

## BART A. RUE Partner

bart.rue@kellyhart.com  
P: (817) 878-3508 F: (817) 878-9708

Fort Worth



### BIOGRAPHY

Bart A. Rue has over 28 years of trial practice in oil and gas related matters as well a complementary commercial litigation background. Since 2010, Mr. Rue has served as lead counsel in over 200 oil and gas litigation and commercial litigation matters, including lease interpretation issues, royalty underpayment issues, surface use disputes, lease termination disputes, as well as other issues affecting land and mineral ownership. Mr. Rue currently represents exploration companies and landowners in state and federal courts. His transactional practice includes the negotiation and preparation of oil and gas leases, pipeline easements and related operations and owner's rights agreements. Mr. Rue also has substantial experience in commercial litigation matters as well as experience in class action, product liability, medical malpractice, condemnation, and property tax litigation matters.

### EXPERIENCE AND HIGHLIGHTS

Since 2010, Mr. Rue has been lead counsel and prevailed in the trial court and on appeal in the following appellate decisions:

- *Green v. Chesapeake Exploration, L.L.C.*, No. 02-17-00405-CV, 2018 WL 6565790 (Tex. App.-Fort Worth Dec. 13, 2018, no pet.)
- *Potts v. Chesapeake Exploration, L.L.C.*, 760 F.3d 470 (5th Cir. 2014)
- *Godfrey v. Chesapeake Exploration, L.L.C.*, No. 11-10-00186-CV, 2012 WL 2865187 (Tex. App.-Eastland July 12, 2012, pet. denied)
- *CabelTel Int'l Corp. v. Chesapeake Exploration, L.L.C.*, No. 02-11-00224-CV, 2012 WL 2849289 (Tex. App.-Fort Worth July 12, 2012, pet. denied)
- *Kanter v. Chesapeake Energy Corp.*, No. 02-11-00378-CV, 2012 WL 1859873 (Tex. App.-Fort Worth May 10, 2012, no pet.)
- *Chesapeake Exploration L.L.C. v. Dallas Area Parkinsonism Soc'y, Inc.*, No. 07-10-0397-CV, 2011 WL 3717082 (Tex. App.-Amarillo Aug.24, 2011, no pet.)
- *Escondido Servs., LLC v. VKM Holdings, LP*, 321 S.W.3d 102 (Tex. App.-Eastland 2010, no pet.)

Other Recent Representative Case(s):

- *Chesapeake Exploration, L.L.C. v. Hyder*, 483 S.W. 2d 870 (Tex: 2016)

#### Additional Experiences and Highlights:

- Represented a local energy company in the trial court, on appeal to the Corpus Christi Court of Appeals and Texas Supreme Court, and obtained mandamus relief in the first published opinion by the Texas Supreme Court holding that seismic data is a trade secret under Texas law: *In re Bass*, 113 S.W.3d 735 (Tex. 2003)
- Represented a local company in the trial court, on appeal to the El Paso Court of Appeals and Texas Supreme Court, and obtained an ultimate judgment of approximately \$15 million dollars for the breach of a covenant not to compete in the sale of a large natural gas processing and gathering system: *El Paso Natural Gas Co. v. Lea Partners, L.P.*, No. 08-01-00310-CV, 2003 WL 21940729 (Tex. App.-El Paso Aug 14, 2003, pet. denied)
- Represented several local energy companies in downhole litigation matters
- Represented large public utility and obtained a multimillion dollar settlement arising from disputes over natural gas contracts
- Represented large, public pharmaceutical company in the trial court, on appeal to the Fort Worth Court of Appeals and Texas Supreme Court, and obtained ultimate judgment of approximately \$2 million for breach of contract/warranty arising from the sale of defective pharmaceutical equipment: *Paul Mueller Co. v. Alcon Labs., Inc.* 993 S.W.2d 851 (Tex. App.—Fort Worth 1999, no pet.)
- Represented clients in a multimillion dollar personal injury settlement arising from post-operative medical malpractice
- Represented numerous landowners and exploration companies in the negotiation of oil and gas leases and litigation matters arising therefrom
- Successfully handled numerous other trials and appeals at the state and federal court levels around the country

## AFFILIATIONS AND HONORS

### AFFILIATIONS

- Texas Bar Foundation, Life Fellow
- Tarrant County Bar Association, Life Fellow
- State Bar of Texas; Oil, Gas and Mineral Law Section

### HONORS

- Texas Super Lawyer, Thomson Reuters, 2013-2018
- Top Attorney, *Fort Worth, Texas* magazine, 2008-2018
- Top Attorney in Oil & Gas Law, *360 West* magazine, 2017
- Rated AV® Preeminent™ by Martindale-Hubbell

## EDUCATION

- Baylor University School of Law, J.D., 1991  
Phi Delta Phi
- University of North Texas, B.B.A., 1988

## ADMISSIONS

- State Bar of Texas, 1991
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Tenth Circuit

- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, District of Colorado