

ATTORNEYS AT LAW

**SCOTT,  
DOUGLASS &  
McCONNICO**



**L.L.P.**

AUSTIN, TEXAS



ATTORNEYS AT LAW

**SCOTT,  
DOUGLASS &  
MCCONNICO  
L.L.P.**

AUSTIN, TEXAS

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A  
**PROFILE**



OF OUR  
**FIRM**

I N T R O D U C T I O N T O T H E F I R M

Scott, Douglass & McConnico, L.L.P. (“SD&M”), is an advocacy firm. We specialize in civil litigation, appellate law, administrative proceedings, and energy-related matters. Our attorneys handle business litigation (including contract disputes, business torts, class actions, oil and gas cases, and labor and employment matters) representing both plaintiffs and defendants. Each year we try many bench and jury trials. We have represented clients in hundreds of arbitrations and mediations. In addition to serving as advocates, our attorneys also serve as mediators and arbitrators.

The firm has special expertise in oil and gas law. We have one of the largest administrative law practices before the Texas Railroad Commission, the Texas Comptroller’s Office, and the Texas General Land Office. We also practice before many other state and federal regulatory agencies.

Many of our attorneys are certified by the Texas Board of Legal Specialization in one or more of the following areas: civil trial law, personal injury law, labor and employment law, oil, gas and mineral law, civil appellate law, and administrative law.

We take pride in our speedy resolution of cases. Our philosophy is to be aggressive, yet cost-conscious. We staff cases with the minimum number of people needed to be effective. Our partners are active in all matters. We do not assign associates merely to generate billings. In short, we are effective and efficient advocates and advisors.

## F I R M C U L T U R E

If a firm culture can be created in a single day, it happened on May 1, 1976, when Wally Scott and Frank Douglass formed the firm. Not only were they able to join two well-respected law practices, the partnership of these two lawyers created the chemistry that has kept us unique through this very day. Wally, with his legendary wit, love of life and people, competitiveness, and blue chip client base, and Frank, with his energy, extraordinary legal skills, work ethic, absolute commitment to client service, and uncompromising standards of excellence, were a match made in heaven. Our lawyers aspire to these qualities which define our firm and our practice. From the moment this partnership was formed, our lawyers have enjoyed an environment where they can practice law at the most challenging level but in a relaxed atmosphere that makes the practice of law fun. We have a unique law firm. We know it, value it highly, and work every day to preserve it.

OUR AREAS OF  
**PRACTICE**



AND  
**EXPERTISE**

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 ATTORNEYS BY  
PRACTICE AREAS

## GENERAL CIVIL LITIGATION

GENERAL CIVIL  
LITIGATION

Paige Amstutz  
Cindy Connolly  
Amy Dashiell  
Doug Dashiell  
Casey Dobson  
Ray Donley  
Michael Farley  
Asher Griffin  
Eric Hagenswold  
Mark Hanna  
Robyn Hargrove  
John Hicks  
Sam Johnson  
Jennifer Knauth  
Abe Kuczaj  
Carroll Martin  
Steve McConnico  
David McGinnis  
Becky Miller  
Curtis Osterloh  
Greg Pierce  
Phyllis Pollard  
Joe Sanders  
Steve Selby  
Doug Sigel  
Chris Sileo  
Julie Springer  
Ryan Squires  
Jane Webre  
Sara Wilder

SD&M has one of the top civil litigation practices in Texas. No firm has better trial lawyers. Our attorneys combine strong academic credentials with experience that comes only from an active trial practice. A number of our attorneys clerked with the Texas Supreme Court, the Fifth Circuit Court of Appeals, and Texas Federal District Courts. Our lawyers are frequent speakers at continuing legal education seminars and author many legal articles. Several of our attorneys teach part-time at the University of Texas School of Law.

We are aggressive litigators. We have handled very large commercial cases, including several successful “bet-the-company” cases. Representing defendants, we have persuaded juries to deny multimillion dollar plaintiff claims. Representing plaintiffs, we have obtained multimillion dollar jury verdicts, including substantial punitive damage awards. We have handled cases involving contract disputes, business torts, oil and gas disputes, fiduciary claims, deceptive trade practice claims, tax disputes, RICO claims, real estate disputes, foreclosure matters, equitable actions, professional malpractice claims (legal, medical, engineering, and accounting), insurance claims and coverage disputes, labor and employment matters, white collar crime, environmental disputes, and class actions.

We pride ourselves in having a strong group of seasoned trial lawyers who can handle any trial, hearing, or deposition. Our litigation practice pits us against other top Texas litigation firms. We have a strong record of success. We are unique because (1) we handle large commercial cases and large personal injury cases, (2) we represent both plaintiffs and defendants, and (3) we are willing to handle cases on a contingent fee basis.

We enjoy aggressive litigation, but we also realize that litigation is expensive and time-consuming. We are mindful of attorney fee costs. As a case progresses, we keep our clients fully informed of all settlement possibilities, our opinion of the chances at trial, and the expected future litigation costs.

