Oil Spill Litigation (Years: <u>20</u>) <input checked="" type="checkbox"/> Public Finance (Years: <u>2</u>) <input type="checkbox"/> Land Use, Planning & Zoning Law (Years: _____) <input type="checkbox"/> Economic Development (Years: _____) <input checked="" type="checkbox"/> Construction Law (Years: <u>15</u>)
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E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.

Name & Address:	Specialty:	Worked with Firm Before (Yes or No):
1. Not Applicable		
2.		
3.		
4.		

Professional Legal Services Questionnaire

F. Professional Training and experience in relation to the type of work required for the outside legal services.

Please see attached bios for Daniel Lichtl, Lesli Harris, Loulan Pitre, Jr., Louis Phillips, Demarcus Gordon, Aimee Hebert, Kelly Ransom and Jane A. Jackson.

G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.

This firm has eight (8) lawyers in its New Orleans office and two lawyers in its Baton Rouge Office who will always be available to perform legal services for the Parish. In addition, the firm has 125 lawyers in its Fort Worth Office who would be available to perform legal services for the Parish. There is currently no unfinished workload.

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i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: <u>8</u>		
ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.		
Name:	Legal Field:	Years of Experience in Legal Field:
1. Daniel Lichtl	Please see attached bio. Business Law, Environmental Energy and Resource Law, Tort Trial and Insurance Practices, Complex Litigation, International Law, Labor and Employment Law, Transportation Law, Construction Law and Oil Spill Litigation	25
2. Lesli Harris	Please see attached bio. Communications law, Complex Litigation and Intellectual Property	16
3. Loulan Pitre	Please see attached bio. State and Local Government Law, Elections, Administrative and Regulatory Business Law, Environmental Energy and Resources, Public Contract Law, Ethics Law, Property Oil Spill Litigation and Construction Law	35
4. Louis Phillips	Please see attached bio. Bankruptcy and Business Reorganization.	40
5. Demarcus Gordon	Please see attached bio. Environmental, Energy and Resources, Tort Trial and Insurance Practices, Construction Law and Complex Litigation.	22

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H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.

The firm has not previously performed work for the parish, but is and its lawyers have many years of experience representing governmental entites, including Jefferson Parish (sealed litigation where the lawyer was the liaison for Jefferson Parish), South Lafourche Levee District, South Lafourche Beachfron Development District, North Lafourche Levee District, Greater Lafourche Port Commission, City of New Orleans and Sewerage and Water Board of New Orleans.

I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.

None

Professional Legal Services Questionnaire

J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)

1. Represented the Greater Lafourche Port Commission (Port Fourchon) in varied aspects of port development and operations, including wind development, public agency law, public contracts law, leases and environmental issues
2. Represented the South Lafourche Levee District on appeal of issue related to compensation for property used for levee purposes, including proceedings before Louisiana Supreme Court and United States Supreme Court. S. Lafourche Dist v. Jarreau, 2016-0788 (La. 3/31/17), 217 So.3d 298 and Jarreau v. S. Lafourche Levee Dist., 138 S. Ct. 381 (2017)
3. Providing advice for consideration by a political subdivision regarding procedure for the potential use of outcome-based performance contracts for coastal protection and restoration projects.
4. Obtained judgment in Louisiana appellate court affirming ruling on trial court decision to dismiss lawsuit against client in case involving alleged environmental damage to property. Dietz v. Superior Oil Co., 2013-657 (La. App. 3 Cir. 12/11/13), 129 So.3d 836.
5. Obtained dismissal of plaintiffs \$20 million claims on summary judgment in case involving alleged environmental damage to property. Ritchie Grocer Co. v. 2H, Inc. No. 14-2868, 2018 WL 1319211 (W.D. La. Mar. 13, 2018)

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6. Advised South Lafourche Beachfront Development District regarding coastal use permits and activities permitted on the beach
7. Trial counsel in defense of claim for breach of implied covenant in oil and gas leases, resulting in judgment of no liability. Eagle Lake Estates, L.L.C, v. Cabot Oil & Gas Corp., 2006 WL 1328827 (E.D. La. 2006).
8. Counsel for defendant in mineral servitude owner claim by landowner for oilfield environmental damages, resulting in full dismissal on summary judgment with no appeal taken. Sterling Sugers, Inc. v. Amerada Hess Corporation, et al No. 100091, 17th JDC Lafourche Parish, La. (July 3, 2017).
9. Represented the Sewerage & Water Board of New Orleans in a complex insurance recovery matter against historic carriers. Lexington Ins. Co. v. Sewerage & Water Bd. of New Orleans, 2010 WL 4366430 (E.D. La. 2010).
10. Successfully represented the City of New Orleans in connection with a dispute involving a construction project in Armstrong Park.

Professional Legal Services Questionnaire

K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.

Please see attached bios of the lawyers who will be handling matters on behalf of the Parish. The firm representative resides in Jefferson Parish. If the Parish requires any additional information, please visit our website at www.kellyhart.com.

L. To the best of my knowledge, the foregoing is an accurate statement of facts.

Signature:  _____ Print Name: Daniel Lichtl _____

Title: Partner _____ Date: May 24, 2024 _____

KELLY HART

ATTORNEYS AT LAW

DANIEL LICHTL PARTNER

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NEW ORLEANS



BIOGRAPHY

Daniel Lichtl is a highly experienced attorney who specializes in corporate, business, and litigation law. With his extensive knowledge in both domestic and cross-border transactions and litigations, he has successfully represented clients across a diverse range of industries. Mr. Lichtl's primary focus is on corporate formation, business counseling, and general corporate matters. He has helped clients acquire, finance, and structure industrial and agricultural developments, as well as negotiate various commercial transactions such as share subscription agreements, stock purchase agreements, asset sale agreements, and yacht/vessel purchases.

Apart from his corporate and litigation practice, Mr. Lichtl has also defended environmental claims by landowners against oil companies and investigated numerous shipboard accidents, including collision, personal injuries, and cargo damage.

In addition, Mr. Lichtl is fluent in Spanish and has extensive experience in cross-border transactions. He has conducted investigations for matters in Mexico, Colombia, and Venezuela, and has worked closely with local counsel to provide legal opinions to corporate clients regarding conducting business in foreign countries. Mr. Lichtl has also assisted in forming offshore corporations.

EXPERIENCE AND HIGHLIGHTS

- Represented appliance distributor in asset sale to national distributor of plumbing supplies
- Represented real estate holding company in financing of all its Louisiana properties
- Represented Florida company in construction and purchase of 112' yacht
- Represented family owner member in sale of interest in heavy machinery company
- Represented national oil company in its refinancing of its Louisiana properties
- Represented Colombian family in its purchase of syrup/sugar mills and agricultural properties in Louisiana
- Represented various Louisiana companies in sale of ethanol/agricultural equipment and properties in Louisiana to the state-owned Colombian oil company

AFFILIATIONS

- Texas Bar Foundation, Fellow
- Christian Brothers Foundation, Board of Directors, August 2015-Present
- Kingsley House, Board of Directors, November 2002-2004

HONORS

- Leadership in Law, New Orleans CityBusiness, 2021

EDUCATION

- Loyola School of Law, J.D., 1999
- Auburn University, B.S., International Business, 1996

ADMISSIONS

- State Bar of Louisiana, 1999
- State Bar of Texas, 2005

KELLY HART

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LESLI D. HARRIS OF COUNSEL

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NEW ORLEANS



BIOGRAPHY

Lesli D. Harris focuses her practice primarily on intellectual property, sports and entertainment law, and emerging companies. She has also successfully handled class action defense and general business litigation. Prior to joining the firm, Ms. Harris was a partner at Stone Pigman Walther Wittman in New Orleans, Louisiana, and was formerly Chief of Staff and Executive Counsel to the President at Loyola University.

