SCOTT DOUGLASS McCONNICO

Willie Cochran

PARTNER

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Overview

Willie helps people solve hard legal problems.

His docket is divided between appellate work and trial advocacy. He has resolved disputes through pre-suit negotiations, at trial, and on appeal.

Willie represents individuals and all kinds of companies in complex business situations across a variety of industries. He routinely handles disputes involving oil & gas, contracts, corporate governance, finance, restructuring, real estate, technology, trade secrets, intellectual property, legal malpractice, and the like. He is often called upon to jump into ongoing cases to research and brief complicated legal issues.

Before joining the firm, Willie clerked for Judge Patrick E. Higginbotham on the U.S. Court of Appeals for the Fifth Circuit.

Experience

APPELLATE:

Appeal to the Supreme Court of Texas on behalf of trade association seeking declaratory judgment that City ordinances were preempted by state law. Supreme Court reversed unfavorable judgment from court of appeals regarding predicate jurisdictional and standing challenges and remanded for proceedings on the merits. Tex. Propane Gas Ass'n

v. City of Houston, 622 S.W.3d 791 (Tex. 2021).

Appeal to the U.S. Court of Appeals for the Fifth Circuit on behalf of oil and gas operator appealing from summary judgment on breach of contract claims seeking millions of dollars in damages arising from area of mutual interest agreement. Fifth Circuit reversed unfavorable summary judgment and rendered judgment for client. Glassell Non-Operated Interests, Ltd. v. EnerQuest Oil & Gas, L.L.C., 927 F.3d 303 (5th Cir. 2019).

Appeal to the Eleventh Court of Appeals at Eastland, Texas, on behalf of real estate agent appealing from unfavorable judgment on fraud claims following jury verdict. Court of appeals reversed judgment of the trial court, rendered take-nothing judgment on claims, and remanded for client real estate agent's request for attorney's fees. Nelson v. McCall Motors, Inc., 630 S.W.3d 141 (Tex. App.—Eastland May 29, 2020, no pet.).

Appeal to the U.S. Court of Appeals for the Fifth Circuit on behalf of wrongfully imprisoned individual appealing from dismissal of claims seeking civil damages from state actors. Fifth Circuit reversed dismissals in part and remanded. On remand in the district court, obtained order retaining federal jurisdiction to allow remaining claims to proceed to trial. Moon v. City of El Paso, 906 F.3d 352 (5th Cir. 2018).

Appeal (pro bono) to the U.S. Court of Appeals for the Fifth Circuit on behalf of criminal defendant appealing from criminal conviction in connection with alleged drug trafficking conspiracy for which defendant was sentenced to more than twenty-six years in prison. Fifth Circuit vacated conviction on all counts based on Sixth Amendment Confrontation Clause violation. United States v. Jones, 930 F.3d 366 (5th Cir. 2019).

Appeal (pro bono) on behalf of hearing impaired clients in certiorari petition and merits briefing to the U.S. Supreme Court from Fifth Circuit's dismissal of ADA claims against state agency. Case No. 15-486, Ivy v. Morath, on Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit.

OIL & GAS:

Obtained denial of lease termination and trespass claims alleging damages of $100 million against client operator. In re EP Energy E&P Co., L.P., 19-35647, 2021 WL 5917771 (Bankr. S.D. Tex. Dec. 14, 2021).

Represented EP Energy Corporation, a public oil and natural gas exploration and production company, and its affiliates, in chapter 11 cases involving approximately $4.9 billion in funded debt obligations, including in successful trial over contested plan confirmation.

Defended numerous oil and gas operators against lessor allegations of breach of lease and lease termination.

Defended geologist against allegations of breach of fiduciary duty, breach of contract, and fraud brought by mineral owner seeking millions of dollars in damages.

Defended oil and gas operator against allegations of breach of contract brought as crossclaim by mineral owner in dispute with nonparticipating royalty interest holder seeking millions of dollars in damages.

BREACH OF FIDUCIARY DUTY:

Defended hedge fund against allegations of fraud, breach of contract, and breach of fiduciary duty brought by former investor seeking billions of dollars in damages.

Defended corporate directors against allegations of breach of fiduciary duty, usurpation of corporate opportunity, squeeze out, and conversion brought by co-investor seeking hundreds of millions of dollars in damages.

BREACH OF CONTRACT:

Pursued multimillion-dollar breach of contract and theft of trade secret claims on behalf of corporation while navigating internal corporate governance dispute among shareholders.

Pursued multiple million-dollar breach of contract and breach of warranty claims on behalf of industrial manufacturer against component suppliers.

Defended large technology company at trial in justice court against allegations of breach of warranty brought by retail consumer.

LEGAL MALPRACTICE AND RELATED CLAIMS:

Defended lawyer and law firm against allegations of statutory fraud, slander of title, and related tort claims brought by opposing party landowner seeking millions of dollars in damages.

Defended attorney against fraud and other tort claims brought by former adversary of attorney's client. Obtained Rule 91a dismissal of all claims and significant attorney fee award.

OTHER PRO BONO WORK:

Represented, pro bono, Nepalese refugee seeking asylum in the United States to flee persecution by Maoists in Nepal. Obtained grant of asylum after merits hearing before federal immigration judge.

Awards

- Best Lawyers®: Ones to Watch, Appellate Practice, by BL Rankings, 2023-2024
- Texas Super Lawyers® Rising Stars, Appellate, 2024
- Articles Editor, Stanford Law Review
- Honorable Mention, 2013 Tannenwald Writing Competition

Articles & Presentations

- Ethics of Representing Entities, 39 Corp. Couns. Rev. 41 (2020).
- Author and Presenter, Ethics of Representing Entities, State Bar of Texas 11th Annual Business Disputes Course, September 2019
- Searching for Diamond in the Two-and-Twenty Rough: The Taxation of Carried Interests, 66 STAN. L. REV. 953 (2014)

News & Insights

- SDM Wins Fifth Circuit Appeal in Oil and Gas Case
- Willie Cochran and Cheryl Joseph named Partners in the Firm
- SDM Obtains Denial of Eagle Ford Lease Termination Claim Against EP Energy
- 13 SDM Lawyers Recognized in Best Lawyers® 2023 Honors
- SDM Lawyers Recognized In Best Lawyers® 2024
- SDM Lawyers Recognized as 2024 Texas Rising Stars®

Practice Areas

- Appellate
- Business Litigation & Torts
- Intellectual Property Litigation
- Oil & Gas Litigation
- White Collar Defense & Government Investigations Group
- Fiduciary Duty Litigation
- Securities & Complex Financial Litigation
- Oil & Gas Business Advice
- Renewable Energy

Education

- University of Texas, B.A. in Plan II
- Stanford Law School, J.D.

Admissions

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

Activities

- Austin Bar Association
- Austin Young Lawyers' Association
- Deacon, Providence Church