K. Greg Eidman

Partner

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Industries

Energy

Oil, Gas & Minerals

Practice Areas

Business & Commercial Litigation

Litigation

Private Equity & Venture

Trial Work

Venture

Bar Memberships

Texas

Greg is a business trial lawyer who represents oil and gas clients in disputes across Texas and the United States. Clients trust Greg to thoroughly understand any complex matter he faces, to outwork his opponents, and to explain complicated issues and persuasively tell his clients' stories to a jury. An industry generalist by choice, Greg has an impressive track record of successfully handling high stakes for companies, private equity groups, and entrepreneurs. His clients have included Enbridge, ArcLight, Spectra Energy, Magnum Hunter Resources, Montage Resources, Lilis Energy, Republic Development Partners, Houston Ventures, Eureka Hunter Pipelines, Perry Homes, Viking Oil & Gas, and King Airways.

Greg's practice reflects a focus on the business objectives for each client and each case. Particularly adept in representing clients in the energy sector, Greg 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.

Greg's Relevant Experience

Energy

Lead counsel for plaintiff, a major drilling operator, in a litigation against the manufacturer and seller of defective oil field equipment causing shutdown of rig operations. A series of favorable pretrial rulings led to the dismissal of the defendant's counterclaim seeking the collection of unpaid charges for labor and repair services. Following a three-week trial, the jury awarded our client over $1.6

million covering the equipment purchase price and consequential damages.

Lead counsel for plaintiff, a NYSE energy company, in federal court litigation against a drilling operator's breach of a joint venture agreement in connection with unauthorized horizontal drilling operations in the North Dakota Bakken formation. The court granted a temporary injunction to stop drilling operations unless consented to by our client. At that point, the case settled on confidential terms favorable to our client.

Lead counsel to a working interest owner in defense to a breach of contract litigation originally brought against our client for collection of unpaid joint interest billings related to horizontal drilling work. During the pendency of the case, discovery revealed unauthorized After conducting a joint-interest audit of the account, resulting in a client recovery valued over $2.1 million.

Lead counsel to plaintiff, a NYSE energy company, in arbitration proceeding against the seller of oil and gas interests valued at a $62 million transaction. The seller had improperly sought a post-closing purchase price adjustment that would have resulted in a "material change" of the agreed purchase price. The arbitrator ruled in favor of our client.

Counsel to family limited partnership in fraud and breach of contract litigation against two major oil companies related to unpaid royalties in offshore natural gas production and refined product from an LNG processing plant in Republic of Equatorial Guinea. After developing evidence that the refining companies had miscalculated royalties based upon sales to an affiliate, as opposed to arms-length sales as required by the parties' contract, the case settled favorably to the client on confidential terms.

Counsel to a Canadian oil and gas producer in a breach of contract dispute with the gas well operator stemming from well bore damage during completion and workover operations. After The matter settled favorably to the client on confidential terms.

Counsel to a prominent Houston oil and gas company in dispute with an oilfield service company who claimed that our client was

responsible for coil tubing damage following workover operations. After brief investigation and interview of a few witnesses, evidence was developed that conclusively proved that the damaged coil tubing was never actually used on the client's rig. The service company immediately abandoned its claim.

Counsel to a consortium of oil and gas E&P companies in a product liability suit against a Japanese manufacturer in connection with design and marketing defect of oilfield tubulars.

Counsel to a prominent Houston tubular inspection service company in a $3.5 million claim stemming from an offshore drill casing failure. Early discovery in the case revealed that the seller of the drill casing had doctored our client's metallurgical test reports, prompting a sting operation by federal criminal authorities. Our client was fully exonerated, and the offshore well owner voluntarily dismissed its claims against the client.

Counsel to an oilfield-drilling consultant in a wrongful death suit arising from an explosion on a land-based due to a defective blowout preventer. The decedent's estate voluntarily non-suited its claims against the client prior to trial.

Lead counsel to global midstream energy company in defense to series of personal injury litigation stemming from exposure to hydrogen sulfide gas release at various processing plant facilities and underground transportation lines located throughout Texas.

Commercial Disputes

Trial counsel for a private borrower in litigation brought by a national banking association seeking collection under a non-recourse note. The outstanding loan principal was $64k. During the pendency of the lawsuit, our client challenged the validity of the loan's security instrument and counterclaimed against the bank and other additional parties for violations of the Texas Fraudulent Lien Act. The trial court entered a final judgment in favor of our client and awarded her damages and attorney fees in excess of $1 million.

Co-lead counsel on behalf of intellectual property owner in litigation involving the violation of a software license agreement. Following an

eight-week jury trial, the client successfully obtained a permanent injunction prohibiting future infringement.

Lead counsel to a national consulting firm in litigation arising from a former employee's misappropriation of trade secrets and violation of non-competition agreement. Following pretrial discovery, the court granted requested injunctive relief in favor of our client and the case settled on favorable terms for the client.

Co-counsel to a minority shareholder of a closely-held Texas corporation in litigation arising from "freeze out" efforts by the company's majority shareholders. After developing evidence of fraudulent conduct by the majority shareholders during discovery, the case was settled favorably to our client for a confidential amount.

Lead counsel to non-party litigant, a publicly traded energy company, in an underlying legal malpractice lawsuit brought by a plaintiff against his lawyer in connection with investment advice on our client's drilling operations in Kentucky. The plaintiff sought to obtain our client's non-public, confidential reserve report data. Following an evidentiary hearing to determine the data's valuable trade secret status, the matter was appealed and scheduled for oral hearing before the Texas Supreme Court, drawing national attention. The appeal was ultimately mooted when the plaintiff voluntarily withdrew the records subpoena.