Ms. Harris received her LL.M in Trade Regulation, with a concentration in Intellectual Property, from New York University School of Law. She earned her J.D., *cum laude*, from Tulane University School of Law, and her B.A. from the University of Virginia. She is licensed to practice law in Louisiana and New York.

EXPERIENCE AND HIGHLIGHTS

- Represented the National Football League, Baltimore Ravens and San Francisco 49ers in 2013 Super Bowl anti-counterfeiting operation and proceedings
- Regularly represented the New Orleans Saints and the New Orleans Pelicans in intellectual property matters, including trademark protection and policing
- Represented the Forum for Equality and same-sex couples in marriage equality litigation in federal court
- Represented the Housing Authority of New Orleans in class action litigation concerning alleged environmental hazards
- Represents Grambling State University in trademark registration and enforcement efforts
- Defended NBC Universal and Syfy Network in copyright and trademark litigation in federal district court
- Represented NBC Universal and Bravo Media in connection with policing and enforcement of “Real Housewives” trademark rights
- Defended a Hollywood actor/director/producer in a federal jury trial involving \$18 million in claims of securities law violations and fraud brought by investors
- Defended New Orleans and Seattle-based clothing boutique against trademark and trade dress infringement claims
- Represented an international beverage company in trademark litigation
- Represented nationally syndicated radio talk show host in copyright litigation

AFFILIATIONS

- New Orleans Bar Association, Board Member
- New Orleans Bar Association’s Intellectual Property Committee, Chair
- Federal Bar Association, Board Member
- Young Artists Young Aspirations, Board Member
- New Orleans Film Society, Board Member
- Industrial Development Board of the City of New Orleans, Board Member

HONORS

- *Chambers USA*, Louisiana, Spotlight, 2021-2023
 - Intellectual Property Law
- Best Lawyers in America®, *U.S. News & World Report*, 2024
 - Advertising Law
 - Trade Secrets Law
 - Trademark Law
- Top 25 Women Louisiana Super Lawyers, *Louisiana Life Magazine*, 2022,2023
- Louisiana Super Lawyers, Thomson Reuters, 2018-2023
 - Intellectual Property Law
- *New Orleans CityBusiness* Women of the Year Honoree, 2022
- Top Lawyer, *New Orleans Magazine*, 2018, 2020-2023
 - Intellectual Property Law
 - Communications Law
- Leadership in Law, *New Orleans CityBusiness*, 2013, 2017, 2021
- Louisiana Super Lawyers Rising Star, Thomson Reuters, 2014, 2015
 - Intellectual Property Law
- 40 Under 40, *Gambit's*, 2014
- Martindale-Hubble AV Preeminent
- Forum for Equality Acclaim Award

EDUCATION

- New York University School of Law, LL.M. in Trade Regulation, 2008
- Tulane University School of Law, J.D., *cum laude*, 2002
- University of Virginia, B.A., 1997

ADMISSIONS

- New York, 2009
- Louisiana, 2002

SPEECHES & PUBLICATIONS

- Speaker, Empower 2022 New Orleans Conference, June 2022
- Speaker, “Creative, Cost-Effective Strategies for Resolving Intellectual Property Disputes,” American Bar Association Webinar, March 2021
- Speaker, “IP and Mardi Gras,”” Louisiana State Bar Association IP Webinar, February 2021
- Speaker, Litigating the Disaster Case,” ABA Business Section Spring Meeting, 2017
- Speaker, “Match Game, My In-House Counsel Wants _____,” ABA Litigation Section Spring Meeting, 2017
- Speaker, “Pokémon in the Wild,” ABA Litigation Section Spring Meeting, 2017
- Speaker, “Patents in Turmoil,” ABA Business Section Fall Meeting, 2015
- Author, “Branding and Advertising the Right Way: Do’s, Don’ts and Legal Issues in Promoting your Brand,” New Orleans Entrepreneur Week, 2014
- Co-Author, “Expanding Trademark Law Toward a ‘Merchandizing Right’ – The University of Alabama Goes After the ‘Houndstooth Mafia’,” *Louisiana Sports Association Newsletter*, 2014
- Speaker, “Crimes of Fashion: SEC Violations, Criminal Counterfeiting, Labor Law Violations and More in the Fashion Industry,” New Orleans Bar Association, 2013
- “Procrastinators Program: Shoes War II, Fashion and Intellectual Property Law,” New Orleans Bar Association, 2012
- “Shoe Wars: CLE for the Sole,” New Orleans Bar Association, 2011

KELLY HART

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BATON ROUGE



BIOGRAPHY

Loulan Pitre has extensive experience with the development, construction, operation, and decommissioning of energy, environmental, and infrastructure projects. He has represented energy and other industrial companies, real estate developers, financial institutions, ports, levee districts and other public entities, and participants in the construction and service industries such as contractors, engineers, and material suppliers. His work has included entity formation and governance, traditional and innovative financing methods, complex land rights issues, construction procurement and management, environmental and coastal permitting issues, and complex disputes. In addition to his traditional scope of complex work, in recent years he has developed deep industry knowledge in the business and legal aspects of the growing U.S. offshore wind energy industry.

While serving as an elected member of the Louisiana House of Representatives from 2000 to 2008, Mr. Pitre was intimately involved in the development of the state's coastal restoration and protection program and large transportation infrastructure projects such as the elevated highway to Port Fourchon. He is highly ranked in Chambers, BestLawyers, and SuperLawyers and is an Adjunct Associate Professor of Law at Tulane Law School. He is an experienced negotiator trained in both arbitration and mediation and a frequent speaker and writer.

Mr. Pitre is also extremely well known for his practice in legacy litigation in which landowners and public entities sue oil and gas companies alleging environmental damage from oil and gas exploration and production operations. These cases often involve claims in the hundreds of millions of dollars. As lead trial counsel in *Meaux et al. v. Hilcorp et al.*, he defended two oil and gas exploration and production companies from claims of environmental damage. After a three-week trial, plaintiffs asked the jury for over \$60 million dollars. Instead, the jury's verdict resulted in no liability for defendants, a result that withstood appeal.

Mr. Pitre grew up in Cut Off in southern Lafourche Parish, Louisiana, which has grown in the past century from a collection of small Cajun French fishing villages to the central hub of the Gulf of Mexico deepwater oil and gas industry at Port Fourchon. Thus, from an early age he has understood the intricate challenges of living and working on the Louisiana coast. At South Lafourche High School, Mr. Pitre was a National Merit Scholar, a Presidential Scholar (one of 121 nationwide), and a Telluride Association Summer Program Scholar (one of 20 nationwide). He then spent seven years at Harvard, where he earned his bachelor and law degrees and numerous honors. He wrote his Harvard College *magna cum laude* honors thesis about a 19th century village on the Louisiana coast and his Harvard Law School senior paper about aspects of the Louisiana Constitution. He then returned to Louisiana, ultimately serving his home town as attorney to the Greater Lafourche Port Commission during a period of explosive expansion and as a member of the Louisiana House of Representatives.

