

# Oklahoma

**Tulsa and Oklahoma City remain the state’s top spots for litigation. A rise in oil and gas disputes, are noted by attorneys residing here. Insiders postulate a rise in prices as an instigator for litigation. Insurance and healthcare work, as well as labor and employment, are hot issues in the state.**

**Highly recommended firms**

Founded in 1902, **Crowe & Dunlevy** is one of the oldest and largest law firms in the state. Crowe & Dunlevy is the “place to go for business litigation,” one peer says. It has “always been” at the top, another says. The firm operates out of three offices in the state’s largest cities, Oklahoma City, Tulsa and Norman. With an attorney base of more than 100 lawyers, Crowe & Dunlevy is best known for its impressive natural resources practice, which has represented international entities like ConocoPhillips and ExxonMobil. In addition, the firm found a niche in election, campaign finance and government ethics matters.

**Mack Morgan** and **Anton Rupert** both “do a great job among the younger people” in the area, according to one competitor. Morgan has more than 25 years of complex business and commercial transactions experience, culminating in several recent victories for him and his clients. He recently received a jury verdict in excess of \$21 million for the unfair exercise of monopsony power under the Packers & Stockyards Act. In a trade secret matter, he obtained a trial judgment establishing a company’s proprietary information to be trade secrets. Rupert, known in the area for his civil work and having tried more than 40 trials, focuses his practice on construction project disputes, product liability and toxic tort litigation. Rupert’s experience in construction litigation is seen throughout numerous Oklahoma and Texas courts, while he also assists in the firm’s intellectual property group. Focusing on commercial litigation and antitrust law, **D Kent Meyers** also handles intellectual property disputes, specifically patent, copyright and trademark matters. Oklahoma City partner **Clyde Muchmore** has practiced law for more than 40 years. He specializes in civil litigation, as well as media and entertainment, constitutional law and appellate work.

Oklahoma City firm **Hartzog Conger Cason & Neville** is “the one that clients contact with significant issues,” according to

competitors. The firm exceeds 30 attorneys and holds a strong litigation focus, with complex and civil matters handled in both state and federal court. The firm is the only Oklahoman firm remaining in the Enron class action in the US District Court for the Southern District of Texas, representing Canadian Imperial Bank of Toronto. In environmental matters, the firm handles oil and gas and toxic tort matters. Other areas of expertise include white-collar criminal defense, insurance, employment and antitrust, with the firm frequently handling issues relating to the Sherman Act and the Robinson-Patman Act. Firm clients include Deutche Bank, General Electric, Mercedes-Benz and Great Plains Coco-Cola Bottling Company. Known for her domestic relations work, **Laura McConnell-Corbyn** is recognized statewide by peers for her litigation work in employment and general business matters, as well as her family law practice. Partner **Drew Neville** focuses on complex litigation in both criminal and civil matters in federal and state court. His practice specialties in securities litigation and white-collar criminal work have earned him accolades from peers in the region, who call him a “great lawyer” and a “go-to guy” within the firm.

Close to 50 litigators make up the Oklahoma City-based **McAfee & Taft**, making the firm the largest in the state. The litigation practice handles basically every type of commercial litigation, including strength in healthcare and intellectual property. Bench strength is especially deep in general commercial work, product liability, insurance and construction work. In an ongoing class action, the firm represents RAM Energy and its affiliates in a suit against a class of plaintiffs consisting of more than 1,000 royalty owners in oil and gas wells connected to common natural gas gathering systems and to a gas liquids extraction plant. Plaintiffs claim that RAM underpaid royalties for more than 30 years by failing to calculate based on the ultimate resale prices of the natural gas and liquids at

## Local litigation firms

**Highly recommended**

- Crowe & Dunlevy
- Hartzog Conger Cason & Neville
- McAfee & Taft

**Recommended**

- Corbyn Hampton
- Fellers Snider Blankenship Bailey & Tippens
- GableGotwals
- Kirk & Chaney
- Ryan Whaley Coldiron

**“Oklahoma City firm Hartzog Conger Cason & Neville is ‘the one that clients contact with significant issues,’ according to competitors.”**



