



Melissa D. Kirby

Managing Associate

mkirby@fbtgibbons.com | 713.590.9315

1100 Louisiana Street
Suite 4300
Houston, TX 77002

Industries

Energy

Oil, Gas & Minerals

Practice Areas

Business & Commercial
Litigation

Construction

Product, Tort & Insurance
Litigation

Bar Memberships

Texas

While Melissa's practice spans the full spectrum of commercial litigation, she often provides strategic counsel to her clients in energy, construction, marine, and general corporate matters, including risk mitigation, litigation prevention, and working with clients on training, safety, investigations, emergency response, and modification of policies and procedures. Melissa has counseled and represented a wide range of clientele across industries, including both public and privately-held companies.

Melissa represents her clients from pre-suit investigation and evaluation through mediation, arbitration, and trial in Texas state courts and federal courts.

Melissa regularly represents both onshore and offshore service companies and other energy clients in connection with internal investigations and OSHA inspections. In the maritime sector, Melissa has extensive experience representing clients in connection with claims brought under the general maritime law, the Jones Act, the Longshore and Harbor Workers Compensation Act (LHWCA), and the Outer Continental Shelf Land Act (OCSLA).

Melissa's experience spans a wide range of litigation including admiralty and maritime, breach of contract, tort liability, product liability claims, catastrophic personal injury litigation, labor & employment disputes, and construction related matters.

She has also served as outside general counsel on labor and employment matters, assisting clients with policy and procedure updates to ensure compliance and best practices.

Other Info About Melissa

Experience

Secured a defense victory in a defamation case tried in Fort Bend County, Texas. The plaintiff alleged defamation and tortious interference with a contract, sought punitive damages, and pursued nearly \$1 million in damages. Following a two-day trial, a unanimous 12-person jury found in favor of the defendant, determining that the alleged defamatory statements caused no damages, awarding the plaintiff \$0.

Obtained dismissal of claims against maritime construction company by challenging and defeating seaman status of plaintiff.

Obtained dismissal of Jones Act employer's maintenance and cure obligation prior to trial via the McCorpen defense due to plaintiff's concealment of pre-existing medical conditions prior to hiring.

Defended oil and gas drilling contractor in connection with catastrophic injury claims under Outer Continental Shelf Lands Act.

Defended maritime construction company and maritime transportation and logistical company in both single party and multi-party wrongful death cases involving claims under the Jones Act and general maritime law.

Defended commercial diving and underwater marine service company against claims arising under the Jones Act and general maritime law.

Education

Pepperdine University School of Law, J.D., 2017

Abilene Christian University, B.S., History, 2013, *cum laude*

Courts

United States District Courts for the Southern District of Texas

United States District Courts for the Eastern District of Texas

United States District Courts for the Northern District of Texas

United States District Courts for the Western District of Texas

Recognition

Texas Super Lawyers Rising Stars, 2024–2026

Professional Affiliations

Houston Mariners Club

Houston Association of Women Attorneys

Houston Bar Association

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.