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From 1978 to 1990, Mr. Barnes worked in the oil and gas industry for various exploration and production companies as an industry accountant. He received his law license in 1989 and began practicing law in 1990. Since then, his practice has been primarily in the areas of commercial litigation and appeals with particular emphasis on oil and gas matters. Mr. Barnes has represented producers, royalty owners, overriding royalty owners, and end users. He has litigated matters involving oil and gas leases, pooling clauses, gas purchase agreements, operating agreements, drilling contracts, preferential rights to purchase, title issues, and areas of mutual interest to name a few.

A lesser, but still substantial, portion of his practice has involved representation in connection with the preparation and review of oil and gas transaction documents, primarily for producers, but also for royalty owners. Mr. Barnes has represented clients in connection with both the acquisition and the divestiture of oil and gas properties. He has also represented and advised clients in connection with negotiating and drafting of drilling contracts, oil and gas leases, gas purchase contracts, and property purchase and sale agreements to name a few.

In addition to the transactional and appellate practice areas, Mr. Barnes also has experience in negotiating employment agreements and various business contracts. As a result, Mr. Barnes has earned an outstanding reputation, combining his oil and gas work and corporate and commercial law skills.

Mr. Barnes currently holds an "AV" rating with Martindale-Hubbell, which is its highest rating, and is based on evaluation by his peers in the legal profession. Mr. Barnes is also listed in the *Bar Register of Preeminent Lawyers*.

PROFESSIONAL EXPERIENCE:

- 2004 to present Tucker, Vaughan, Gardner & Barnes, P.C. Commercial litigation and appeals emphasizing oil and gas and employment law matters
- 2001 to 2004 Roy L. Barnes, Attorney at Law. Commercial litigation and appeals emphasizing oil and gas and employment law matters
- 1990 to 2000 Pannill, Moser & Barnes. Complex commercial litigation, arbitration and appeals

EDUCATION:

B.S., University of Houston, Clear Lake, 1978
J.D., with honors, University of Houston, 1989

ADMISSIONS:

Licensed to practice law in the State of Texas, U.S. Court of Appeals, Fifth and Tenth Circuits, U.S. District Court, Southern District of Texas; U.S. Court of Federal Claims

PUBLISHED CASES:

- Southeastern Pipe Line Co. v. Tichacek, 997 S.W.2d 166 (Tex. 1999).
- Trammel Crow Co. v. Harkinson, 944 S.W.2d 631 (Tex. 1997).
- City of Houston v. Fletcher, 166 S.W.3d 479 (Tex. App.-Eastland 2005).
- Tesoro Petroleum Corp. v. Nabors Drilling U.S.A., Inc., 106 S.W.3d 118 (Tex. App. - Houston [1st Dist.] 2002).
- North Central Oil Corp. v. Louisiana Land & Exploration Co., 22 S.W.3d 572 (Tex. App. - Houston [1st Dist.] 2000).
- Moncrief v. ANR Pipeline Co., 95 S.W.3d 544 (Tex. App. - Houston [1st Dist.] 2002).
- Moncrief v. Williston Basin Interstate Pipeline Co., 174 F.3d 1150 (10th Cir. 1999).
- Southeastern Pipe Line Co. v. Tichacek, 977 S.W.2d 393 (Tex. App. - Corpus Christi 1998).
- Harkinson v. Trammel Crow Co., 915 S.W.2d 28 (Tex. App. - Dallas 1995).
- Nicor Explor. Co. v. Florida Gas Trans. Co., 911 S.W.2d 479 (Tex. App. - Corpus Christi 1995).
- Quanto Int'l Co. v. Lloyd, 897 S.W.2d 482 (Tex. App. - Houston [1st Dist.] 1995).
- Thorpe v. Volkert, 882 S.W.2d 592 (Tex. App. - Houston [1st Dist.] 1994)

PROFESSIONAL ACTIVITIES:

Houston Bar Association
State Bar of Texas
American Institute of Certified Public Accountants
Associate Editor, Houston Law Review, 1986-1987

PUBLISHED PAPERS:

- Covenants Not to Compete in a Post-Sheshunoff World, State Bar of Texas, 15th Annual Advanced Employment Law Course, Dallas, Texas, February 1-2, 2007
- Covenants Not To Compete in Texas, presented October 2003 National Employment Lawyers Association (Houston Chapter)
- "No Evidence" Summary Judgments in Texas, presented February 2001 State Bar of Texas, 9th Annual Advanced Employment Law Course
- Deducting Post-Production Costs from Royalties, presented May 2000 Petroleum Accountants Society of Houston Eleventh Annual Education Day