

Shawn Raymond's Track Record

Key Energy Cases

February 2022—Vineet Bhatia, Weston O'Black, and I represented CenterPoint Energy in pursuing claims against various gas suppliers in connection with the unprecedented spikes in natural gas costs that occurred as a result of February 2021's Winter Storm Uri. We helped CenterPoint recover for itself and for the benefit of all ratepayers a total net value (after factoring in attorney fees) of more than \$100 million.

December 2021—Erica Harris, Michael Kelso, and I successfully resolved our client TotalEnergies' business interruption claims against Intercontinental Terminals Company in connection with a major chemical storage tank fire that began on March 17, 2019 at its petrochemical terminal located along the Houston Ship Channel. The fire resulted in the release of toxic benzene and other hazardous materials and forced shelter-in-place orders and the evacuation and closure of TotalEnergies' massive polypropylene plant. The case settled for a confidential amount.

November 2018—Erica Harris, Adam Carlis, and I defeated a nearly \$9 million title benefit arbitration claim brought against our energy client in connection with a purchase and sale agreement for oil and gas properties. The arbitrator not only disallowed in its entirety the other side's \$8.94 million title benefit claim, but awarded our client \$784,000 in title defect claims.

November 2017—Gaining zero traction with its insurance carriers in securing insurance coverage to defend itself against a government-led Foreign Corrupt Practices Act investigation and related lawsuits, Cobalt International hired Eric Mayer, Adam Carlis, Scott Fulford, and me to level the playing field. We secured multi-million dollar settlements from two insurance carriers.

March 2017—Vineet Bhatia, Krysta Kauble Pachman, and I won a \$6.3-million arbitration award for our energy client. All three arbitrators – including the other side's appointed arbitrator – went our way on every liability issue. At issue in this breach of contract case: whether our client, a large retail energy provider, had to pay the owner of a wind farm for energy that the wind farm did not generate due to reliability directives by a third party that controlled the transmission lines.

August 2006—Along with Tom Paterson and co-counsel in New Mexico, I represented the New Mexico State Land Office and settled a lawsuit with OXY USA, Inc. and an affiliate for underpayment of royalties allegedly owed to the state for CO₂ produced from the Bravo Dome CO₂ Unit in northeastern New Mexico. OXY agreed to pay \$11.6 million in cash to settle. In addition, OXY agreed to make changes to its methodology for calculating royalty payments by, among other

things, tying the value of CO2 for royalty purposes to the price of oil. The state's economic expert estimated that the value of those changes equaled approximately \$16.6 million, for a total settlement value of approximately \$28.2 million. The court awarded attorneys' fees of \$1.4 million from the settlement. In a press release announcing the settlement, Commissioner of Public Lands Pat Lyon said, "This is a great day for New Mexico's school children, as they will benefit from this."

August 2006—On behalf of 4300 royalty and overriding royalty owners across the United States, Tom Paterson and I, along with New Mexico co-counsel, obtained a \$27.5 million settlement with ConocoPhillips for alleged underpayment of royalty on natural gas liquids produced from the San Juan Basin of northwestern New Mexico and processed at the New Blanco Plant near Bloomfield, New Mexico. The district court approved the settlement and awarded attorneys' fees of \$7 million from the settlement fund.

September 2005—Less than a week before the start of a jury trial in Clayton, New Mexico, OXY USA, Inc. agreed to pay \$12 million to settle a class action lawsuit brought by Susman Godfrey's Thomas W. Paterson and me, along with New Mexico co-counsel, on behalf of a class of royalty owners who had leased mineral rights to OXY for the production of CO2 at the Bravo Dome Unit in northeastern New Mexico. The \$12 million settlement, of which \$3.5 million was awarded for attorneys' fees, represented approximately 90% of the total amount of actual damages sought by the class. The settlement also required OXY to pay litigation expenses of \$400,000 and settlement administration expenses of \$200,000. Finally, OXY has agreed to change how it calculates plaintiffs' royalty on a going-forward basis. This change will result in a near doubling of the royalty amounts OXY was paying the class members before the filing of this lawsuit in 2004.

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