EXPERIENCE AND HIGHLIGHTS

- Special advisor to port commission regarding offshore wind energy
- Trustee Counsel in \$29,000,000 issuance of GOMESA bonds
- Represented parish government against open meeting law challenge to issuance of permit for environmentally sensitive facilities
- Representing levee district in defense of class action claims relating to construction and operation of flood protection system
- Accepted by Federal Court to testify as expert witness in legislative history

- General counsel to a privately-owned port development company, including entity formation and governance, issuance of stock to project sponsors, and construction and coastal zone permitting issues
- Formation of entities and governance framework, as well as other advice and representation, for multiple companies with operations in Louisiana coastal zone
- Formation of entities and governance framework for several non-profit corporations with interests in highway projects, coastal protection and restoration, and flood insurance
- General counsel to chemical company operating in southern Louisiana
- General counsel to a port commission for eight years on a wide variety of issues relating to port expansion and construction of port facilities in sensitive coastal area
- General counsel to a beachfront development district for several years, including land rights at the seashore, opposition to a coastal use permit application that interfered with recreational use, and preparation of a NEPA comment letter regarding the compatibility of recreational use with planned federal and state ecosystem restoration projects
- Advice to a biodiesel manufacturer on Louisiana issues
- Advice to a hydroelectric power company on Louisiana issues
- Advice to several potential sponsors of proposed public private partnership (P3) arrangements for construction of major highway construction projects
- Representation of non-profit corporation in negotiation of cooperative endeavor agreement with La. DOTD for construction of major highway improvements
- Advice to levee district regarding process for outcome based performance contracts for construction of coastal protection projects
- Advice to levee district on issues regarding U.S. Corps of Engineers permission under Clean Water Act Section 408 for construction of levee improvements
- Representation of an owner in dispute arising from construction of dock facilities on Mississippi River
- Representation of a general contractor in litigation to obtain payment for street overlay construction
- Advice to a major international investment bank regarding the energy industry and the Louisiana coastal protection and restoration program
- Louisiana counsel in acquisition of shipyard and offshore services company
- Representation of developer in negotiations with La. State Land Office regarding construction plans for development of coastal island
- Advice to developer of coastal property regarding rights to water bottoms
- Representation of oil and gas exploration companies in numerous regulatory matters
- Advice to oil and gas exploration company after blowout
- Representation of an engineer in dispute with La. DOTD regarding design and construction of bridge replacement project in the coastal zone
- Representation of La. DNR regarding riparian land rights in connection with anticipated construction of freshwater diversion project
- Represented port commission in negotiation with bond company for completion of construction project after default by contractor
- Advice to port commission with respect to the development of a wetlands mitigation program in connection with obtaining permits for construction of port expansion
- Representation of port commission in litigation and resolution of disputes with major landowners involving multiple complex issues
- Representation of port commission regarding NGO litigation challenging NEPA compliance in connection with U.S. Corps of Engineers grant of permit for construction of major port expansion under Section 404 of Clean Water Act
- Representation of port commission in negotiating pipeline lowering to facilitate channel deepening
- Representation of port commission in creating an innovative non-profit corporation to acquire oyster lease rights to facilitate construction of coastal restoration project
- Representation of a port commission in obtaining transfer of sponsorship of an airport, including obtaining agreement of former sponsor and approval of Federal Aviation Administration
- Advice to port commission regarding public bid law disputes
- Advice to airport district regarding public bid law issues
- Representation of a levee district on appeal of litigation regarding compensation for land appropriated for levee construction purposes, including proceedings before Louisiana Court of Appeal, Louisiana Supreme Court, and United States Supreme Court
- Representation of a levee district and its engineer in a dispute regarding construction of a multi-million dollar lock
- Representation of engineer in dispute regarding design of drydock
- Defence of Louisiana Department of Environmental Quality enforcement actions directed at alleged air and water violations

- Representation of the Louisiana Oil and Gas Association with respect to environmental issues pending before the Louisiana Supreme Court
- Representation of a naval architect in dispute regarding use of vessel plans
- Representation of title insurance company and timber company in dispute over title to island based on historical changes in the course of Mississippi River
- Representation of title company in dispute over urban property in New Orleans based on historical changes in the course of Mississippi River
- Representation of owner of coastal island in claims for environmental damage arising from un-controlled vessels during hurricane
- Representation of owner of vessel from claims arising while vessel uncontrolled after hurricane
- Representation of multiple oil and gas exploration companies and pipeline against claims for environmental damage brought by landowners and public entities, including both contamination and erosion claims
- Lead counsel in a three-week jury trial that resulted in no liability or remediation obligation for defendants, and successful defence of verdict on appeal
- Representation of a client with respect to a remediation program required as a condition of settlement
- Retained by several prominent law firms as an expert witness on the litigation and resolution of claims for environmental damage
- Member of Water Code Committee of the Louisiana State Law Institute
- Retained by the Louisiana Oil and Gas Association to provide testimony in legislative committees and advice regarding proposed legislation relating to environmental damage litigation
- Member of board of directors of chemical company
- Elected member of the Louisiana House of Representatives for two four-year terms, focusing legislative time and attention on solving Louisiana's land loss crisis and dealing with infrastructure issues related to the land loss
- Author and floor leader for several pieces of important legislation affecting coastal restoration and highways, including constitutional amendments approved by the voters in 2003
- Service as Chairman of the House Special Committee on Coastal Restoration and Flood Control
- Service as Co-Chairman of the House Special Committee on the Bayou Lafourche Freshwater Reintroduction Project
- Service as Chairman of the La. Highway One Emergency Task Force
- Service as a member of the Board of the Louisiana Investment in Infrastructure for Economic Prosperity Commission
- Service as a member of the board of the Louisiana Transportation Authority
- Service as a member of the House Committee on Transportation, Highways and Public Works
- Service as a member of the Committee on House and Governmental Affairs
- Service as a member of the House Committee on Labor and Industrial Relations
- Service as Chair, Transition Advisory Group on Coastal Restoration and Flood Control
- Service as Member, Governor's Advisory Commission on Coastal Restoration
- Served as Vice Chair of the Management Conference of the Barataria-Terrebonne National Estuary Program
- Elected by Harvard Law School classmates as permanent Class Secretary
- Gave Class Address at Harvard Law School Commencement
- Selected for clerkship by the Honorable Judge Albert Tate, United States Court of Appeals for the Fifth Circuit (Judge Tate passed away before term of clerkship)
- Service as Editor, Harvard Journal on Legislation
- Service as Vice President for Finance, Harvard Law School Forum
- Wrote Harvard Law School senior paper on aspects of Declaration of Rights in Louisiana Constitution
- Harvard undergraduate honors thesis studied nineteenth-century *Cheniere Caminada*, a town on the Louisiana coast, selected for Harvard archives

AFFILIATIONS

- National Association of Bond Lawyers, Member
- American Bar Association, Section of Environment, Energy and Resources
- American Bar Association, Section of Litigation
- Louisiana State Bar Association, Environmental Law Section
- GNO, Inc., Public Policy Committee
- Institute for Energy Law, Advisory Board Member, 2017-2023

- Institute for Energy Law, Renewables Practice Committee, Officer, 2022
- Harvard Alumni Association Board of Directors
- Harvard Law School Class of 1986, Permanent Class Secretary
- Louisiana Association of Business and Industry, Board of Directors, Energy Council
- La. 1 Coalition, Corporate Secretary, Executive Committee, Board of Directors
- Louisiana House of Representatives, Member, 2000-2008
- Water Code Committee of the Louisiana State Law Institute, 2016
- Petroleum Landman's Association of New Orleans, Member
- AV Rated by Martindale-Hubbell

