



Mitchell M. Murphy

Of Counsel

Houston
+1.713.815.7303

Mitch.Murphy@klgates.com

OVERVIEW

Mitch Murphy is a Texas commercial litigator and member of the oil, gas, and resources practice group in the firm's Houston's office. For over twenty years, Mitch has counseled and provided dispute resolution services to upstream oil and gas companies, pipeline and utility clients, and oilfield service providers. Mitch has a broad business litigation practice, representing clients in contract matters, title challenges, surface use cases, lien/collection matters, construction disputes, and indemnity challenges. Mitch is also a leader of the firm's eminent domain practice group, assisting pipeline and utility companies acquire land and property rights in capital acquisition and construction projects. Mitch also has a comprehensive oilfield services practice, advising providers and suppliers in master service agreement negotiations, insurance coverage disputes, lien issues, performance disputes, and collection matters.

PROFESSIONAL BACKGROUND

Mitch was previously a member of the firm's Fort Worth office and joined the firm's Houston office in June 2018 when his family relocated to The Woodlands. In addition, Mitch served for several years as in-house counsel for an integrated, independent oil and gas company headquartered in Dallas, Texas.

EDUCATION

- J.D., Baylor University School of Law, 2002 (*National Mock Trial Team; Order of Barristers*)
- B.A., Southwestern University, 1999 (*magna cum laude; Phi Beta Kappa; Alpha Chi*)

ADMISSIONS

- Bar of Texas
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Eastern District of Texas
- United States District Court for the Northern District of Texas

- United States District Court for the Southern District of Texas
- United States District Court for the Western District of Texas
- United States Tax Court

NEWS & EVENTS

- 22 March 2018, K&L Gates Adds Five-Lawyer Energy Team in Texas

AREAS OF FOCUS

- Oil and Gas
- Commercial Disputes
- Construction and Infrastructure
- Construction and Infrastructure Dispute Resolution
- Rail and Roads
- Real Estate Litigation

INDUSTRIES

- Energy
- Energy Disputes

REPRESENTATIVE EXPERIENCE

- As in-house counsel, oversaw driller's successful prosecution of a LCIA performance dispute regarding a well drilled in Kurdistan
- As in-house counsel, prepared multiple bid tenders for international drillers and service companies working in Turkey, Kurdistan and Bulgaria.
- Litigated and secured insurance coverage for a driller in an oilfield fatality case valued at approximately one million dollars.
- Recorded, collected, and foreclosed on dozens of mineral liens in Texas.
- Successfully negotiated hundreds of master services agreements and drilling contracts for operators, coil tubing companies and drillers working in Texas, New Mexico, and Oklahoma.
- Maintains a specialized practice representing oilfield service providers in procurement negotiations, coverage disputes and collections matters.

- Secured summary judgment for an operator in Johnson County, Texas in a non-payment of royalty case brought by a lessor with a protection lease.
- Tried to settlement a lease termination case in Fort Worth based on an alleged violation of a surface use agreement
- Secured summary judgment in a title dispute in Tarrant County, Texas between an oil and gas lessee and an alleged unleased mineral owner centering on Texas' strip and gore doctrine.
- Won a mixed verdict in Houston, and then prevailed fully on appeal, in a complex dispute between an operator and non-participating working interest owner over a joint operating agreement.
- Secured summary judgment in a Texas title dispute in Denton County, Texas between an operator and an alleged unleased mineral owner relying on an estoppel by deed theory, which was upheld on appeal.
- Assisted in the trial of a commercial dispute in Harris County over the revenue attributable to a gas processing plant located in the Texas Panhandle
- Secured summary judgment, which was upheld on appeal, in a title dispute in Tarrant County, Texas between an operator and alleged mineral owner based on application of the strip and gore doctrine
- Maintains a litigation and dispute resolution practice for oil, gas and energy companies, with an emphasis on title disputes, surface use litigation, and operational conflicts
- Eminent domain and transactional counsel for a 345-kV CREZ electric transmission line project in Briscoe County, Texas.
- Eminent domain and transactional counsel for a 58 mile, 345 kV double circuit line, from the Zenith Substation in Harris County to its Gibbons Creek Substation in Grimes County.
- Eminent domain and transactional counsel for multi-county Texas segment of a 831-mile interstate crude petroleum pipeline.
- Eminent domain and transactional counsel for multi-county segments of a 580-mile NGL pipeline from Skellytown, Texas to fractionation and storage facilities in Mont Belvieu, Texas.
- Eminent domain and transactional counsel for multi-county segments of a 790-mile natural gas liquids (NGL) pipeline from the Permian Basin to Mont Belvieu, Texas.
- Maintains specialized practice in the area of eminent domain, representing midstream energy clients and utilities in acquisitions, easement negotiations, condemnation proceedings, right to take challenges and encroachment litigation.