



Ralph Duggins | Partner, Fort Worth

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Mr. Duggins began his legal career as a law clerk for the Chief United States District Judge in St. Louis before joining Cantey Hanger. After moving to Fort Worth, Mr. Duggins has worked on a wide variety of complex commercial cases, including mergers and hostile takeovers, contract disputes between public companies, claims for insurance coverage and oil and gas litigation.

## PRINCIPAL PRACTICE AREAS

- Commercial Litigation
- Energy Litigation
- Insurance Coverage
- Probate Litigation

## EDUCATION

- Southern Methodist University, Dallas, Texas, 1974, B.A., Political Science
- University of Missouri, Columbia, Missouri, 1977, J.D.

## EXPERIENCE

### EXAMPLES OF CLIENTS MR. DUGGINS HAS REPRESENTED OR IS CURRENTLY REPRESENTING

- Berkshire Hathaway Corporation
- The City of Fort Worth
- Exxon Mobil Corporation
- Fort Worth Independent School District
- Sabre Corporation
- Williamson-Dickie Manufacturing Company

### EXAMPLES OF CASES ON WHICH MR. DUGGINS HAS WORKED

- Co-counsel for Union Pacific Resources in a jury trial in state court on a breach of contract claim

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against U.S. Steel. A favorable judgment for \$10 million (plus \$3 million in attorneys' fees) was affirmed on appeal.

- Served as co-counsel for General Motors Corporation in two administrative proceedings before the Texas Motor Vehicle Commission where GM sought to terminate two large Chevrolet dealerships. The proceedings ultimately resulted in both dealers relinquishing ownership in the dealerships.
- Defended General Motors Corporation in an action in federal court where a dealer candidate had contested GM's decision to revoke its award of a Chevrolet franchise based upon misrepresentations by the dealer candidate. The Court granted summary judgment in favor of GM.
- Served as co-counsel for Tennessee Gas Pipeline Company in the trial of an action in Zapata County to determine Tennessee's duties under a take-or-pay contract with Coastal Oil & Gas Corporation. Coastal sought a judgment against Tennessee worth over \$700 million. Tennessee successfully recovered a jury verdict defeating Coastal's claims.
- Served as lead counsel for Tennessee Gas Pipeline Company in the defense of a claim by Trans Texas Natural Gas for breach of a take-or-pay contract. Tennessee recovered a favorable summary judgment defeating the Plaintiff's principal claim. While that ruling was on appeal, the litigation was favorably settled.
- Served as co-lead trial counsel for Tennessee Gas Pipeline Company in a proceeding pending before the Federal Regulatory Energy Commission involving Tennessee's rights to pass on and recover stranded costs incurred in connection with its termination of various gas contracts. After a multi-week trial before an Administrative Law Judge, the proceeding was settled on a favorable basis.
- Represented Burlington Northern Railroad in insurance coverage litigation against several large domestic insurers, as well as various syndicates at Lloyds, to recover over \$250 million in losses Burlington Northern had sustained in connection with its settlement of a prior anti-trust suit. After receiving favorable summary judgment rulings from the District Court, the matter was settled at mediation on a very satisfactory basis for Burlington Northern.
- Represented Santa Fe Railroad in insurance coverage litigation against several large domestic insurers, as well as various syndicates at Lloyds, to recover over \$300 million in losses Santa Fe had sustained in connection with its settlement of a prior anti-trust suit. After prevailing on summary judgment rulings in the District Court, the matter was settled at mediation on a favorable basis to Santa Fe.
- Represented Union Pacific Resources in a securities action it filed in federal court against Pennzoil in connection with Union Pacific's hostile takeover attempt. Handled a temporary injunction hearing to enforce additional disclosures from Pennzoil. Before the Court ruled, Union Pacific Resources elected to withdraw its tender offer.
- Served as lead counsel for Cendant Corporation in a fraud case brought against Cendant and against Ernst & Young in Dallas County state court in connection with Cendant's purchase of a business. After Mr. Duggins took multiple depositions of Ernst & Young auditors in London, Miami and New York, the claims were settled.
- Served as local counsel for Sabre Corporation in breach of contract and anti-trust actions brought against it by American Airlines. American claimed over \$1 billion in damages. Both cases settled favorably after the trial of the state court action had begun.
- Represented Waffle House in an insurance coverage claim in Fort Worth state court to recover

losses Waffle House had sustained in resolving an underlying judgment. Prepared briefs and argued an appeal of an adverse summary judgment in which the Court of Appeals reversed the trial court and rendered judgment in favor of Waffle House finding coverage for the loss.

