

## Texas Powerhouse: Baker Botts

By **Michael Phillis**

Law360 (September 4, 2018, 6:19 PM EDT) -- Baker Botts LLP has shown its strength this past year, playing a role in tens of billions of dollars' worth of energy deals, including BHP Billiton LLP's \$10.5 billion onshore asset sale and Vectren Corp.'s \$6 billion merger with CenterPoint Energy, winning a drilling lease dispute before the Texas Supreme Court and fighting off a network technology patent suit against AT&T Inc.



One of **Law360's 2018 Texas Powerhouses**, Baker Botts is a full-service law firm that boasts institutional clients such as Halliburton Co., which it represented last year in a securities class action settlement, and Cobalt International Energy, which it defended against government regulatory investigations over several years, with the most recent ending in January. The firm also stood out for its work jumping in to help with legal aid efforts in the aftermath of Hurricane Harvey when the storm devastated the Houston area last year.

The firm has 344 lawyers in Texas spread across its offices in Austin, Dallas and Houston. And with a local presence dating back to 1840 — before Texas became a state — the firm's deep roots in the Lone Star State show clients it will be there through the energy industry's booms and busts, according to Erin Hopkins, an energy transaction partner with the firm.

"We were a very old law firm when Spindletop came in," Hopkins said, referring to the turn-of-the-century Texas oil gusher that helped establish the industry. "And we are still a big law firm over 100 years later."

Energy and technology are particular areas of strength for Baker Botts, which has several major practice groups, including corporate, global projects, litigation and tax, the firm said. Its size enables it to assign a large group of attorneys with specialized skills to significant matters, Hopkins said.

"Our tax folks are not only up to date and experts on the tax code and everything that is going on with it, they are oil and gas tax folks," he said. "And that may sound like a distinction without a difference until you dig in and you start dealing with oil companies and the particularities — intangible drilling costs and other things — and you need tax lawyers that live and breathe energy."

The work the firm did for BHP was an example of it deploying a large number of attorneys to handle a major transaction — in total, around 100 lawyers were involved in some way in the deal, which was **announced in July**. BHP said it had agreed to sell its U.S. shale assets held by subsidiary Petrohawk Energy Corp. to subsidiaries of BP after previously saying it thought the business was underperforming.

The sheer size of the deal, which involved resources spread across three basins, added complexity, Hopkins said.

"We've got all these various fields of expertise coming in and helping us make sure we are up to date on every single implication of the transaction," he said.

Baker Botts also represented Murphy Exploration & Production in its Texas Supreme Court **win** in a case involving a clause in a drilling lease agreement that the firm said recognized important differences between vertical and horizontal drilling. And it assisted natural gas services company Vectren Corp. in a \$6 billion merger with CenterPoint Energy. CenterPoint in **April** agreed to pay \$72 for each Vectren share and assume its debt, according to Vectren.

In addition, the firm jumped in when Houston was hit by disaster. In late August 2017, Hurricane Harvey struck the Gulf Coast. It sat over land and drenched Texas, pouring around 40 inches of rainfall on some areas. A few days after Harvey hit, the Houston office of Lone Star Legal Aid, a group tasked with providing legal assistance during disasters, caught fire, rendering it unusable, said Keri Brown, a Baker Botts partner in Houston.

An associate was at one of the aid shelters, the George R. Brown Convention Center, and noticed Lone Star Legal Aid might need help.

"They had literally set a piece of plywood on chairs and had put some flyers that they had on those chairs and there were two of their attorneys who were able to be there," she said. "So, we just triaged the need."

Brown started organizing volunteers to help fill shifts, she said, adding that Baker Botts attorneys made up about a third of them — in total, the firm's attorneys contributed about 1,100 volunteer hours related to the hurricane. A Facebook post asking for more help was quickly answered, she said.

"We got the rest of the shifts filled almost instantaneously," she said.

Baker Botts helped copy and supply thousands of fliers from originals that survived the fire, according to Clarissa Ayala, a spokeswoman for Lone Star Legal Aid, who called the firm's work "instrumental." The fliers provided advice about how to handle legal needs that pop up in an emergency, such as lost identification papers.

Baker Botts made up a Harvey response guide with advice and hosted a legal line in early September so people could call in anonymously and ask for advice. It also hosted a training to help lawyers understand how to deal with disaster-related legal issues, Brown said.

In addition to its work in the energy industry, Baker Botts also represents major technology companies. For example, it successfully represented AT&T in a patent litigation case brought by Iridescent Networks over its LTE network.

John Porter, the partner in charge of the Houston office, said that with Baker Botts' representation of companies like AT&T, the technology sector has been a major area of growth for the firm.

Since the beginning of 2017, Porter said, the firm has added several strategic lateral partners in Houston, including capital markets expert **Justin Hoffman** and oil and gas attorney **Craig Vogelsang**.

Going forward, it is important for the firm to maintain its quality, Porter said.

"We are in a people practice. We need to continue doing what I think is one our great strengths, which is serving our client needs and offering cost-effective and innovative solutions," he said. "Here in Texas, energy and technology are two of the shining stars that we have in our business industry and also as a firm. We need to continue to attract good talent and retain talent."

--Editing by Marygrace Murphy.

*Correction: An earlier story misspelled the name of BHP Billiton. The error has been corrected.*

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