



## Seth Isgur

Partner

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Seth Isgur is a versatile litigator with a proven track record of successfully representing clients in state/federal courts and arbitration proceedings.

Prior to his legal career, Seth was a certified public accountant who worked in the tax groups of two publicly-traded corporations. After graduating law school, he leveraged his legal and business background while representing clients on matters ranging from antitrust class actions to pipeline condemnations to catastrophic personal injury claims.

Seth's practice is now primarily focused on representing energy companies in high-stakes litigation and arbitration proceedings. Equally adept at both written and oral advocacy, Seth takes pride in his ability to deliver results both through dispositive motions and—when necessary—at trial or arbitration. He has developed a particular expertise in class action lawsuits (including royalty class actions), commercial indemnity disputes, complex energy-related contract claims, and tax disputes.

In his eminent domain practice, Seth typically represents condemners—including oil/gas pipeline companies and government entities—and has first chaired at least 50 special commissioners hearings across the State of Texas.

## Honors & Recognitions

Houstonia: Top Lawyers 2021 – 2022; Energy, Oil, and Gas

## Practice Areas

Litigation

## Education

JD, high honors, The University of Texas School of Law, 2007. During law school, Seth was a member of the Chancellors Society, Texas Law Review, and Order of the Coif.

MPA, Taxation, The University of Texas, 2001

BBA, Accounting, The University of Texas, 2001

## Admissions

### BAR

State Bar of Texas; Member of the Oil and Gas Section and Appellate Section

### COURT

Admitted to practice in Texas State Courts, the Fifth Circuit Court of Appeals, all Federal District Courts in Texas (Southern, Northern, Western, and Eastern Districts of Texas), and certain other federal district courts



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Texas Rising Star, business litigation, Thomson Reuters, 2017

## Community & Professional

Certified Public Accountant

Texas Association of Defense Counsel, Member of the Board of Directors

## Experience

### Representative experience generating reported opinions

- Defended a multinational energy company against a putative nationwide class action lawsuit in which it was alleged that the company had underpaid royalties on natural gas, obtaining a dismissal on the pleadings – *Key v. Exxon Mobil Corp.*, 508 F. Supp. 3d 1072 (E.D. Okla. 2020)
- Represented a multinational energy company in a commercial indemnity dispute arising out of environmental contamination in Louisiana, including participating in a two-week jury trial that resulted in an eight-figure verdict for the client – *Exxon Mobil Corp. v. Trade Expl. Corp.*, 14-19-00091-CV, 2020 WL 7214159 (Tex. App.—Houston [14th Dist.] Dec. 8, 2020, no pet.)
- Defended a major energy company against a putative nationwide class action lawsuit in which it was alleged that the company had underpaid royalties on natural gas, obtaining a dismissal on the pleadings – *Wheeler v. Exxon Mobil Corp.*, CV 19-4025-KHV, 2019 WL 5188738, at \*1 (D. Kan. Oct. 15, 2019)
- Represented an international aviation company in arbitration proceedings and related litigation arising out of a contractual dispute with its investment partners, including defending an interim arbitration award in favor of the client – *Air Ctr. Helicopters v. Starlite Investments Ireland*, 4:18-CV-00599-O, 2018 WL 3970478 (N.D. Tex. Aug. 15, 2018)
- Obtained summary judgment in favor of a national rental car company in a personal injury lawsuit in which the plaintiff alleged that the company had furnished a defective vehicle – *Madere v. Enter. Holdings*, 5:15-CV-954-XR, 2016 WL 7235829 (W.D. Tex. Dec. 14, 2016)
- Represented the City of Houston's Municipal Secretary in a lawsuit in which it was alleged that the Secretary improperly rejected a referendum petition that sought to overturn the Houston Equal Rights Ordinance, which lawsuit culminated with a multi-week trial and jury verdict in favor of the Secretary – *In re Woodfill*, 470 S. W.3d 473 (Tex. 2015) (overturning said jury verdict)
- Represented a settlement trust in litigation concerning an individual who repeatedly violated the trust's procedures, obtaining an injunction and recovering attorneys' fees on behalf of the trust – *Settlement Facility Dow Corning Tr. v. D'Iorio*, 11-10562, 2015 WL 5707116, at \*2 (E.D. Mich. Sept. 29, 2015)
- Defended insurance company in a coverage dispute involving pollution, obtaining an arbitration award and a subsequent summary judgment (as affirmed by the Fifth Circuit Court of Appeals) in favor of the insurer – *Nat'l Union Fire Ins. Co. of Pittsburgh, PA v. Cont'l Carbon*, CIV.A. H-10-2379, 2012 WL 43604 (S.D. Tex.

