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Coalgate attorney wins \$300,000 punitive damages verdict against oil company

It's been approximately two years since Trae Gray, founder of Landowner-Firm.com gave his memorable closing argument in the Mill Creek case where a Johnston County jury returned a \$73 million verdict on behalf of the families he represented. We caught up with Gray in the "war room" of his law office on Lake Carmack in Coal County to discuss his first jury trial since the Mill Creek case.

At approximately 1 a.m. on Thursday, October 29, 2015, in a Marshall County Courtroom, Gray knew he had to quickly make his point. The jury had been in deliberations for more than eight hours. Everyone was exhausted but the punitive damages phase of the trial was about to begin. Gray began his punitive damage argument by promising the jury that he would take up no more than 10 minutes of their time and asked his law partner, Ryan Ellis, to "put him on the clock" and hold him to that promise. In his final words he told the jury they were 12 heroes with one voice that had immense power. He asked the jury to award the plaintiffs the maximum amount of money allowed by law, thus punishing the oil company for forcing the families to trial. Gray sat down, looked at Ellis and asked how long he spoke. It was just two minutes and 13 seconds. Then, less than an hour later, the jury returned a \$300,000 punitive damage verdict against the oil company.

"Trial Lawyers College alumni, Trae Gray, took a no-offer landowner case involving a property dispute to a jury trial against a powerful energy company," said Attorney John Branum of Oklahoma City, who was present for portions of trial

"He was himself. He didn't wear a suit jacket and was wearing clothes that were very plain. He used foam boards, spoke plainly, and made his arguments easy to understand," Branum said.

Gray represented three Marshall County families against the defendant Oil Company, Cholla Petroleum, Inc. of Dallas, Texas. The case began three years ago and the damages involved excessive



Coalgate Attorney Trae Gray

amounts of oilfield trash, debris, unused oilfield equipment the company refused to remove from the property, thousands of feet of rotten pipe and unreasonable use of the family lands. A review of the court file shows more than 70 filings in the case, including an 81 page summary judgment motion filed by Cholla. Also, all of the family members had their depositions taken during the case. Conversely, Gray did not take any depositions in the case. He decided to keep costs down by putting the oil company's operations on trial as his evidence.

When asked about this Marshall County verdict and how it relates to his practice as a natural resources attorney, Gray pauses and looks out over Lake Carmack.

"We have worked hard to design our firm in a way that is both unique and beneficial to those we represent. Most of the time those clients are landowners like the Pruitt and Sanchez families over in Madill. The result of that trial is evidence that our design works," Gray said.

For Gray, this overall design includes both "practice and place."

"Most of the time reasonable parties resolve their differences and trials are not necessary – this is always my preference in any dispute," he said. "With that said, I have designed my practice so that when that does not happen, we can hold corporate America accountable. Often when I am in places like Denver, Oklahoma City or Dallas people ask me why I live in Coalgate. You see, I believe our setup here allows us to better serve our clients.

"The environment allows me to think and prepare on a different level. That would be a lot harder for me to do in a big city. As a natural resources attorney, I think it is important to be connected to the land spiritually. To me this is a vital link and it's hard to do that from a high rise building. This is in keeping with my belief that a jury is a spiritual body which produces spiritual results."

In reflecting on Coalgate and Coal County, Gray says, the community and location have become home.

"Our LandownerFirm.com office is specially designed for what we do. I think our environment and design would be nearly impossible to replicate in a large city," Gray said.

"And while I often get the overall credit, I've got some of the best people in the business helping me. Ella-Marie Ward, Charity Hensley, Austin Meyer and Ryan Ellis allow me to do what I do. It would be impossible to do without them.

"There is also our city and county leadership. Look at what has been done with our airport, for example. Of equal importance, there are the people who come to appear for jury duty and the folks at the courthouse. They all work overtime because they believe in our system of government."

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