ATTORNEYS BY  
PRACTICE AREAS

## C O M M E R C I A L L I T I G A T I O N

C O M M E R C I A L  
L I T I G A T I O N

Paige Amstutz

Dan Bitting

Cindy Connolly

Amy Dashiell

Casey Dobson

Ray Donley

Frank Douglass

Michael Farley

Asher Griffin

Eric Hagenswold

Mark Hanna

Robyn Hargrove

John Hicks

Sam Johnson

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Steve McConnico

Davin McGinnis

Becky Miller

Greg Pierce

Phyllis Pollard

Joe Sanders

Steve Selby

Doug Sigel

Chris Sileo

Julie Springer

Ryan Squires

Sara Wilder

Steve Wingard

Our diverse commercial litigation practice includes representation of large and medium sized companies in a variety of business disputes involving contract and tort claims. Recent examples include:

- representation of plaintiffs and defendants in various complex commercial litigation and arbitrations involving disputes over corporate acquisitions, technology and intellectual property issues, rights of first refusal and other contractual and property rights issues
- representation of the State of Utah in litigation with the federal government which resulted in the largest land exchange in the continental United States since the Louisiana Purchase
- representation of former officers and directors of various insolvent corporations and financial institutions in lawsuits brought by those entities' receivers
- representation of special receivers for the Texas Department of Insurance in claims arising out of insolvent insurance companies
- representation of a patent holder in litigation and arbitration involving intellectual property issues
- representation of insurance companies in litigation involving coverage disputes and bad faith allegations
- representation of marine terminals in a number of lawsuits involving shipping, antitrust, pollution, and riparian land title claims
- representation of airlines and employers in class action litigation
- representation of plaintiffs and defendants in complex contract lawsuits and arbitrations involving long term sales contracts and other types of contract disputes
- representation of a plaintiff in a breach of fiduciary duty, fraud and civil conspiracy case against a hospital conglomerate involving the development and operation of a cancer treatment center
- representation of a large railroad in governmental regulatory matters and litigation over delayed product shipments

ATTORNEYS BY  
PRACTICE AREAS

## TECHNOLOGY LITIGATION

TECHNOLOGY  
LITIGATION

Paige Amstutz  
Dan Bitting  
Cindy Connolly  
Casey Dobson  
John Hicks  
Abe Kuczaj  
Doug Sigel  
Julie Springer  
Steve Wingard

The firm has a statewide technology litigation practice, anchored in the Austin high tech industry. In addition to experience in business torts, contract law, and employment issues, cases in this practice area often require immediate court action, including interim injunctive relief and other extraordinary remedies. We have the resources to meet these demands. Cases in this area also often call for an awareness of how litigation can impact start-up companies in the capital market, from initial funding through public offering. We understand the importance of quick and discreet dispute resolution. Recent examples of our experience in these matters include:

- defeating a federal court preliminary injunction involving hotly-contested issues in the design, development, and marketing of a next-generation software system, as well as related issues under covenant not to compete and confidentiality agreement
- defeating a federal court preliminary injunction involving a multinational telecommunications firm and claims of theft of trade secrets, breach of non-disclosure agreements, inevitable disclosure, and violation of invention disclosure clauses
- prosecuting trademark infringement claims for a developer of software and services for handheld, portable, and mobile devices
- defending federal court claims for trademark infringement, trademark dilution, and unfair competition for large, publicly-held company providing e-business consulting services
- prosecuting state court claims for injunctive relief and damages based on misappropriation of trade secrets and violation of confidentiality agreement for a developer of embedded software
- arbitrating for a telecommunications client a damages claim for violation of a marketing and licensing agreement
- obtaining temporary injunctive relief restraining disgruntled employee from retaliatory conduct and violation of nondisclosure agreement
- advising on trade secret, covenant not to compete, and confidentiality issues in a variety of areas, including claims management software, e-commerce, internet banking, and telecommunications

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 ATTORNEYS BY  
PRACTICE AREAS
CLASS ACTION  
LITIGATION

Ray Donley  
Michael Farley  
Sam Johnson  
Steve McConnico  
Greg Pierce  
Phyllis Pollard  
Julie Springer

## CLASS ACTION LITIGATION

We have handled numerous class action cases in both state and federal court. In these cases we have represented a diverse group of clients, including oil and gas companies, insurance companies, credit companies, telemarketing service companies, airlines, and a Texas Department of Insurance Special Deputy Receiver. These lawsuits have involved a wide variety of issues, including oil and gas royalty issues, antitrust issues, insurance law and regulation issues, federal and state employment law issues, federal and state consumer protection law issues, contract law issues, and Uniform Commercial Code issues.

The firm represents clients in class action certification hearings at the trial court level. We have also prosecuted and defended numerous accelerated appeals from these class certification hearings.

## BUSINESS TORTS

Paige Amstutz  
Dan Bitting  
Cindy Connolly  
Amy Dashiell  
Casey Dobson  
Asher Griffin  
Abe Kuczaj  
Steve McConnico  
Greg Pierce  
Phyllis Pollard  
Doug Sigel  
Chris Sileo  
Ryan Squires  
Sara Wilder  
Steve Wingard

## BUSINESS TORTS

SD&M litigates many cases involving business torts. These cases often arise out of complex business and professional relationships and include claims based on fraud, negligent misrepresentation, breach of fiduciary duty, interference with existing and prospective business relationships, civil conspiracy, business disparagement, misappropriation of trade secrets, and other types of unfair competition.

Because business-tort cases often involve complex fact scenarios, they require strong investigative and organizational skills. Because such cases involve complex legal theories, they require innovative and creative legal analysis. With our strong academic backgrounds and years of practical experience, our attorneys are well suited to meet these demands.

We represent both plaintiffs and defendants in business-tort cases. We sometimes enter into contingent fee arrangements, thereby shifting at least some of the litigation risk to the firm.