HONORS

- Delegate for Louisiana Constitution Rewrite, Selected by Louisiana Governor Jeff Landry
- Chartered Institute of Arbitrators (FCIArb), Fellow
- Construction Lawyers Society of America, Fellow
- Best Lawyers® Energy Regulatory Law Lawyer of the Year, New Orleans, 2024
- Best Lawyers® Natural Resources Law Lawyer of the Year, New Orleans, 2023
- Best Lawyers® Oil and Gas Law Lawyer of the Year, New Orleans, 2023
- Best Lawyers in America®, *U.S. News & World Report*, 2013-2024
 - Energy Regulatory Law
 - Environmental Law
 - Litigation – Environmental
 - Natural Resources Law
 - Oil and Gas Law
- Chambers USA, Louisiana, 2011-2023
 - Environmental Litigation, Band 1
- Louisiana Super Lawyers, Thomson Reuters, 2014-2023
 - Environmental Litigation
- Top Lawyers, *New Orleans Magazine*, 2021
 - Oil & Gas Law
- Driving Forces Recipient, *New Orleans CityBusiness*, 2020
- Leadership in Law Hall of Fame, *New Orleans CityBusiness*, 2019-2022
- Louisiana Super Lawyer Top 50, 2017
 - Environmental Litigation
- Best Lawyers® in Environmental Litigation Lawyer of the Year, New Orleans, 2015
- Top Lawyers, *New Orleans Magazine*, 2013
 - Environmental Law
- Leadership in Law, *New Orleans CityBusiness*, 2009

EDUCATION

- Harvard Law School, J.D., 1986
- Harvard College, A.B., *magna cum laude*, 1983

ADMISSIONS

- State Bar of Louisiana, 1986
- State Bar of Oregon, 1990
- District of Columbia Bar, 2022
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Eastern District of Louisiana

- U.S. District Court, Middle District of Louisiana
- U.S. District Court, Western District of Louisiana
- U.S. District Court, Southern District of Texas, (Inactive)
- U.S. District Court, Eastern District of Texas

SPEECHES & PUBLICATIONS

- Speaker, Offshore Wind Energy, Coastal Law in Louisiana Seminar, April 2024
- Speaker, SCIA General Membership Luncheon, October 2023
- Panelist, Gulf of Mexico Regional Port Briefing, OSW Port & Vessel Summit, September 2023
- Speaker, “The Need for Transparency: Data-Sharing to Improve Health and Safety,” OSW O&M/ Health & Safety Summit, January 2023
- Speaker, “Historical Overview of Coastal Law in Louisiana,” Bayou Region Continuing Education Symposium at Fletcher Technical Community College, November 2022
- Panelist, “Offshore Wind Opportunity – A Virtual Panel Event,” University of New Orleans’, October 2022
- Speaker, “Closing the Loop: Bringing the Net-Zero Supply Chain to Ports & Vessels,” September 2022
- Speaker, “Key Issues in Carbon Capture Projects,” CAIL Institute for Energy Law, August 2022
- Speaker, “Offshore Wind Energy,” Coastal Law in Louisiana Seminar, April 2022
- Panelist, “The OSW Safety Regulatory Regime – What Will it Look Like in the U.S.?,” Business Network for Offshore Wind’s OSW O&M/Health & Safety Summit, February 2022
- Author, “Regulation of Safety and Health on U.S. Offshore Wind Energy Facilities,” Energy Law Advisor, November 2021
- Author, “Where We Go From Here,” Biz New Orleans, July 2020
- Speaker, “Coastal Project Development—Public and Private”, 2nd Annual Coastal Law in Louisiana Seminar, March 2019
- Panelist, “Coastal Litigation,” 23rd Annual Tulane Environmental Law & Policy Summit, March 2018
- Speaker, “Coastal Law in Louisiana—The Historical Perspective,” Coastal Law Seminar, March 2018
- Speaker, LSU Law School CLE on Insurance Coverage in Legacy Litigation, October 2015
- “Legacy Litigation Update,” LSU Mineral Law Institute, March 20, 2015
- “The Importance and Use of Historical Evidence in Light of LL&E,” LOGA Industry Seminar and CLE, September 2014
- Six Years Later – Louisiana Legacy Lawsuits since Act 312
- Louisiana Supreme Court Upholds Subsequent Purchaser Doctrine
- Does Act 312 Work? We'll find Out!
- Act 312 – Constitutional, Supreme Court Says in M.J. Farms, LOGA Industry Report, Fall, 2008
- Act 312 – Cleaning up Legacy Litigation, LOGA Industry Report, Winter 2009
- “Legacy Litigation” and Act 312 of 2006, 20 TUL. Env. L.J. 347

KELLY HART

ATTORNEYS AT LAW

LOUIS M. PHILLIPS PARTNER

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BATON ROUGE



BIOGRAPHY

Louis M. Phillips is a partner at Kelly Hart Pitre and leader of the firm's Bankruptcy & Business Reorg. practice. Mr. Phillips provides legal representation and consultation for debtors, creditors, and trustees over a broad practice area, including transaction and business structuring and restructuring, bankruptcy reorganization, and bankruptcy and commercial litigation. He also handles civil cases in state and federal courts and has handled matters before the Fifth Circuit Court of Appeals.

Mr. Phillips represents debtors, debtors-in-possession, and creditors in Chapter 11 cases, borrowers and lenders in loan restructuring and workouts, and entities of all types in all practice areas of bankruptcy cases and proceedings.

Mr. Phillips serves as the permanent chair (now Chair Emeritus) of the Annual Bankruptcy Law Seminar sponsored by the Louisiana State University Center for Continuing Professional Development, a program he developed in 1995. He has taught educational programs on bankruptcy law for state judges, and was an Adjunct Professor of Law at LSU Law School from 1988 through 2019. Mr. Phillips was formerly a contributing editor to the Norton Bankruptcy Law and Practice 2nd and is the author of numerous articles for law reviews and other periodicals. Mr. Phillips is a frequent speaker and writer for legal education seminars across the country, including the Advanced Bankruptcy Course of the State Bar of Texas, Western District of Texas Bankruptcy Bench Bar; LSU Annual Bankruptcy Law Seminar, LSU Family Law and Recent Developments in Law Jurisprudence Seminars, and seminars sponsored by such esteemed groups as Stetson University College of Law, University of Missouri-Kansas City School of Law, Texas Tech School of Law, Norton Institutes on Bankruptcy Law, American Bankruptcy Institute, National Association of Bankruptcy Trustees, National Association of Chapter 13 Trustees, Rocky Mountain Bankruptcy Symposium Law Education Institute, 5th Circuit Bench-Bar Bankruptcy Conference, Mississippi Bankruptcy Conference, Bankruptcy Law Institute, MidSouth Commercial Law Institute, the Annual Oil & Gas Law Conference, and the American Bar Association as well as numerous federal district bar associations and those of and in the states of Louisiana, Minnesota, Ohio, Oregon, Tennessee, Washington and Wisconsin. Among his many other speaking engagements are lectures to the National Association of Attorneys General, Association of Consumer Bankruptcy Attorneys, and VISA International.

