

Drake M. Lawsage

Senior Counsel

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Drake Lawsage is a litigator and senior counsel at Foley & Lardner LLP. He is a member of the firm's Energy Litigation and Commercial Litigation Practice Groups.

Drake represents clients in both state and federal court on a variety of matters, including complex commercial disputes, tort litigation, trade secret litigation, construction litigation, and energy litigation. He also has experience assisting global corporations in pursuing their own legal claims.

Representative Experience

Commercial Litigation

- Prosecuted breach of contract and warranty claims on behalf of a global engineering and construction company against one of the world's largest compressor manufacturers in a lawsuit arising from a compressor failure at an ammonia plant.
- Successfully assisted major valve manufacturing company avoid needless litigation concerning a large commission agreement arising from a Residue Upgradation Facility construction project located in India. Drake's pre-litigation strategy and knowledge resulted in a favorable outcome, while avoiding the costs of litigation.
- Obtained a summary judgment on behalf of an aggregate company in a lawsuit where plaintiffs alleged that the excessive pumping of water during Hurricane Harvey caused the flooding of plaintiffs' residences.
- Obtained a summary judgment on affirmative claims brought by foreign client alleging breach of contract related to a for-profit venture to sell auctioned vehicles in foreign countries.
- Defended a health care group against claims brought by an ex-member alleging the health care group breached a partnership agreement by withholding certain payments.
- Obtained a summary judgment on a fraud in a stock transaction matter where the issuer of stock failed to inform the client that the entities were defunct and were involved in several other disputes with pre-

existing shareholders.

- Obtained a default judgment on behalf of a major bulk container supplier against a plastic supply company; Drake's innovative arguments resulted in a substantial increase in judgment amount owed to the client.
- Assisted in both bringing and pursuing derivative claims against closely-held corporations.

Energy Litigation

- Defended large oil and gas production company in federal class action lawsuit involving a dispute over deductions taken from royalty payments paid to royalty owners.
- Defended and brought affirmative claims on behalf of Texas oil and gas company in lawsuit involving horizontal drilling resulting in trespass of client's mineral estate. Matter involved complex issues concerning chain of title and horizontal severance of the mineral estate.
- Part of a trial team that obtained a favorable judgment on behalf of a well service provider in a case seeking multi-million dollar damages based on allegations of a breach of contract.

Maritime

- Defended one of the world's largest inland barge companies against several Jones Act claims made by seamen alleging they were injured while in service of vessels they believed to be unseaworthy. Obtained findings that employees of the company were not considered Jones Act seamen and therefore were not permitted to bring claims under the Jones Act. Assisted in determining coverage owed to seamen under the Longshore Act and other associated compensation.
- Coordinated and assisted local, federal, and foreign officials regarding the investigation into a missing seamen on an Egyptian flagged vessel docked in the United States. Conducted interviews of crewmembers on vessel as part of investigation.

Trade Secret and Employment Litigation

- Defended against trade secret claims made by one of the world's largest bulk container companies against two former employees who left to join a competitor in the packaging industry. Lawsuit alleged, among other things, that the two employees absconded with trade secret information as part of a conspiracy to retain competitive business information. Lawsuit was resolved with an extremely favorable settlement for the two employees.
- Defended major bulk container company against claims made by a distributor company alleging breach of contract arising out of a non-existent distributorship agreement. Litigation involved unique contractual and fiduciary duty issues arising from prior employee's actions.

Sectors

- [Automotive](#)
- [Energy & Infrastructure](#)
- [Energy Transition](#)
- [Environmental & Product Stewardship](#)

- [Hydrogen](#)
- [Innovative Technology](#)
- [International Trade & National Security](#)
- [Manufacturing](#)
- [Power & Renewables](#)
- [Smart Manufacturing](#)
- [Supply Chain](#)

Practice Areas

- [Commercial Litigation](#)
- [Energy Litigation](#)
- [Environmental, Social, and Governance \(ESG\)](#)
- [Litigation](#)

Education

- South Texas College of Law (J.D., magna cum laude, 2016)
 - Managing Editor, *South Texas Law Review*
 - Top grade in Federal Civil Procedure, Federal Income Taxation, Constitutional Law, and Legal Research & Writing
 - Order of the Lytae
- Texas A&M University (B.A., 2013)

Admissions

- Texas