## Local litigation stars

Joseph Bocock  
McAfee & Taft

George Corbyn Jr  
Corbyn Hampton

Gary Davis  
Crowe & Dunlevy

John Hermes  
McAfee & Taft

John Kenney  
McAfee & Taft

Laura McConnell-Corbyn  
Hartzog Conger Cason & Neville

Kent Meyers  
Crowe & Dunlevy

Mack Morgan  
Crowe & Dunlevy

Clyde Muchmore  
Crowe & Dunlevy

Drew Neville  
Hartzog Conger Cason & Neville

Reid Robison  
McAfee & Taft

Anton Rupert  
Crowe & Dunlevy

Patrick Ryan  
Ryan Whaley Coldiron

Spencer Smith  
McAfee & Taft

James Sturdivant  
GableGotwals

Terry Tippens  
Fellers Snider Blankenship Bailey & Tippens

Jeff Todd  
McAfee & Taft

James Webb  
McAfee & Taft

points distant from the oil and gas wells. The matter is currently on appeal, with damages in excess of \$25 million. In a matter for client High Sierra Energy, McAfee & Taft represented the plaintiff in an action for an injunctive relief seeking to prohibit Plains Pipeline and its entities from exercising monopoly power and excluding High Sierra from the use of and open access to the Plains pipeline system in the gathering facilities. Plains attempted to unilaterally impose a new sulfur content standard, the effect of which would exclude High Sierra from utilizing the pipeline. McAfee attorneys obtained a temporary restraining order and subsequently converted the TRO to a temporary injunction prohibiting Plains from refusing to accept crude oil that met the contractual standard into its pipeline.

Partners **John Kenney** and **Jeff Todd** have kept busy this year in their respective litigation specialties. Kenney, whom peers praise for his patent work, recently received favorable results for client Dickson Industries in a five-year patent infringement dispute, awarding his client more than \$1.54 million in actual and punitive damages. The patent

order, eventually being granted a motion for summary judgment.

Commercial litigator **Joseph Bocock** specializes in “significant” arbitration, but also keeps a strong oil and gas, real estate and securities practice at bay. In a recent arbitration matter, he represented Simons Petroleum after TA Operating terminated its Fuel Network Affiliation Agreement with Simons. While TA provided Simons with proper notice of termination, it failed to process and deliver all fuel purchased by Simons Petroleum’s Pathway Network at its Travel Stops of America locations up until a specified time. After TA failed to remain processing and delivering, as well as continuing to add new customers to the network, the matter was referred to the American Arbitration Association. The AAA panel awarded Simons \$900,000 in damages. Former managing partner and commercial litigation standout **John Hermes** recently coled an antitrust matter with Todd for client Diamond Game Enterprises. Diamond alleged that Multimedia, a publically-traded company, violated the Oklahoma Antitrust Act and Oklahoma Deceptive Trade Practices

**“‘John Kenney has won so many patent cases in a row,’ says one insider. ‘He has become quite revered.’”**

*-McAfee & Taft*

owned by Patent Enforcement Team was deemed invalid in court and the defendant was also found liable for tortious interference for acting intentionally and with malice toward Dickson and its customers. More than \$500,000 in actual damages and an additional \$1.04 million in punitive damages were granted to Dickson. Kenney also recently represented Merck as the company’s sole counsel in the state on 550 mass tort cases, including several class actions involving Vioxx. The firm was successful in getting all cases moved to US District Court of the Eastern District of Louisiana pursuant to orders from the multidistrict panel. A global settlement was reached before any of the cases went to trial. “John Kenney has won so many patent cases in a row,” says one insider. “He has become quite revered.” Younger star Todd is praised by peers for his niche practice in agricultural work, as well as eminent domain and real estate matters. “He is outstanding,” exclaims one peer. In 2006, the firm was retained to represent the Oklahoma Farm Bureau Legal Foundation and several landowners in Bryan County. To invalidate a Durant city ordinance that annexed a 20-foot strip of property encircling 10,000 acres of land south of Durant. As lead counsel, Todd filed a petition against Durant seeking a declaration of invalidity on the

by unfairly competing with Diamond in the marketing and sale of Class II products in the state’s Native American gaming market. The firm prevailed in battles pertaining to sovereignty, preemption and jurisdiction and went on to file motions for partial summary judgment against Multimedia defendants. The matter is currently in discovery. Hermes is also heavy into insurance coverage, healthcare, oil and gas, products liability and securities litigation.

