

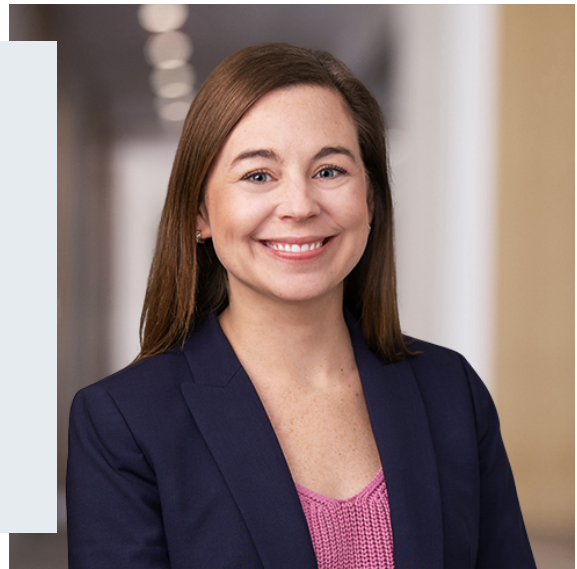
Jill M. Hale

Partner

jhale@foley.com

Houston

713.276.5909



Jill M. Hale advises clients on a wide range of commercial disputes, with a concentration on the energy and manufacturing industries.

She is involved throughout all aspects of the litigation — from the initial investigation and case assessment through the appellate process. She represents clients in both state and federal courts, as well as domestic and international arbitrations.

Even before a dispute arises, Jill advises clients on contractual risk allocation, helping clients minimize risk and avoid litigation.

Representative Matters

Energy

- Represented an oil and gas operator in a dispute as to the ownership of certain mineral interests, in which the purported owner claimed that its interest was unleased and thus asserted various claims against the operator, including claims of fraud, conversion and conspiracy.
- Represented a photovoltaic module supplier in an arbitration with the International Centre for Dispute Resolution (ICDR) based on a seller's breach of a module supply agreement. Although the seller contended that its performance was excused based on certain force majeure events, the express language of the agreement did not support the seller's position or excuse the seller from the delay liquidated damages provision included therein.
- Represented a non-operating working interest owner in asserting claims against the operator based on the operator's breach of the joint operating agreement and failure to provide the non-operating working interest owner with the right of first refusal prior to the sale of a portion of the operator's interest in the leased premises.

- Represented an oil and gas operator in an American Arbitration Association (AAA) final hearing involving various disputes arising from a gas gathering agreement.
- Represented an oil and gas operator against a non-operating working interest owner for failure to pay joint interest billing statements. Obtained summary judgment in favor of operator for all outstanding amounts owed and attorneys' fees, which was largely affirmed on appeal. *See Siana Oil & Gas Co. LLC v. White Oak Operating Co., LLC*, No. 01-21-00721-CV, 2022 WL 17981572 (Tex. App.—Houston [1st Dist.] Dec. 29, 2022).
- Represented an oil and gas producer in a final AAA arbitration hearing based on a royalty owners' claims of breach of contract and conversion based on the producer's deduction of post-production expenses.
- Represented utility-scale solar provider in an International Chamber of Commerce (ICC) arbitration against the seller and manufacturer of solar photovoltaic modules based on chronic and systemic performance issues with the modules.
- Obtained dismissal of a wind farm owner and developer in a dispute involving a contractor lien foreclosure.
- Represented lessor of mineral rights in a trespass action based on the trespass of multiple horizontal wells through the subject leases.
- Represented working interest owner against operator for breach of the parties' joint operating agreement based on the operator's refusal to recognize the working interest owner's election to participate in certain wells.
- Represented oil and gas operator in a AAA arbitration involving breach of a gas purchase agreement, a demand for adequate assurance, and the subsequent termination of the agreement.
- Represented oilfield service company against a supplier whose products did not perform as expected and represented and ultimately caused the loss of a well.

Manufacturing

- Represented a manufacturing company against claims of personal injury based on a contractor's employee's alleged exposure to a chemical at its facility. Obtained summary judgment in favor of the manufacturing company, which was affirmed on appeal. *See Cepeda v. Ascend Performance Materials Texas, Inc.*, No. 01-23-00564-CV, 2024 WL 3657194 (Tex. App.—Houston [1st Dist.] Aug. 6, 2024).
- Represented manufacturer of industrial gases in a breach of contract case against one of its buyers. Lead counsel in a bench trial where the client was awarded the entire amount of actual damages and all attorneys' fees incurred.
- Represented a manufacturing company against personal injury claims arising from an incident at its facility where three contractor employees were burned by hot condensate while replacing a gasket on a valve. After filing a motion for final summary judgment based on Chapter 95 of the Texas Civil Practice and Remedies Code, obtained a favorable settlement for the client.
- Represented a manufacturing company against personal injury claims asserted by three contractor employees related to an alleged chemical exposure incident at its facility.

- Represented a steel supplier on appeal following a favorable arbitration award against a customer who short paid invoices based on a claim that the supplier failed to timely delivery the promised steel. The appellate court affirmed the trial court's finding of a valid arbitration agreement, allowing the favorable arbitration award to stand. *See ETC Intrastate Procurement Co., LLC v. JSW Steel (USA), Inc.*, 620 S.W.3d 168 (Tex. App.—Houston [14th Dist.] 2021, no pet.).
- Defended an automotive supplier against a temporary restraining order and preliminary injunction sought by one of its buyers based on commercial pricing disputes following unprecedented raw materials increases and inflationary costs. The temporary restraining order and preliminary injunction were both denied and the case ultimately resulted in a favorable settlement for the client.
- Represented a lighting manufacturer in a dispute involving a breach of a settlement agreement. After a two-day ad hoc arbitration, was awarded the full amount of stipulated damages provided for in the agreement, as well as attorneys' fees and costs.

Commercial

- Defended certain entities and their officers involved in the development, creation, and management of certain live entertainment production and venues against claims of breach of contract, fraud and breach of fiduciary duty asserted by investors.
- Represented professional basketball team in defending a wrongful death claim arising out of the death of one of its players.
- Represented a financial institution accused of wrongfully closing customer's account on appeal. Appellate court affirmed summary judgment absolving bank of all liability. *See Schrock v. Amegy Bank of Tex., N.A.*, 2019 WL 6905028 (Tex. App.—Houston [1st Dist.] Dec. 19, 2019, no pet.).
- Represented genetic testing equipment supplier in a breach of contract dispute with customer who failed to pay for goods as required by the parties' contract.
- Defended a coffee brewer manufacturer against claims of violations of the Lanham Act and trademark infringements.

Awards and Recognition

- Texas Rising Star – Business Litigation (2023)
- *The Best Lawyers in America*® Ones to Watch – Commercial Litigation (2022, 2024)

Affiliations

- Member of the Houston Young Lawyers Association
- Member of the Association of Women Attorneys
- Member of the Women's Energy Network, Houston Chapter

Sectors

- [Energy & Infrastructure](#)
- [Energy Transition](#)
- [Oil & Gas](#)

- [Power & Renewables](#)

Practice Areas

- [Commercial Litigation](#)
- [Litigation](#)

Education

- South Texas College of Law (J.D., summa cum laude, 2013)
 - Valedictorian
 - Member, South Texas Law Review
 - Recognized, Dean's List
 - Recipient, Merit Scholarship
 - Member, Order of Lytae
- Baylor University (B.A., cum laude, 2007)

Admissions

- Texas
- U.S. District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- U.S. Court of Appeals for the Fifth Circuit