



Garrett S. Martin

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PRACTICES Litigation, Energy, Power and Natural Resources, Energy Litigation, Oil and Gas, Oil and Gas Litigation, Trials

Garrett Martin is a creative, solution-oriented litigator with nationwide experience representing clients in a variety of disputes, both in and outside energy. The majority of Garrett's practice centers on representing clients in all facets of the oil and gas industry. His deep knowledge of both upstream and midstream issues allows Garrett to talk with clients on their own terms about their most pressing concerns, while also simplifying the most complex industry matters into digestible content for judges and juries. Garrett has particular experience in complex procedures as they relate to industry issues, including mass and class royalty actions in multiple federal and state courts. And Garrett regularly leverages his insights to assist clients in operational issues, mitigating risk even before litigation arises.

Beyond his significant experience in core oil-and-gas disputes, Garrett has represented clients in a wide variety of litigation matters, including condemnation proceedings and related litigation, maritime disputes, fiduciary litigation, breach-of-contract disputes, financial litigation, wrongful death, and Racketeer Influenced and Corrupt Organizations Act claims. Garrett's courtroom experience is extensive and beyond his years. Garrett's business-centric approach to solution finding has earned him a reputation as an "Associate to Watch" by *Chambers USA* in Oil and Gas Litigation - Nationwide, 2022-2024, and "Ones to Watch" by *Best Lawyers in America*, Woodward/White, Inc., 2021-2024.

QUALIFICATIONS

EDUCATION

- J.D., International Commercial Arbitration and Investor-State Arbitration, The University of Texas School of Law, 2014, Editor-in-Chief, *Texas International Law Journal*; Editor, *Texas Journal of Oil, Gas, and Energy Law*
- B.A., The University of Texas at Austin, 2010, *with honors*

CLERKSHIPS

- Law Clerk/Intern/Extern to the Honorable Justice Debra Lehrmann, 2014-2015

LANGUAGES

- French

ADMISSIONS

- Texas
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Novel Royalty Issues,” co-presenter, Houston Bar Association Energy Law Section April 2024.
 - “When Hell Freezes Over: Winter Storm Uri Litigation and New Theories of Liability,” co-presenter, IEL Young Energy Professionals Conference, March 2024.
 - “Freedom or Folly: Is Illegally Obtained Evidence Admissible in an Arbitration Proceeding?” panelist, Center for Conflict Prevention Annual Meeting, February 2024.
 - “Buyer Beware, Challenges to Tax Judgments and Sheriff’s Sales,” presenter, State Bar of Texas 10th Annual Oil & Gas Disputes Course, January 2024.
 - “The Texas Third Court of Appeals Weighs in on Production Sharing Agreement Wells,” author, Energy Client Alert, July 10, 2023.
 - “Pore, Pore Me – A Look into CCUS and Pore Space Ownership,” co-presenter, NAPE Energy Business Conference, February 2023.
 - “To Have or Have Not—Oil and Gas Operating with and without an Operating Agreement,” co-presenter and Co-Author, Foundation for Natural Resources and Energy Law’s 68th Annual Natural Resources and Energy Law Institute, Vail, Colorado, July 2022.
 - “The Pendulum Swings – Regulatory Impacts on Energy Development and Litigation,” co-presenter, Institute for Energy Law’s 20th Annual Energy Litigation Conference, Houston, Texas, November 2021.
 - “Hydrocarbon Development Under the Biden Administration: Navigating the Energy Policy Shift,” co-presenter, Institute for Energy Law’s 5th National Young Energy Professionals’ Law Conference, Austin, Texas, October 2021.
 - “Lessor, May I? – Ramifications of Consent-to-Assign Provisions,” presenter, Houston Association of Professional Landmen’s 51st Annual Technical Workshop, Houston, Texas, September 22, 2020.
 - “The Risk of Prematurely Forming a Binding Contract in the Age of Email,” co-author, *Landman Magazine*, March/April 2018.
 - “Use of the Special Warranties in Texas Oil and Gas Transactions,” presenter, Dallas Bar Association, January 2018.
 - “Application of the Accommodation Doctrine to Water Rights,” presenter, Fort Worth Bar Association, January 2017.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- HBA Energy Section Council Member
- Institute for Energy Law Executive Committee
- Foundation for Natural Resources and Energy Law Young Professionals Committee Member
- Member, Institute for Energy Law’s Young Energy Professional Council
- Texas Bar Foundation, Fellow
- Houston Bar Association
- Houston Young Lawyers Association
- Institute for Energy Law’s (IEL) Leadership Class
- Chair of Tarrant County Bar Association Environmental Section
- Cliburn 180 Advisory Board Member