From 1988 – 2002, Mr. Phillips served as the Chief U.S. Bankruptcy Judge for the Middle District of Louisiana. During his tenure, he authored numerous opinions of first impression of Louisiana state law and bankruptcy law, and was the author of a number of opinions that ultimately were adopted by the Fifth Circuit and other courts as the law of those courts (i.e., Matter of Mercer, 246 F.3d 391 (5th Cir.2001) involving credit card fraud cases under section 523(a)(2) and Matter of Orso, 283 F.3d 686 (5th Cir. 2002) (wherein the Court reversed the panel and prior jurisprudence concerning the Louisiana law exemption over structured settlement annuities).

Mr. Phillips presided over the first conversion to a totally electronic filing and docketing system within the Federal Courts of the United States.

AFFILIATIONS

- Permanent Chair (now Chair Emeritus), Louisiana State University Center for Continuing Professional Development, Bankruptcy Law Seminar, 1995-Present
- Louisiana State University Law School, Adjunct Professor, 1988-2019
- American College of Bankruptcy Law, Fellow

- American Bar Foundation, Fellow

HONORS

- Best Lawyers in America®, *U.S. News & World Report*, 2009-2024
 - Bankruptcy and Creditor Debtor Rights | Insolvency and Reorganization Law
 - Litigation | Bankruptcy
- Louisiana Super Lawyers, Thomson Reuters, 2008-2023
 - Bankruptcy: Business
- Chambers USA, Band 1, 2007-2023
 - Bankruptcy and Creditor Debtor Rights
- Louisiana Super Lawyers Top 50, Thomson Reuters, 2018, 2023
 - Bankruptcy
- Best Lawyers® Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law Lawyer of the Year, Baton Rouge, *U.S. News & World Report*, 2017

EDUCATION

- Louisiana State University, J.D., 1980
- Rhodes College, B.A., 1976

ADMISSIONS

- State Bar of Louisiana, 1980
- U.S. Supreme Court
- U.S. Bankruptcy Court, Eastern District of Louisiana
- U.S. Bankruptcy Court, Middle District of Louisiana
- U.S. Bankruptcy Court, Western District of Louisiana
- U.S. Bankruptcy Court, Southern District of Texas
- U.S. Bankruptcy Court, Northern District of Texas
- U.S. Bankruptcy Court, Southern District of Mississippi
- U.S. District Court, 5th Circuit
- U.S. District Court, Eastern District of Louisiana
- U.S. District Court, Middle District of Louisiana
- U.S. District Court, Western District of Louisiana
- U.S. District Court, Southern District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Western District of Arkansas

SPEECHES & PUBLICATIONS

- Speaker, Bankruptcy Law: Recent Developments in Louisiana, 3rd Annual Spring Seminar and Crawfish Boil, hosted by the Lafayette/Acadiana Chapter of the Federal Bar Association, April 2024
- Speaker, Recent Developments: An Overview of National and Circuit Decisions, and Louisiana Decisions of Interest, 29th Annual LSU Bankruptcy Law Conference, November 2023
- Speaker, Business Breakout: Involuntary Bankruptcy: A Powerful Tool in the Creditors’ Arsenal, But Proceed with Caution,29th Annual LSU Bankruptcy Law Conference, November 2023
- Speaker, Bankruptcy Law Brewed in Louisiana, New Orleans Bar Association, October 2023
- Speaker, “National and Circuit Decisions, and Louisiana Decisions of Interest,” 28th Annual LSU Bankruptcy Law Seminar, November 2022
- Speaker, 28th Annual LSU Bankruptcy Law Conference, November 2022
- Speaker, LSU Law 27th Annual Bankruptcy Law Conference, December 2021
- Speaker, “Applying Objective Reasonableness: The Many Questions That Remain After Taggart V. Lorenzen,” Fifth Circuit Bankruptcy Bench-Bar Conference, February 2020

- Speaker, 15th Annual Bankruptcy, Insolvency, and Creditor Rights (BICR) Educational/Social Retreat, February 2020
- Panelist, 39th Annual Mississippi Bankruptcy Law Conference, November 2019
- Speaker, "Commercial and Chapter 11 Issues and Developments," 25th Annual LSU Bankruptcy Law Seminar, October 2019
- Speaker, 13th Annual Texas Bankruptcy Bench Bar Conference, 2019
- Speaker, "National Case Law," 14th Annual Bankruptcy, Insolvency, and Creditor Rights Retreat, February 2019
- Speaker, Fifth Circuit Bankruptcy Bench Bar Conference, 2018
- Speaker, 13th Annual Bankruptcy, Insolvency, and Creditor Rights (BICR) Educational/Social Retreat, March 2018
- Speaker, National Association of Bankruptcy Trustees Annual Convention, September 2017
- Panelist, ABA Business Law Section Spring Meeting, April 2017
- Speaker, 34th Annual National CLE Conference, January 2016
- Speaker, 35th Annual Jay L. Westbrook Bankruptcy Conference, November 2016
- Lecturer; Representation and Fee Issues – Bundling Services; Additional fees for Post Confirmation Practice in Chapter 13 cases, 22nd Annual Bankruptcy Law Seminar, October, 2016
- Fifth Circuit Symposium: Bankruptcy, 35 Loy. L. Rev. 715 (1989) (with David J. Messina)
- "Developments in the Law: Bankruptcy" 54 La. L. Rev. 599 (1994) (with Diane Sciacca)
- Lecturer; "Ruminations on Property of the Estate: Does Anyone Know Why a Debtor's Postpetition Earnings, Generated by Her Own Earning Capacity, Are Not Property of the Bankruptcy Estate?" 58 La. L. Rev. 623 (1998) (with Tanya Martinez Shively)
- Lecturer; Nab Talk, Journal Of The National Association Of Bankruptcy Trustees: Musings On "The Standard Of Care
- Governing The Question Of Trustee Immunity And Trustee Liability: Part 1" Fall Issue 2008 Volume 24 Issue 3
- Lecturer; Nab Talk, Journal Of The National Association Of Bankruptcy "Trustees: Musings On The Standard Of Care
- Governing The Question Of Trustee Immunity And Trustee Liability: Part 2" Winter Issue 2008 Volume 24 Issue 4 (with Ashley S. Green)
- Lecturer; "Continuing Ruminations on Judicial Estoppel: Barging into the Consumer Field" 2004 No. 2 Norton Bank. L. Advisor (with Brandon A. Brown)
- "National Case Law Update" speaker at 12th Annual BICR Section Educational Retreat hosted by The Bankruptcy, Insolvency and Creditors' Rights Section of the State Bar of Wisconsin, 2017
- "National Case Law Update" speaker at 11th Annual BICR Educational/Social hosted by The Bankruptcy, Insolvency and Creditors' Rights Section of the State Bar of Wisconsin, March 2016
- "Oil and Gas Issues and Recent Cases" speaker at 5th Circuit Bankruptcy Bench-Bar Conference, associated with The Center for American and International Law, January 2016
- More than 75 other speaking and writing engagements since leaving the Bankruptcy Bench in 2002

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NEW ORLEANS



BIOGRAPHY

Demarcus Gordon is a partner in the Oil and Gas/Energy and Environmental Litigation sections and specializes in litigation involving the oil and gas industry. He has experience representing clients in cases involving premises liability and personal injury, particularly in cases involving chemical exposures such as asbestos, benzene, or naturally occurring radioactive materials (NORM). Mr. Gordon also defends oil and gas exploration and production companies in legacy litigation by landowners and public entities alleging environmental damage.

