

YETTER COLEMAN

Francisco J. Escobar-Calderon

Associate

fescobar@yettercoleman.com

713.457.3031

Francisco represents energy companies in high-stakes commercial litigation nationwide. He focuses on complex oil and gas disputes, including royalty and lease litigation. Francisco is a strategic and aggressive litigator who helps companies navigate cases where the business stakes and legal issues are both complex.

Credentials

- The University of Alabama School of Law
  J.D., *magna cum laude*
  Order of the Coif
  Best Paper Awards in Business Organizations and Civil Procedure
  Articles Editor, *Alabama Law Review*
- The University of Alabama
  B.A., Political Science
  Honors College and Presidential Scholarship
- Admitted to Practice:
  Texas
  U.S. Court of Appeals for the Fourth and Tenth Circuit
  U.S. District Courts for the Southern and Eastern Districts of Texas
  U.S. District Courts for the District of Colorado

He manages large, multiparty matters across jurisdictions and handles cases from early case assessment through discovery, dispositive motion practice, hearings, trial, and appeals. He regularly takes and defends key fact and expert depositions in significant disputes, and has experience coordinating strategy across multiple forums. His work often turns on detailed interpretation of leases, deeds, joint operating agreements, and other upstream and midstream contracts, as well as valuation and market-pricing issues.

Francisco has played key roles in significant upstream litigation involving lease interpretation, class royalty claims, joint operating agreements, farmout agreements, gathering agreements, and production-in-paying-quantities disputes.

Before joining the firm, Francisco practiced at Norton Rose Fulbright in Houston, where he represented major energy clients in complex litigation nationwide, including trial and appellate work in royalty disputes, contract interpretation matters, and class action defense.

In addition to his energy practice, Francisco represents clients in major tort and commercial matters, including explosion and industrial accident cases, mass casualty litigation, and disputes involving breach of contract, negligence, and product liability theories. Fluent in Spanish, Francisco supports clients in commercial disputes involving Spanish-speaking parties and jurisdictions.

Experience

- Represented E&P companies in royalty underpayment disputes in Texas, Oklahoma, Colorado, and West Virginia, including putative class actions.
- Represented operators in class actions alleging violations of prompt pay statutes, including Oklahoma's Production Revenue Standards Act (PRSA).
- Defended an operator in a production-in-paying-quantities dispute in Midland County, Texas.
- Represented royalty owners in Texas and Kentucky matters involving royalty payment and valuation disputes.
- Represented E&P companies in "frac hit" or "well bashing" disputes in Texas and West Virginia.
- Represented energy companies in multidistrict litigation arising from Winter Storm Uri.
- Represented an operator in an Oklahoma bench trial involving alleged royalty underpayment and implied duty to market.
- Defended an operator in Colorado federal court and the U.S. Court of Appeals for the Tenth Circuit in litigation involving enforcement of a prior class action settlement.

- Advised clients on oil, gas, lithium, and mineral ownership issues; joint operating agreements; subsurface trespass; gathering and processing contracts; and royalty payment issues across jurisdictions.

Professional Honors & Affiliations

- "Ones to Watch" in Commercial Litigation, *Best Lawyers in America*®, 2027
- Institute for Energy Law, Advisory Board Member & 2022-2023 Leadership Class
- Member: Oil, Gas & Mineral Law Section, Houston Bar Association
- Houston Bar Association's Volunteer Lawyers Program

Presentations & Publications

- Co-author, "Texas Supreme Court Holds That Oil and Gas Royalties Are Owed on More Than Gross Proceeds Under Unique 'Proceeds Plus' Lease Provision," Oil & Gas E-Report, June 2023
- Co-author, "Texas Cases Reject Claims that Royalties are Owed on Off-Lease Use of Gas Where Leases Contain a 'Free-Use' Lease Fuel Clause and an 'at the Well' Royalty Clause," Oil & Gas E-Report, March 2022
- Co-author, "BlueStone v. Randle: Supreme Court of Texas Holds that Producer Could Not Deduct Post-Production Costs when 'Gross Value Received' Royalty Clause Controlled, and Must Pay Royalty on Off-Lease Use of Gas Not Covered by 'Free Use' Lease Fuel Clause," Oil & Gas E-Report, June 2021