ATTORNEYS BY  
PRACTICE AREASOIL & GAS, NATURAL RESOURCES,  
AND ENERGY LITIGATIONOIL & GAS, NATURAL  
RESOURCES, AND  
ENERGY LITIGATION

Dan Bitting

John Camp

Jim Cowden

Doug Dashiell

Casey Dobson

Ray Donley

John Hicks

Abe Kuczaj

Ray Langenberg

Dick Marshall

Carroll Martin

Steve McConnico

Davin McGinnis

Becky Miller

Joe Sanders

Doug Sigel

John Soule

Jane Webre

Flip Whitworth

Sara Wilder

SD&M is one of the top oil and gas, natural resources, and energy litigation firms in the nation. For years, we have litigated issues involving the ownership, operation, exploration, production, regulation, processing, transportation, and taxation of hydrocarbons and other natural resources. We represent royalty owners, producers, transporters, traders, refiners, and governments. Our clients include individuals, independent oil companies, and Fortune 500 companies. We represent clients involved in petrochemicals, coal and heavy metals mining, electrical generation and cogeneration, plant and pipeline construction, and the service components to these industries.

Over the past twenty years we have been involved in the successful resolution of most of Texas's major oil and gas issues. We have represented clients in connection with a wide variety of oil and gas, natural resources, and energy-related legal issues, including:

- breach of implied covenants
- failure to develop, market, and protect against drainage
- bad faith pooling and unitization
- title disputes
- joint operating agreement disputes
- drainage claims
- producing-well damage claims
- termination of oil and gas leases
- take or pay claims
- price redetermination claims
- gas plant operation and accounting disputes
- gas contract disputes
- appeals from the Railroad Commission and other state and federal agency decisions

Our lawyers have represented the prevailing parties in many disputes now regarded as landmark oil and gas cases throughout the United States, including *Amoco Production Co. v. Alexander*; *Day v. Texland*; *Amarillo Oil Co. v. Energy-Agri Products*; and *The Lenape Resources Corp. v. Tennessee Gas Pipeline Co.*

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 ATTORNEYS BY  
PRACTICE AREAS
OIL & GAS  
BUSINESS ADVICE

John Camp  
 Jim Cowden  
 Doug Dashiell  
 Frank Douglass  
 Dick Marshall  
 Carroll Martin  
 Davin McGinnis  
 Becky Miller  
 Joe Sanders  
 John Soule  
 Flip Whitworth

PROFESSIONAL  
MALPRACTICE  
DEFENSE

Paige Amstutz  
 Cindy Connolly  
 Amy Dashiell  
 Casey Dobson  
 Asher Griffin  
 Mark Hanna  
 Robyn Hargrove  
 John Hicks  
 Sam Johnson  
 Jennifer Knauth  
 Greg Pierce  
 Joe Sanders  
 Chris Sileo  
 Ryan Squires  
 Jane Webre  
 Sara Wilder  
 Steve Wingard

## OIL &amp; GAS BUSINESS ADVICE

Our roots are in oil and gas law. We know the oil and gas industry. Wally Scott and Frank Douglass started SD&M as an oil and gas firm in 1976. Five of our lawyers have served as Chair of the Oil, Gas & Mineral Law Section of the State Bar of Texas. We provide business advice to our many oil and gas clients. We review title instruments and advise clients with respect to title issues. We assist in the review and preparation of critical documents, such as oil and gas leases, joint operating agreements, pooling declarations and unitization agreements. There is virtually no part of the oil and gas business in which we have not provided advice and assistance to our many clients.

## PROFESSIONAL MALPRACTICE DEFENSE

For almost twenty years, SD&M has been one of the leading professional malpractice defense firms in Texas. The firm has handled a wide range of professional malpractice defense cases, including the defense of lawyers, physicians, health care facilities, mental health professionals, and engineering firms. Steve McConnico was recognized in a June 13, 1994, National Law Journal cover article as one of the nation's twenty-five best legal malpractice lawyers.

Our legal malpractice experience ranges from representing small-town solo practitioners who are defendants in wrongful foreclosure actions to representing many of Texas's largest law firms in some of the most complex legal malpractice cases in Texas history. During the savings and loan crisis, we were the leading Texas firm defending law firms, directors, and officers sued by the FDIC or RTC. The cases we handled established some of the most important legal precedents concerning lawyer, director, and officer liability to government regulators.

Our medical malpractice experience includes defending every kind of health care specialist and a wide range of health care facilities. In addition to legal and medical malpractice defense, we have defended a wide variety of other professionals, including engineers and accountants.

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ATTORNEYS BY  
PRACTICE AREAS

LABOR AND EMPLOYMENT LAW

LABOR AND  
EMPLOYMENT LAW

Amy Dashiell  
Ray Donley  
Phyllis Pollard  
Joe Sanders  
Julie Springer

SD&M's labor and employment practice offers its clients a wide range of services to address the difficult issues facing employers and individuals in today's mobile economy. We represent and advise clients on all facets of the employment relationship in a wide array of industries including retail, high technology, manufacturing, telemarketing, telecommunications, and the legal and medical professions.

**Employment Relations.** Employers today face a complex maze of state and federal regulations govern the workplace. SD&M counsels clients on how to comply with these regulations in ways that are cost-efficient and effective, promote a productive and satisfied workforce, and prevent liability. We routinely advise clients on harassment and discrimination claims, e-mail policies and procedures, FMLA issues, employee terminations, drug and alcohol testing, wage and hour issues, management and employee training, employee privacy, and workforce reductions.

Effectively handling and preventing the raiding of corporate employees and the theft of information is also a major concern for employers, particularly in the area of high technology and emerging growth companies. Against that concern must be balanced the right of employees to pursue a profession. Our attorneys are skilled in representing and advising clients on issues related to noncompetition, nonsolicitation, and nondisclosure agreements. While our first priority is to assist clients in achieving a mutually satisfactory resolution of the employment relationship without litigation, we are prepared to obtain injunctive relief at the courthouse, if necessary.

