



**STATEMENT OF QUALIFICATIONS
TO PROVIDE LEGAL SERVICES
TO JEFFERSON PARISH**

RESOLUTION NUMBER 137052

May 7, 2021

Henry King
Joanne Mantis
Michael Vincenzo
King & Jurgens, L.L.C.
201 St. Charles Ave., 45th Floor
New Orleans, LA 70170
(504) 582-3800
www.kingjurgens.com

Professional Legal Services Questionnaire

A. Person or Firm Name & Principal Address:

King & Jurgens, L.L.C.
201 St. Charles Avenue, 45th Floor
New Orleans, LA 70170

B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

Henry King, Member, 504.582.3805, hking@kingjurgens.com

Joanne Mantis, Of Counsel, 504.582.3806, jmantis@kingjurgens.com

Michael Vincenzo, Member, 504.582.3810, mvincenzo@kingjurgens.com

C. Location of the principal office where work will be performed:

Orleans Parish:
201 St. Charles Avenue, 45th Floor
New Orleans, LA 70170

D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field.

| | |
|---|---|
| <input type="checkbox"/> Bond Services (Years: _____) | <input checked="" type="checkbox"/> Science & Technology Law (Years: <u>31</u>) |
| <input type="checkbox"/> Elections (Years: _____) | <input checked="" type="checkbox"/> State & Local Government Law (Years: <u>30+</u>) |
| <input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>30+</u>) | <input checked="" type="checkbox"/> Taxation (Years: <u>43</u>) |
| <input type="checkbox"/> Antitrust Law (Years: _____) | <input checked="" type="checkbox"/> Tort Trial & Insurance Practices (Years: <u>41+</u>) |
| <input checked="" type="checkbox"/> Business Law (Years: <u>30+</u>) | <input checked="" type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: <u>41+</u>) |
| <input checked="" type="checkbox"/> Criminal Justice (Years: <u>41</u>) | <input type="checkbox"/> Securities (Years: _____) |
| <input checked="" type="checkbox"/> Dispute Resolution (Years: <u>30+</u>) | <input type="checkbox"/> Ethics Law (Years: _____) |
| <input checked="" type="checkbox"/> Environmental, Energy & Resources (Years: <u>30</u>) | <input type="checkbox"/> Civil Service Matters (Years: _____) |
| <input checked="" type="checkbox"/> Health Law (Years: <u>36</u>) | <input checked="" type="checkbox"/> Civil Rights & the Constitution (Years: <u>31</u>) |
| <input checked="" type="checkbox"/> Intellectual Property (Years: <u>31</u>) | <input checked="" type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u>26</u>) |
| <input checked="" type="checkbox"/> International Law (Years: <u>16</u>) | <input type="checkbox"/> Code Enforcement Matters (Years: _____) |
| <input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>26</u>) | |
| <input type="checkbox"/> Public Contract Law (Years: _____) | |

Professional Legal Services Questionnaire

| | |
|--|--|
| <input type="checkbox"/> Public Utilities Law (Years: _____) <input type="checkbox"/> Communications Law (Years: _____) <input checked="" type="checkbox"/> Transportation Law (Years: <u>31+</u>) <input checked="" type="checkbox"/> Property (Years: <u>25</u>) <input checked="" type="checkbox"/> Trust & Estate Law (Years: <u>43</u>) <input type="checkbox"/> Other/specific project as required by the advertisement (Years: _____) | <input checked="" type="checkbox"/> Oil Spill Litigation (Years: <u>26</u>) <input type="checkbox"/> Public Finance (Years: _____) <input type="checkbox"/> Land Use, Planning & Zoning Law (Years: _____) <input checked="" type="checkbox"/> Economic Development (Years: <u>31+</u>) <input checked="" type="checkbox"/> Construction Law (Years: <u>26</u>) |
|--|--|

E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.

| Name & Address: | Specialty: | Worked with Firm Before (Yes or No): |
|-----------------|------------|--------------------------------------|
| 1. None | | |
| 2. | | |
| 3. | | |
| 4. | | |

Professional Legal Services Questionnaire

F. Professional Training and experience in relation to the type of work required for the outside legal services.

King & Jurgens, L.L.C., is a general corporate and litigation firm. We represent clients, regionally and nationally, over a broad spectrum of practice areas. As an established, locally situated law firm, we believe we are positioned to provide Jefferson Parish with the best possible representation in regard to your needs.

King & Jurgens is proud to be AV-Preeminent peer-review rated, the highest rating offered by Martindale-Hubbell for legal ability and ethics. Our attorneys are highly experienced in their areas of practice, and often serve as instructors of continuing legal education and authors of substantive legal articles. Several members have been recognized on lists of leading lawyers, including the "Leadership in Law" list by New Orleans CityBusiness Newspaper, the "Best Lawyers in America" list, and the "Louisiana Super Lawyers" list.

Our experience representing our clients keeps us on the forefront of federal, state and local statutes and regulations. In the public sector, we have represented the Plaquemines Port, Harbor and Terminal District and the City of Kenner, as well as representing both Plaquemines Parish and the town of Grand Isle in Deepwater Horizon litigation. Additional public contract work has included representation of the Federal Deposit Insurance Corporation ("FDIC") in bank insolvency matters and related litigation, the United States in defending claims arising from the operation of U.S. Navy oceanographic vessels worldwide, and the U.S. Strategic Petroleum Reserve's maintenance and operations contractor.

The biographies of the attorneys that may assist in the completion of matters in various areas of law are attached to this submission to illustrate individual training and experience.

G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.

King & Jurgens is currently made up of 23 attorneys, 5 paralegals, and 6 legal secretaries. As an additional resource, the firm is a member of the Law Firm Alliance, a strategic international alliance of more than 50 firms and 2,500 attorneys, to better serve our clients when legal work is necessary across the country and abroad.

Our firm is routinely engaged to represent clients in some of the largest and most complex cases pending in Louisiana, including the simultaneous handling of hundreds of Hurricane Katrina claims. Based on our experience, we have the utmost confidence in our capacity for handling and financing any proposed litigation as cost effectively as possible.

Professional Legal Services Questionnaire

| i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: <u>11 in any area</u> | | |
|---|---|-------------------------------------|
| ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary. | | |
| Name: | Legal Field: | Years of Experience in Legal Field: |
| 1. Henry King | Business Law, Transportation Law, Property, Tort Trial and Insurance Practice, Complex Litigation, Oil Spill Litigation | 43 |
| 2. Joanne Mantis | International Law, State and Local Government Law, Municipal Representation, Oil Spill Litigation | 26 |
| 3. Michael Vincenzo | Health Law, Transportation Law, State and Local Government Law, Municipal Representation, Oil Spill Litigation | 25 |
| 4. George "Jack" Jurgens III | Environment, Energy and Resources; Health Law | 42 |
| 5. Please see attachment for continuation of list and individual resumes. | | |

Professional Legal Services Questionnaire

H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.

Joanne Mantis and Lindsay Larson defended the Parish in the case Ronnie Rogers, et al. v. Richard A. Dantin, et al. and Parish of Jefferson; 24th JDC Case No. 777-197, Div. B. After limited discovery, the plaintiffs' claim against the Parish of Jefferson was dismissed without prejudice in March 2018.

I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.

There have been no adversarial legal proceedings between the Parish and King & Jurgens itself.

Jefferson Parish has a subrogation lien in a personal injury case against a State Farm insured, and we represent that insured. Liability is not in question. There are several other claimants and a finite amount of policy limits, and we are in the process of determining how much each claimant receives from those finite policy limits. The case caption is Andrew Seabough, et al v. State Farm and Paul Madison.

The firm represents several property owners and/or developers who at various times have matters pending before the Planning Department, Permit Department, Department of Public Works and other Parish departments, Planning Advisory Board, Bureau of Administrative Adjudication, and Council. At this time, the only issues pending are before the Planning Department, Department of Public Works and affiliated departments, Planning Advisory Board, and Bureau of Administrative Adjudication.

The firm represented K.G.T. Holdings, LLC and Investment Holdings, LLC in matters in which those companies were adverse to the Parish regarding the denial of a resubdivision application and a decision regarding compliance with a sign ordinance. Those matters were amicably resolved. The firm also represented Swift Energy in settlement negotiations regarding a struck waterline. That matter settled on August 15, 2014. Lastly, about 20 years ago the firm represented Centex Construction Company in a construction law dispute relating to the construction of the Parish library on Clearview and West Napoleon. That matter also settled.