- University of Texas Vis Moot Arbitration Team Coach
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SELECTED CLIENT REPRESENTATIONS

- Westside Ventures, LLC v. Houston Community College System. Defended HCC in federal court jury trial against claims by a developer that HCC's construction of a community college on property subject to deed restrictions within a mixed-use development resulted in a constitutional taking of the developer's property rights. The jury found for HCC, awarding \$0 to the developer.
- In the County Court at Law No. 3, Fort Bend County, Texas, representation of pipeline in condemnation proceeding and associated litigation regarding right to exercise condemnation authority, obtaining summary judgment that was affirmed on appeal.
- In the 23rd Judicial District Court, Wharton County, Texas, representation of solar facility in condemnation proceeding.
- Representation of pipeline in condemnation of easements in ten Texas counties and associated litigation.
- In the United States District Court for the Eastern District of Oklahoma, represented producer client in putative class action alleging gas royalty underpayment on leaseholds in Oklahoma.
- In the United States District Court for the Northern District of Oklahoma, represented producer client in putative class action alleging failure to timely pay royalties on produced oil and gas on leaseholds in North Dakota.
- In the United States Bankruptcy Court, Southern District of Texas, representation of producer client in adversary proceedings regarding ownership of working interests and associated payment of proceeds of production.
- In the United States Bankruptcy Court, Southern District of Texas, representation of midstream client in bankruptcy proceeding regarding characterization of swap marketing arrangements.
- In the United States District Court for the Southern District of Texas, represented producer client in defense of trade-secret misappropriation claims.
- In the 96th Judicial District Court of Tarrant County, Texas, representing producer client in multi-district litigation by plaintiffs alleging royalty underpayment.
- In the United States District Court for the Western District of North Dakota, represented producer client in putative class action alleging royalty underpayment on oil royalties in North Dakota.
- In the United States District Court for the District of Colorado, represented producer client in putative class action alleging gas royalty underpayment on leasehold in Oklahoma.
- In the Supreme Court of North Dakota and the District Court of McKenzie County, North Dakota, representing producer client in alleged royalty underpayment claims by the State of North Dakota.
- In the United States Bankruptcy Court, District of Delaware, representation of midstream company in adversary proceeding to uphold its gas gathering agreements with bankrupt producer.
- In the Supreme Court of Texas and Second Court of Appeals, Fort Worth, successfully overturning adverse summary judgment and defending reverse-and-render judgment for producer client in in drilling-commitment and lease-termination case.
- In the 96th Judicial District Court of Tarrant County, Texas, representing producer client in multi-district litigation by plaintiffs alleging royalty underpayment.
- In the 112th Judicial District of Upton County, Texas, representing operator against non-operating working interest owner for breach of Joint Operating Agreement.
- In the 96th Judicial District Court of Tarrant County, Texas, represented producer client in joint development dispute, negotiating a favorable settlement.
- Arbitration in Denver Colorado, represented producer client in purported royalty class action, negotiating a favorable settlement.
- In the United States Bankruptcy Court Northern District of Mississippi, represented commodities trader in disputed bankruptcy.

- In the District Court of Rogers County, State of Oklahoma, representation of midstream company in force majeure dispute following Winter Storm Uri.
 - In the 412th Judicial District of Brazoria County, Texas, represented producer in dispute.
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AWARDS AND RECOGNITIONS

- Included in the "Ones to Watch" category of *Best Lawyers in America*, Woodward/White, Inc., 2021-2024
- Recognized in *Chambers USA*, Chambers and Partners, for Oil and Gas Litigation (Nationwide), 2022-2024
- Listed in The *Legal 500* U.S., Legalese, 2022-2024
- Recognized by *Texas Super Lawyers Rising Stars*, Thomson Reuters, 2021-2024
- Tarrant County's Top Attorneys, Fort Worth, Texas, 2016, 2018