

Resume

Gary McGowan

Experience

Arbitrated 191 matters (AAA, CPR, ICC, ICDR, and Ad Hoc).

Chair of panel or sole arbitrator in 141 matters.

82 Awards.

40 international arbitrations.

Examples:

Energy, oil and gas, chemicals

- co-generation agreements between refiner and co-generator
- gas processing agreements
- power purchase agreement; biomass power plant to be built to buyer's specifications; buyer agreed to buy the electricity output and capacity
- steam supply contracts (three arbitrations)
- area-of-mutual-interest agreements
- coal supply contract between miner and power plant
- valuation of limited partner's interest in chemical plant
- dispute between oil/gas company and cryogenic plant concerning contract for gas-to-LNG conversion and LNG storage
- refinery turnaround contracts
- JOA billing disputes
- output contract between refinery and chemical buyer
- gas dedication dispute between gatherer/processor and producer
- wireline services covenant not to compete
- joint venture to develop offshore drilling platform project in South America
- indemnity provisions in Master Services Agreement
- oil and gas limited partnership dispute
- power producer claims against wind turbine manufacturer for allegedly defective turbine blades
- biodiesel contract dispute regarding sharing of tax credits
- product manufacturing/supply relationship contracts between a specialty

manufacturer of oilfield parts and equipment and an oilfield services/equipment supplier to the oil and gas industry.

- claims based on alleged fraud and breach of fiduciary duty arising from farmin agreement (for an interest in an oil-and-gas concession contract with the Republic of Cameroon) and operating agreement (relating to drilling in and production from a Cameroon gas field).
- offshore JOA dispute concerning fee for use of production facilities by a non-consent well
- owner of reserved revenue interest in an Australian gas field brought claims for underpayment of royalties

Construction

- EPC contract for a deep-water, offshore semisubmersible production platform and mooring system and towing/installation contract
- large apartment complex
- major league baseball stadium (three hearings on a dozen issues)
- refinery expansion
- underground electrical conduit and signal installation subcontract for new state highway
- alleged defects in large diameter pipe supplied for pipeline construction project
- gas processing plant
- pipeline delivery station
- new chemical plant—EPC contract
- power purchase agreement for a biofuels electric plant to be built in Florida
- contract for design and construction of sewer lift station at refinery

Miscellaneous commercial disputes

- airline capacity purchase agreement
- right-of-first-refusal for the purchase of a beer distributorship
- coverage dispute (business interruption) between insurer and owner of wood pellets plant that caught fire
- joint venture to develop medical device
- contract for beach cleanup of massive oil spill
- trade secrets—computer software
- healthcare industry—prompt pay claims; covenant not to compete; partnership disputes
- attorneys' fee disputes—between law firm and client; between law firms
- condominium owners' statutory fraud claims against lender
- telemarketing contract
- indemnity claims
- insurance claims

- law firm partnership disputes
- claim for fraudulently inducing an investment in project to build and operate a re-refining plant for base oil production
- Fired CEO of regional fuel wholesaler and retailer brought claims for breach of employment contract

Extensive mediation experience (over 3,000).

See www.mcgowan-adr.com for more information on experience re securities, energy, intellectual property, insurance, construction, and class actions.

Attorney for 40+ years.

- 1973 to 1989—complex business litigation (founding partner at Susman, Godfrey & McGowan)
- 1990 to present—arbitration and mediation

Education, Professional Qualifications, and Honors

J.D., University of Texas School of Law (1973); Associate Editor, Texas Law Review.

Fellow, Chartered Institute of Arbitrators (London) —FCIArb.

Fellow, College of Commercial Arbitrators.

Fellow, Construction Lawyers Society of America.

Member, London Court of International Arbitration.

International Panel of Arbitrators, International Centre for Dispute Resolution (New York).

Energy Arbitrators List, an international panel of energy industry arbitrators sponsored by the International Centre for Dispute Resolution.

Roster of Neutrals, American Arbitration Association; Commercial Panel, Large and Complex Case Panel, and Oil & Gas Panel.

National Panel of Distinguished Neutrals, International Institute For Conflict Prevention and Dispute Resolution ("CPR").

CPR's Energy, Oil and Gas Panel of Distinguished Neutrals.

Roster of Arbitrators, American Health Lawyers Association.

Panel of International Arbitrators, Korean Commercial Arbitration Board.

International Panel of Arbitrators, British Columbia International Commercial Arbitration Centre.

Panel of Arbitrators, Hong Kong International Arbitration Centre.

Panel of Arbitrators, Australian Centre for International Arbitration.

Panel of Arbitrators, Kuala Lumpur Regional Centre for Arbitration.

Member, International Arbitration Institute (Paris).

Board of Directors, Section of Alternative Dispute Resolution, State Bar of Texas (2015 to 2018).

2016, 2017, 2018, 2019, and 2020 editions of The Best Lawyers in America in Arbitration.

Best Lawyers' 2017 Houston Arbitration "Lawyer of the Year."

Best Lawyers' 2018 Houston Mediation "Lawyer of the Year."

Acquisition International - Best in International Arbitration 2016—Texas.

Corporate Live Wire 2016 Global Awards—Arbitration in the Energy Sector.

Corp America's 2016 Legal Elite Award for Best International Disputes Arbitrator—Texas.

2012 Distinguished Counselor Award, Antitrust and Business Litigation Section, State Bar of Texas.

Lawdragon 500—one of 500 best judges (public and private) in U.S.

Texas Super Lawyer (Texas Monthly) for each of last twelve years.

Selected by Texas Lawyer as one of five "Top Notch" neutrals in Texas.

Best Lawyers' 2014 Houston Mediation "Lawyer of the Year".

Fellow, American College of Civil Trial Mediators.

Publications

“12 Ways To Achieve Speed and Efficiency in Arbitration”
Corporate Counsel (April 2013).

“Sanctions in US and International Arbitrations: Old Law in Modern Context”
Kluwer Arbitration Blog (October 2013).

"Don't Call It A Trial: What Litigators Should Know About Arbitration"
Houston Lawyer (July-August 2014).

Speeches and Moderator

Over 50 presentations about arbitration and mediation, including moderating “Arbitrating International Oil & Gas Cases” at CCA’s 2016 annual conference and moderating “Arbitrating the Mega Case” at CI Arb’s Oil and Gas Conference.

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