

By: Darby

H.C.R. No. 20

CONCURRENT RESOLUTION

1           WHEREAS, On June 19, 2009, the governor signed Senate  
2 Concurrent Resolution 72, 81st Legislature, Regular Session, 2009;  
3 and

4           WHEREAS, Senate Concurrent Resolution 72, 81st Legislature,  
5 Regular Session, 2009, granted Gulf Energy Exploration Corp.  
6 permission to sue the State of Texas and the Railroad Commission of  
7 Texas subject to Chapter 107, Civil Practice and Remedies Code; and

8           WHEREAS, Senate Concurrent Resolution 72, 81st Legislature,  
9 Regular Session, 2009, limited the total award of all damages  
10 awarded in a suit authorized by that resolution, including any  
11 court costs, attorney's fees, and prejudgment interest awarded  
12 under the law, to \$2,500,000, and precluded Gulf Energy Exploration  
13 Corp. from pleading an amount in excess of that amount in any suit  
14 authorized by that resolution; and

15           WHEREAS, On August 18, 2009, Gulf Energy Exploration Corp.  
16 sued the Railroad Commission of Texas and Superior Energy Services,  
17 LLC, a contractor hired by the Railroad Commission of Texas, for  
18 breach of contract and negligence related to the wrongful plugging  
19 of State Tract 708-S No. 5 in Cause No. 09-08-0809, *Gulf Energy*  
20 *Exploration Corp. v. Railroad Commission of Texas*, in the 267th  
21 Judicial District Court of Calhoun County, Texas; and

22           WHEREAS, On January 24, 2012, Gulf Energy Exploration Corp.  
23 agreed to a settlement with Superior Energy Services, LLC, in the  
24 amount of \$3 million, and the settlement was acknowledged in open

1 court; now, therefore, be it

2           RESOLVED by the 85th Legislature of the State of Texas, That  
3 Gulf Energy Exploration Corp. is no longer damaged by the wrongful  
4 plugging of State Tract 708-S No. 5 and has been fully recompensed  
5 and made whole by its settlement with Superior Energy Services,  
6 LLC; and, be it further

7           RESOLVED, That the total of all damages awarded in a suit  
8 authorized by Senate Concurrent Resolution 72, 81st Legislature,  
9 Regular Session, 2009, including any court costs, attorney's fees,  
10 and prejudgment interest awarded under the law, is amended to be a  
11 maximum of \$0.