**Employment Litigation.** SD&M labor and employment attorneys have extensive experience in litigating employment disputes in federal and state courts across Texas as well as in other states. In addition, we routinely handle matters for our clients before administrative agencies such as the Department of Labor, Equal Employment Opportunity Commission, the Texas Commission on Human Rights, and the Texas Workforce Commission. SD&M attorneys have successfully defended and litigated to favorable verdicts and settlements, disputes in all areas of employment law, including claims of:

Sexual Harassment, Discrimination, Family and Medical Leave Act Violations, Retaliation, Disability Claims, Defamation, Wage and Hour Violations, Breach of Contract, Wrongful Discharge, Emotional Distress Claims.

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ATTORNEYS BY  
PRACTICE AREAS

I N S U R A N C E   C O V E R A G E

I N S U R A N C E   C O V E R A G E

Sam Johnson  
Greg Pierce  
Julie Springer  
Sara Wilder

The relationship between insurers and their insureds is often the subject of complex litigation. Several of our attorneys have considerable experience in analyzing this relationship and interpreting the coverage provided under various types of insurance policies. We research and draft opinions regarding coverage matters, assist insurance companies in asserting coverage defenses, and represent both insurers and insureds in insurance coverage litigation. Our attorneys also write and speak frequently on this ever-changing area of the law.

E N V I R O N M E N T A L   L A W  
A N D   L I T I G A T I O N

E N V I R O N M E N T A L   L A W   A N D   L I T I G A T I O N

Dick Marshall  
Carroll Martin  
Becky Miller  
John Soule

Our attorneys have represented clients defending a variety of environmental claims, including allegations of subsurface aquifer contamination and surface pollution. We also represent clients on environmental matters before a variety of federal and state regulatory agencies, including the Railroad Commission of Texas and the Texas Commission on Environmental Quality.

A L T E R N A T I V E  
D I S P U T E   R E S O L U T I O N :  
N E G O T I A T I O N ,  
M E D I A T I O N ,   A N D  
A R B I T R A T I O N

A L T E R N A T I V E   D I S P U T E   R E S O L U T I O N :  
N E G O T I A T I O N ,   M E D I A T I O N ,   A N D   A R B I T R A T I O N

Dan Bitting  
Frank Douglass  
Carroll Martin  
Becky Miller

We represent our clients in all types of alternative dispute resolution, ranging from negotiation to mediation and arbitration. Some of our attorneys also serve as mediators and arbitrators for other attorneys and their clients in commercial disputes. These attorneys, several with specialized training in negotiation, mediation, and arbitration, are experienced trial attorneys who have represented plaintiffs and defendants in a variety of commercial litigation matters, especially in oil and gas and energy matters.

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ATTORNEYS BY  
PRACTICE AREAS

A P P E L L A T E P R A C T I C E

A P P E L L A T E P R A C T I C E

Dan Bitting  
Ray Donley  
John Hicks  
Ray Langenberg  
Carroll Martin  
Steve Selby  
Jane Webre  
Sara Wilder

SD&M's appellate practice has its roots in the firm's strong litigation practice. We try our cases with an awareness that the "law" aspect of cases must be developed as much as the "facts." Appeals are generally won or lost on law, as opposed to fact, issues and we strategize accordingly at the trial court level. As a result, our trial lawyers are well-equipped to litigate the "law" aspect of cases in the trial court, and they often remain involved through the appellate process, teamed with appellate specialists within the firm. Many of our lawyers come to the table with the experience of state and federal judicial clerkships. Many are admitted to federal appellate courts in addition to the Texas state courts, in order to handle appeals originating from litigation around the country. One of our appellate specialists, Jane Webre, is Board Certified in Civil Appellate Law and is a member of the Exam Commission that drafts and administers the exam to lawyers seeking Board Certification. In addition, our administrative practice often involves appeals of agency decisions; our administrative lawyers such as Ray Langenberg regularly handle those appeals.

In addition to handling our own appeals, SD&M lawyers frequently handle appeals and mandamus proceedings in cases tried by other firms. We are also often called upon to file amicus briefs on substantive law issues of interest to our clients. Our lawyers also use their expertise as "law" lawyers to work with other firms handling cases in the trial court, in order to assist with matters such as preserving error, Daubert issues, and jury charges.

Our appellate practice enjoys the solid underpinning of a substantial litigation firm. Indeed, it is an outgrowth of the firm's broad practice. Attorneys in the firm provide invaluable expertise with respect to a wide range of substantive law areas, including oil and gas law, administrative law, class action litigation, business torts, professional malpractice, employment law, and insurance coverage matters. Our location in Austin gives us ready access to the briefing collections of the Supreme Court of Texas and Third Court of Appeals, the state's largest law library, and the state's repository for legislative history research.

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 ATTORNEYS BY  
PRACTICE AREAS

## RAILROAD COMMISSION REGULATORY PRACTICE

RAILROAD COMMISSION  
REGULATORY PRACTICE

John Camp  
 Jim Cowden  
 Doug Dashiell  
 Frank Douglass  
 Ray Langenberg  
 Dick Marshall  
 Carroll Martin  
 Becky Miller  
 John Soule  
 Flip Whitworth

SD&M has the largest oil and gas regulatory practice in Texas. Our attorneys handle contested cases in all areas falling under the jurisdiction of the Texas Railroad Commission, including oil and gas cases, gas utility cases, and surface mining and reclamation cases. We offer advice and represent clients in connection with Rule 37 spacing and Rule 38 density exceptions, production allowables, pooling and unitization (including forced pooling under the Texas Mineral Interest Pooling Act), injection and disposal well applications, enforcement actions for alleged violations of Commission rules, applications for special field rules, environmental issues (including audits and spills), plugging responsibility, tax incentives, well permitting, and new field discoveries. We also advise clients on the effect of Railroad Commission regulation on oil and gas leases, pooling agreements, and similar instruments. We represent clients in rulemaking proceedings before the Railroad Commission, in appeals of Railroad Commission decisions, and in legislative actions affecting the oil and gas industry.