Professional Legal Services Questionnaire

J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)

1.

The firm successfully represented the Plaquemines Parish Government in complex civil litigation involving the myriad claims and unique legal issues arising from the Deep Water Horizon oil spill. The firm was able to obtain a favorable settlement of the matter for claims encompassing compensatory damages, civil penalties, and punitive damages. Plaquemines Parish vs. BP. Reference: Lt. Governor William Nungesser, (225) 342-7009.

2.

The firm successfully represented the Plaquemines Parish School Board in complex civil litigation involving the myriad claims and unique legal issues arising from the Deep Water Horizon oil spill. The firm was able to obtain a favorable settlement of the matter for claims encompassing compensatory damages, civil penalties, and punitive damages. Plaquemines Parish School Board vs. BP. Reference: Margaret Woodward, (504) 301-4333.

3.

The firm successfully represented the United States Department of the Navy, as “of counsel” to the United States Department of Justice, in a complex litigation involving a claim of acute liver failure by a merchant mariner alleging toxic exposure to chemicals while serving aboard a Navy Sealift Command vessel. The firm obtained a “zero” verdict in which the United States was completely exonerated from liability. Army Joe Leake v. United States.

4.

Grant Coleman represented the Copeland family interests in connection with the sale of the Popeye’s recipes and formulas used in the preparation of many of Popeye’s core menu items by Diversified Foods and Seasonings, LLC, to Popeye’s Louisiana Kitchen and the extension of the agreement between Diversified Foods and Seasonings and Popeye’s Louisiana Kitchen for the manufacturing and supply of the proprietary spices and other Popeye’s products. Reference: Brian White, (504) 830-1010.

5.

Lindsay Larson represented Robert Faulcon, a former New Orleans Police Officer, in the high-profile Danziger Bridge shooting case. Faulcon and four other defendants were charged in a 25 count indictment alleging violations of various civil rights, conspiracy and obstruction statutes following an officer-involved shooting incident that occurred in the wake of Hurricane Katrina and resulted in two deaths. After an original sentence of 65 years in prison was overturned and a new trial granted, Faulcon was able to plead guilty to a dramatically reduced negotiated sentence of 12 years, with six years credit for time served. United States of America v. Kenneth Bowen, et al. Reference: Claude Kelly, (504) 589-7930.

Professional Legal Services Questionnaire

6.

Please see additional representative matters listed on the attached attorney biographies.

7.

8.

9.

10.



Professional Legal Services Questionnaire

K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.

Protection of our clients' confidential, proprietary and material nonpublic information is of the utmost importance to King & Jurgens. All client data and attorney work product is stored on a VMware server environment hosted and replicated in private data centers. Worldox GX4 Document Management servers host all work product behind the firm's firewall. Files are encrypted at rest and in transit to backup servers. File access is able to be restricted down to the user and audited internally. Emails are sent via the firm's Microsoft Exchange server, and additional on-demand message encryption is available via Mimecast. Large documents are able to be transmitted to our clients with encryption via the firm's Citrix ShareFile server or via Mimecast.

The firm maintains and regularly updates an Emergency Preparedness Plan designed to safeguard client data and allow for the remote continuation of business in a disaster recovery situation. All King & Jurgens servers, including the Worldox document management server and Exchange email server, are replicated to a secure offsite facility. By utilizing VMware Horizon, files are able to be accessed by our attorneys from any geographic location. Additionally, the firm keeps several at-ready servers capable of hosting virtual clones of all data servers and email servers. Failover tests are performed three times each year, and typical restoration time in the test environment is less than 12 hours.

L. To the best of my knowledge, the foregoing is an accurate statement of facts.

Signature: Henry A King Print Name: HENRY A. KING
Title: MANAGING MEMBER Date: 5/3/2021

Professional Legal Services Questionnaire
King & Jurgens Attachment

Continuation of G. ii. List of Attorneys

| Name: | Legal Field: | Years of Experience in Legal Field: |
|--------------------|--|--|
| Brignac, Len | Business Law, Intellectual Property Law, Labor and Employment Law, Science and Technology Law, Civil Rights and the Constitution | 33 |
| Buckley, Carolyn | Health Law | 8 |
| Burns, Brent | Tort Trial and Insurance Practice, Complex Litigation | 16 |
| Burvant, Robert | Construction Law | 36 |
| Cerniglia, Michael | Environment, Energy and Resources; Oil Spill Litigation | 15 |
| Coleman, Grant | Business Law, Trust and Estate Law, Taxation | 46 |
| Jarrell, Eric | Environment, Energy and Resources; Complex Litigation | 35 |
| Larson, Lindsay | Criminal Justice, Dispute Resolution | 45 |
| Stefani, Robert | Administrative Law and Regulatory Practice, Dispute Resolution, Transportation Law, State and Local Government Law, Economic Development | 33 |



“Our firm's foremost goal is to deliver first class service and excellent results that exceed our clients' expectations.”

PRACTICE AREAS

Admiralty and Maritime Law

Bankruptcy and Creditor's
Rights Law

Business Transactions and
Finance Law

Commercial Litigation

Corporate and Commercial
Law and Advices

Insurance Coverage and
Defense

Maritime Business and
Finance Transactions

Products Liability Defense

Real Estate Law

Henry King has an active commercial practice focusing on financial and corporate transactions. In particular, he has represented buyers and sellers in the acquisition and sale of vessels and vessel owning companies. He has represented virtually every major marine lender in the United States in vessel financings, ship mortgages, bareboat charters and related litigation involving ship foreclosures, workouts and bankruptcy.

Henry's practice also includes complex commercial and casualty litigation. He has litigated marine casualty and collision cases, oil and gas disputes, class actions, commercial contract disputes, ship construction disputes, petrochemical construction disputes, product liability claims and environmental contamination cases. Henry has litigated cases in many jurisdictions in the United States and in various locations throughout the world including England, Saudi Arabia and India.

He was born in New London, Connecticut. After graduating from Vanderbilt University with a bachelor of arts degree in 1974 and Louisiana State University Law School with a juris doctor degree in 1977, Henry was admitted to the Louisiana Bar in 1978 and the Texas Bar in 1992. Henry became a partner with one of New Orleans' oldest law firms in 1983. In 1985, Henry co-founded King & Jurgens.

ADMISSIONS

Louisiana

Texas

REPRESENTATIVE MATTERS

- Representing oil companies and oil service companies in a wide range of litigation, including construction disputes, contract disputes, class actions, casualties, environmental contamination and product liability
- Representing marine interests in Jones Act defense, collisions, cargo disputes and marine casualties
- Representing local, regional and national banks in vessel financings, vessel mergers and acquisitions, and foreclosures of ship mortgages
- Representing one of the United States' largest helicopter operators in all phases of its operations including financings, charters, air medical operations, and aircraft casualties
- Representing a large automobile manufacturer in all of its product liability, warranty and commercial matters in Louisiana
- Representing several large shipyards in Louisiana and Texas in all phases of their operations including acquisitions, financings, contract drafting and advices, ship construction disputes, litigation and casualty matters

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Association for Corporate Growth
- Louisiana Bankers Association
- Maritime Law Association of the United States, Proctor in Admiralty
- Marine Financing Committee, 1985-present
- LSU Law School Board of Trustees
- Son of a Saint, Board of Directors
- Louisiana State Bar Association
- Texas Bar Association
- American Bar Association

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated
- *Chambers USA*, Banking & Finance: Marine Finance - Louisiana, Band 1, 2012-2020
- *The Best Lawyers in America*, Banking and Finance Law, 2015-2021
- *Louisiana Super Lawyers*, 2007-2021
- *New Orleans CityBusiness*, Leadership in Law, 2010

EDUCATION

- Louisiana State University Law School, J.D., 1977
- Vanderbilt University, B.A., English, 1974



PRACTICE AREAS

Admiralty and Maritime Law

Government Relations
and Regulatory Law

Maritime Business and
Finance Transactions

ADMISSIONS

Louisiana

Greece

U.S. District Court, Eastern,
Middle and Western Districts
of Louisiana

U.S. Fifth Circuit Court of
Appeals

Joanne Mantis is an admiralty and maritime attorney focused on maritime business disputes and financial transactions. Her experience includes charter party disputes, cargo claims, vessel finance and documentation, collisions, allisions, marine casualties, maritime employment, criminal matters (crew homicide) and cargo explosions.