Mr. Gordon is skilled in developing litigation and trial plans, identifying key expert and fact witnesses, and preparing them for deposition and trial testimony. He often handles cases that may go to trial. Additionally, Mr. Gordon has experience responding to crisis situations, where he has collected initial witness statements, identified potential hazards, collected and preserved evidence, communicated with regulatory agencies, and implemented damage control measures.

Mr. Gordon earned his J.D. from St. Louis University in 1997 and his B.S. from the University of Illinois in 1991.

EXPERIENCE AND HIGHLIGHTS

- Served as lead counsel in lawsuits involving environmental damage to real property and personal injuries, including mass tort, toxic tort, and alleged chemical exposures
- Representation of companies in case management and complete work-up of defense claims involving both living plaintiffs and wrongful death and survival claims brought by families of deceased contractors, employees, or family members who allegedly died as a result of exposures to asbestos-containing products
- Representation of multiple clients with respect to notices of violations of environmental laws asserted by LDEQ, LDNR, and Louisiana State Police
- Representation of oil and gas company in the immediate response to an ongoing investigation by the Bureau of Safety and Environmental Enforcement and the U.S. Coast Guard due to an offshore platform blow out and fire
- Defense of former gas plant owners in suits alleging damage from historic operations and alleged pollution
- Defense of Louisiana Department of Natural Resources enforcement actions directed at alleged regulatory violations
- Assistance with environmental due diligence in corporate and property transactions
- Defense of legacy oil field contamination lawsuits involving alleged property damages related to oil and gas operations
- Defended Louisiana Department of Environmental Quality enforcement actions directed at alleged clean air and water violations
- Defense of environmental personal injury and property matters concerning oilfield pipe cleaning operations in Louisiana
- Representation of multiple clients with respect to notices of violations

REPRESENTED REPORTED CASES:

- *Kinder Gas, Inc. v. Reynolds*, 2012 WL 280668 (La.App. 3 Cir. 2/1/12) (No. 11-1012)
- *Lexington Ins. Co. v. Sewerage & Water Bd. of New Orleans*, 2010 WL 4366430 (E.D. La. 2010)
- *Minvielle, LLC v. Atlantic Refining Co.*, 2007 WL 2668715 (W.D. La. 2007)

AFFILIATIONS

- American Bar Association
- Louisiana State Bar Association
- Illinois State Bar Association
- Defense Research Institute
- Kelly Hart & Hallman, Diversity Committee Co-Chair
- Greater New Orleans Sports Foundation (GNOSF), Board of Directors
- Professional Landmen’s Association of New Orleans (PLANO)

HONORS

- Best Lawyers in America®, *U.S. News & World Report*, 2022-2024
 - Energy Law
 - Litigation – Environmental
- Louisiana Super Lawyers, Thomson Reuters, 2019, 2020, 2024
- Av Rated by Martindale-Hubbell
- Leadership in Law Honoree, *New Orleans CityBusiness*, 2017
- Benchmark Guide to America’s Leading Litigation Firms and Attorneys – Future Star, 2014

EDUCATION

- St. Louis University, J.D., 1997
- University of Illinois, B.S., 1991

ADMISSIONS

- State Bar of Illinois, 1999
- State Bar of Louisiana, 2003

SPEECHES & PUBLICATIONS

- Featured Speaker, Louisiana Attorney Disciplinary Board’s Continuing Legal Education Series Seminar, “Crisis Management in the Age of Social Media: Litigating Your Case Before the Public and the Jury,” September 2017
- “Will The Proposed Legislative Changes Reign in Legacy Lawsuits and Bring Energy Development Back to Louisiana?” Gordon Arata “Drill Deeper” Blog, April 2014
- “Louisiana Supreme Court Upholds Subsequent Purchaser Doctrine,” LOGA 2012

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NEW ORLEANS



BIOGRAPHY

Aimee Hebert helps clients in the energy business solve their challenging legal problems. Her experience includes disputes that involve mineral royalties, mineral lease termination, implied obligations, mineral servitude maintenance, operating agreements, production handling agreements, blowouts, and oilfield environmental issues. She represents both individuals and businesses and gets excellent results.

U.S. News and World Reports has included Ms. Hebert on The Best Lawyers in America® ranking every year since 2016. Since 2015, Ms. Hebert was named a Louisiana Super Lawyer by Thomson Reuters. Ms. Hebert was also voted by her peers as among the city's best attorneys in polls conducted by *New Orleans Magazine*, and *New Orleans CityBusiness*.

Ms. Hebert's involvement in energy law extends beyond the courtroom. She is a member of the Advisory Council of Louisiana Mineral Law Institute and has been appointed to serve on the Louisiana Law Institute's newly formed Mineral Law Committee, which studies and develops new legislation. She teaches basic oil and gas law at Tulane Law School as an adjunct Assistant Professor in Law. She is also a frequent speaker for industry groups, including the Rocky Mountain Mineral Law Foundation, CAIL's Institute for Energy Law, the Louisiana Mineral Law Institute, and the Women's Energy Network. Her goal is to stay on the forefront of developments in energy law to help her clients achieve their goals.

Having clerked for the Honorable W. Eugene Davis, United States Court of Appeals for the Fifth Circuit, Ms. Hebert also handles appeals for clients in other industries. As appellate counsel, she handles cases that have been tried by Kelly Hart but also provides a fresh review for cases tried by other law firms.

EXPERIENCE AND HIGHLIGHTS

- Represented clients in dozens of matters involving aspects of energy law
- Trial counsel in a two week jury trial in which clients claimed the right to an assignment of overriding royalties, resulting in a full recovery for the clients
- Trial counsel for defendant in trial of claim for breach of the implied obligation to protect from drainage, resulting in no recovery for plaintiff
- Trial counsel in trial to declare property boundary, resulting in favorable decision for clients
- Member of the appellate team involved in securing United States Fifth Circuit decision that pre-suit demand is required in royalty class action
- Appellate counsel for clients in the seminal case involving the constitutionality of Louisiana Act 312 of 2006
- Secured numerous dismissals of claims against clients through preliminary motion practice
- Represented clients in matters before the Louisiana Mineral Board, Louisiana Department of Natural Resources, and other regulatory agencies
- Represented clients in numerous mediations involving oil and gas issues such as interpretation of contracts, property boundaries, and insurance coverage, resulting in favorable settlements for clients

REPRESENTATIVE CASES

- *Ritchie Grocer Co. v. 2 H Inc.*, 2018 WL 1319211 (W.D. La. 2018) (dismissing oilfield environmental lawsuit on motion for summary judgment)
- *Enable Mississippi River Transmission LLC v. Linn Energy Holdings, LLC et al.*, 3:15-CV-01625 (W.D. La. 2016) (dismissing claims brought under Natural Gas Act)
- *Meaux v. Hilcorp Energy Co.*, 26 So.3d 875 (La. 3d Cir. 2009) (affirming jury verdict finding no environmental damage to plaintiffs' property)
- *M.J. Farms, Ltd. v. Exxon Mobil Corp.*, 998 So.2d 16 (La. 2008) (declaring constitutional application of Louisiana Act 312 in environmental lawsuits)
- *CLK Company, L.L.C. v. CXY Energy, Inc.*, 972 So.2d 1280 (La. 3d Cir. 2007)(affirming verdict on claim for overriding royalty after jury trial)
- *Eagle Lake Estates, L.L.C. v. Cabot Oil & Gas Corp.*, (E.D. La. 2006) (dismissing claim for breach of implied covenant after trial on the merits)