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Jan. 9, 2012), aff'd, 517 Fed. Appx. 269 (5th Cir. 2013)

- Defended insurance company in a duty to defend dispute involving alleged construction defects, obtaining summary judgment in favor of the insurer – *Wilshire Ins. v. RJT Constr.*, SA-08-CA-0178-H, 2008 WL 11417384 (W.D. Tex. Aug. 25, 2008)

### **Other representative litigation experience**

- Served as the first chair in an arbitration to resolve competing claims to a participation interest in an international oil and gas project, obtaining the full relief sought by the client
- Served as the sole chair in an arbitration to determine whether the purchaser or the seller of a company was entitled to tax refunds for tax periods prior to the company's acquisition
- Served as the sole chair in an arbitration involving the sale of medical imaging equipment, and obtained an award (later confirmed in state court) representing the full amount of damages sought by the client
- Defended a hospital against a putative class action alleging that the hospital violated antitrust laws through artificially suppressing the compensation paid to its nurses
- Defended a national rental car company in dozens of tort lawsuits (e.g., negligent entrustment, respondeat superior, and product-liability) in state and federal courts throughout Texas
- Obtained summary judgment in favor of a real estate partnership that brought suit to enforce a contract for the sale of land in Montgomery County, Texas
- Obtained summary judgment in favor of the manufacturer of a video amusement device that had been sued in federal court by a putative class for alleged deceptive trade practices
- Obtained summary judgment in favor of an ERISA plan in a dispute over retirement benefits
- Defended a real estate partnership in a state court lawsuit filed by an investor who accused the partnership of misrepresenting its financial prospects
- Represented a manufacturer of smart meters in a federal lawsuit regarding a dispute over the acquisition of a competing company
- Defended an insurance company in a lawsuit brought by a state attorney general who alleged that the insurer violated antitrust laws in the aftermath of Hurricane Katrina
- Represented the manufacturer of medical equipment in a multi-party lawsuit involving allegations of fraud in connection with the sale of medical devices
- Defended the manufacturer of electric submersible pumps in a federal lawsuit alleging that faulty equipment had been supplied to an entity in Saudi Arabia
- Represented a large solid waste disposal company in a contract dispute with a Texas municipality
- Defended a multi-national software company in a state court lawsuit brought by a former employee who sought to recover the value of certain stock options
- Represented a municipality in a lawsuit alleging that the municipality violated the constitutional rights of property developers who had been denied a permit

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- Tried nineteen cases to a jury verdict as a prosecutor for the City of Houston as part of Norton Rose Fulbright's Attorney Loan Program

### **Eminent domain / condemnation experience**

- Represented a pipeline company in numerous special commissioners hearings and related court proceedings involving the construction of a 450-mile crude oil pipeline
- Represented a regional water authority in numerous special commissioners hearings and related court proceedings involving the construction of a water pipeline
- Represented a pipeline company in numerous special commissioners hearings and related court proceedings involving the construction of a 150-mile crude oil pipeline
- Represented multiple municipal utility districts in numerous special commissioners hearings and related court proceedings involving the acquisition of water line easements and drainage easements
- Represented a Texas county in special commissioners hearings involving the expansion of roadways
- Represented a pipeline company in regard to a trespass claim in which the pipeline company pursued a cross-bill for condemnation
- Assisted in the analysis of several hundred easements in connection with a regional water authority's plan to convert an existing natural gas pipeline into a water pipeline
- Represented a natural gas storage company in regard to condemnation proceedings in Jefferson County, Texas
- Assisted in the analysis of several hundred pipeline easements in connection with a chemical company's plan to convert a common carrier pipeline into a private line