Co-lead counsel for a Los Angeles film production company in litigation to enforce a contract for exclusive sale agency and distribution rights to an acclaimed motion picture. The case was settled on favorable terms for the client.

Trial counsel for a company executive, a long-time client, in a dispute over his insurance company's claim denial under life & dismemberment insurance policy. The client lost his eyesight following rare surgical complications. After developing medical evidence of the nature and cause of injury, which contradicted the insurer's reason for claim denial, the matter settled during bench trial, resulting in a client recovery in excess of policy limits.

Lead counsel to a company executive in a lawsuit filed by his former employer seeking to enforce a non-competition agreement. The former employer abandoned its claim after pre-trial discovery.

Counsel to a prominent Houston law firm in litigation brought by terminated school district employees who claimed defamation and violations of constitutional rights stemming from the law firm's engagement by the H.I.S.D. to investigate allegations of property theft. The plaintiffs sought $36 million in damages. Following depositions of the plaintiffs, the trial court granted summary judgment dismissing the plaintiffs' claims. The final judgment was successfully defended on appeal to the Texas Supreme Court.

Co-counsel to a component-part manufacturer in defense to an aviation product liability suit stemming from a private airplane crash in Mississippi. The plaintiff voluntarily non-suited his claim solely against our client based upon evidence obtained during initial pre-trial discovery.

Lead counsel to a NYSE energy company in federal court litigation and ensuing arbitration arising from the breach of a joint venture agreement related to drilling operations in the North Dakota Bakken shale formation.

Lead counsel to the buyer, a major energy company, in defense to a Florida investment broker's claim for $4.6 million "finder's fee" in connection with our client's purchase of a Canadian oil and gas company. Although originally filed in Texas, we successfully argued for the transfer of proceedings to New York state court for substantive legal reasons deemed advantageous to our client. After developing evidence that negated the broker's claimed role in the transaction and absence of a valid written contract covering the scope of the alleged finder's fee, the trial court granted summary judgment in favor of our client and dismissed the broker's claims. The matter was successfully defended on appeal to the New York appellate court.

Lead counsel to defendant, a NYSE company, in litigation related to the defendant's transfer of securities valued over $10 million. The plaintiff sued for lost profit damages stemming a failure to timely

remove a restricted legend from the transferred stock certificates. After evidence was developed showing that the plaintiff suffered no actual economic damages, the plaintiff voluntarily dismissed its claims against the client.

Gas & Oil Real Estate/Transactions

Long time corporate counsel for a private family-owned Texas oil pipeline and storage tank facility. Representation includes counsel and negotiation of joint operating agreements, master service agreements, surface agreements, gas marketing and transportation agreements, indemnity agreements, lease agreements, farmout agreements, and royalty agreements.

Counsel to prominent Houston oil producer in negotiation and formation of asset purchase agreement for acquisition of undeveloped oil and gas properties located in Pecos County, Texas, and valued at $65 million.

Counsel to Texas oil and gas company in negotiation and formation of exploration agreement for multi-party joint venture drilling and completion project in the San Andreas formation, Lea County, New Mexico.

Counsel to prominent Houston oil producer in negotiation of a gas gathering agreement for transportation and marketing of natural gas production from Pecos County, Texas.

Counsel to Norwegian private equity group in negotiation and formation of participation agreements, assignment and conveyance instruments, overriding royalty agreements, farmout agreements, and lease agreements in connection with a series of oil and gas drilling projects in the Texas Barnett Shale formation.

Counsel to a midstream energy company, a portfolio asset of a multi-billion-dollar hedge fund, in connection with dispute over crude oil marketing agreement. The agreement was re-negotiated with terms favorable to the client, avoiding unnecessary litigation.

Counsel to a Texas holding company in the negotiation and closing of an asset-purchase transaction for the acquisition of an aircraft services business (FBO) valued in excess of $12 million dollars.

Counsel to private mineral owner in negotiation and formation of mining and royalty interest agreements for gold and silver ore mining operations in Nevada.

Counsel to private investor group in negotiation for ownership rights to a motion picture screenplay (co-written by screenwriter of the acclaimed film, *"Apollo 13"*).

Other Info About Greg

Education

South Texas College of Law, J.D., 1991

Southern Methodist University, B.B.A. (Finance), 1987

The University of Texas, 1983-85

Courts

United States District Court for the Southern District of Texas

United States District Court for the Eastern District of Texas

United States District Court for the District of North Dakota

Recognition

Houston's Top Lawyers List, Houstonia Magazine, Business Law, 2022

Listed in Houston's Top Lawyers – multiple years (Oil & Gas; Litigation)

American Bar Association National Appellate Advocacy — National Champion, 1991

Garland Walker Scholarship, Trial Appellate Advocacy, 1990

Thomas Justin Treece Memorial Award, Outstanding Oral Advocate, 1990

Professional Affiliations

Texas Bar Foundation, Fellow

Houston Bar Association

National Order of the Barristers, Member

Rocky Mountain Mineral

Civic Activities

Steering Committee Member, St. Francis Episcopal Day School

Board Member, St. Francis Episcopal Day School Sports Association

The Children's Fund, Inc. (venture-capital charity for children's causes)

Advisory Board for Westminster Weekday Day School
Post Oak Little League, Board Member

Luke's United Methodist Church, Member

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