

Stuart C. Hollimon



**Partner**

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**INDUSTRIES**

Energy  
Energy Litigation  
Energy Transactions  
Oil and Gas Natural Resources

**PRACTICE AREAS**

Energy  
Litigation

**EDUCATION**

JD, 1975, with Honors,  
Southern Methodist  
University Dedman  
School of Law,  
Southwestern Law  
Journal, Articles Editor  
BA, 1972, *cum laude*,  
Saint Olaf College

**ADMITTED**

Texas 1975  
US District Court for the  
Northern District of  
Texas  
US District Court for the  
Western District of  
Texas  
US Court of Appeals for  
the Fifth Circuit

Stuart is a former Chairman of the Oil, Gas and Mineral Law Section of the State Bar of Texas. His practice is devoted exclusively to oil and gas litigation and transactions and focuses primarily on the upstream and midstream segments of the industry. Stuart routinely represents producers, processors and pipelines in a wide range of matters, including royalty litigation, lease termination cases, disputes arising under operating agreements, gas contract litigation, implied covenant litigation and disputes arising under gas processing agreements. He has been lead counsel in major energy litigation in state and federal courts throughout Texas, and has extensive arbitration experience as well. In addition, Stuart regularly represents producer clients in acquisitions of producing properties.

**REPRESENTATIVE EXPERIENCE**

Some of Stuart's representative litigation and transactions include the following matters:

- Obtained favorable decision in the landmark oil and gas case of *Sun Exploration and Production Company v. Jackson* establishing that there is no implied obligation to explore an oil and gas lease in Texas.
- In 2007, obtained "take nothing" defense decision for major producer in arbitration relating to client's alleged failure to reassign certain federal leases situated in the Deepwater Region of the Gulf of Mexico.
- In 2007, represented Sellers in divestment of \$48 million of producing properties in the Overtion Field in Texas.
- In 2006, defeated attempt to enjoin major oil company client from drilling Barnett Shale Prospect on Comanche Peak Ranch.
- In 2006, represented Houston-based producer in \$140 million acquisition of producing properties situated in Texas, Louisiana and Mississippi.
- In 2005, defended independent producer in South Texas litigation for royalty on pooled unit production.
- In 2005, obtained unanimous arbitration award for a Houston-based producer in a multimillion dollar voting-rights dispute under an operating agreement covering a producing field located offshore West Africa.
- In 2005, represented producers in four separate acquisitions of producing properties having total value of \$700 million.

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- In 2004, defended a large independent producer in West Texas litigation alleging that the client was responsible for the royalty burdening the client's non-consenting working interest in a producing well.
- In 2004, obtained favorable arbitration award for Houston-based producer in a \$3.2 million dispute concerning whether a title defect created by the termination of a Term Assignment had been cured by the seller's tender of a farmout agreement covering the acreage.
- Defended independent producer in South Texas litigation against claims of trespass, field-wide drainage, failure to reasonably develop the lease and failure to pay market value gas royalty.

### ARTICLES/PUBLICATIONS

- "Joint Operating Agreement: Review of Oil and Gas Law XX" - Part II Texas Oil and Gas Law Journal, Vol. 19, Issue 6 (December 1, 2005)
- Joint Operating Agreements — Part 1 Texas Oil and Gas Law Journal, Volume 19, Number 5 (October 1, 2005)
- "Joint Operating Agreement: Review of Oil and Gas Law XX" Dallas Bar Association - Energy Law Section, Texas Oil and Gas Law Journal (August 25, 2005)
- "The Plain Meaning Rule" Matthew Bender (1999)
- "The Accommodation Doctrine: Its Current Status and the Future Application" Matthew Bender (1994)
- "Annual Survey of Texas Oil, Gas, and Mineral Law" SMU Law Journal (1992)
- "Division Orders - A Primer" Matthew Bender (1983)
- "Exxon Corporation v. Middleton: Some Answers But Additional Confusion in the Volatile Area of Market Gas Royalty Litigation" 13 St. Mary's Law Journal 1 (1981)

### BRIEFINGS, SEMINARS & SPEECHES

- Joint Operating Agreement: Review of Oil and Gas Law XX (August 25, 2005)
- "Emerging Issues Between Lessors and Lessees," University of Texas Annual Oil and Gas Law Seminar, Houston (March 2002)
- "The Problem of Unpublished Opinions in Oil and Gas Law," Dallas Bar Association, Energy Law Section, Dallas (October 2000)
- "The Use and Effect of Division Orders Under Texas Law," National Association of Lease and Title Analysts, Dallas (September 1996)
- "The Current Status of the Prudent Operator Standard in Texas," 14th Advanced Oil, Gas and Mineral Law Course, State Bar of Texas, Dallas (September 1996)
- "Recent Decisions in the Area of Pooling and Utilization," Advanced Oil, Gas and Mineral Law Course, State Bar of Texas, Houston (September 1988)
- "Remedies Available for the Breach or Non-Performance of Selected Provisions of an Oil, Gas and Mineral Lease," Advanced Oil, Gas and Mineral Law Course, State Bar of Texas, San Antonio (September 1986)
- "Selected Problems Associated with the Severance of the Mineral Estate," Advanced Oil, Gas, and Mineral Law Course, State Bar of Texas, Houston (October 1983)
- "The Royalty Clause in Texas Oil, Gas and Mineral Leases," State Bar of Texas, Dallas (October 1982)

### PROFESSIONAL/CIVIC AFFILIATIONS

#### Member

- State Bar of Texas
  - Oil, Gas and Mineral Law Section

## Stuart C. Hollimon

- Houston Bar Association
  - Energy Law Section
- Dallas Bar Association
  - Energy Law Section
- American Bar Association

### Honors

- Named "Top Notch Lawyer" (Oil and Gas) by Texas Lawyer in 2007.
- Named Texas Super Lawyer (Oil and Gas) 2003, 2004, 2005, 2006 and 2007
- Chairman, Oil, Gas and Mineral Law Section, State Bar of Texas (1990-1991)

### HEADLINE NEWS

- Stuart Hollimon Joins Andrews Kurth (July 21, 2005)