Partner and “great trial lawyer” **Reid Robison** concentrates his practice on business litigation, not limited to antitrust, securities and products liability. His white-collar criminal practice is particularly lauded by peers as strong. He recently defended a former public laboratory chief executive officer charged with participating in alleged criminal conspiracies to commit Medicare and securities fraud. The client was acquitted on both counts after a three-week trial. Covering an array of commercial areas, including securities fraud, intellectual property, business torts and insurance matters, partner **Spencer Smith** is a recent addition to the firm, joining five years ago from international group at Vinson & Elkins. His experience reaches further, with extensive work done in matters relating to National Association of Securities Dealers issues.



## Future stars

John Heil III  
Hall Estill Hardwick Gable Golden & Nelson

Michael McClintock  
McAfee & Taft

Tamara Pullin  
McAfee & Taft

Natalie Ramsey  
McAfee & Taft

Susanna Voegeli  
Hall Estill Hardwick Gable Golden & Nelson

### Recommended firms

Newcomer to the Oklahoma legal marketplace, **Corbyn Hampton** may be less than two years old, but the firm boasts the talents of two of the state's top dogs in **George Corbyn** and Joseph Hampton. Celebrating more than 30 years of trial experience, Corbyn represents clients in all aspects of business-related litigation, including oil and gas, business torts, securities and other complex commercial disputes. The boutique houses two other attorneys and handles the areas of complex business litigation, employment, franchise, securities law as well as dispute resolution and professional responsibility.

Despite the recent retirement of longtime state attorney Burck Bailey, **Fellers Snider Blankenship Bailey & Tippens** still houses one of Oklahoma's largest groups of patent attorneys. Founded in 1963, the firm focuses most of its practice on commercial litigation. From its offices in Oklahoma City and Tulsa, the Fellers team successfully handles securities fraud matters, oil and gas disputes and breach of contract issues. Practicing primarily in the areas of business and commercial litigation, **Terry Tippens** is active in the firm's banking, oil and gas and agricultural litigation areas. He has tried more than 50 jury trials and also served as mediator in several larger business disputes. According to peers, he "does a good job."

Dominating not only the Oklahoma marketplace, but also representing clients in neighboring New Mexico, Texas, Colorado and Kansas, **GableGotwals'** team of attorneys is especially able in the areas of energy and oil and gas. With more than 60

lawyers in offices in Oklahoma City and Tulsa, the firm is also experienced in the defense of royalty dispute, banking, employment and insurance. According to peers, most of the litigation team is stationed in Tulsa. **James Sturdivant**, celebrating almost 45 years at the firm, remains an unbeatable presence in the state. Focusing on business defense in commercial litigation, Sturdivant has litigated numerous oil and gas, employment and antitrust cases in his career.

For more than 25 years, the Oklahoma City firm **Kirk & Chaney** has provided clients with representation, placing an emphasis on complex commercial litigation. The firm has handled matters relating to securities, products liability, insurance, environmental, real estate, bankruptcy, oil and gas, employment and family law. Kirk & Chaney's team of nine attorneys, including one of-counsel member, has handled matters for Samson Resources, Cingular Wireless, Love's Travel Stops and Country Stores, National American Insurance and Trigen Energy.

Besides litigation, **Ryan Whaley Coldiron** also focuses on energy and environmental law. The Oklahoma City-based boutique is known by peers for its complex commercial work, with oil and gas litigation a particular area of expertise. The firm has been involved in cases in more than 30 states. Partner **Patrick Ryan** has 25-plus years of experience in civil litigation and white-collar litigation, including several high-profile matters taken on during his stint as a US attorney. In a recent matter, he secured the acquittal of a founder and chief executive officer in one of the largest corporate fraud cases prosecuted by the Department of Justice.





The law firm of Fellers, Snider, Blankenship, Bailey & Tippens was founded in Oklahoma City in 1963. In four decades, it has become one of the major Oklahoma law firms offering broad and diverse legal services of local and national scope. The full-service firm has developed many of Oklahoma's leading attorneys in litigation, intellectual property, banking law, civil rights and labor law, oil and gas law, corporate law, general business law, real estate law, bankruptcy, antitrust, securities, mergers and acquisitions, estate planning and other complex legal areas.