Joanne represents a variety of clients within the marine industry: vessel owners, operators, managers, brokers, and charterers; logistics providers and offshore companies; terminal facilities, port authorities, and offshore oil and gas interests. She also worked on the BP oil spill litigation representing several governmental entities and reaching favorable settlements.

She advises clients concerning special laws and regulations that affect maritime business and financial transactions, and provides legal counsel in:

- negotiating, structuring, and documenting maritime financial and business transactions, and
- addressing related tax, regulatory and insurance issues.

She works both domestically and internationally for clients, and has been involved with matters in both state and federal courts, as well as in Greek courts. She is a former City Magistrate Judge for the city of Harahan, Louisiana.

Joanne also represents municipal and government entities in contracts and claims. She is admitted to practice law in Greece, and has been involved with mediation in London and the U.S.

A multilingual attorney, in addition to English, Joanne speaks, reads, and writes Greek and is fluent in French. She returned to the firm's New Orleans office in October of 2011 after working in Athens, Greece, in an affiliate office of the firm.

Joanne was admitted to the Louisiana Bar in 1995 and the Greek Bar in 1999. She graduated from Tulane University Law School in 1994 where she received a certificate in admiralty law. While in law school, she was a member of the Maritime Law Society, and she served as vice president of her senior class. She obtained her Bachelor of Arts from Tulane University in 1991.

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Athens Bar Association, Greece
- Federal Bar Association
- Louisiana State Bar Association
- Maritime Law Association of the United States
- New Orleans Bar Association
- New Orleans Opera Association Women's Guild, Executive Board Member and Administrative VP
- Patrons of Lafreniere Park
- Propeller Club of New Orleans
- Women's International Shipping & Trading Association

HONORS

- *New Orleans CityBusiness* "Leadership in Law" List, 2017
- *New Orleans CityBusiness* "Women of the Year" List, 2017

EDUCATION

- Tulane University Law School, J.D., 1994
- Tulane University, B.A., 1991

MICHAEL LOUIS VINCENZO

Member, New Orleans

504.582.3810 | mvincenzo@kingjurgens.com



***“We work hard to develop close relationships with our clients,
and we try to work with clients we can relate to.”***

PRACTICE AREAS

General Casualty Defense

Admiralty and Maritime Law

Business Transactions and
Finance Law

Corporate and Commercial
Law and Advices

Government Relations
and Regulatory Law

Mike Vincenzo has been defending clients in complex litigation scenarios for over two decades with a particular focus on the maritime, aviation, and medical industries. Cases handled include ship and aircraft casualties, vessel seizures, aviation and maritime personal injury and medical malpractice. Mike also works on regulatory compliance issues involving the medical, aviation and maritime industries.

Mike believes that the key to providing excellent representation is a thorough and comprehensive knowledge of his client's business, both in its technical aspects and broader goals and expectations. He often works closely with experts in fields such as emergency medicine, maritime safety, toxicology and engineering.

ADMISSIONS

Louisiana

He has served as “of counsel” to the United States Department of Justice on numerous cases defending the United States Navy, as well as a wide range of private entities, from small “mom and pop” maritime operators to large national and multi-national corporations. He also worked extensively on the BP oil spill litigation, successfully representing several majorly impacted government entities.

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Louisiana State Bar Association
- Federal Bar Association
- Propeller Club of New Orleans

HONORS

Phi Delta Phi

EDUCATION

- Tulane University Law School, J.D., *cum laude*, 1995
- State University of New York at Binghamton, B.A., dual degrees in history (Highest Honors) and rhetoric, 1991



“When a client hires me to handle litigation or other matters, he knows his work will be done by me. My goal in working with in-house counsel is to provide efficient representation, reducing outside counsel fees and in-house counsel time expended in litigation management.”

PRACTICE AREAS

Oil and Gas Law

Admiralty and Maritime Law

Commercial Litigation

Health Care Law

Corporate and Commercial
Law and Advices

Jack Jurgens joined the firm in March 1994 with a primary focus in the fields of commercial litigation, casualty/personal injury litigation, oil and gas litigation, and health care litigation. Jack's litigation practice has resulted in more than 30 favorable published opinions rendered by the U.S. Court of Appeals for the Fifth Circuit.

Jack graduated from Louisiana State University in business administration and finance and was elected to Phi Kappa Phi Honor Society, whose members comprise the top ten percent of the graduating class. Jack received his *juris doctor* in 1978 from LSU Law School, where he ranked in the top ten percent of his class, was elected to the Order of the Coif, and was a member of the Moot Court Board. He has practiced law for over 35 years.

ADMISSIONS

Louisiana

REPRESENTATIVE MATTERS

- Defended oil company from death claim brought by survivors of employee of P&A contractor. First compelled contractor to indemnify and defend oil company and reimburse incurred defense costs. Then was hired by contractor to continue defense of oil company. Thereafter defeated plaintiff's claims via summary judgment that was recently affirmed by U.S. Fifth Circuit.
- Successfully defended oil field contractor against \$500 million claim brought by an oil company in connection with the failed installation of massive tension leg platform.

REPRESENTATIVE MATTERS, *continued*

- Successfully represented oil company operators in the recovery of P&A expenses from non-operators and from assignees in situations where P&A must be performed post-assignment
- Successfully represented oil company operators in various joint interest billing disputes with non-operators
- Successfully represented oil companies in the recovery of hurricane damage to facilities located on the OCS and state waters
- Successfully represented numerous national oil companies in various litigation matters determining the scope, applicability, and enforceability of contractual indemnity provisions within master service agreements, vessel charters, and operating agreements
- Successfully represented a national hospital corporation in a multi-million dollar dispute with a long-term acute care facility which raised STARK issues in an effort to avoid making contractual payments
- Successfully represented numerous national oil companies and contractors in litigation matters determining the parameters of tort liability in Outer Continental Shelf (OCS) operations
- Successfully represented a national oil company in the multi-million dollar recovery of platform damages caused by a vessel allision during a tropical storm, defeating Act of God defense
- Successfully represented a national oil company in the recovery of a non-operating partners' share of plug and abandonment expenses
- Successfully represented national oil companies and contractors in litigation emanating from an oil and gas well blow out

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Maritime Law Association of the United States
- Louisiana State Bar Association
- New Orleans Bar Association

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated
- *The Best Lawyers in America*, 2014-2021
 - Admiralty & Maritime Law
 - Personal Injury Litigation - Defendants
- *Louisiana Super Lawyers*, Energy & Resources, 2016-2021
- *New Orleans CityBusiness*, Leadership in Law, 2014
- Phi Kappa Phi Honor Society

EDUCATION

- Louisiana State University Law School, J.D., 1978
 - Order of the Coif
- Louisiana State University, B.S., business administration & finance

**REPRESENTATIVE LITIGATION MATTERS HANDLED BY
GEORGE B. JURGENS III PERTAINING TO OIL
COMPANY OPERATIONS CONDUCTED ONSHORE LOUISIANA
AND THE OUTER CONTINENTAL SHELF, OFFSHORE LOUISIANA**

1. An oil company's tension leg platform ("TLP") was a fixed platform on the OCS governed by the law of the adjacent state, pursuant to the Outer Continental Shelf Lands Act ("OCSLA"), 43 U.S.C. § 1301 *et seq.*, and not considered a vessel for purposes of the general maritime law and the Jones Act, 46 U.S.C. § 30301 *et seq.*
 - a. *Mooney v. W&T Offshore, Inc.*, 2013 WL 828308 (E.D. La. 2013)
2. Contractual defense and indemnity – choice of law, interpretation and enforcement:
 - a. Judicial determination of whether a contractual defense and indemnity provision is subject to general maritime law and therefore enforceable or subject to the Louisiana Oilfield Indemnity Act ("LOIA"), LSA-R.S. 9-2780, and therefore unenforceable where the indemnitee is negligent or at fault
 - i. *Alleman v. Omni Energy Servs. Corp.*, 580 F.3d 280 (5th Cir. 2009) (contract for helicopter services from shore to OCS platforms, among OCS platforms, and from OCS platforms to shore was governed by the LOIA, not maritime law; oil company/operator defeats multimillion dollar indemnity obligation asserted by helicopter company whose fault caused crash and resulting death/injuries)
 - ii. *Bross v. Chevron U.S.A. Inc.*, _____ WL _____ (W.D. La. 2006) (unreported decision) (contract for services of diving operations supervisor based on jack – up barges was governed by the general maritime law and therefore enforceable)
 - b. Scope of contractual defense and indemnity provisions in contracts governed by the general maritime law
 - i. *Bross v. Chevron U.S.A., Inc.*, 2009 WL 2579097 (W.D. La. 2009) (interpreting scope of indemnification agreement between oil company and contractor for wrongful death of diving operations supervisor)
 - ii. *Lefort v. C & E Boat Rental, Inc.*, 795 So.2d 359 (La. App. 1st Cir. 2001) (vessel time charter contractual indemnity provision covered personal injury claim of vessel captain against oil platform owner/operator where accident occurred because platform discharged oil onto the vessel)
 - c. In cases where the LOIA applies, the indemnitee/oil company establishing its freedom from fault or otherwise defeating tort claim brought by contractor's employees can recover all defense costs incurred from indemnitor/contractor
 - i. *Meloy v. Conoco, Inc.*, 504 So.2d 833 (La. 1987)