## GENERAL LAND OFFICE

## GENERAL LAND OFFICE

John Camp  
 Jim Cowden  
 Doug Dashiell  
 Dick Marshall  
 Carroll Martin  
 Flip Whitworth

Our firm's practice before the General Land Office ("GLO") is one of the most extensive in Texas. The focus of our GLO work is energy/oil and gas related and includes such matters as pooling applications and compensatory royalty problems, lease termination and interpretation questions, royalty audits resulting in alleged underpayment of state royalties, surface and subsurface easement applications, leasing of various state lands, applications for force majeure determinations and lease suspensions and seismic permitting. We are also involved in contested and uncontested vacancy applications and other surveying-related disputes. We have the ability to provide legal assistance involving nearly every problem that may arise at the GLO.

PROFESSIONAL  
LICENSING AND  
REGULATION

## PROFESSIONAL LICENSING AND REGULATION

Cindy Connolly  
 Sam Johnson  
 Steve McConnico  
 Julie Springer  
 Sara Wilder

SD&M has an extensive practice representing professionals before their respective licensing and regulatory boards. We routinely represent doctors, nurses, psychologists, psychiatrists, judges, lawyers, and insurance professionals. If a board decision is appealed, our experience as trial lawyers before the Travis County District Courts, the Austin Court of Appeals, and the Texas Supreme Court gives SD&M an unmatched advantage handling the appeal. We have successfully represented professionals in all phases of the regulatory process. We have an extensive practice representing lawyers in grievance proceedings at the State Bar of Texas. We also have one of the largest practices statewide before the Texas State Board of Medical Examiners.

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 ATTORNEYS BY  
PRACTICE AREAS

## STATE AND LOCAL TAX PRACTICE

STATE AND LOCAL  
TAX PRACTICE

Doug Dashiell  
Mark Eidman  
Eric Hagenswold  
Ray Langenberg  
Curtis Osterloh  
Doug Sigel

SD&M has one of the largest state and local tax practices in the country. We are experienced in cases involving sales and use, income, franchise, property, crude oil, natural gas, insurance, motor fuel, IFTA, motor vehicle, and unclaimed property taxation. Our clients in this area include Fortune 500 companies involved in telecommunications, chemical and petrochemical, heavy manufacturing, equipment leasing, defense contracting, cable television, railroads, and pharmaceuticals.

The firm handles the full complement of state and local tax services. We have argued hundreds of administrative appeals of assessments throughout the United States. We have successfully litigated numerous tax assessments in state, district, and appellate courts. We are experienced in working with our clients to plan, document, and implement tax saving strategies, particularly in creating and restructuring corporations, LLCs, limited partnerships, and other entities.

Finally, SD&M has successfully worked to draft and implement tax legislation. In past legislative sessions, we have worked to implement or shape tax legislation dealing with the airline, chemical, equipment leasing, financial, chip manufacturing, telecommunications, and railroad industries. This work includes drafting of legislation and acting as a resource to explain the benefits of proposed changes to the Tax Code.

GOVERNMENT AND  
LEGISLATIVE AFFAIRS

## GOVERNMENT AND LEGISLATIVE AFFAIRS

Mark Eidman  
Ray Langenberg  
Carroll Martin  
Steve McConnico  
Becky Miller  
John Soule  
Flip Whitworth

SD&M represents a variety of clients before the legislative and executive branches of Texas government. We have represented clients before a multitude of state agencies, including the Texas Commission on Environmental Quality, the Texas Public Utilities Commission, and the Texas Department of Insurance. Our location in the state capital provides us with ready access to government offices and personnel. Our attorneys have lobbied at both the state and local level. We have assisted clients before the Texas legislature and a variety of Texas agencies and municipalities. We have assisted in the drafting and passing of legislation. At our clients' request, we often monitor legislative developments in order to advise them of recent developments.

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ATTORNEYS BY  
PRACTICE AREAS

GOVERNMENTAL ENTITY REPRESENTATION

GOVERNMENT ENTITY  
REPRESENTATION

SD&M represents large and small cities and counties throughout the State, municipally-owned utilities, state agencies, regional authorities and other governmental and quasi-governmental entities.

Paige Amstutz  
Casey Dobson  
Ray Donley  
Michael Farley  
Asher Griffin  
Robyn Hargrove  
Jennifer Knauth  
Steve McConnico  
Chris Sileo  
Jane Webre  
Sara Wilder

We have long been primary outside litigation counsel for the City of Austin, representing the City in construction disputes, contract claims, class actions, and land use disputes. We have obtained multimillion dollar settlements for the City in construction litigation arising out of major infrastructure projects. We have obtained quick resolution of some disputes through summary judgments that were later upheld by the Austin Court of Appeals and the Texas Supreme Court. In 2005, we obtained a significant jury verdict on behalf of Austin's municipally-owned electric utility, Austin Energy, in a contract dispute with a power seller.

For the City of San Antonio, we have also litigated land use disputes, contract claims and business tort claims. For San Antonio's electric utility, CPS Energy, we have been part of a team of lawyers simultaneously litigating cases in state and federal court concerning the location of a multimillion dollar high voltage power line project.

