



Kenneth Wayne Bullock, II

Partner

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Industries

Energy
Finance
Manufacturing
Oil, Gas & Minerals
Regional & Community
Banks
Renewables
Supply Chain
Utilities

Practice Areas

Business & Commercial
Litigation
Labor & Employment
Litigation
Product, Tort & Insurance
Litigation
Trial Work

Bar Memberships

Texas

Ken is the Partner-In-Charge of FBT Gibbons' Houston office. With a strong background in energy and maritime matters, he has wide-ranging experience representing corporate clients in litigation and arbitration throughout the Gulf Coast region.

In the energy industry, Ken represents a host of various upstream and midstream entities in all manners of commercial and personal injury litigation, both defending and prosecuting breach of contract, tort liability, product liability claims, as well as employment-related litigation. Throughout his career, Ken has represented a variety of oil field service providers, drilling and exploration companies, operators, pipeline operators and heavy construction companies. He has also represented electric and gas utility companies, independent power producers and other energy service providers before various federal and state agencies, including the Public Utility Commission of Texas, regarding various regulatory and enforcement actions.

In the Maritime sector, Ken has extensive experience representing clients in connection with claims brought under the Jones Act, Outer Continental Shelf Lands Act (OCSLA), the Longshore and Harbor Workers Compensation Act (LHWCA), Death on the High Seas Act (DOHSA) and the General Maritime Law. Ken's clients include dredging contractors, diving contractors, offshore supply vessel owners and operators, seismic and geophysical operators and drilling contractors.

Ken also regularly represents both onshore and offshore service companies and other energy clients in connection with internal investigations, Occupational Safety and Health Administration

(OSHA) inspections and in defending against citations and penalties before the Occupational Safety Health Review Commission (OSHRC).

Ken's Relevant Experience

OSHA

Litigation

Successfully defended a drilling, completions and well services client during OSHA investigations and subsequent OSHRC litigation arising from a fatality incident resulting in a favorable settlement of OSHA Citation and Notification of Penalty.

Simultaneously defended drilling company in connection with OSHA and agency investigations as well as multi-party, wrongful death litigation and arising from fatality incident in Permian Basin.

Investigation

Represented an international oil and gas drilling company in connection with a fatality incident and subsequent OSHA investigation. We served as point of contact for all OSHA-related matters, including wellsite investigation, employee interviews and related inquiries during course of the investigation.

Represented a maritime transportation and construction company in a joint investigation by OSHA and the United States Coast Guard of uninspected vessels following amputation incident and in connection with subsequent compliance and abatement efforts following investigation.

Compliance & Investigation

Represented Global Geophysical Services Inc., a provider of onshore and offshore geophysical surveys and mapping, in matters concerning OSHA compliance and casualty investigation.

Inspection & Investigation

Represented an international oil and gas drilling company in connection with an OSHA inspection, investigation and defense of Citation and Notification of Penalty in Walker County, Texas.

Oil & Gas Litigation

Obtained nonsuit of claims against heat treating client in complex, multi-part Texas litigation involving down-hole failures of casing strings in multiple sour gas wells in Eagle Ford shale.

Obtained \$22 million Temporary Injunction against a south-Texas oil and gas refining company in connection with breaches of contract arising from operations in the Middle East.

Represented well servicing company in breach of contract and negligence litigation in South Texas involving alleged loss of reservoir and lost profits purportedly caused by improper well workover and maintenance program.

Represented midstream operators and construction companies in connection with Texas Mineral Lien Act claims and foreclosure of associated liens.

Regularly advise clients concerning scope and application of Texas Oilfield Indemnity Act and enforceability of broad-form indemnity obligations and additional insured obligations in agreements pertaining to a well.

Utilities Regulation

Represented electric power provider before Public Utility Commission of Texas matter arising from Winter Storm Uri pricing-related issues.

Counseled multi-family housing developer concerning applicable utilities regulations and negotiation of brokerage agreement.

Renewable Energy

Represented an international freight logistics company in commercial litigation in lawsuit related to import of wind turbine intended for installation in a wind farm.

Counseled offshore exploration and production client in connection with conversion of offshore installation to offshore renewable energy hub, considering wave and wind energy and seabed mineral mining.

Represented an international power generation company in connection with OSHA inspection of wind farms.

Maritime Litigation

Obtained take-nothing judgment in favor of maritime client following two week trial involving Jones Act and General Maritime Law vessel collision claims.

Won dismissal of Jones Act claims for offshore exploration and drilling client based upon lack of vessel status of a deep-water, semi-submersible production, drilling and quarters installation.

Successfully defended offshore drilling company in litigation arising from fatal electrocution occurring aboard a semi-submersible in territorial waters of Angola.

Represented leaseholder and platform operator in Outer Continental Shelf Lands Act (OCSLA) litigation following equipment failure during commissioning of spar.

Successfully defended offshore diving contractor against claims under the Jones Act and for unseaworthiness in connection with anchor retrieval operations incident.

Counseled geophysical, offshore construction and offshore operator clients regarding liquidated damages, indemnification and coverage issues in Master Services Agreements and Charter Parties.

Construction Litigation

Represented national construction company in lawsuit involving competing breach of contract claims concerning electrical design, scope of construction, and defect claims arising from construction of intermediate school in one of Texas' largest school districts.

Other Info About Ken

Education

South Texas College of Law Houston, J.D.

Texas A&M University, M.B.A.

Centre College, B.S.

Courts

United States Court of Appeals for the Fifth Circuit

United States District Court for the Eastern District of Texas

United States District Court for the Northern District of Texas

United States District Court for the Southern District of Texas

United States District Court for the Western District of Texas

Recognition

The Best Lawyers in America®, Admiralty and Maritime, 2024–2027

Houston's Top Lawyers List, *Houstonia Magazine*, Construction, 2022

"Texas Rising Stars," *Thomson Reuters* (2012–2016)

"Houston's Top Lawyers," *H-Texas Magazine* (2013)

"Top Lawyer," *Houstonia Magazine* (2016)

Professional Affiliations

State Bar of Texas, Construction Law and Oil Section, Gas & Energy Resources Section

Greater Houston Partnership, Energy Advisory Committee

Houston Bar Association

Texas Bar Association

Texas Bar Foundation, Fellow

Texas Young Lawyers Association

Presentations

"Filling the Sustainability Gap: Trends and Technologies Shaping Houston's Path Toward Sustainability and Resilience," Invest Houston Launch Conference, September 11, 2024

"OSHA's Multi-Employer Citation Policy: What Is It and Why Should I Care?," IADC Drilling Onshore Conference & Expo, May 16, 2019

Major Publications

Author, "Federal Court of Appeals Breathes New Life Into OSHA's Multi-Employer Citation Policy," *Build Houston Magazine*, February 2019.

Author, "Legal – Responding to OSHA's Multi-Employer Citation Policy," *Construction News*, February 2019.

Quoted, "Downside of Drilling of Permian Drilling Boom: Surge of Deadly Truck Accidents," *Energy Intelligence Natural Gas Week*, July 2018.

Author, "OSHA's Final Rule on Electronic Reporting: Why All the Fuss?," *The Texas Lawbook*, July 2016.

Featured Articles

[Five Helpful Tips for Multifamily Property Owners in Addressing Casualty Claims During This Hurricane Season](#)

[Gilbert Sanchez v. Smart Fabricators – Fifth Circuit Redefines "Seaman" Status](#)

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