**REPRESENTATIVE LITIGATION MATTERS HANDLED BY
GEORGE B. JURGENS III PERTAINING TO OIL
COMPANY OPERATIONS CONDUCTED ONSHORE LOUISIANA
AND THE OUTER CONTINENTAL SHELF, OFFSHORE LOUISIANA**

3. Borrowed servant defense – Oil company/operator was tort immune *via* the exclusive remedy provisions of the Longshore and Harbor Workers’ Compensation Act (“LHWCA”), 33 U.S.C. § 901 *et seq.*, from personal injury and wrongful death claims of contractor employees who were found to be the borrowed employees of the oil company/operator
 - a. *Alexander v. Chevron, U.S.A., Inc.*, 806 F.2d 526 (5th Cir. 1986), *cert. denied*, 483 U.S. 1005 (1987) (roustabout was borrowed employee of oil company)
 - b. *Kindred v. Blake Int’l Holdings, L.L.C.*, 805 F.Supp. 2d 278 (W.D. La. 2011) (production operator was borrowed employee of oil company)
 - c. *Robertson v. W&T Offshore, Inc.*, 712 F.Supp.2d 515 (W.D. La. 2010) (cook/steward was borrowed employee of oil company)
 - d. *Alleman v. Omni Energy Servs. Corp.*, 512 F.Supp.2d 448 (E.D. La. 2007), *rev’d on other grounds*, 580 F.3d 280 (5th Cir. 2009) (a crane mechanic and two production operators were borrowed servants of oil company)
4. Oil company not liable for torts caused by negligence of its independent contractors including resulting claims of independent contractor’s employees
 - a. *Broussard v. Chevron USA, Inc.*, 211 Fed. Appx. 293 (5th Cir. 2006) (tank cleaning operations)
 - b. *Dupre v. Chevron U.S.A., Inc.*, 109 F.3d 230 (5th Cir. 1997) (drilling operations)
 - c. *Ladue v. Chevron, U.S.A., Inc.*, 920 F.2d 272 (5th Cir. 1991) (platform construction/repair operations)
 - d. *Cormier v. W&T Offshore, Inc.*, 2013 WL 1567046 (W.D. La. 2013) (well completion operations)
5. Negligence concepts applicable to OCS operations conducted off the coast of Louisiana
 - a. *Adams v. Chevron USA, Inc.*, 383 Fed. Appx. 447 (5th Cir. 2010) (application of Louisiana comparative fault principles, apportionment of fault for an offshore accident among contractor employee/plaintiff (60%), contractor employer (30%) and oil company/operator (10%))
 - b. *Bross v. Chevron U.S.A., Inc.*, 649 F.Supp.2d 517 (W.D. La. 2009) (discussion of Louisiana’s doctrine of open and obvious conditions as a barr to tort recovery for damages arising out of those conditions)

**REPRESENTATIVE LITIGATION MATTERS HANDLED BY
GEORGE B. JURGENS III PERTAINING TO OIL
COMPANY OPERATIONS CONDUCTED ONSHORE LOUISIANA
AND THE OUTER CONTINENTAL SHELF, OFFSHORE LOUISIANA**

6. A technical violation of MMS/BSEE regulations by oil company/operator as a result of actions of its contractors does not create a tort duty in oil company/operator with respect to contractors' actions.
 - a. *Dupre v. Chevron U.S.A., Inc.*, 109 F.3d 230 (5th Cir. 1997)
 - b. *Cormier v. W&T Offshore, Inc.*, 2013 WL 1567046 (W.D. La. 2013)
7. Tort immunity of non – operator/oil company for the personal injury claims of the operator's employees
 - a. Joint Operating Agreements ("JOAs") covering operations of OCS platforms
 - i. *Heavin v. Mobil Oil Expl. & Prod'g S.E., Inc.*, 913 F.2d 178 (5th Cir. 1990) (JOA created a joint venture between operator and non – operators such that employee of operator was deemed employee of non – operators who were therefore tort immune under the LHWCA for claims of operator's employees)
 - ii. *Davidson v. Enstar Corp.*, 860 F.2d 167 (5th Cir. 1988) (JOA created a joint venture between operator and non – operators such that employee of operator was deemed employee of non – operators who were therefore tort immune under the LHWCA for claims of operator's employees)
 - b. JOAs covering operations on platforms and wells located within Louisiana territorial waters
 - i. *Rosskamp v. Phillips Petroleum Co.*, 992 F.2d 557 (5th Cir. 1993) (platform located in Louisiana territorial waters, non – operator was entitled to tort immunity from personal injury claims of operator's employees – non-operator qualified as a "principal" under the Louisiana Workers' Compensation Statute)
8. Oil company not liable to vessel operator for collision with submerged objects on oil company's mineral lease located in Louisiana territorial waters; oil company is not the insurer of the area covered by its mineral lease
 - a. *Guidry v. Apache Corp.*, 236 Fed. Appx. 24 (5th Cir. 2007)
9. Recovery by oil company/operator for property damage, loss of production and deferred production as the result of the negligence of third parties in well blowouts
 - a. *Underwriters at Lloyd's London v. OSCA, Inc.*, 2006 WL 941794 (5th Cir. 2006) (oil company/operator recovered the value of natural gas that was flared after a natural gas pipeline was shut in as the result of a well blowout and fire on an adjacent third party production platform over which the natural gas pipeline crossed)

**REPRESENTATIVE LITIGATION MATTERS HANDLED BY
GEORGE B. JURGENS III PERTAINING TO OIL
COMPANY OPERATIONS CONDUCTED ONSHORE LOUISIANA
AND THE OUTER CONTINENTAL SHELF, OFFSHORE LOUISIANA**

10. Recovery by oil company/operator for property damage, loss of production and deferred production, resulting from allisions and collisions occurring during tropical storms/hurricanes
 - a. *Cabot Oil & Gas Company/Chevron U.S.A. Inc. v. OFSI/Smith Marine, Inc.*, unreported case (oil company/operator recovered property damage and deferred production arising out of repeated striking of oil company's platforms in Louisiana territorial waters by runaway barges as a result of Tropical Storm Bill; addressed defense of force majeure/act of God)
 - b. *Aviara Energy Corporation, et al v. Global Industries, Inc., et al*, Civil District Court, Parish of Orleans, State of Louisiana, No. 97-17418 (oil company/operator recovers for platform damage occurring when runaway barge struck platform during hurricane)
11. Subclass decertification issues in a major gas well blowout
 - a. *Singleton v. Northfield Ins. Co.*, 826 So.2d 55 (La. App. 1st Cir. 2002)
12. Application of concepts of judicial estoppel to preclude recovery for property damages and deferred production in OCS setting
 - a. *Newfield Expl'n Co. v. Applied Drilling Tech., Inc.*, 2003 WL 23253 (E.D. La. 2003)
13. Recovery by oil company/operator for damages resulting from downhole tubing failure
 - a. *CNG Producing Company, Murphy Exploration & Production Company, Inc. and Ocean Energy, Inc. v. Kawasaki Steel Corporation, et al*, No. CV 00-0132, USDC, Western District LA, Lafayette-Opelousas Division



“Our goals are the same as the clients’ goals: Always achieve good results in the most efficient and cost-effective manner as possible.”

