

Tracy N. LeRoy

PARTNER

tleroy@yettercoleman.com
713.632.8073



Credentials

- Northwestern University School of Law
J.D., *cum laude*
Order of the Coif
- Purdue University
B.A., *with highest distinction*
Phi Beta Kappa
- Admitted to Practice:
Illinois
Washington
Texas

Tracy is a trial lawyer who handles high-stakes business litigation. Much of her practice focuses on disputes in the upstream and midstream sectors of the oil and gas industry, including cases involving the exploration, production, and transportation of oil and gas, drilling rights, operating obligations, leasehold disputes, renewable fuel commodities, mineral rights, and pipeline issues.

Tracy also regularly represents companies prosecuting or defending trade secrets claims and other related litigation, including disputes over non-competition and non-solicitation agreements, as well as employers involved in discrimination claims, employment-related contract disputes, defamation, and whistleblower claims. Her docket also includes representing special committees, audit committees, and officers and directors in internal and independent investigations of corporate conduct, compliance and reporting, and in related litigation.

Active in the Houston community, Tracy serves on the Business Council for the Houston Ballet and is a Board Member and pro bono litigation counsel for the Houston Society for the Prevention of Cruelty to Animals (SPCA). Tracy has previously held various leadership positions with the Women's Energy Network and was honored to be named to the Shortlist for Chambers and Partners 2017 Women in Law's national award for an Inspiring Role Model in Promoting Gender Diversity in the Legal Profession. She and her husband have two sons.

Experience

Representative Energy Litigation Matters

- Represented a plaintiff oil and gas company in a trespass dispute, resulting in a \$70 million verdict in our client's favor after a three-week trial.
- Represented a number of participants in the gas trading market in litigation arising out of 2021's Winter Storm Uri
- Represented an oilfield technology company in breach of warranty claim against manufacturer of equipment

- Represented an international oil company in an AAA arbitration in which claimant alleged trade secret misappropriation claims and sought nearly \$1 billion.
- Represented an anchor shipper of natural gas in an arbitration filed in the London Court of International Arbitration alleging breach of contract related to the transportation of natural gas on a pipeline system.
- Represented an exploration company in an arbitration filed in the London Court of International Arbitration and a related Texas state court lawsuit in which the claimant alleges breach of contract.
- Defended former officers of an exploration and production company in a Texas state court lawsuit in which the plaintiff, the bankruptcy trustee for the company's parent, alleges that each defendant breached his fiduciary duty in undertaking an exploration and production program in Alaska, including the purchase of an offshore rig.
- Defended former CEO of an oil and gas company in a Texas state court lawsuit in which the plaintiff, the bankruptcy trustee, alleged that each defendant breached his fiduciary duty related to various bond offerings and other transactions.
- Defended former CFO of a company focused on water purification technology for the oil and gas industry in two related lawsuits alleging a fraudulent "pump and dump" scheme between several
- Represented a plaintiff natural gas pipeline owner in a state court lawsuit over breach of a pipeline transportation services agreement.
- Represented a special investigative committee of the Board of Directors of the Texas affiliate of an international oil company related to allegations of improprieties related to accounting and payment of royalties.
- Defended various foreign entities in a federal court lawsuit and subsequent arbitration over an alleged breach of contract related to an oil and gas project in Africa.
- Represented a special committee of the Board of Directors of a publicly traded international oil and gas company related to allegations of misrepresentations regarding various well data and
- Defended two state court lawsuits in which the plaintiffs alleged that defendants, various companies engaged in gas recovery and processing, engaged in transactions allowing each other to obtain CO2 volumes from plaintiffs' leases without providing value owed.
- Defended a regional natural gas marketer in a state court breach of contract lawsuit related to application of a gas cost incentive mechanism.
- Defended a company in the business of procuring hydraulic fracturing proppants (frac sand) in a state court breach of contract lawsuit; obtained dismissal.
- Represented a claimant drilling company in an International Chamber of Commerce arbitration against an oil company over a drilling contract for a Gulf of Mexico project.

- Defended a Spanish investment company and its shareholder in a state court lawsuit, in which the plaintiff, a global supplier of products and services for the oil and gas and power industries, sought an injunction barring the investment company from trading shares worth €35 million; obtained dissolution of the temporary restraining order and dismissal of the lawsuit for lack of personal jurisdiction.
- Defended a commodities broker in an action filed in the District Court of Harris County, Texas, in which the plaintiff alleges that the broker engaged in fraud related to the trading of Renewable Identification Numbers corresponding to identified volumes of renewable fuel; obtained summary judgment on all claims.