In addition to litigation, we have been hired by governmental entities to lead sensitive and complex negotiations. For example, we led the City of Austin's negotiating team in the City's massive land development agreement with developer Stratus Properties and in the City's successful annexation negotiations with the owners of the Robinson Ranch.

Governmental entities use SD&M for representation in their most complex and sensitive litigation matters not only because of our extensive legal experience in this area, but also because we are sensitive to the policy and political ramifications of legal actions.

AN  
INTRODUCTION



TO OUR  
ATTORNEYS

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PARTNERS

P A I G E A . A M S T U T Z

Born Sumter, South Carolina. Admitted to State Bar of Texas, 1996. Preparatory education: Texas A&M University, B.B.A., cum laude, 1993. Legal education: University of Houston Law Center, J.D., 1996. Areas of practice: general civil and commercial litigation, business torts, professional malpractice defense, insurance insolvency, and technology litigation.

D A N I E L C . B I T T I N G

Born Amarillo, Texas. Admitted to bar 1988, Texas. Preparatory education: Texas A&M University, B.A., 1985, summa cum laude. Legal education: University of Texas, J.D. 1988, with high honors; Order of the Coif, Texas Law Review, 1986-88, associate editor, J.D., 1987-88. Areas of practice: appellate, general civil litigation, commercial litigation, business torts, oil and gas, natural resources, and energy litigation, technology litigation, and alternative dispute resolution: negotiation, mediation, and arbitration.

J O H N W . C A M P

Born Texarkana, Texas. Admitted to bar 1974, Texas. Preparatory education: University of Texas, B.A., 1971, with honors. Legal education: University of Texas, JD, 1974. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: oil and gas, natural resources, and energy litigation, Railroad Commission regulatory practice and General Land Office.

C Y N T H I A S A I T E R C O N N O L L Y

Born in Dallas, Texas. Admitted to bar 1996, Texas. Preparatory education: Duke University, A.B., 1993, cum laude. Legal education: University of Texas, J.D., 1996. Areas of practice: general civil and commercial litigation, technology litigation, business torts, professional malpractice defense and professional licensing and regulation.

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PARTNERS

JAMES N. COWDEN

Born Midland, Texas. Admitted to bar 1974, Texas. Preparatory education: Southern Methodist University, B.B.A., 1971. Legal education: Southern Methodist University, J.D., 1974; Order of the Coif; Lead Articles Editor, Southwestern Law Journal, 1973-74. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: oil and gas, natural resources, and energy litigation, oil and gas business advice, Railroad Commission regulatory practice, and General Land Office.

AMY LEE DASHIELL

Born Dallas, Texas. Admitted to bar 1997, Texas. Preparatory education: University of Texas, B.B.A., 1994, with honors. Legal education: University of Texas, J.D., 1997, with honors. Areas of practice: general civil and commercial litigation, business torts, professional malpractice defense, and labor and employment law.

DOUGLAS JACKSON DASHIELL

Born Houston, Texas. Admitted to bar 1984, Texas. Preparatory education: University of Texas, B.B.A., 1980. Legal education: Baylor University, J.D., 1984, cum laude. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: general civil litigation, oil and gas, natural resources, and energy litigation, oil and gas business advice, Railroad Commission regulatory practice, General Land Office, and state and local tax practice.

CASEY L. DOBSON

Admitted to bar 1986, Texas. Preparatory education: University of Texas, B.A., 1983, with honors. Legal education: University of Texas, J.D., 1986, with honors. Areas of practice: general civil and commercial litigation, litigation for governmental entities, business torts, oil and gas, natural resources, and energy litigation, professional malpractice defense, major personal injury, and technology litigation..

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PARTNERS

RAY N. DONLEY

Born Lawton, Oklahoma. Admitted to bar 1982, Colorado; 1985, Texas. Preparatory education: Abilene Christian University, B.S., 1977. Legal education: University of Texas, J.D., 1982. Areas of practice: general civil and commercial litigation, class action litigation, oil and gas, natural resources, and energy litigation, and labor and employment law.

FRANK DOUGLASS

Born Dallas, Texas. Admitted to bar 1957, Texas. Preparatory education: Southwestern University, B.B.A., 1953, cum laude. Legal education: University of Texas, LL.B., 1958. Board Certified in Civil Trial Law and in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Member, American College of Trial Lawyers. Areas of practice: arbitration, expert witness; commercial litigation; oil and gas business advice; and Railroad Commission regulatory practice.

MARK W. EIDMAN

Born Houston, Texas. Admitted to bar 1974, Texas. Preparatory education: University of Texas, B.A., 1971. Legal education: University of Texas, J.D., 1974. Areas of practice: state and local tax practice and government and legislative affairs.

R. ERIC HAGENSWOLD

Born Sherman, Texas. Admitted to bar 1997, Texas. Preparatory education: Austin College, B.A., 1992, magna cum laude. Legal education: University of Texas, J.D., 1997, with honors. Areas of practice: general civil and commercial litigation and state and local tax practice.

ROBYN BIGELOW HARGROVE

Born in San Antonio, Texas. Admitted to bar 2001, Texas. Preparatory education: Duke University, B.A., 1996, with honors. Legal education: University of Texas, J.D., 2001, with honors; Order of the Coif; Texas Law Review, 1999-2001. Areas of practice: general civil and commercial litigation, legal malpractice defense.

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PARTNERS

S A M J O H N S O N

Born Hillsboro, Texas. Admitted to bar 1987, Texas. Preparatory education: Baylor University, B.A., 1984, summa cum laude. Legal education: University of Texas, J.D., 1987, with high honors; Chancellors; Order of the Coif; Texas Law Review. Areas of practice: general civil and commercial litigation, legal malpractice defense, insurance coverage, and professional licensing and regulation.