PRACTICE AREAS

Intellectual Property Law

Commercial Litigation

Labor and Employment Law

Len Brignac primarily counsels and represents businesses in various commercial disputes and transactions. He has extensive knowledge and experience in a wide range of business matters, including intellectual property, employment, insurance, and construction law.

Intellectual Property Law

Len is a registered patent attorney who handles patent preparation, filing, and prosecution before the U.S. Patent & Trademark Office. He also handles trademark and copyright registration, trade secret protection, patent and trademark licensing, technology transfers, and infringement claims and defenses. He represents owners of intellectual property to obtain injunctive relief and damages. He is the former Chair of the Intellectual Property Section of the Louisiana State Bar Association.

ADMISSIONS

Louisiana

Texas

Florida

Employment Law

Len assists businesses with employment law compliance, such as disability, race, sex, age, religion, and national origin discrimination claims and wrongful discharge claims. He has extensive experience with the Americans with Disabilities Act (ADA), Fair Labor Standards Act (FLSA), Family Medical Leave Act (FMLA), and sexual harassment claims. He also represents businesses in employment policies review, on-site training, employment agreements, separation agreements, and employee handbook preparation and review.

Insurance

Len has represented companies in connection with insurance coverage disputes, claims, and insurance contract issues. He has successfully represented numerous businesses in the successful recovery of property damages and business interruption claims.

Construction

Len has experience in all aspects of construction law and litigation. He has worked with his clients to review and prepare construction contracts to seek to eliminate legal problems and delays. In connection with construction disputes, Len has successfully litigated and arbitrated construction claims.

PUBLICATIONS

- [The Best Defense is a Good Offense: Proactive Social Media Policies and What They Can Do for You](#), Employment Law Update
- [The Amazing Race to the Patent Office: New Law Will Replace First-to-Invent with First-to-File](#), Intellectual Property Law Update
- [Update: Deadlines and Details to Keep Trademarked Domains Away from the Adult Entertainment Industry](#), Intellectual Property Law Update

SPEAKING ENGAGEMENTS

- "Hot Topics in Hospitality Law" - University of New Orleans, 2014
- "Protect Your Assets: IP Law 101 for Entrepreneurs" - The Idea Village's IDEAInstitute - 2012, 2013
- "Workers' Compensation & HIPAA - Protecting Your Claimant's Data and Company's Liability" - National Shipbuilding Research Program - 2012
- "Avoiding Problems in Employment Terminations and Hiring" - Client In-House Seminar
- "Avoiding Sexual Harassment in the Workplace" - Client In-House Seminar

PROFESSIONAL & COMMUNITY AFFILIATIONS

- New Orleans Bar Association
- Louisiana State Bar Association, Intellectual Property Section, Past Chair
- Florida Bar Association
- Texas Bar Association

HONORS

- Martindale-Hubbell AV-Preeminent Rated (5.0 out of 5)
- *The Best Lawyers in America*, Litigation - Intellectual Property, 2018-2020
- [New Orleans CityBusiness "Leadership in Law" List, 2015](#)

EDUCATION

- Tulane University, J.D., *cum laude*, 1987
- Louisiana State University, B.S., microbiology, 1983

REPRESENTATIVE MATTERS

Intellectual Property

- Represented a patent owner in defense of a declaratory judgment and in asserting patent infringement claims relating to the method and apparatus of oil and gas fracturing operations (*Energy Heating, L.L.C., et al. v. Heat On-The-Fly, L.L.C., et al.*)
- Prosecuted copyright infringement claims relating to educational materials in the Eastern District of Louisiana and obtained a successful settlement of the case (*Dantonio v. Southwest Educational Development*)

- Represented a business owner in disputes relating to patent and trademark rights and ownership in the Eastern District of Louisiana (*Woolf v. Elegant Cords, L.L.C.*)
- Defense of claims of patent infringement (*Watershed, L.L.C., et al. v. ROC Gear, Inc., et al.*)
- Copyright infringement litigation (*Landry v. Atlantic Recording Corp.*)
- Handled a trademark/tradename dispute (*Roundgrille, Inc. v. Copeland, et al.*)
- Copyright infringement (*Briggs Medical Service Company v. Amedisys, Inc.*)
- Defense of patent infringement claims (*Frank's Casing Crew & Rental Tools, Inc. v. PMR Technologies, Ltd.*)
- Trade secrets dispute (*Friede & Goldman, Ltd. v. Bennett, et al.*)

Employment

- Represented in defense of an employer in the Western District of Louisiana (*Hodges v. First Choice Armor, et al.*)
- Represented an employer in a wage dispute (*Kevin Parkins v. Total Sleep Holding, Inc.*)
- Defended an employer against race discrimination claims in the Eastern District of Louisiana (*Harrison v. Treuting, et al.*)
- Defended an employer against sexual harassment claims in the Eastern District of Louisiana (*Savoie v. Seacraft Shipyard*)
- Defended an employer against an ADA claim in the Eastern District of Louisiana (*Martin v. Copeland's of New Orleans, Inc.*)
- Defended an employer against a race discrimination claim in the Eastern District of Louisiana (*Sheppard v. Diversified Foods*)
- Defended an employer against race and age discrimination claims in the Eastern District of Louisiana (*Hembree v. DynMcDermott*)
- Defended an employer against a race discrimination claim in Civil District Court for the Parish of Orleans (*Doby v. Copeland's*)

Commercial Litigation

- Represented a business owner for the recovery of business interruption in United States District Court for the Northern District of Louisiana (*Baton Rouge Duplicating Products, Inc. v. The Travelers Indemnity Company*)
- Represented numerous business entities in disputes with a construction company (*Interstate Restoration Group v. Al Copeland Investments*)
- Breach of contract and collections commercial litigation (*Al Copeland Investments, Inc. v. Fontainebleau Resorts, L.L.C.*)
- Handled a contract and products liability matter in the Eastern District of Louisiana (*Diversified Foods and Seasonings, Inc. v. Basic Food Flavors, Inc., et al.*)
- Construction dispute (*CCB of Bossier City, L.L.C. v. Devier Const., L.L.C.*)
- Handled an environmental matter in the Middle District of Louisiana (*Giauque v. Clean Harbors Plaquemine, L.L.C.*)
- Handled property contamination claims and a torts to land matter in the Middle District of Louisiana (*Cassels, et al. v. Wilsonhart International, Inc., et al.*)
- Defense of mass injury toxic torts and personal injury claims in the Eastern District of Louisiana (*LaFrance, et al. v. Chevron Oronite Co., et al.*)
- Handled a landlord/tenant lease dispute in D.C.La. (*Thomas Jefferson Construction Corporation v. Copeland's of New Orleans, Inc.*)
- Handled numerous insurance coverage disputes, including:
 - *Diversified Foods & Seasonings, Inc. v. Lexington Insurance Co.*
 - *Boutique Hotels, Inc. v. Zurich American Insurance Co.*
 - *Gulf Ventures Associates v. Zurich Insurance Company*
 - *Folsom Corporation, et al. v. Travelers Indemnity Company*
 - *Al Copeland Investments, Inc., et al. v. Lexington Insurance Company, et al.*
 - *Premiere, Inc. v. Commercial Underwriters Ins. Co.*

CAROLYN S. BUCKLEY

Member, New Orleans

504.569.3317 | cbuckley@kingjurgens.com



PRACTICE AREAS

Business Transactions and
Finance Law

Corporate and Commercial
Law and Advises

Health Care Law

Labor and Employment Law

Maritime Business and
Finance Transactions

Carolyn Buckley's practice focuses on advising health care clients on regulatory and compliance matters, with an emphasis on fraud and abuse issues and HIPAA compliance. She is recognized as a Health Law Specialist, certified by the Louisiana Board of Legal Specialization. Her experience includes representing air medical transportation companies, hospice care companies, and other health care providers in health care transactions, compliance and regulatory matters, and other business matters.

Carolyn is additionally experienced in drafting and negotiating medical director agreements, commercial leases, master service agreements, employment agreements, clinical training affiliation agreements, and business associate agreements for a wide variety of industries.