AFFILIATIONS

- Adjunct Assistant Professor in Law, Tulane Law School
- Mineral Law Committee, Louisiana Law Institute
- Advisory Council, Louisiana Mineral Law Institute
- Louisiana Oil and Gas Association, Member and former Board Member
- Institute for Energy Law, Advisory Board Member
- Women's Energy Network, Member

HONORS

- AV Rated by Martindale-Hubbell
- Best Lawyers in America®, *U.S. News & World Report*, 2016-2024
 - Natural Resources Law
 - Energy Law
 - Oil and Gas Law
- Louisiana Super Lawyers, Thomson Reuters, 2015-2023
 - Energy & Resources
- Best Lawyers in America®, Women in the Law, Business Edition, 2020-2024
- Leadership in Law, *New Orleans CityBusiness*, 2016, 2021
- Women of the Year, *New Orleans CityBusiness*, 2015, 2020
- Top Lawyer, *New Orleans Magazine*
 - Oil & Gas Law, 2013-2017, 2020-2023
 - Energy Law, 2018, 2020-2021
- Up-and-comer in the area of Energy and Natural Resources Law, *Chambers USA*, 2012-2013

EDUCATION

- Louisiana State University, Paul M. Hebert Law Center, J.D., 1998
- Louisiana State University, B.G.S., 1995

ADMISSIONS

- State Bar of Louisiana, 1998
- State Bar of Texas, 2023
- United States Supreme Court
- United States Court of Appeal for the 5th Circuit
- United States District Court, Middle District of Louisiana
- United States District Court, Eastern District of Louisiana

- United States District Court, Western District of Louisiana
- United States District Court, Southern District of Texas

SPEECHES & PUBLICATIONS

- Speaker, Restraints on Alienation: Consent to Assign, 69th Annual Mineral Law Institute, March 2022
- Speaker, From North to South: A Comparison of Key Oil and Gas Issues in Appalachia and Texas/Louisiana, Institute for Energy Law, Energy Litigation Conference, 2017
- Speaker, The Operator’s Duty to Market on Behalf of Lessors and Non-Operators, 62nd Annual Institute of the Rocky Mountain Mineral Law Foundation, 2016
- Speaker, Preemption of Local Government Regulation of Fracking, Tulane Summit on Environmental Law & Policy, 2015
- Author, Classifications and Consequences, Chapter 7, Oil and Gas Leases Louisiana Mineral Law Treatise, 2012
- Moderator, PLANO Executive Night Seminar, 2010, 2011
- Speaker, Participation Agreements and Joint Operating Agreements, PLANO Executive Night Seminar, 2009
- Restrictions on Assignment (Consent to Assign, Preferential Right to Purchase and Maintenance of Uniform Interest Provisions), 49th Annual Institute on Mineral Law, 2007
- A Review of Selected Lease Clauses, 54th Annual Institute on Mineral Law, 2002
- Class Actions in Oil and Gas Litigation, LAPL Spring Seminar, 1999

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AUSTIN



BIOGRAPHY

Kelly Ransom's practice is focused on patent litigation, energy and environmental litigation, and other high-stakes, complex litigation at both the trial and appellate levels. Ms. Ransom represents some of the world's largest technology companies in patent litigation cases in two of the nation's busiest patent venues, the Western and Eastern Districts of Texas, as well as others. She also represents oil and gas companies in cases involving environmental damage claims, gas storage and migration issues, royalty disputes, and mineral lease termination claims, and she has defended clients in dozens of high stakes "legacy litigation" cases involving claims of coastal land loss and damaged hydrology in wetlands.

Ms. Ransom has been recognized by Best Lawyers in America® in numerous practice areas and honored as a Rising Star in Energy Litigation by Louisiana Super Lawyers. She was recognized as one of the top performing patent litigators in the U.S. by Patexia's 2024 Patent Litigation Intelligence Report, achieving an overall performance score of 95.06%. After serving as the Managing Editor of the Energy Law Advisor, the Institute for Energy Law's longest running publication, from 2019 to 2023, she was appointed Practice Committee Director and continues to serve on the Institute's Executive Committee. Ms. Ransom is also active in her local community and is on several local non-profit boards. From 2018 to 2022, she was President of the Board of Directors of New Harmony High, a state-chartered public high school in New Orleans, Louisiana that has received national recognition for educating students through the lens of coastal restoration and preservation.

ADMISSIONS

- State Bar of Louisiana, 2008
- State Bar of Texas, 2018
- State Bar of Alabama, 2007
- United States Fifth Circuit Court of Appeals
- U.S. District Court, Middle District of Louisiana
- U.S. District Court, Eastern District of Louisiana
- U.S. District Court, Western District of Louisiana
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas
- U.S. Bankruptcy Court, Southern District of Texas, Houston Division

AFFILIATIONS

- Center for American and International Law's Institute for Energy Law
 - Executive Committee, 2019-Present
 - Practice Committees Director, 2024-Present
 - Vice Chair, Communications Committee, 2022-2023

- Vice Chair, Young Energy Professionals Programs Sub-Committee, 2020-2021
- Managing Editor, The Energy Law Advisor, 2019-2023
- Southwest Association of Bank Counsel, 2023-Present
- New Harmony High, XQ Super School, President of Board of Directors, 2018-2022
- Krewe of Red Beans, Board of Directors, 2020-Present
- Louisiana Oil and Gas Association

HONORS

- Best Lawyers®, New Orleans-Ones to Watch, *U.S. News & World Report*, 2022-2024
 - Energy Law
 - Environmental Law
 - Oil and Gas Law
- Top 100 U.S. Patent Litigators, Patexia's 2024 Patent Litigation Intelligence Report
 - Most active patent litigators representing defendants (No. 33)
 - Best performing patent litigators representing defendants (No. 44)
 - Best performing patent litigators overall (representing plaintiffs and defendants) (No. 72)
- Leadership in Law Honoree, New Orleans *CityBusiness*, 2020, 2022, 2023
- Leadership in Law Hall of Fame, New Orleans *CityBusiness*, 2023
- Louisiana Super Lawyers Rising Star, Thomson Reuters, 2021
 - Energy & Resources Law
- Woman of the Year, New Orleans *CityBusiness*, 2016, 2020

EDUCATION

- Cumberland School of Law, J.D., 2007
 - Moot Court National Team Member, 2006-2007
 - Moot Court Executive Board Member, 2006-2007
 - Certificate in Trial Advocacy
 - Scholar in Merit Awards for highest grade in Pre-Trial Practice and Procedure; Wills, Trusts, and Estates; Real Estate Transactions; and Domestic Relations
 - National Order of Barristers Honors Society
 - Dean's List, 2004-2007
- Rhodes College, B.A., Political Science, 2003

