

## SAN ANTONIO BUSINESS JOURNAL

# San Antonio law firm wins \$1.2m in damages for Eagle Ford Shale producer



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San Antonio energy law firm Santoyo Wehmeyer P.C. won \$1.6 million on behalf of a prominent Eagle Ford Shale producer in a McMullen County case last week.

A McMullen County District Court jury found that oil and gas exploration and production company Sundance Energy Inc. overcompensated two people who had falsely claimed ownership stakes

in three separate Eagle Ford Shale wells. The jury determined that each resident owed the company approximately \$600,000 in unmerited royalties.

San Antonio attorney Corey Wehmeyer and co-counsel John Ellis with Santoyo Wehmeyer P.C. secured a \$1,636,095 jury verdict for the plaintiff. The defendants, Louisiana resident Roxanne Gilton, and Texas resident Mark Libersat, were represented by Robert Theriot of Liskow and Lewis. The trial judge was the Hon. Janna Whatley.

Wehmeyer said he was pleased with the verdict.

“Sundance Energy Inc. has been a valuable member of the McMullen County community for many years, providing royalty revenues to area landowners and good-paying jobs to those associated with the company’s oil and gas exploration and production operations,” he said.

Sundance, which is Colorado-based, brought a lawsuit against Libersat and Gilton after an investigation demonstrated that they

had lied about royalty interests in the Eagle Ford Shale wells at the time of signing paperwork with Sea Eagle Ford LLC, a Sundance subsidiary.

Gilton represented to SEA Eagle that she owned a one-quarter interest in the three Eagle Ford Shale wells when she owned only one-twelfth. Libersat misrepresented that he owned a one-sixth interest in the wells, but court documents reveal he owned none.

According to court documents, Sundance was made aware of the discrepancies in the plaintiffs’ ownership claims when an unidentified attorney notified them that other local residents actually staked two-thirds ownership in the disputed wells.

In addition to the court’s \$639,486 ruling against Libersat and the \$646,608 ruling against Gilbert, the court also awarded the plaintiff \$90,000 in attorney fees.

The case was tried in McMullen County as the well properties in question were located within the county.