ADMISSIONS

Louisiana

United States District Courts
for the Eastern, Middle and
Western Districts of Louisiana

United States Court of
Appeals for the Fifth Circuit

HONORS

- *The Best Lawyers in America: Ones to Watch*, Corporate Governance and Compliance Law, Corporate Law, 2021
- Board Member of the Year Award, Young Leadership Council, 2017
- Editor-in-Chief, *Loyola Journal of Public Interest Law*

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Association for Corporate Growth
- Federal Bar Association
- Health Care Compliance Association
- American Bar Association, Health Law Section
- Louisiana State Bar Association
- New Orleans Bar Association
- Son of a Saint, Legal Committee
- Young Leadership Council
 - Secretary/General Counsel, 2016
 - Board of Directors, 2015-2018
 - Membership Committee, 2015-2018

EDUCATION

- Loyola University New Orleans College of Law, J.D., 2012
- American University, B.A., 2004

BRENT BURNS

Member, New Orleans

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PRACTICE AREAS

SIU/Bad Faith Defense

Insurance Coverage and
Defense

General Casualty Defense

National Flood Insurance
Program

Government Relations and
Regulatory Law

Brent Burns is an experienced litigation attorney who represents insurance companies in bad faith litigation, property coverage disputes, and catastrophe mass filed/consolidated claims. He currently serves as counsel for major insurers, and he has overseen the defense of over 100 policy disputes.

For nearly a decade Brent has been partnering with Special Investigative Units of insurers to fight fraudulent claims and defend against allegations of bad faith in Louisiana through attention to detail and the latest use of technology. He notably represented an insurer in a case where the court held that bad faith damages are not recoverable in auto theft claim cases unless the facts suggest a “clear cut theft or loss of a vehicle.”

ADMISSIONS

Louisiana

United States District Courts
for the Eastern, Middle and
Western Districts of Louisiana

United States Court of
Appeals for the Fifth Circuit

Brent’s knowledge of construction and government regulations has enabled him to efficiently handle a large volume of catastrophe claims resulting from both hurricanes and floods. His work as national counsel for a major insurer in a breach of contract case helped clarify the definition of “flood” in the context of the National Flood Insurance Program.

Brent is from Donaldsonville, Louisiana, and earned his B.A. from Louisiana College in 1999, attending on a full basketball athletic scholarship. He earned his *juris doctor* and civil law certificate from Tulane University in 2004.

REPRESENTATIVE MATTERS

- **Zero Verdict** – Following a jury trial on the merits, successfully defended a claim for breach of contract plus penalties and attorney fees for denial of coverage under a commercial insurance policy. The firm obtained a pre-trial Daubert ruling excluding the plaintiffs' bad faith expert, and then went on to obtain a dismissal of the suit at the plaintiff's cost. No. 10-651, United States District Court for the Middle District of Louisiana
- **Bad Faith Dismissed on Summary Judgment** – Obtained summary judgment dismissing bad faith allegations against one of Louisiana's largest insurers. The court held that bad faith damages are not recoverable in auto theft claim cases unless the facts suggest a "clear cut theft or loss of a vehicle," and that the plaintiffs must come forward with specific facts showing the insurer lacked a reasonable basis to investigate and defend against the auto theft claim rather than to "simply pay the claim without question." In granting summary dismissal, the court noted that the insurer had based its decision on facts, which as a matter of law demonstrated the claim denial was reasonable. No. 11-1991, United States District Court for the Eastern District of Louisiana
- **Bad Faith Dismissed on Summary Judgment** – Obtained summary judgment dismissing bad faith allegations against insurer in theft claim where the insurer argued it had a reasonable basis to investigate and defend against the claim. It was also argued that the plaintiff's refusal to submit to a timely requested examination under oath prior to filing the lawsuit as provided for by the terms of the insuring agreement was an independent reasonable basis to investigate and defend against the claim. The court agreed that the decision to investigate the claim was not arbitrary and capricious and therefor, as a matter of law, dismissed the claim for bad faith. No. 687343, 24th JDC for the Parish of Jefferson
- **Summary Judgment on Coverage** – Successfully obtained a summary judgment in a breach of contract case over a denied flood claim. The case helped clarify the definition of a flood under the National Flood Insurance Program. No. 10-21840, United States District Court for the Southern District of Florida
- **Zero Recovery** – Successfully defended all claims against a WYO Program carrier, arguing that the one year time limit to bring a lawsuit for a claim under the NFIP is triggered from the date of mailing the first written partial denial of the claim, and extra-contractual damages such as penalties, court costs, attorney's fees, and legal interests are unrecoverable. The court agreed, awarding summary judgment in favor of insurer and dismissed all claims. No. 18-87-JWD-WED, United States District Court for the Middle District of Louisiana

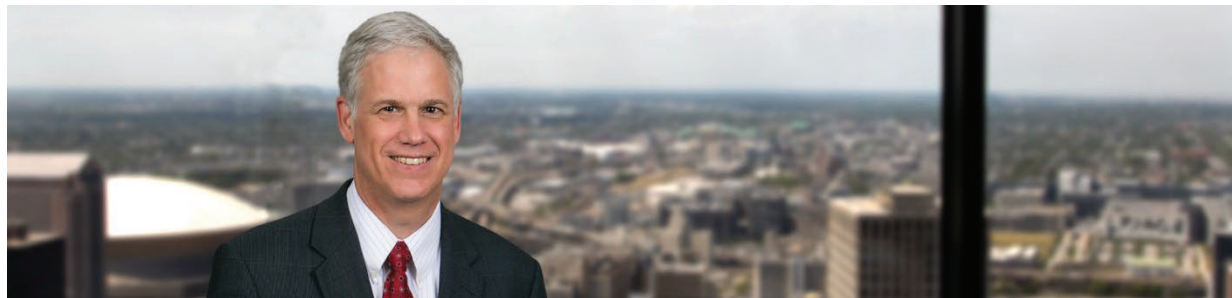
- **Summary Judgment on Claim Denial** – The court rejected plaintiff's argument that the WYO Program carrier waived its right to assert no timely proof of loss as a defense in the litigation when the proof of loss issue was not the basis for the claim denial. The court additionally found that equitable estoppel claims were not available against the WYO Program carrier and dismissed plaintiff's claims with prejudice. No. 17-00372, United States District Court for the Western District of Louisiana, Monroe Division
- **Misrepresentation Claim Dismissed on Summary Judgment** – Obtained summary judgment dismissing claim of negligent misrepresentation by a WYO Program carrier. The court held that because the alleged misrepresentations occurred before the policy had lapsed, the interactions in question constituted "claims handling," which are pre-empted by federal law. The court further noted that the NFIP is federally governed and funded, and, as a result, dismissed plaintiffs' state law claims with prejudice as preempted. No. 16-12555, United States District Court for the Eastern District of Louisiana

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Federal Bar Association
- Louisiana State Bar Association
- New Orleans Bar Association

EDUCATION

- Tulane University, J.D., 2004, Civil Law Certificate
- Louisiana College, B.A., 1999



"When the client is really informed, there should be no surprises."

PRACTICE AREAS

Bankruptcy and Creditor's Rights Law

Commercial Litigation

Construction Litigation

Corporate and Commercial Law and Advices

Fiduciary Litigation

ADMISSIONS

Louisiana, 1984

Texas, 2001

All Federal District Courts in Louisiana

U.S. Fifth Circuit Court of Appeal

U.S. Supreme Court

Bob Burvant uses his wide array of experience as a commercial litigator for over 30 years to assist clients in achieving their objectives. His primary focus is in the areas of banking and bankruptcy, business, and construction litigation. He also has significant experience in shareholder and director/officer disputes, succession litigation, maritime commercial litigation, commercial lease and property disputes, state tax litigation and oilfield legacy litigation.

In the banking industry, Bob has represented local banks in a variety of matters, including lender liability suits and bankruptcy proceedings initiated by borrowers. Bob's bankruptcy practice also focuses on defending creditors against preference actions and other challenged transfers. Bob has also successfully partnered with the Federal Deposit Insurance Corporation to investigate and bring claims relating to a number of failed financial institutions, with litigation matters in Louisiana, Kentucky, California, Maryland and South Carolina.

In the construction area, Bob has represented owners, general contractors and subs on a number of multi-million dollar projects, including restaurants, public buildings, vessels and hotels. He has successfully defended clients in arbitrations and civil court proceedings on construction contract disputes and lien disputes.

Bob considers honest and open communication to be a cornerstone of his practice. "Clients know I'll give them a true assessment of their risks," he says, "and not when it's too late to achieve their best result."