The lawyers of Fellers Snider law firm come from diverse backgrounds, but their common bond is a dedication to delivering the highest quality legal service available. Each of the firm's lawyers has a genuine concern for their clients' problems and the firm offers an impressive array of talents, experience, creativity and reliability in solving them. Each relationship is valued, recognizing that the firm's success has been and will continue to be based on the dedication to attaining the best results for their clients. Fellers Snider law firm values its reputation for service and quality.

### Practice Areas:

**Litigation** - Since its inception, Fellers, Snider, Blankenship, Bailey & Tippens has garnered a national reputation for the quality of its litigation practice. Two of the firm's attorneys have been elected fellows of the American College of Trial Lawyers and one to the International Society of Barristers. With 30 practicing attorneys in its litigation department, the firm has concentrated the majority of its practice in all facets of commercial litigation on behalf of both plaintiffs and defendants. The attorneys try cases before courts throughout the United States. The firm's litigation practice primarily involves not only complex commercial and business litigation but also includes personal injury and other tort and property damage litigation. The firm also represents both individuals and corporations in a variety of criminal proceedings at all levels of the criminal process, from investigations by government agencies and grand juries to jury trials and appellate proceedings. In addition, the firm is well equipped to represent its clients before federal and state administrative agencies.

**Intellectual Property** - The firm is also known as having the largest intellectual property department in the state of Oklahoma. At its foundation, the IP Group's patent practice focuses on obtaining high quality, enforceable domestic and international patents. Besides having scientific or technical undergraduate degrees, our registered patent attorneys include lawyers who have had extensive "hands on" engineering and technical experience. By virtue of their varied backgrounds, the firm's patent lawyers understand and are capable of handling virtually all technologies. The group's domestic patent practice is supplemented by considerable experience in procuring international patents throughout the Americas, Europe, Russia and the Far East. The IP group also maintains a highly active trademark practice.

**Other practice areas include:** Employment and Labor Law; Banking and Bank Regulation; Bankruptcy; Business, Corporate and Securities Law; Domestic Relations; Energy, Environmental and Natural Resources; Equine and Agricultural Law; Native American Law; Real Estate and Commercial Transactions; Tax; Telecommunications; Trusts, Probate and Estate Planning; and Workers' Compensation.

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Mr Eissenstat practices in the areas of complex business and commercial litigation and handles antitrust, business torts, computer law, shareholder suits, class actions, insurance, oil and gas, contract, employment related law, and intellectual property litigation. He has successfully tried dozens of cases to successful verdict for both plaintiffs and defendants.

Examples of notable verdicts include a defense verdict in a multimillion dollar Robinson-Patman case, a \$30 million actual and punitive damage verdict in an oil and gas-related, antitrust/business tort dispute, a \$7.2 million actual and punitive damage verdict for a large municipality stemming from a failed computer system, a \$75 million judgment in a telecommunications contract dispute and a defense verdict in a \$90 million insurance bad faith case after a three week trial. Mr Eissenstat has also successfully defended numerous class actions and shareholder derivative suits, has successfully prosecuted and defended suits to verdict in intellectual property, insurance, antitrust, tax, employment, oil and gas, general business and securities matters and has argued and won numerous appeals.

Eric's work has been recognized by his peers. He has been selected as a fellow of the Litigation Counsel of America, is listed in Best Lawyers in America, Chambers USA, Guide of America's Leading Lawyers for Business Oklahoma Super Lawyers, and is a recent recipient of the Oklahoma County Bar Association Leadership in the Law Award.

Mr Eissenstat is a frequent speaker and author on the topics of antitrust litigation, business torts, computer law, punitive damages and electronic discovery. He has served on the Oklahoma Bar Association Board of Governors, received an Award of Excellence from the Oklahoma Trial Lawyers Association College of Advocacy and has been selected as the Oklahoma Bar Association's Outstanding Young Lawyer.

Eric devotes countless hours to community service organizations in leadership positions, including Youth Leadership Exchange, United Way and its Chair Elect for Oklahoma Lawyers for Children.

He received a BS (with honors) in Political Science from Oklahoma State University and a JD (with honors) from the University of Oklahoma, serving on the Oklahoma Law Review and Order of the Coif. He has been practicing law for the last 24 years with Fellers, Snider, Blankenship, Bailey & Tippens, where he has served on the firm's executive committee.

