

FormanWatkins

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K.B. Battaglini

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K. B. Battaglini has for more than four decades counsel and represented businesses and individuals. During his career, he was a partner at large international law firms. His primary practice involves business and commercial litigation, arbitration, and transactional work, particularly in the areas of energy, environmental, natural resources, securities, and media/entertainment. He has significant first chair experience in trials and appeals. He is listed in *Best Lawyers in America*® (by Levine Leichtman Capital Partners) and is on the national panel of arbitrators for the American Arbitration Association and FINRA.

Education

- University of Houston Law Center, LL.M. (Energy, Environmental & Natural Resources Law)
- South Texas College of Law-Houston, J.D.
- Regent University, M.A. (Film/Television Producing)
- U.S. Department of Defense Information School, Distinguished Honor Graduate (Broadcast Journalism)

- State University of New York College of Arts and Sciences at Potsdam, B.A. (Drama)

Admissions

- Texas, 1982
- All federal courts in Texas
- 5th Circuit Court of Appeals
- United States Supreme Court

Important Litigation Involvement

- Served as operations counsel and head of litigation for the exploration and production division of a publicly-traded (American Stock Exchange) oil and gas company.
- Lead attorney in trial and appeal of Republic Petroleum LLC v. Dynamic Offshore Resources NS LLC and W&T Offshore Inc., 474 S.W.3d 424 (Tex. App.—Houston [1st Dist.] 2015, pet. denied) which concerned issues of standing and capacity to sue for contract breach and damages.
- Participated in trial and appeal of Jinkins v. Bryan, 763 S.W.2d 539 (Tex. App.—Amarillo 1988, writ denied), a seminal case concerning the distinction between “dry gas” and “casinghead gas,” which serves as an interpretive guide to the statutory definition of “dry gas” found at Texas Natural Resources Code Sec. 86.002(7).
- Lead attorney in trial and appeal of Williams v. Dardenne, 345 S.W.3d 118 (Tex. App.—Houston [1st Dist.] 2011, pet. denied) which concerned the element of reliance in fraudulent inducement claims and which upheld the viability of “as is” real estate sales contracts in Texas.

Professional Recognition

- *Best Lawyers*® (by Levine Leichtman Capital Partners)
 - *The Best Lawyers in America*©
 - Arbitration (2022)
 - Commercial Litigation (2013-2022)
 - Natural Resources Law (2012-2022)
- AVVO-10.0 (highest rating)
- Association of Defense Counsel—President’s Award (2015)



Texas Bar College
Professionalism Through Education



Professional Associations

- State Bar of Texas
 - Environmental and Natural Resources Section
 - Oil, Gas and Energy Resources Law Section
 - Alternative Dispute Resolution Section
 - Entertainment and Sports Law Section
- Houston Bar Association
- Texas Association of Defense Counsel
- College of the State Bar of Texas
- Texas Bar Foundation, Fellow
- Houston Bar Foundation, Lifetime Fellow
- Leadership Houston, Graduate of Class 22
- Houston Cinema Arts Society
- FINRA Dispute Resolution Arbitrator
- AAA Panel Arbitrator

Speaking Engagements

- *Confronting the Stranger: Judge, Juror & Witness*, TADC Winter Seminar, February 2021
- *Arbitration's Implications and Hidden Realities*, TADC Commercial Litigation Seminar, October 2015; State Bar of Texas, Advanced Oil, Gas & Mineral Course 2019
- *Acting and Stagecraft for Lawyers*, TADC Trial Academy, Houston, March 2012; TADC Spring Meeting, Galveston, April 2015
- *Arbitration in Texas: History and Enforceability*, State Bar of Texas Business Disputes Institute 2013, State Bar of Texas Business Torts Institute 2012, State Bar of Texas Advanced Personal Injury Law Courses 2006, 2007, 2008, 2009, 2010, 2012, Amarillo Bar Association Appellate Law Section Luncheon 2008
- *No, The Earth is Not Turning Into Venus: Debunking the Myth of Anthropogenic Global Warming*, TADC Fall Meeting, Boston, September 2013
- *Natural Resources Law—An Eye-Opening Primer*, TADC Spring Meeting, Santa Fe, April 2012
- *Texas Supreme Court Update*, TADC Summer Meeting, Los Cabos, Mexico, July 2010
- *Arbitration Panel*, ACI Oil & Gas Conference, Houston, June 2010
- *Honest Services Fraud: You May Already Be Guilty!*, Business Law Today (ABA), October 2009
- *The State of the Jury System*, TADC Fall Meeting, Montreal, Canada, September 2009
- *Defending a Client in Securities Enforcement Litigation*, Common Issues in Securities Law (Aspatore Books), 2008
- *Arbitration in Texas: The Drift From Permissive to Compulsory*, TADC Magazine, 2007
- *How Will Firm's Owners, Employees Be Affected by the USA Patriot Act*, Houston Business Journal, Business Survival Guide, 2004
- *Slippery Slope: The Trail from Puffery to Fraud*, Franchising World, December 2004

- *Jury Patriotism: The Jury System Should Be Improved for Texans Called to Serve*, 35 St. Mary's Law Journal 117, 2003

Practice Areas

- Appellate
- Business and Commercial Litigation, Arbitration and Transactional Work
- Energy, Environmental, and Natural Resources Law
- Securities Law
- Media/Entertainment Law