REPRESENTATIVE MATTERS

- Successfully represented multiple clients as defendants in construction arbitrations in the past 10 years, including a counterclaim award exceeding \$450,000
- Represented the Federal Deposit Insurance Agency in failed bank litigation resulting in favorable settlements of over \$20 million
- Successfully defended a client in a state sales tax dispute, obtaining \$0 judgment from the court after trial
- Obtained judgment of dismissal on writ for mandamus for wrongfully filed construction lien
- Successfully defended a local bank in claims based on a stockbroker's Ponzi scheme
- Obtained funds of several million dollars as judgment creditor through seizure and settlement under a corporate veil theory of recovery

PUBLICATIONS & SPEAKING ENGAGEMENTS

- [Just in Time? Small Business Reorganization Act Provides New Bankruptcy Relief for Small Business Debtors](#), article, 2020
- *Louisiana Sales Tax Audits*, co-presenter for Offshore Marine Service Association (OMSA) Legal Forum, 2018
- [Overview of the Revisions to AIA Owner-Contractor Construction Documents](#), article, 2017

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Louisiana State Bar Association
- New Orleans Bar Association
- Federal Bar Association
- Louisiana Bankers Association, Bank Counsel Section

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated
- *The Best Lawyers in America*, Construction Law, 2018-2021
- *Louisiana Super Lawyers*, 2017-2021
- *New Orleans CityBusiness*, Leadership in Law, 2011
- Phi Beta Kappa

EDUCATION

- Tulane University, J.D., *cum laude*, 1984
- Louisiana State University, B.A., English, 1981

MICHAEL J. CERNIGLIA

Member, New Orleans

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"The firm is the perfect size for personal client service. Our clients are more than file numbers and because we know each of them, we know how to get the results that are best for them."

PRACTICE AREA

Admiralty and Maritime Law

Environmental and
Toxic Tort Law

Oil and Gas Law

Commercial Litigation

Michael Cerniglia joined King & Jurgens in April 2008, and focuses primarily on maritime, oil and gas, environmental, toxic tort, and commercial litigation matters.

In the realm of maritime law, Michael has handled several Jones Act cases, and has experience with matters involving the interplay of the Jones Act, the general maritime law, and the Longshore and Harbor Workers' Compensation Act (LHWCA).

On environmental matters, he has handled matters involving contamination of property, environmental issue resolution, and general oil and gas disputes. He believes the firm's environmental team is especially advanced, stating "To have a leading attorney with so much working knowledge of environmental issues and effect is exceptionally rare. You can't put a price on that."

ADMISSIONS

Louisiana, 2005

Colorado, 2006

Michael was born in Metairie, Louisiana, and graduated from the University of New Orleans with an undergraduate degree in Business Administration and an M.B.A. with a finance concentration. After earning his Master of Business Administration, Michael practiced as a financial advisor while attending law school, graduating from Loyola University School of Law in 2005.

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Federal Bar Association
- Louisiana State Bar Association
- New Orleans Bar Association
- Colorado State Bar Association

HONORS

Member, *Loyola Law Review*

CAREER HISTORY

McGlinchey Stafford

EDUCATION

- Loyola University New Orleans College of Law, J.D., 2005
- University of New Orleans, M.B.A., Finance
- University of New Orleans, B.A., Business Administration



PRACTICE AREAS

Tax Law

Business Transactions and
Finance Law

Corporate and Commercial
Law and Advices

Estate Planning and Probate

Automotive Industry Law

Fiduciary Litigation

Grant Coleman is a member in King & Jurgens' New Orleans office and leads the firm's tax practice. He has been certified by the Louisiana Board of Legal Specialization as a Tax Law Specialist since the inception of the Louisiana Specialization Program in 1985, and his practice focuses primarily on taxation and business law. He's been a frequent author and lecturer on taxation and business law matters, and his practice experience includes planning, compliance and controversy in virtually every area of federal, state and local taxation.

Grant was born in Lynchburg, Virginia. He received a Bachelor of Arts in history from the University of New Orleans in 1971, a *juris doctor* from Tulane University in 1974, and a Master of Laws in taxation from the University of Miami in 1977. He served on the adjunct tax faculty at Louisiana State University Law School in 1999 and was an adjunct professor at Tulane Law School, where he taught courses in tax law from 1995 until 2008.

ADMISSIONS

Louisiana Federal and State
Courts

United States Tax Court

District of Columbia

REPRESENTATIVE MATTERS

- Represented the Copeland family interests in connection with the sale of the Popeye's recipes and formulas used in the preparation of many of Popeye's core menu items by Diversified Foods and Seasonings, LLC, (DFS), to Popeye's Louisiana Kitchen (PLK) and the extension of the agreement between DFS and PLK for the manufacturing and supply of the proprietary spices and other Popeye's products

REPRESENTATIVE MATTERS, *continued*

- Represented the sellers of the Royal Honda auto dealership in Metairie, LA and related real estate
- Represented a regional managed care company in connection with the sale of its business to a multi-state entity
- Represented numerous clients with estates ranging from \$5,000,000 to over \$100,000,000 in connection with estate tax planning and estate tax administration
- Represented numerous small to medium-sized businesses in connection with business acquisitions and dispositions in the \$5,000,000 to over \$100,000,000 range
- Secured a reversal in the United States Court of Appeals for the Fifth Circuit of a United States Tax Court decision resulting in a multimillion taxpayer refund
- On a fully *pro bono* basis, secured a retroactive tax exemption for a charitable organization engaged in Katrina recovery activities
- Represented an independent tax-exempt hospital in connection with the establishment of a two-hospital system to secure a minimum \$100,000,000 capital infusion
- Represented a regional engineering service company in connection with the sale of its business to a multinational entity

PROFESSIONAL & COMMUNITY AFFILIATIONS

- New Orleans Bar Association
 - Past Chair, Tax Committee, 2004
- Louisiana State Bar Association
 - Past Chair, Section on Taxation, 1992
 - Member, Specialization Board for Taxation, 1993-1996
- American Bar Association, Partnership Committee of Section on Taxation
- New Orleans Estate Planning Council
- Association for Corporate Growth

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated (5.0 out of 5)
- American College of Trust and Estate Counsel, Fellow
- *The Best Lawyers in America*, Tax Law, 2016-2021
- *Louisiana Super Lawyers*, 2007-2011, 2013-2021
- *M&A Advisor* "Deal of the Year" Award Winner, 2010

EDUCATION

- University of Miami, LL.M., 1977
- Tulane University, J.D., 1974
- University of New Orleans, B.A., History, 1971



PRACTICE AREAS

Commercial Litigation

Environmental and
Toxic Tort Law

General Casualty Defense

Oil and Gas Law

ADMISSIONS

Louisiana

Eric Jarrell is a Member in the New Orleans office of King & Jurgens and leads the environmental practice group. He works primarily in the fields of environmental law and regulation and commercial casualty, products liability, toxic tort and oil and chemical contamination and exposure litigation.

Eric has represented clients at the federal level before the Coast Guard, Environmental Protection Agency, OSHA, National Oceanic and Atmospheric Administration, Corps of Engineers and Minerals Management Service. He has also represented clients before the Louisiana Departments of Environmental Quality and Natural Resources, the Mississippi Department of Environmental Quality and the Texas Commission on Environmental Quality. He has appeared in numerous state and federal courts in Louisiana, Mississippi and Texas at both the appellate and trial level.

He is a frequent author and lecturer on environmental topics and was a co-author of the Louisiana Environmental Handbook. He has also been published in the Louisiana Bar Journal on environmental topics. For many years, Eric chaired the Executive Enterprises Environmental Regulation Course and co-chaired the Cambridge Institute seminar on Environmental Law in Louisiana.

Eric was born in Puyallup, Washington, and graduated from Louisiana State University in Baton Rouge with a *juris doctor* degree in 1985 and a bachelor of science degree in zoology in 1982. While at LSU, he worked in the Environmental Studies and Sea Grant Legal Programs.

