



Timothy S. McConn

Partner

Contact

tmconn@yettercoleman.com

713.632.8019

Houston

Professional Summary

Tim is a business trial lawyer who represents oil and gas clients in disputes across Texas and the United States. He regularly advises his clients on issues related to purchase and sale agreements, joint operating agreements, areas of mutual interest, royalty underpayments, title disputes, rights of first refusal, gas sales and transportation agreements, surface damages, and intellectual property. Prior to joining Yetter Coleman, Tim was a partner with Andrews Kurth LLP.

Tim is recognized by *Chambers USA* as one of the nation's top oil & gas litigators and as a leader in Texas commercial litigation. He is also named a "Texas Super Lawyer" in business litigation by *Thomson Reuters*.

Tim is a former Council Member for the Houston Bar Association Oil, Gas and Mineral Law Section. A native Houstonian with deep roots in the community, Tim also serves on the Board of Directors for Trees for Houston and is Vice President of the St. Anne Catholic School Foundation. Tim and his wife, Ginnie, have two daughters.

Representative Experience

- *Solaris Oilfield Site Services Operating v. Tiger Manufacturing*. Won on all claims and secured \$2 million judgment (including attorney fees) in a two-day arbitration related to contract for manufacture of sand silo transport trailers used in hydraulic fracking.
- Currently representing exploration and production company against claims that client breached obligations to co-working interest owners regarding expiring leases in the Texas Panhandle. Plaintiffs claim damages in excess of \$500 million.
- Represented private E&P company in a month-long trial in which T. Boone Pickens claimed the client breached an AMI agreement regarding Delaware Basin acreage. The case later settled on confidential terms.
- Currently representing exploration and production company in numerous royalty disputes related to Eagle Ford shale.
- Recently represented Midland-based exploration and production company in a suit involving trade secret misappropriation dispute. Plaintiff agreed to

settlement for small fraction of claimed damages soon after Tim appeared in the case.

- Represented oil and gas industry consultant in a suit for breach of contract and breach of fiduciary duty in connection with seismic acquisition project in Lavaca County, Texas. After a week-long trial, client won a unanimous defense verdict on all claims, while the jury found co-defendant liable.
- Represented exploration and production company in a dispute over the right of first refusal concerning significant lease position in Permian Basin. Plaintiff claimed \$15 million in past damages and sought title to the lease but ultimately agreed to settle for a small fraction of demand and client retained the lease.
- Represented exploration and production company in related Texas state court lawsuits involving claims that client underpaid overriding royalty interest obligations to plaintiff geologists. Cases settled on confidential terms just prior to trial.
- Represented midstream company in two two-week arbitrations involving claims that contractor breached the parties' contract by virtue of failing to construct natural gas processing facility in accordance with parties' contract. The outcome of the arbitration is confidential.
- Represented mineral estate and surface estate owners as plaintiffs in lawsuit alleging that defendant E&P company illegally disposed of oilfield waste on the property at issue. Case settled on eve of trial.

Professional Honors & Affiliations

- *Chambers USA: America's Leading Business Lawyers* in Nationwide Oil & Gas Litigation, 2022; Texas Commercial Litigation, 2019-2022
- "Texas Super Lawyer" in Business Litigation, *Thomson Reuters*, 2017-2022
- "Texas Rising Star," Thomson Reuters' *Super Lawyers*, 2009-2016
- Former Council Member: Houston Bar Association Oil, Gas and Mineral Law Section
- Vice President: St. Anne Catholic School Foundation
- Board Member: Trees for Houston
- Life Fellow: Texas Bar Foundation
- Fellow: Houston Bar Foundation

Presentations & Publications

- "Royalty Litigation Update," Houston Bar Association Oil, Gas & Mineral Law Section CLE, May 27, 2021 (co-presenter)
- "Be Careful What You Bargain For: A Litigator's Perspective on Negotiating and Interpreting Oil and Gas Contracts in Texas," TJOGL Symposium, February 2021 (co-presenter)
- "Oil & Gas Litigation Update," 37th Annual Litigation Update Institute, January 2021 (co-presenter)
- "Royalty Litigation and Class Actions in Texas and the Fifth Circuit," *The Advocate*, Winter 2018 (co-author)
- "Discovery Rule and Fraudulent Concealment in Oil and Gas Disputes," Midland Bar Association, September 2016

Education & Professional Background

- The University of Texas School of Law, J.D., *with honors*, 2001
- University of Notre Dame, B.A. 1998, *magna cum laude*

- Admitted to Practice: Texas, 2001