SCOTT DOUGLASS McCONNICO

Bryan Lauer

PARTNER

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Overview

Bryan litigates complex commercial disputes, with a particular focus on energy industry litigation and regulation. Bryan is Board Certified in Oil, Gas & Mineral Law by the Texas Board of Legal Specialization. He has a wealth of experience helping clients across a broad range of oil and gas matters, including all manner of lease and contract disputes, as well as regulatory matters before the Railroad Commission of Texas. His practice also encompasses solar and wind leasing and land disputes; electricity generation, transmission, and storage matters; and renewable energy.

Bryan also maintains an active legal malpractice defense docket. Working with his partners Steve McConnico and Sam Johnson, Bryan has successfully defended and achieved positive resolutions of legal-malpractice and other claims for several well-known Texas attorneys, judges, and law firms.

Bryan has held first- and second-chair responsibility for cases in both state and federal court and at the Railroad Commission of Texas, and he has extensive experience in multi-district litigation.

He is sought after as a speaker on energy industry matters all over Texas, and he has given the case law update at the firm's annual Oil and Gas Seminar since 2012.

Bryan was born at Fort Riley, Kansas, and grew up in Wisconsin. After college he taught language and literature in both Europe and the United States. He attended the University of Texas School of Law, where he served as Book Reviews Editor for the Texas Law Review. Before joining Scott Douglass McConnico in 2009, Bryan served as law clerk for the Honorable Andrew S. Hanen of the United States District Court for the Southern District of Texas.

Experience

Bryan has held first- and second-chair responsibility for cases in both state and federal court, and has handled numerous matters at the Railroad Commission of Texas. These include:

With Steve McConnico, Aaron Collins, and Robyn Hargrove, in 2023 took over defense of a fraud and breach-of-fiduciary-duty case after previous counsel's dispositive motions failed in Travis County district court and on appeal. Developed a new strategy to support the district court's reconsideration of its earlier rulings, and succeeded in getting the major claims dismissed before trial. Shortly thereafter, plaintiff, who was seeking more than $20 million in damages, settled for $650,000.

Defended client in Webb County district court in a DTPA, fraud, and breach-of-fiduciary action in which plaintiff was seeking more than $10 million in damages and disgorgement. Defeated plaintiff's two motions for summary judgment and then filed motions for summary judgment to dismiss all claims shortly before mediation. Settled the case at mediation in 2023 for $725,000.

In 2022, defended client in AAA arbitration against claims for fraud, breach of fiduciary duty, and breach of warranty. Plaintiff sought more than $10 million in damages. Took a series of depositions in which plaintiff's damages model was eviscerated and settled the case at mediation for $625,000.

First- and second-chair responsibility in state- and federal-court energy litigation, including disputes concerning royalty payments, mineral title, lease termination, trespass, conversion, implied covenants, and theft of trade secrets.

First- and second-chair responsibility in protested and unprotested hearings at the Railroad Commission of Texas, including applications for amendments to field rules, permits for saltwater disposal wells, and Rule 32 flaring exceptions.

Second-chair responsibility handling multi-district litigation with over 100 Plaintiffs in three counties on behalf of a Fortune 500 energy company concerning allegations of hundreds of millions of dollars in damages for royalty underpayment, improper pooling, failure to protect against drainage, and failure to develop.

In recent years, Bryan's practice has included a focus on the use of production sharing agreements and allocation wells, and he has served on panels and presented case-law updates throughout Texas concerning these complex matters.

Recent Results:

- Obtained multiple summary judgments in multi-district litigation on behalf of a Fortune 500 energy company
- Successfully argued appeal to the Third Court of Appeals, Austin Texas, resulting in the partial reversal of the district court for abuse of discretion.
- Successfully managed defense of Fortune 200 energy company in a lawsuit seeking lease termination and damages for trespass and conversion. Despite plaintiffs' eight-figure demand, settled the case in the mid six figures.
- With Asher Griffin, handled temporary injunction hearing and defended Chinese start-up company against claims for breach of fiduciary duty and shareholder oppression, resulting in favorable settlement for client.
- With Steve McConnico and Steve Wingard, handled temporary injunction hearing and represented an Austin-based company in trade-secret case, resulting in favorable settlement for client.
- With Joe Sanders, represented Oklahoma-based energy company against claims for trespass and conversion, resulting in favorable settlement for client.

