

By: Springer

H.C.R. No. 151

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 Inc., 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, Inc., 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 Inc.; 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.