REPRESENTATIVE MATTERS

- Oilfield legacy litigation throughout northern and southern Louisiana
- Extensive experience handling both the regulatory requirements driving cleanups and enforcement actions and the science underlying the application of regulations
- Defense of individual suits, class actions and mass joinders alleging personal injury and property damage from oil and gas and chemical operations
- Defense of citizen's suits alleging state and federal environmental violations
- Prosecution and defense of permit actions
- Defense of state and federal agency enforcement actions

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Louisiana State Bar Association, Section of Environmental Law
- Chair and Vice-chair, Louisiana Environmental Bar, 1998-2000
- Chair of Board of Trustees, Ursuline Academy, 2015-2017 and Member, 2012-2018, Chair of Institutional Advancement
- Elected Commissioner of Stonebridge Area Improvement District, 2016-2018

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated
- *The Best Lawyers in America*, Environmental Law, 2014-2021
- *Best Lawyers'* 2015 New Orleans Environmental Law "Lawyer of the Year"
- *Chambers USA: America's Leading Lawyers for Business*, Notable Practitioner, Environment, 2012-2013



ERIC E. JARRELL

EDUCATION

- Louisiana State University Law School, J.D., 1985
- Louisiana State University, B.S., Zoology, 1982

LINDSAY A. LARSON III

Member, New Orleans

504.582.1273 | llarson@kingjurgens.com



***"You have to live your life strategically.
We have a lot of strategic thinkers at this firm."***

PRACTICE AREAS

Admiralty and Maritime Law

Federal Criminal Defense

General Casualty Defense

Insurance Coverage and
Defense

ADMISSIONS

Louisiana

APPOINTMENTS

Assistant District Attorney,
New Orleans, chief of the
homicide and screening
divisions

Assistant United States
Attorney, 1981 - 1983

Lindsay Larson is a mediator who also maintains a legal practice in insurance defense, casualty defense, product liability defense, and maritime law. He joined King & Jurgens after completing a successful term as a federal prosecutor, and cites the firm's positive working environment as a big draw. "There's a lot of collegiality going on here, which makes it a great place to work and produces effective teams."

Born in Houston, Texas, Lindsay graduated from the University of New Orleans in 1971 with a B.A. degree in political science. He was admitted to the bar of the State of Louisiana in 1976 after receiving his juris doctor degree from Louisiana State University Law School. After law school, Lindsay received an appointment as an Assistant District Attorney in New Orleans, where he was chief of the homicide and screening divisions. In 1981 he became an Assistant United States Attorney and served in that capacity until 1983.

Lindsay also places a high priority on shaping the next generation of legal minds. He currently serves on the Tulane University School of Continuing Education adjunct faculty, teaching Litigation II to undergraduates and graduate students, and has also instructed litigation, evidence and ethics at the University of New Orleans for 25 years. Lindsay has been an adviser to the Tulane University Law School National Maritime Moot Court Team. He has published in the Tulane Maritime Law Journal and is a member of the Maritime Law Association and the New Orleans and Louisiana Bar Associations, and served as chair of the disciplinary hearing committee for the Louisiana State Bar Association.

REPRESENTATIVE MATTERS

- Successfully defended a national insurance provider in a number of significant cases
- Represented an accused citizen in federal court, proving reasonable doubt, received 1st not guilty verdict in federal court in two years
- Selected as a two-time finalist for U.S. Magistrate judge
- Successfully represented a death row inmate, winning the Camille Gravel Pro Bono Award

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Federal Bar Association
- Louisiana State Bar Association, Chair, Disciplinary Board, 2001-2006
- Maritime Law Association
- New Orleans Bar Association

HONORS AND ACADEMIC APPOINTMENTS

- *Martindale-Hubbell* AV-Preeminent Rated (5.0 out of 5)
- Tulane University, Faculty, Litigation II
- Tulane University, Law School National Maritime Moot Court Team, Practitioner Advisor

EDUCATION

- Louisiana State University Law School, J.D., 1975
- University of New Orleans, B.A., political science, 1971

ROBERT J. STEFANI

Member, New Orleans

504.569.1647 | rstefani@kingjurgens.com



"I strive to be a valued strategic advisor to my clients and to keep pace with them as they pursue their business objectives."

PRACTICE AREAS

Business Transactions and
Finance Law

Corporate and Commercial
Law and Advices

Commercial Litigation

Admiralty and Maritime Law

Maritime Business and
Finance Transactions

Bankruptcy and Creditor's
Rights Law

Government Regulations and
Regulatory Law

Bob Stefani is a member of the firm and practices in the areas of financial, commercial, and corporate transactions; commercial litigation; and government regulation. His practice includes representation of companies in the financial services, chemical and industrial manufacturing, transportation, biopharmaceutical, marine, oil and gas, and construction businesses, as well as public port authorities. Bob handles a wide variety of commercial transactions, including marine, equipment, real estate and other financings, major development and construction projects, asset and stock purchase agreements, and public and private works and supply contracts. He advises business owners on corporate organization, governance, succession and ownership matters. He also represents companies in resolving commercial disputes, workouts, collections, complex reorganization and liquidation cases, and the prosecution and defense of bankruptcy-related claims.

Before joining the firm in 1998, Bob was a partner at a large multi-practice firm in Washington, D.C. He received a [Leadership in Law Award](#) from *New Orleans CityBusiness* in both 2020 and 2011, and is among a select group of lawyers listed in *The Best Lawyers in America* and *Louisiana Super Lawyers*.

ADMISSIONS

Louisiana, 1988

New York, 1988

District of Columbia, 1989

Texas, 2011

REPRESENTATIVE MATTERS

- Representing industrial companies, chemical manufacturers, and other landowners in development projects, including construction and operation of chemical manufacturing, terminal and warehouse facilities
- Representing national and local lenders in all types of complex loan transactions, including asset-based secured, marine, leveraged lease financings and related syndications
- Representing companies, as seller and buyer, in asset and stock purchase transactions and business owners and entrepreneurs in forming and organizing business entities and in negotiating and drafting related corporate governance/succession instruments such as buy-sell agreements
- Representing public port authority in matters including development projects and regulatory compliance
- Representing clients in connection with oil and gas leases and transactions involving the sale or purchase of oil and gas properties
- Negotiation and drafting of commercial leases, real estate purchase contracts, development and construction contracts
- Representing secured lenders in Chapter 11 and Chapter 7 cases, including successfully resolving through litigation and negotiation disputes involving the validity and priority of liens against collateral, avoidance claims, and repossession and resale of collateral
- Representing construction contractors and vendors in bidding, negotiating and resolving disputes relating to public and private works and supply contracts
- Representing companies in commercial litigation, including marine contractual disputes, collection matters, construction litigation, eviction, and lease and other real estate disputes
- Representing vessel-operating companies and lenders in administration of and compliance with Capital Construction Funds (CCF) contracts and in transactions involving CCF Funds and Title XI financing

REPRESENTATIVE TRANSACTIONS

- \$16,400,000 multi-draw lease financing of hopper barge fleet (4Q2015) – lender counsel
- \$45,000,000 real estate loan to national restaurant franchise (4Q2015) – local counsel to borrower

REPRESENTATIVE TRANSACTIONS, *continued*

- \$30,000,000 construction loan on school building (4Q2015) – local counsel to lender
- \$950,000 lease financing of deck barges (4Q2015) – lender counsel
- *For additional representative transactions, visit www.kingjurgens.com/stefani-expanded-bio*

PUBLICATIONS

[Don't Lien On Me: Identification and Mitigation of Maritime Lien Risks in Marine Lease/Loan Transactions](#), *LJN's Equipment Finance Newsletter*, December 2017, republished on *Offshore Winds* blog

SPEAKING ENGAGEMENTS

- "Advanced Strategies for Indemnification Provisions in Acquisition Agreements" - N.B.I. Advanced Business Contracts: Acquisition Agreements Training Seminar - August 26, 2014
- "Loan and Corporate Transaction Due Diligence and Documentation" - Louisiana Chapter of the Association of Corporate Counsel - July 25, 2013

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Association for Corporate Growth
- Crescent City Schools
 - Board Chair, 2017-present
 - Board of Directors, 2009-present
- Equipment Leasing and Finance Association
- Louisiana Bankers Association
- Maritime Law Association of the United States, Proctor in Admiralty
- Turnaround Management Association

HONORS

- Martindale-Hubbell AV-Preeminent Peer-Review Rated
- *The Best Lawyers in America*, 2014-2021
 - Banking and Finance Law
 - Admiralty and Maritime Law
- *Louisiana Super Lawyers*, 2021
- *New Orleans CityBusiness*, Leadership in Law, 2020 and 2011

EDUCATION

- Tulane University Law School, J.D., *cum laude*, 1987
- Brandeis University, B.A., *cum laude*, 1983