Awards

- Texas Rising Star, a Thomson Reuters business, Business Litigation, 2015 – 2019
- Book Reviews Editor, Texas Law Review

Articles & Presentations

- April 2019 Oil, Gas & Energy Resources Law Section for the State Bar of Texas, Section Report "Murphy v. Adams: A Reasoned Decision"
- Author and presenter, "Retained Acreage and Depth Issues in Oil and Gas Leases: The Courthouse and Regulatory Perspective," Review of Oil and Gas Law, Energy Law Section, Dallas Bar Association, August, 2019
- Co-author, "Murphy v. Adams: A Reasoned Decision" for the Section Report of the Oil, Gas & Energy Resources Law Section for the State Bar of Texas, Vol 43, Number1/Fall 2018
- Royalty Litigation, panel discussion with Michael Jones, Mark Rodriguez, David Drez, and Dick Watt at State Bar of Texas, Oil and Gas Disputes, January 25, 2018
- Case Law Update, presented at the Scott, Douglass & McConnico Regulatory Seminar in 2012 - 2019
- Pooling Oil & Gas Leases in Texas, a seminar presented by George A. Snell, III and Bryan D. Lauer for the American Association of Professional Landmen, July 10, 2014 and October 21, 2013
- Square Pegs and Round Holes: The Application and Evolution of Traditional Legal and Regulatory Concepts to Horizontal Wells, presented to the East Texas Association of Petroleum Landmen, Spring Landman Seminar, April 26, 2014
- Production Sharing Agreements and Allocation Wells, panel discussion with J. Robert Goldsmith and John B. McFarland at the 2014 Ernest E. Smith Oil, Gas and Mineral Law Institute, March 28, 2014
- Pooling and Spacing for Horizontal Wells, presented to the Texas Land Institute, Houston, Texas, September 23, 2013
- Legal and Regulatory Issues Related to Horizontal Drilling and Development in Texas, presented at the San Antonio Association of Professional Landmen 24th Annual Mid-Winter Seminar, February 9, 2013.
- Perils and Pitfalls in the Brave New World of E-Discovery, presented at the Anatomy of Fiduciary Litigation, November 29, 2012; Co-Author with Stephen McConnico
- Turning the Law on Its Side: A Review of Developments in State Spacing and Pooling Regulation to Accommodate Horizontal Drilling, presented at the CAIL Third Law of Shale Plays Conference, June 6, 2012; Co-Author with Joe T. Sanders, II
- Voluntary Pooling: Express & Implied Limits on Pooled Units, presented at the Scott, Douglass & McConnico Regulatory Seminar, April 26, 2012
- 2012 Case Law Update, presented to the Oil, Gas & Mineral Section of the Austin Bar Association, April 11, 2012.
- Legal Issues Arising From Horizontal Drilling, presented to the Hill Country and Southern Landman Association, September 12, 2011.
- How Horizontal Drilling Is Regulated in Texas, presented to the Southwest Land Institute, April 14, 2011.

News & Insights

- Bryan Lauer presents at State Bar Oil and Gas Disputes CLE Course
- Seven SDM Lawyers Named to Texas Rising Stars®
- Amy Dashiell and Bryan Lauer co-author article for Oil, Gas & Energy Resources Law Section Report
- SDM Lawyers Recognized in 2026 Texas Super Lawyers®

Practice Areas

- Oil & Gas Litigation
- Public Utilities
- Business Litigation & Torts
- Professional Malpractice, Licensing & Regulation
- Renewable Energy

Education

- University of Michigan, Honors B.A., Philosophy and Political Science, 1996
- University of Chicago, Masters in Social Sciences, 2003
- University of Texas School of Law, J.D. with honors, 2008

Admissions

- State Bar of Texas
- Board Certified in Oil, Gas & Mineral Law by the Texas Board of Legal Specialization
- United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas.

Activities

- Member, State Bar of Texas, Oil, Gas and Energy Resources Law Section
- Member, Austin Bar Association, Oil, Gas & Mineral Law Section
- Member, Austin Bar Association, Civil Litigation Section
- Community and Charitable Organizations
  - President of the Board of Directors for the Literacy Coalition of Central Texas