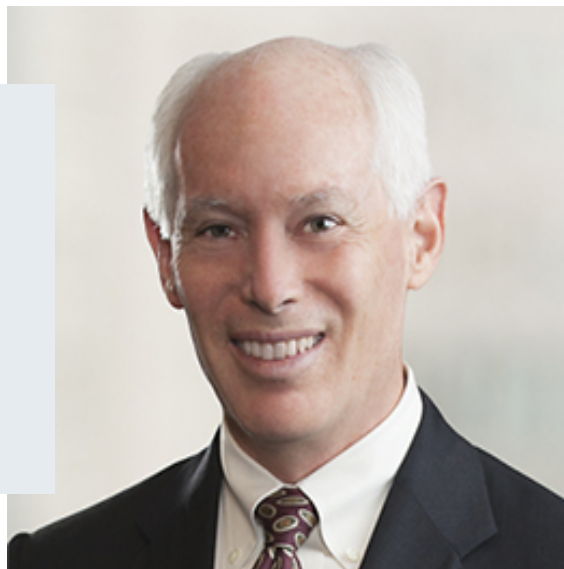


## David M. Bates

### Partner/Retired



David Bates is of counsel with Foley & Lardner LLP in the firm's Houston and Denver offices. He is a member of the firm's Business Law Department, as well as the Environmental and Commercial Litigation Practices.

For more than 39 years, David has been handling cases in the energy and environmental law arena with complex issues and large stakes, attracting both U.S. and foreign clients such as business owners, investors and other stakeholders with significant investments in Texas and elsewhere. Disputes are often centered around oil and gas mineral leases including royalty disputes, joint operating and purchase and sale agreements, often involving unconventional shale properties. His legal representation includes contract interpretation, assistance with environmental regulatory compliance related to hydraulic fracturing and assistance with legal issues surrounding traditional drilling and injection wells. David is uniquely skilled at assisting clients with Superfund (CERCLA) litigation, site remediation and cost allocation as well as assessing environmental risks in connection with real estate and M&A transactions. Not limited to courtroom advocacy, David also has extensive experience with arbitration and other alternative dispute resolution mechanisms having successfully completed a number of large arbitrations over the last five years.

David takes a unique approach to large energy and environmental cases. He analyzes the business and legal risks as well as the cost of protracted litigation – determining whether avoiding litigation altogether or getting out quickly may be the best strategic option for his client. When that is not possible or advisable, David works hard to learn every aspect and nuance of the issues in a case making smart, tactical moves in the most efficient way based on his deep understanding of the industry and the science. David adds value to a case from hour one.

Understanding that the energy industry in Texas and elsewhere invites greater regulatory scrutiny of the environmental impact from drilling and development including air emissions, water use, re-use and disposal, impact to soil, and a greater likelihood for environmental litigation, David and his Foley colleagues have a strategic vision for how best to help clients through the issues in order to help preserve access to resources,

in a sustainable, responsible manner.

Prior to joining the firm, David spent over 16 years in the Exxon (now Exxon Mobil) law department including six years in the world headquarters. This in-house experience provided him a world-class education in the energy business and a global perspective with exposure to numerous cutting-edge legal issues.

David is a native of Colorado Springs, Colorado, and is pleased to be returning home to the Denver office as well as working out of his Houston office.

## Awards and Recognition

- Selected by his peers for inclusion in *The Best Lawyers in America*® in the field of Litigation – Environmental (2018-2022)
- Recognized, AV Preeminent® 5.0 out of 5 Peer Review Rated, Martindale-Hubbell® Peer Review Ratings™

## Affiliations

- Member, State Bar of Texas
  - Litigation Section
  - Environmental and Natural Resources Law Section
- Member, American Bar Association
  - Section of Litigation
  - Section of Environment, Energy and Resources Law
- Member, Houston Bar Association
  - Oil, Gas and Mineral Law Section
  - Environmental Law Section
- Fellow, Texas Bar Foundation
- Fellow, Houston Bar Foundation
- Advisory Board, The Institute for Energy Law

## Community Involvement

- Member, United Way President's Circle
- Member, Houston Hockey Association
- Member, Knox College President's Circle
- Member, Aircraft Owners and Pilots Association
  - Private Pilot (Instrument Rating)
- Rider, Team Gardere, BP MS 150 (bicycle ride from Houston to Austin to raise funds for multiple sclerosis research) (five years)
- Distance Runner (completed marathons in 1987, 1997, 1998, 2006 and 2007)
- Former President and Trustee, Emerson Unitarian Universalist Church
- Volunteer, Houston Bar Association Legal Line

- Volunteer, ReBuild Houston

## Education

- Northwestern University School of Law (J.D., 1981)
  - Member, Editorial Board, *Journal of Criminal Law and Criminology*
- Knox College (B.A., 1978)
  - Member, Phi Beta Kappa

## Admissions

- Colorado (1988)
- Texas (1981)
- Colorado State Courts (1988)
- Texas State Courts (1981)
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern, Northern, Southern and Western Districts of Texas
- U.S. Court of Appeals for the Fifth and Tenth Circuits