J E N N I F E R K N A U T H

Born Tyler, Texas. Admitted to bar 1986, Texas. Preparatory education: Rice University, B.S., 1983, magna cum laude. Legal education: University of Texas, J.D., 1986, with high honors; managing editor, Texas Law Review; Order of the Coif. Areas of practice: legal and other professional malpractice defense and general civil and commercial litigation.

R A Y H . L A N G E N B E R G

Born Houston, Texas. Admitted to bar 1982, Texas. Preparatory education: Texas Lutheran College; University of Houston, B.A., 1979, summa cum laude. Legal education: University of Texas, J.D., 1982, with honors; Briefing Attorney for Chief Justice Jack Pope, Texas Supreme Court. Board Certified in Administrative Law, Texas Board of Legal Specialization. Areas of practice: state and local tax practice, government and legislative affairs, oil and gas, natural resources and energy litigation and Railroad Commission regulatory practice.

R I C H A R D P . M A R S H A L L J R .

Born Lincoln, Nebraska. Admitted to bar 1979, Texas. Preparatory education: University of Nebraska, B.A., 1974. Legal education: Creighton University, J.D., 1979, cum laude; Editor-in-Chief, Creighton Law Review, 1978-79. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: oil and gas, natural resources, and energy litigation, oil and gas business advice, commercial litigation, environmental law and litigation, Railroad Commission and General Land Office regulatory practice.

## PARTNERS

## CARROLL G. MARTIN

Born Waco, Texas. Admitted to bar 1980, Texas. Preparatory education: Duke University, B.A., 1976, magna cum laude. Legal education: University of Texas, J.D., 1980, with honors. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: general civil and commercial litigation, oil and gas, natural resources, and energy litigation, oil and gas business advice, environmental law and litigation, alternative dispute resolution: negotiation, mediation, and arbitration, Railroad Commission regulatory practice, General Land Office, and government and legislative affairs.

## STEPHEN E. McCONNICO

Born Jacksonville, Texas, April 8, 1950. Admitted to bar 1976, Texas. Preparatory education: University of Texas, B.A., 1972, with honors. Legal education: Baylor University, J.D., 1976, with honors; editor-in-chief, Baylor Law Review, 1975-76. Board Certified in Personal Injury and in Civil Trial Law, Texas Board of Legal Specialization. Areas of practice: general civil and commercial litigation, class action litigation, business torts, oil and gas, natural resources, and energy litigation, professional malpractice defense, personal injury and products liability, and government and legislative affairs.

## DAVIN MCGINNIS

Born in Houston, Texas. Admitted to bar 2000, Texas. Preparatory education: University of Texas, B.A., 1997, with honors. Legal education: University of Texas, J.D., 2000, with honors. Areas of practice: oil, gas, and natural resources litigation, regulatory oil and gas issues, general civil and commercial litigation.

## ELIZABETH N. "BECKY" MILLER

Born Fort Wayne, Indiana. Admitted to bar 1982, Texas. Preparatory education: University of Oklahoma, B.A., 1974. Legal education: University of Texas, J.D., 1981, with honors; Order of the Coif. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: general civil and commercial litigation, oil and gas, natural resources, and energy litigation, oil and gas business advice, environmental law and litigation, Railroad Commission regulatory practice, government and legislative affairs, and Alternative Dispute Resolution: Negotiation, Mediation, and Arbitration.

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PARTNERS

CURTIS J. OSTERLOH

Born Sacramento, California. Admitted to bar 1997, Texas. Preparatory education: Boise State University, B.S., 1991, with honors. Legal education: University of Texas, J.D., 1997, with honors. Areas of practice: general civil litigation and state and local tax practice.

GREG PIERCE

Born Dallas, Texas. Admitted to bar 1991, Texas. Preparatory education: University of Utah, B.A., 1987. Legal education: University of Texas, J.D., 1991, with honors; Order of the Coif; Texas Law Review 1989-90, associate editor, 1990-91. Areas of practice: general civil and commercial litigation, class action litigation, business torts, insurance in-solvency and bankruptcy, professional malpractice defense, and insurance coverage.

PHYLLIS POLLARD

Admitted to bar 1985, Texas; 2000, Oklahoma. Preparatory education: Texas Lutheran College; University of Texas, B.S. with honors; M.A. with honors. Legal education: University of Texas, J.D. cum laude. Board Certified in both Civil Trial Law and in Labor and Employment Law, Texas Board of Legal Specialization. Member of American Board of Trial Advocates. Areas of practice: employment law, general civil and commercial litigation, class action litigation, and business torts.

STEVE SELBY

Born Camp Rucker, Alabama. Admitted to bar 1978, Texas. Preparatory education: University of Texas, B.A., 1973, with high honors. Legal education: University of Texas, J.D., 1977, with honors; Order of the Coif; Texas Law Review, 1976-77. Areas of practice: appellate practice and general civil and commercial litigation.

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PARTNERS

Q U E N T I N " D O U G " S I G E L

Born Pittsburgh, Pennsylvania. Admitted to bar 1989, Texas. Preparatory education: Northwestern University, B.S., 1985. Legal education: University of Texas, J.D., 1989; notes editor, Texas Law Review, 1988-89. Areas of practice: state and local tax litigation; general civil and commercial litigation; EMS litigation; business torts; oil and gas, natural resources, and energy litigation; and technology litigation.