**TERRY W TIPPENS****FELLERS, SNIDER, BLANKENSHIP, BAILEY & TIPPENS**

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Mr Tippens practises primarily in the areas of business and commercial litigation involving banking, taxation, oil and gas, real property, insurance, agricultural and water law, environmental liability, intellectual property rights, corporate disputes and commercial arbitration. He also accepts large personal injury and wrongful death cases and white collar criminal cases. Mr Tippens has tried over 50 jury trials with some cases involving over \$100 million. He also serves as a mediator in larger business disputes. Mr Tippens has a combined twenty years of experience in serving on the Board of Directors and loan committees of two banks and he operates his own cattle ranch. He enjoys spending time at his lake house on Lake Texoma, golfing and playing with his grandchildren.

**Education:**

Oklahoma State University (BS 1968); University of Oklahoma (JD, 1971). Omicron Delta Kappa; Phi Kappa Phi; Phi Delta Phi.  
**BAR AND COURT ADMISSIONS:**  
Admitted to bar, 1971, Oklahoma; 1989, US Supreme Court; 1994, US Court of Federal Claims; 1995, US Tax Court.

**Listings:**

For over 20 years Mr Tippens has been selected by his peers for inclusion in *The Best Lawyers in America*, most recently in the 2008 edition, in the specialties of commercial litigation, banking law, and securities law. Recognized as a Local Litigation Star in *Institutional Investor's Benchmark: America's Leading Litigation Firms and Attorneys Guide*. Rated one of Oklahoma's top ten business lawyers in *Chambers USA* Rated one of Oklahoma's top 50 trial lawyers in *Oklahoma Super Lawyers*(r), 2006 and 2007  
*Super Lawyers*(r) Corporate Counsel Edition, 2008  
Terry Tippens, is a "hard-nosed and incredibly effective trial lawyer," . . .  
~ *The Chambers USA Guide*, 2007

**Professional affiliations:**

American Bar Association, Oklahoma Bar Association, Oklahoma County Bar Association (Director, 1988-1991), Vice President, (1989-1990), Fellow, Litigation Counsel of America, International Society of Barristers, William J Holloway American Inns of Court.

**Reported Cases:**

Edwards v. Urice, 99 P.3d 256 (Okla.Civ.App. 2004); In re CFS-Related Securities Fraud Litigation, 223 F.R.D. 631 (N.D.Okla. 2004); Anderson v. Dow Agrosociences LLC, 262 F.Supp.2d 1280 (W.D.Okla. 2003); Oklahoma Horsemen's Benevolent and Protective Ass'n, Inc. v. Shotts, 38 P.3d 916 (Okla. Civ. App. 2001); Barby Energy Corp. v. Marlin Oil Corp., 985 P.2d 194 (Okla.Civ.App. 1999); Harolds Stores, Inc. v. Dillard Dept. Stores, Inc., 82 F.3d 1533 (10th Cir. 1996); Grubb v. FDIC, 34 F.3d 956 (10th Cir. 1994) FDIC v. Appling, 992 F.2d 1109 (10th Cir. 1993); Chrysler Credit Corp. v. Country Chrysler, Inc. 928 F.2d 1509 (10th Cir. 1991); Palermo v. First Nat. Bank & Trust Co. of Oklahoma City, 894 F.2d 363 (10th Cir. 1990); Grubb v. FDIC, 868 F.2d 1151 (10th Cir. 1989); Grubb v. FDIC, 833 F.2d 222 (10th Cir. 1987); FDIC v. Palermo, 815 F.2d 1329 (10th Cir. 1987); Flanagan v. United States, 810 F.2d 930 (10th Cir. 1987); Poolaw v. City of Anadarko, 738 F.2d 364 (10th Cir. 1984); Venable v. Haislip, 721 F.2d 297 (10th Cir. 1983); Hefley v. Jones, 687 F.2d 1383 (10th Cir. 1982); Fitzgerald v. Sirloin Stockade, Inc., 680 F.2d 694 (10th Cir. 1980); Poolaw v. City of Anadarko, 660 F.2d 459 (10th Cir. 1981); Fitzgerald v. Sirloin Stockade, Inc., 624 F.2d 945 (10th Cir. 1980).