- Represented the City of Fort Worth and the Fort Worth Independent School District in suits filed in state court against Chesapeake Exploration and Total E&P for underpayment of royalties in connection with hundreds of oil and gas leases. Both cases were settled favorably with Chesapeake and Total making over \$20 million in cash payments, as well as entering into amendments of the disputed leases that have resulted in both the City and the School District receiving substantial additional value in the form of higher royalties.
- Represented Wells Fargo Bank in litigation it filed in state court seeking declarations that certain investor owned life insurance policies having death benefits in excess of \$40 million were valid and enforceable obligations. Obtained several favorable summary judgments and then recovered \$3 million in attorneys' fees in a jury trial.
- Represented TVL, a subsidiary of Sabre Corporation, in an AAA arbitration in New York in which a large bank claimed \$26 million in damages. The claim was settled on a very favorable basis to TVL shortly before the arbitration was to begin.
- Co-counsel for Berkshire Hathaway in class actions filed to challenge its proposed acquisition of BNSF Railway. The class actions were ultimately dismissed with no payment by Berkshire Hathaway.
- Represented the Board of Directors of XTO Energy in class actions filed in Fort Worth state court challenging its merger with Exxon Mobil Corporation. Following depositions, the merger was consummated and the class actions were dismissed.
- Represented a predecessor of Bank of America in the defense of fraud claims brought against the bank by several Germans who had lost money in an oil and gas investment. After deposing most of the plaintiffs, the claims were settled on a favorable basis to the Bank.
- Represented the former Chairman of the Board and two other outside directors of a failed public company from claims brought against them in Johnson County state court by a bankruptcy trustee on behalf of Goldman Sachs, Bank of America, and other creditors. Following depositions of the parties, the trial court entered several favorable rulings and ultimately dismissed the case. The trial court's judgment was affirmed on appeal.
- Represented a borrower in an action he brought in Parker County state court against a large bank for declarations concerning his obligations under a hedge agreement entered into in connection with a loan. Although the trial court ruled in favor of the borrower, the Court of Appeals ultimately determined that the derivative obligated the borrower to pay a fee upon early termination of the derivative.
- Represented five former outside directors of Texas American Bank in connection with threatened claims for breach of fiduciary duty asserted by the FDIC following the bank's failure. After presenting briefing and argument in a non-binding mediation, the mediator recommended that the FDIC's claims had been released. The FDIC later determined not to pursue any claims the former directors.
- Co-counsel for three individuals who were sued for breach of a guaranty agreement signed in connection with crude oil futures and options trades on NYMEX. Following extensive document discovery and depositions of the parties, the claims were settled on a favorable basis to the guarantors.
- Co-counsel for American Airlines in an age discrimination action brought in federal court by the

former publisher of American Way magazine. Following depositions, including of American's CEO, the federal court grant summary judgment for American and that summary judgment was affirmed on appeal by the Fifth Circuit.

- Represented the CEO of a public company in his divorce in which complex issues pertaining to the valuation of various forms of executive compensation and benefits were involved. The matter was later settled on a satisfactory basis to the executive.
- Represented Williamson-Dickie in a suit against Chartis in which Williamson-Dickie sought coverage for losses attributable to environmental contamination. While the matter was pending in federal court, Williamson-Dickie reached a favorable settlement.
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## BAR ADMISSIONS & CERTIFICATIONS

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- Missouri Bar 1977 (Inactive)
- Texas Bar 1979
- Colorado Bar 2015
- Admitted to practice before the United States District Court for the Eastern, Northern, Southern and Western Districts of Texas, the Eastern and Western Districts of Missouri; the District of Colorado; and the Third, Fourth, Fifth, Eighth, Tenth and Eleventh Circuits of Appeal
- Fellow, Texas Bar Foundation
- American Bar Association
  - Co-Chair, Commercial and Banking Litigation Committee
  - ABA Section of Litigation, 1991-92
- Texas State Federal Judiciary Appointments Committee, 1990-1995
- Chair, Tarrant County Bar Judicial Evaluation Committee 1992-1995
- Texas Court of Appeals (Second District), Advisory Committee, 1995-96
- Member, Texas Supreme Court Advisory Committee, 1999-2011
- Master, Eldon B. Mahon Inn of Court, 2008-2012

## PROFESSIONAL & COMMUNITY INVOLVEMENT

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- Director Cook Children's Healthcare Foundation – 1998-2000, Chairman 2004-2006
- Commissioner, Texas Parks & Wildlife Foundation – 2008 -, Vice-Chairman 2011-2018
- Chairman, Texas Parks & Wildlife Foundation – 2018 –
- Director, The Peregrine Fund, 2014 –
- Recognized as a "Texas Super Lawyer" Business Litigation by Texas Monthly Magazine in the special September/October issue 2018-2020.
- Recognized in Fort Worth Inc. Magazine for being a "Top Attorney" for 2018
- Recognized in Fort Worth Magazine for being a "Top Attorney" for 2019
- Selected as 400 Most Influential People by Fort Worth Inc. Magazine, 2020
- Listed in Best Lawyers in America Woodward/White, Inc. in Commercial Litigation, 2020

## NEWS

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- 10 Cantey Hanger attorneys named Super Lawyers
- Three Cantey Hanger Lawyers Named Part of "The 400 – Fort Worth's Most Influential People"

- Cantey Hanger Attorney appointed to Texas Sunset Advisory Commission
  - 12 Cantey Hanger Lawyers Named as Top Attorneys in Fort Worth Magazine
  - 11 Cantey Hanger attorneys named Super Lawyers
  - Cantey Hanger Attorneys Listed in Fort Worth Inc. Magazine
  - Forbes Notes Firm's Work on Behalf of ExxonMobil
  - 15 Cantey Hanger attorneys named Super Lawyers
  - 'Best Lawyers' recognizes 11 Cantey Hanger LLP attorneys
  - ExxonMobil Defeats Personal Jurisdiction Challenges
  - Ralph Duggins Has Been Named Chair of Parks and Wildlife Commission by Governor Abbott
  - 12 Cantey Hanger Attorneys Named Super Lawyers
  - 14 Cantey Hanger attorneys named Super Lawyers
  - 14 Cantey Hanger attorneys named Super Lawyers
  - 14 From Cantey Hanger Named Super Lawyers®
  - 9 Cantey Hanger Attorneys Named Best Lawyers
  - 7 Cantey Hanger Attorneys Named Best Lawyers
  - 12 Cantey Hanger Attorneys named Super Lawyers by Super Lawyers, a Thomson Reuters Rating Service
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