C H R I S T O P H E R D . S I L E O

Born Falls Church, Virginia. Admitted to the bar 2000, Texas. Preparatory education: University of Virginia, B.A., 1995. Legal education: University of Texas, J.D., 2000, with honors; Order of the Coif. Areas of practice: general civil and commercial litigation.

J O H N G . S O U L E

Born Washington, D.C. Admitted to bar 1974, Texas. Preparatory education: George Washington University, B.A., 1967; St. Edward's University, M.B.A., 1978. Legal education: University of Texas, J.D., 1974. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: Railroad Commission regulatory practice, oil and gas business advice, oil and gas, natural resources, and energy litigation, government and legislative affairs, and environmental law and litigation.

J U L I E A . S P R I N G E R

Born Fairbanks, Alaska. Admitted to bar 1987, Texas. Preparatory education: Baylor University, B.A., 1985, cum laude. Legal education: Baylor University, J.D., 1987, cum laude; executive editor, Baylor Law Review, 1986-87. Board Certified in Civil Trial Law and Labor and Employment Law, Texas Board of Legal Specialization. Areas of practice: labor and employment law, general civil and commercial litigation, class action litigation, insurance coverage, and technology litigation.

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PARTNERS

J A N E W E B R E

Born West Palm Beach, Florida. Admitted to bar 1989, Texas. Preparatory education: University of Texas, B.A., 1986. Legal education: University of Texas, J.D., 1989. Board Certified in Civil Appellate Law, Texas Board of Legal Specialization. Areas of practice: appellate practice, general civil litigation, oil and gas, natural resources, and energy litigation, and professional malpractice defense.

H . P H I L I P " F L I P " W H I T W O R T H

Born Smithville, Texas. Admitted to bar 1972, Texas. Preparatory education: University of Texas, B.A., 1969, with honors. Legal education: University of Texas, J.D., 1972, with honors. Board Certified in Oil, Gas, and Mineral Law, Texas Board of Legal Specialization. Areas of practice: oil and gas, natural resources, and energy litigation, oil and gas business advice, Railroad Commission regulatory practice, General Land Office, and government and legislative affairs.

S A R A M . W I L D E R

Born Madrid, Spain. Admitted to bar 1995, Texas. Preparatory education: University of Texas, B.A., 1991, with honors. Legal education: University of Texas, J.D., 1995, with honors; Order of the Coif. Areas of practice: general civil and commercial litigation, business torts, oil and gas, professional malpractice defense, personal injury and products liability, insurance coverage, and professional licensing and regulation.

S T E V E N J . W I N G A R D

Born Denville, New Jersey. Admitted to bar 1993, Texas. Preparatory education: University of Texas, B.A., 1989, with high honors. Legal education: University of Texas. J.D., 1993, with honors; Order of the Coif. Areas of practice: commercial litigation, business torts, professional malpractice defense, and technology litigation.

## ASSOCIATES

## MICHAEL D. FARLEY

Born in Chicago, Illinois. Admitted to the Illinois bar in 2001; admitted to the Texas bar in 2004. Preparatory education: Loyola University Chicago, B.A., 1998, magna cum laude. Legal education: University of Illinois College of Law, J.D. 2001, 2001 Editor-in-Chief of The Elder Law Journal. Areas of practice: general civil litigation, commercial litigation, and class action litigation.

## ASHER B. GRIFFIN

Born Red Bank, New Jersey. Admitted to bar 2002, Texas. Preparatory education: Princeton University, A.B., 1998. Legal education: Stanford Law School, J.D., 2002. Areas of practice: business torts, commercial litigation, general civil litigation, personal injury and products liability, and professional malpractice defense.

## MARK W. HANNA

Born: Austin, Texas. Admitted to bar 2006, Texas. Preparatory education: University of Texas, Austin, B.S.E.E., 2002. Legal education: Southern Methodist University Dedman School of Law, J.D., magna cum laude, 2002. Areas of practice: commercial litigation, general civil litigation, and professional malpractice defense.

## JOHN HICKS

Admitted to bar 2005, Texas. Preparatory education: University of Texas, B.S., petroleum engineering, with high honors; Stanford University, M.S., engineering-economic systems. Legal education: University of Texas, J.D., with high honors; Texas Law Review, Articles Editor; Order of the Coif. Areas of practice: general civil and commercial litigation.

## ABE KUCZAJ

Born Austin, Texas. Admitted to bar 2004, Texas. Licensed to practice before the U.S. District Court for the Northern District of Texas. Preparatory education: Southern Methodist University, B.F.A., 1993, magna cum laude. Legal education: University of Texas, J.D., 2004, with honors; Texas Law Review, 2002-2003, associate editor 2003-2004; Order of the Coif. Areas of practice: general civil and commercial litigation.

ASSOCIATES

J O E T . S A N D E R S

Born Dallas, Texas. Admitted to bar 2005, Texas. Preparatory education: Austin College, B.A., 2000. Legal education: University of Texas School of Law, J.D., 2005. Areas of practice: commercial litigation, general civil litigation, oil and gas, labor and employment, and professional malpractice defense.

R Y A N S Q U I R E S

Born Waco, Texas. Admitted to bar 2004, Texas. Preparatory education: University of Texas at Austin, B.B.A., 1999. Legal education: Baylor University School of Law, J.D., 2004, cum laude, with concentration in general civil litigation.

FIRM ADMINISTRATOR

C L A Y S I N G L E T O N

Born Wichita, Kansas. Certified Public Accountant, August 1981. Preparatory education: Wichita State University, B.B.A., 1978, magna cum laude. Legal Administrator for Scott, Douglass & McConnico, L.L.P., 1985 to present.