SPEECHES & PUBLICATIONS

- Author, "Louisiana Coastal Zone Litigation Update: Cameron Parish District Court Grants Summary Judgment on Solidary Liability Issue," *Energy Law Advisor*, Vol. 17, No. 3, September 2023
- Author, "Fifth Circuit Affirms Remand of Louisiana Coastal Zone Lawsuits . . . Again," *Energy Law Advisor*, Vol. 16, No. 3, December 2022
- Moderator, General Counsel Panel at Institute for Energy Law's 73rd Annual Energy Law Conference, February 2022
- Author, "Fifth Circuit Reverses 2020 Decision on Timeliness of Removal of Louisiana Coastal Zone Lawsuits," *Energy Law Advisor*, Vol. 15, No. 2, August 2021
- Speaker, "Environmental Litigation – Trends and Coming Threats," Institute for Energy Law's 2nd Energy and Environmental Law Virtual Conference, March 2021
- Author, "Fifth Circuit Affirms Remand Orders in Louisiana Coastal Zone Lawsuits," *Energy Law Advisor*, Vol. 14, No. 3, September 2020
- Author, "Professional Lessons I Learned Outside of My Actual Profession," *The Energy Dispatch*, Issue 8, January 2020
- Author, "Expert Interview of Kathleen Magruder Hiersche," *The Energy Dispatch*, Issue 7, October 2019
- Editor, *The Energy Dispatch*, Institute for Energy Law, Issue 7, October 2019
- Editor, *The Energy Dispatch*, Institute for Energy Law, Issue 6, July 2019

- Author and Speaker, “Extinction is the Rule, Survival the Exception: Maintaining the Lease During the Secondary Term in the Absence of Producing in Paying Quantities,” 66 Mineral Law Institute, March 2019
- Moderator, “Developing an Energy Network – Fuel for a Career,” Institute for Energy Law, National Young Energy Professionals’ Law Conference, April 2018
- Author, “Young Lawyers Corner: Advising Clients on Their Duty to Preserve Evidence,” ABA Section of Litigation, Mass Torts Journal, Vol. 9, No. 2, Winter 2011

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NEW ORLEANS



BIOGRAPHY

Jane Jackson focuses her practice in the areas of environmental litigation, oil and gas, and commercial litigation. She handles the defense of environmental claims by landowners alleging environmental damage arising from oil and gas exploration and production operations. Ms. Jackson has represented public entities in land use cases involving the appropriation of property for constructing and maintaining hurricane protection levees, and she also has experience handling cases involving land loss claims in coastal areas, toxic torts, maritime personal injury, and construction contracts. Ms. Jackson has also handled litigation involving breach of contract and construction disputes.

Ms. Jackson works closely with clients to develop litigation strategies and with key fact and expert witnesses to prepare them for deposition and trial testimony. Ms. Jackson represents clients in federal and state court and has experience at both the trial and appellate court levels.

Ms. Jackson earned her JD, *summa cum laude*, from Tulane University Law School where she served as Articles Editor of *Tulane Law Review*. She also received the Rufus C. Harris Award in Torts and CALI Excellence Awards in Successions, Donations, & Trusts; Torts; Contracts II; and Toxic Tort Litigation & Practice.

In October 2015, Ms. Jackson was an honoree in the New Orleans *CityBusiness* “Ones to Watch” in the legal field feature, and she received the New Orleans *CityBusiness* 2018 Leadership in Law Award.

EXPERIENCE AND HIGHLIGHTS

- *San Antonio Bay Estuarine Waterkeeper v. Formosa Plastics Corp. Tex.*, 852 F. App'x 816 (5th Cir. 2021)
- *Ritchie Grocer Co. v. 2H Inc.*, No. 14-2868, 2018 WL 1319211 (W.D. La. Mar. 13, 2018)
- Successfully opposed petition for writ of certiorari before the United States Supreme Court seeking review of Fifth Amendment's just compensation requirements
- Argued before the Louisiana Supreme Court twice
- Represented parish government against open meeting law challenge to issuance of permit for environmentally sensitive facilities
- Representing levee district in defense of class action claims relating to construction and operation of flood protection system
- Primary drafter for writ application, opposition to writ application, and briefs on the merits to Louisiana Supreme Court in case involving compensation owed for levee servitude appropriation
- Obtained judgment in Louisiana appellate court affirming ruling of trial court decision to dismiss lawsuit against client in case involving alleged environmental damage to property
- Represented levee district in a case on appeal involving compensation owed to landowners under the Louisiana Constitution for appropriation of property for use in hurricane protection levee
- Defeated opposing parties' applications for supervisory writs to Louisiana appellate court and Louisiana Supreme Court in connection with trial court judgment enforcing settlement
- Obtained dismissal of plaintiff's \$20+ million claims on summary judgment in case involving alleged environmental damage to property

- Defense of independent and mid-sized oil and gas companies in lawsuits by landowners and public entities alleging soil and groundwater contamination and land loss arising from oil and gas exploration and production operations
- Represent oil and gas operators before Louisiana Board of Tax Appeals regarding disputed severance tax assessments
- Advised beachfront development district regarding coastal use permits and activities permitted on beach
- Defense of former gas plant owner in suit alleging damage from historic operations and alleged pollution
- Defense of vessel owner in personal injury claim under Longshore and Harbor Workers’ Compensation Act
- Defend companies against claims by plaintiffs alleging illness caused by exposure to benzene
- Negotiated favorable settlement for client in foreclosure case

AFFILIATIONS

- Louisiana State Bar Association
- New Orleans Bar Association
- Federal Bar Association
- Bar Association of the Fifth Federal Circuit
- Tulane Law School American Inn of Court, Member
- Women’s Energy Network, Member
- IEL Young Energy Professionals, Member
- Professional Landmen’s Association of New Orleans (PLANO)

HONORS

- Best Lawyers®, New Orleans-Ones to Watch, *U.S. News & World Report*, 2023, 2024
 - Litigation | Intellectual Property
 - Oil and Gas Law
- Louisiana Super Lawyers Rising Star, Thomson Reuters, 2020
 - Energy & Resources
- Leadership in Law Award, *New Orleans CityBusiness*, 2018, 2021
- Pro Bono Publico Award Recipient, Louisiana State Bar Association, 2016
- Pro Bono Century Award Recipient, Louisiana State Bar Association, 2015-2016
- “Ones to Watch”, *New Orleans CityBusiness*, 2015

EDUCATION

- Tulane University, J.D., *summa cum laude*, 2010
- Tulane University, B.A., *cum laude*, 2006

ADMISSIONS

- State Bar of Louisiana, 2010
- State Bar of Texas, 2018
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Eastern District of Louisiana
- U.S. District Court, Middle District of Louisiana
- U.S. District Court, Western District of Louisiana
- U.S. District Court, Southern District of Texas

SPEECHES & PUBLICATIONS

- Author, ” The Wait for Answers About Louisiana R.S. 30:16 Citizen Suits Continues,” IEL Energy Law Advisor, July 2022
- Speaker, “Supreme Court Showdown: Legacy and Related Citizen Suits Update,” 69th Annual Mineral Law Institute, March 2022
- Author, “Louisiana Appellate Courts Weigh In On R.S. 30:16 Citizen Suit,” IEL Energy Law Advisor, November 2021
- Author, “Louisiana State Court Provides Guidance in the Recent Trend of Citizen Suits Under Environmental Statute, ” IEL Energy Law Advisor, May 2020

- Author, "Recent Trend: Addressing Oilfield Contamination Through Citizen Suits," LOGA Industry Report, Summer 2018
- Speaker, Citizen Suits Under Environmental Statutes, LSU Mineral Law Institute, March 2018
- Author, "Interpreting Ne Exeat Rights as Rights of Custody: The United States Supreme Court's Chance to Advance the Purposes of The Hague Convention on International Child Abduction," 84 Tul. L. Rev. 195 (2009)