Representative Trade Secret/Employment Litigation Matters

- Represented an oilfield technology company in a federal court trade secrets matter, resulting in settlement including valuable injunctive relief.
- Represented company in lawsuit against competitor alleging claims of tortious interference through use of third-party manufacturer, resulting in summary judgment in client's favor.
- Represented bankruptcy trustee in litigation against former investors and directors/officers of debtor alleging claims of breach of fiduciary duty and related claims
- Won a reversal and remand for entry of judgment in favor of our client under the Texas Citizens Participation Act (TCPA) in the Dallas Court of Appeals on behalf of a real estate property management company in a suit brought by a former employee.
- Represented company in state court lawsuit alleging claims of breach of fiduciary duty against former CFO.
- Represented an oilfield technology company in breach of non-compete and trade secrets case against former key employee
- Defended engineering firm in state court action alleging breach of non-compete and trade secrets brought against firm and its new employee by employee's former employer
- Successfully represented a world leader in agri-science and specialty agricultural products, in a contract/trade secrets suit against a former distributor and its principal. Following fast-tracked discovery and just days before trial, defendants agreed to a multi-million-dollar settlement and permanent injunction barring further manufacture or sale of counterfeit products, misuse of its information, and misrepresentations.
- Represented company president in state court action alleging breach of a non-compete and breach of fiduciary claims brought by his former employer
- Defended one of the world's largest insurance brokerage firms and its employees in lawsuits in various state and federal courts related to non-competition and non-solicitation agreements, confidentiality agreements, trade secrets, raiding of customers and employees, and related claims.
- Defended an international energy services company in a federal race discrimination action in one of the first cases tried before a jury applying the "cat's paw" theory of liability recognized by the Supreme Court in *Staub v. Proctor Hospital*, 131 S.Ct. 1186 (2011); resulted in a unanimous jury verdict in favor of defendants, which was affirmed by the Fifth Circuit.

- Defended former president of real estate group against claims of breach of fiduciary duty and related claims.
- Defended an international energy company in a wrongful termination action alleging defamation and retaliation due to whistleblower activity under state law; resulted in a unanimous jury verdict in favor of defendants on the retaliation claim, and summary judgment in favor of defendants on the defamation claim. Plaintiff appealed only the defamation ruling, which was upheld by the Texas Supreme Court.

Professional Honors & Affiliations

- *Lawdragon*, “2024 Lawdragon 500 Leading Litigators in America”
- Chambers USA: America’s Leading Business Lawyers in Texas Commercial Litigation, 2022-2024
- *Best Lawyers in America*, 2010-2024
- “Texas Super Lawyer” in Business Litigation, *Thomson Reuters*, 2018-2024
- “Top 100 Super Lawyers” in Houston, 2023
- “Texas Rising Star,” by Thomson Reuter’s *Super Lawyers*, 2015-2017
- *Benchmark Litigation’s* 40 & Under Hot List, 2016-2018
- *The Legal 500* in Energy Litigation, 2013-2014, 2016-2017
- Board Member: Purdue University School of Liberal Arts Alumni Board
- Member: Women’s Energy Network (WEN) Houston Advisory Council
- Board Member: WEN Foundation, 2018-2020
- Board Member: Houston Society for the Prevention of Cruelty to Animals
- Member: Institute for Energy Law (IEL) Advisory Board
- Alumni Mentor, Purdue University School of Liberal Arts
- Houston Ambassador, Northwestern University Pritzker School of Law Alumni Association
- Fellow: American Bar Foundation, Texas Bar Foundation, Houston Bar Foundation
- Member: Houston Bar Association
- Section Member: American Bar Association, Litigation
- Member: Federal Bar Association, South Texas Chapter

Presentations & Publications

- “10 Times to Call Your Litigator (When You Haven’t Been Sued),” Texas General Counsel Forum Virtual CLE Presentation, May 13, 2021 (moderator and panelist)
- “Positioning Yourself for Success – Navigating Layoffs,” Women’s Energy Network Houston Webinar, July 7, 2020
- “Nuisance – Trespass and Limitations Issues,” 42nd Annual Advanced Civil Trial Course, 2019 (presenter)

- “Determining Your End Game,” Texas Young Lawyers Association Shero Podcast, March 6, 2019
- “Reducing Risk When Employees Depart,” Houston Chapter of RIMS, November 15, 2018 (presenter)
- “Litigation and Arbitration in Different Jurisdictions,” Benchmark Women in Litigation Forum, March 28, 2017 (moderator)
- “Ethical Considerations When Changing Employers,” Society of Petroleum Engineers Gulf Coast Section Ethics presentation, May 17, 2016
- “Navigating Your Career: Skills and Tips”, The 16th Annual Women in Leadership Conference Forging New Paths: Redefining Leadership, February 12, 2016
- “Ethical Considerations When Changing Employers,” Women's Energy Network Downtown Luncheon, January 20, 2016
- “What Trial Lawyers Want Their Experts to Know,” Business Valuation, Forensic & Litigation Services Conference, October 23, 2015
- “Internal Investigations” for the International Association of Drilling Contractors, Ethics & Compliance Committee, August 2015