

Paul L. Mitchell



Partner

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Paul has a broad litigation practice, with the primary focus of representing companies in the energy sector in commercial litigation, corporate investigations, and related matters.

In the area of litigation, Paul has extensive experience in both state and federal courts, including commercial, oil and gas, and real estate litigation. He has both prosecuted and defended cases involving claims of breach of contract, fraud, breach of fiduciary duty, tortious interference and numerous other matters.

His experience in corporate investigations has included representation of corporations and audit committees in investigations and disclosures to the SEC and DOJ of transactions implicating the Foreign Corrupt Practices Act, investigations of alleged internal wrongdoing implicating Sarbanes-Oxley, and investigations on behalf of special litigation committees in connection with shareholder derivative actions.

REPRESENTATIVE EXPERIENCE

- Representation of an oil services company in a case involving alleged well damage resulting from downhole operations
- Representation of an oil field services company in a dispute with its suppliers over the failure to deliver compressors under a purchase order
- Representation of an energy company in litigation with a software vendor
- Representation of an exploration and production company in a suit alleging breach of implied covenants of reasonable development and further exploration
- Representation of a owner of offshore producing properties in prosecuting claims against an offshore services company for fraud and breach of fiduciary duty in connection with an improper payment made to an executive of the client to obtain concessions on multimillion dollar transactions
- Representation of a working interest owner in prosecuting a claim against another owner for alleged breach of a preferential rights provision in a joint operating agreement
- Representation of a producer in prosecuting a suit for declaratory judgment of no liability and in the defense of a counterclaim for alleged breach of a Natural Gas Sales and Purchase Agreement

INDUSTRIES

Oil and Gas Natural Resources
Energy Litigation

PRACTICE AREAS

Litigation
Corporate Compliance, Investigations and Defense

EDUCATION

JD, 1986, *summa cum laude*, University of Houston Law Center, *Houston Law Review*, Associate Editor, Order of the Coif, Order of the Barons

BA, 1982, *summa cum laude*, Political Science, Rice University, Phi Beta Kappa

ADMITTED

Texas 1986
US Court of Appeals for the Fifth Circuit
US District Courts for the Northern, Southern, Eastern and Western Districts of Texas

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- Representation of a working interest owner in disputes involving the accounting for mobilization/demobilization expenses as to non-consent owners under an offshore joint operating agreement
- Representation of a seller of producing properties in defending against a claim for environmental indemnity asserted by a remote purchaser
- Representation of a energy company in defending against antitrust and other claims relating to the award of a long-term supply contract for heavy crude oil
- Representation of an operator in prosecuting claims against an offshore drilling company over the failure of a mooring line which broke and caused significant delay and damages
- Representation of an oil and gas company in defending against claims by suppliers of spare parts and services on an offshore project in Azerbaijan
- Representation of a working interest owner in defending against a claim brought by another owner for alleged breach of a preferential rights provision in a joint operating agreement
- Representation of an oil and gas operator in defending against claims arising from the destruction of a leased oil field compressor package
- Representation of oil and gas companies in defending against claims for alleged breaches of area of mutual interest provisions in joint operating and other agreements
- Representation of a large real estate development company in defending against claims by an employee of the client's customer for tortuous interference
- Representation of a commercial real estate development limited partnership in prosecuting claims for breach of contract, fraud and tortuous interference in connection with the purchase of a tract of land for development
- Representation of individual investors in prosecuting claims against a title insurance company for fraud and breach of fiduciary duty arising out of a transaction for the sale of numerous rental properties
- Representation of a prominent Houston family in prosecuting claims against a national parking lot management company for millions of dollars in under-payments on a lease of a downtown block of real estate
- Representation of a large public accounting firm in defending against claims for misappropriation of trade secrets
- Representation of an audit committee of a publicly-traded oil and gas company in an investigation of alleged internal wrongdoing
- Representation of an audit committee of a publicly-traded oilfield services company in an investigation of alleged payments to foreign officials in South America
- Representation of the special litigation committee of a publicly-traded energy company in connection with a derivative suit alleging improper trading activities
- Representation of an audit committee of a publicly-traded oilfield services company in an investigation of alleged payments to foreign officials in West Africa

ARTICLES/PUBLICATIONS

- "Bribery: US is Cracking Down on Payments Made Under Table" [Houston Business Journal](#) (August 31, 2007)

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Houston Bar Association
- Fellow, Houston Bar Foundation
- Bar Association of the Fifth Federal Circuit
- Texas Bar Association

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Listed

- Recognized as Texas "Super Lawyer" in 2005, 2006, and 2007
- AV rating by Martindale-Hubbell