

# KELLY HART

ATTORNEYS AT LAW

## PATRICK (RICK) M. SHELBY Partner

rick.shelby@kellyhart.com  
P: (504) 434-6713 F: (504) 522-1813

New Orleans



### BIOGRAPHY

Rick Shelby is an experienced attorney who specializes in bankruptcy, restructuring, oil and gas litigation, commercial litigation and corporate governance. His representation includes secured and unsecured creditors, trustees, committees, and debtors. Mr. Shelby has handled virtually all aspects of bankruptcy work from complex chapter 11 cases representing debtors, creditors' committees and secured creditors to consumer bankruptcy cases in chapter 7 and 13. He has recently represented debtors and creditors in successful reorganizations including the following proceedings where he has acted as counsel in various capacities: *Port Aggregates, Inc.*, *Harvest Oil & Gas, LLC*, *Pel-Tex Oil Company, LLC*; *FEC Lafayette, LLC*; *Advocate Financial, LLC*; *New Orleans Paddlewheels* and *Virgin Offshore USA*.

Mr. Shelby also represents clients in all aspects of oil and gas litigation including the Louisiana Oil Well Lien Act (LOWLA), master service agreements, permitting, adjudication, lease renewals, work orders, and decommissioning offshore projects. Most recently, he represented a Chapter 11 trustee in negotiating and crafting a unique agreement with the debtor, Bureau of Ocean Energy Management (BOEM) and the Bureau of Safety and Environmental Enforcement (BSEE) to address issues on funding shortfalls and the debtor's inability to meet federal regulations.

Mr. Shelby has also served as counsel in all areas of trial preparation including motion practice, discovery, depositions, mediations, mock trials, expert submissions and challenges, motions in limine and pre-trial planning. He has appeared before all federal and bankruptcy courts in Louisiana, and argued before the United States Court of Appeals for the Fifth Circuit in 2012.

Prior to practicing law, Mr. Shelby worked for 15 years as an engineer and technical sales representative for the largest producer of crushed aggregates in the United States. In 2008, he earned his J.D., *summa cum laude*, from Loyola University where he was a member of *Loyola Law Review*. In 2007, he was honored with the American Bankruptcy Institute's Medal of Excellence in Bankruptcy. He actively volunteers with the New Orleans Pro Bono Project receiving the Century Award for pro bono representation in 2011 and named to 2015 Honor Roll. In 2014, Mr. Shelby was chosen to receive the Leadership in Law medal from the New Orleans *CityBusiness* magazine in recognition of his commitment to pro bono clients. Mr. Shelby frequently speaks in front of various organizations and professional associations on topics related to bankruptcy and oil and gas, most notably as a recent presenter for the 61st Mineral Law Institute.

### EXPERIENCE AND HIGHLIGHTS

- Represented a privately held oil and gas company in an asset purchase agreement dispute against a reorganized Fortune 500 company.

- Represented a major international exploration and production company in offshore royalty litigation against another major exploration and production company.
- Represented a privately held oil and gas company in Louisiana state court in connection with an insurance coverage matter that was ultimately resolved in a successful reorganization of that company.
- Represented a large financial client in oil and gas lease dispute and foreclosure proceeding in Louisiana state court.
- Represented a title insurer in lien subordination action and purchase agreement dispute.
- Represented an international construction supply company in federal court open account litigation.
- Represented high net worth individuals in loan rearrangements and guarantee litigation in both federal and state court.

## **AFFILIATIONS AND HONORS**

### **AFFILIATIONS**

- American Bar Association
- Federal Bar Association
- Louisiana State Bar Association
- New Orleans Bar Association
- Turnaround Management Association

### **HONORS**

- Leadership in Law honoree, *New Orleans CityBusiness*, 2019
- Listed in *The Best Lawyers in America*®, 2019
- Louisiana Super Lawyers Rising Star, Thomson Reuters, 2014-2018
- Leadership in Law Award, *New Orleans CityBusiness*, 2015
- Top Lawyer in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, *New Orleans Magazine*, 2013
- Pro Bono Century Award by the New Orleans Pro Bono Project, 2011

### **EDUCATION**

- Loyola University, J.D., *summa cum laude*, 2008
- Oregon State University, M.S., 1995
- Auburn University, B.C.E., *cum laude*, 1992

### **ADMISSIONS**

- State Bar of Louisiana, 2008
- State Bar of Florida

### **SPEECHES & PUBLICATIONS**

- "Everybody Wants a Discharge - What Is It and How To", Louisiana State Bar Association Bankruptcy Code Seminar, April 2019
- "A Trending Risk and Liability on the OCS: What Happens When a Party Can No Longer Pay to Play?", Gordon Arata

Oil & Gas Seminar, "Louisiana Issues," April 2014

- "Trending Risks and Liabilities on the OCS," The 61st Annual Institute on Mineral Law, April 2014
- "McGee v. A C & S, Inc: Loss of Enjoyment of Life as a Compensable Category of General Damages" (*Loyola Law Review*, Spring 2008)
- *Field Evaluation of Passive Capillary Samplers for Estimating Groundwater Recharge*, Water Resources Research Journal, 2000.
- Contributing author for LSU Law Center 15th - 19th Annual Bankruptcy Law Seminar