SCOTT DOUGLASS McCONNICO

Mary Byars Bailey

PARTNER

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Overview

Mary represents both plaintiffs and defendants in a wide variety of complex commercial litigation, with an emphasis on oil and gas disputes, pharmaceutical defense, and appellate matters. She has handled cases involving joint operating agreements and other contracts, legal malpractice, fraud, and statutory interpretation, among other issues. Mary has resolved disputes through pre-suit negotiations, at the trial court stage, and on appeal. She also represents clients in front of the Railroad Commission.

Experience

Part of SDM trial team for U.S. travel technology company in multiple actions in Florida and Delaware involving claims under the Helms-Burton Act for alleged trafficking in real property confiscated by the Cuban government.

- August 2026,??secured a complete defense verdict in one of the matters in Miami federal court
- September 2025, complete defense judgment in Miami federal court,??reversing verdicts totaling $119 million.
- July 2024,??defeated Class Certification in Helms-Burton Act Claims

Won summary judgment and subsequent appeal in favor of an oil and gas company based on the interpretation of a contested mineral deed.

Part of trial team that obtained directed and jury verdicts in favor of an oil and gas company on claims of fraud and breach of joint operating agreement.

Represented operator client in AAA arbitration on drainage and royalty claims.

Ongoing representation of manufacturer in federal multidistrict litigation involving pelvic mesh products.

Assisted in successful settlement of lawsuit involving claims of legal malpractice.

Helped settle dispute regarding the valuation of shares of client company???s stock.

Advised startup company on legal ethics issues.

Assisted oil and gas clients in obtaining RRC approval of waterflood units.

Awards

- Texas Super??Lawyers?? Rising Stars, Business Litigation, 2022 – 2026

Articles & Presentations

- Common Interest Doctrine ??? Including Multi-State Privilege Issues, Texas Bar CLE Advanced Business Law Course, November 2017 (co-author and co-presenter with David Shank).
- The Common Interest Doctrine (or Lack Thereof) in Texas, Texas Bar CLE Webcast, December 2016 (co-author with David Shank).

News & Insights

- Fortune 500 Oil & Gas Company - jury trial regarding breach of joint operating agreement
- SDM prevails in jury trial regarding breach of joint operating agreement
- SDM Defeats Application for Temporary Injunction
- SDM Lawyers Recognized as 2023 Texas Rising Stars??
- SDM Lawyers Recognized as 2024 Texas Rising Stars??
- SDM Defeats Class Certification in Helms-Burton Act Claims
- SDM wins complete defense judgment in Miami federal court, reversing verdicts totaling $119 million
- SDM Secures Complete Defense Verdict in latest Expedia Trial
- SDM Lawyers Recognized in 2026 Texas Super Lawyers??

Practice Areas

- Appellate
- Business Litigation & Torts
- Oil & Gas Litigation

Education

- Harvard Law School, J.D., cum laude, 2015
- Smith College, B.A., summa cum laude, 2010

Admissions

- State Bar of Texas
- United States District Courts for the Western, Northern, and Southern Districts of Texas
- United States Court of Appeals for the Fifth Circuit

Activities

- Austin Bar Association, Member
- Travis County Women Lawyers??? Association, Board of Directors
- Austin Young Lawyers Association, Member