

# BIBBY, MCWILLIAMS & KEARNEY, PLLC

## ATTORNEYS AT LAW

www.bmkpllc.com

Texas: 1916 Baldwin, Suite 250  
Houston, TX 77002  
Phone: 713-936-9620 • Fax: 713-936-9621

Colorado: 1675 Broadway, Suite 2050  
Denver, CO 80202  
Phone: 303-586-3992 • Fax: 303-586-3992

### MINERAL. INTELLECTUAL. RESIDENTIAL. COMMERCIAL. PROPERTY.

*Our firm can represent the entirety of your individual or business' vertical integration in the market.  
From oil & gas title research to patents, trade secret protection, contract negotiations, drafting, and litigation -*

*We want to be your only firm.*



#### Minerals, Oil & Gas:

Our firm has the team and experience ready to develop and manage your oil and gas interests, from acquisition and inception through production, operation, acquisitions, and divestitures.

#### Intellectual Property:

We're ready to assist your company to develop, manage, and protect intellectual properties involved in your idea or business, including patents, trademarks, litigation, and enforcement.

#### Residential & Commercial:

We have the experience and staff necessary to assist with your real and commercial property interests, negotiations, transactions, landlord/tenant disputes, and contracts.

#### Entity and Estate Structuring:

BMK is ready to help you create an entity and estate plan that works, helping you minimize tax exposure in the short and long term and maximize control over family and business property.

Born from the oil & gas and intellectual property sectors of law, BMK is ready to become your “*general property*” firm. We want to handle the entire stack of your company, estate, or land’s issues. Not merely an energy, IP, or title firm, BMK wants to handle your intellectual property issues, business transactions, negotiations, *and* litigation. We want to assist you in expanding your business, protecting your ideas, developing and managing residential and commercial property assets, acquiring new businesses and properties, managing your employees, and identifying and protecting you against your liabilities, infringers, and tortfeasors.

#### OUR CLIENTS:

BMK attorneys represent clients in various fields:

- Oil and Gas Operators
- Producers / Manufacturers
- Design / Engineering Firms
- Inventors / Developers
- Business Owners and Partners
- Estates and Trustees
- Small and Large Businesses

#### OUR ATTORNEYS:

We have licenses and experience to assist regionally, nationally, and globally. Currently, BMK has licenses to practice in:

**Texas • Colorado  
Oklahoma (pending)  
New Mexico • North Dakota  
Maryland • Ohio • Pennsylvania  
Wyoming • Washington DC  
US Patent & Trademark Office**  
[See our attorneys here](#)

#### OUR STAFF:

BMK was founded on principles of transparency and fairness. We want our employees to love working for us so that they will love working for you.

Our rates are traditionally lower than our competitors, while our staff is paid higher. This ensures our clients get consistent, non-overworked staff and attorney work product without excuses.

#### OUR OFFICES:

We have [offices located](#) in the downtown areas of Houston and Denver, with attorneys ready and accessible to your business.

**Houston:** (713) 936-9620  
1916 Baldwin, Suite 250  
Houston, TX 77002

**Denver:** (303) 586-3992  
1675 Broadway, Suite 2050  
Denver, CO 80202

**John K. Weatherspoon, J.D., Ph.D., Patent Attorney & Director of Intellectual Property**

jweatherspoon@bmkpllc.com • (713) 936-9620 x105



John Weatherspoon is a Patent Attorney and the Director of Intellectual Property at Bibby, McWilliams & Kearney, PLLC.

He practices intellectual property law, commercial transactions, and complex litigation. John is an experienced business, corporate, and intellectual property attorney with extensive knowledge in advising corporate legal departments, universities, as well as emerging and mid-stage companies.

John has extensive experience counseling clients on developing their intellectual property portfolios, preparation, prosecution and management of patent portfolios, intellectual property counseling, enforcing intellectual property rights through licensing, litigation, or settlement, providing competitor intelligence, as well as conducting patentability analysis, freedom to operate, infringement assessments, patent validity, and product clearance analyses for commercial and research activities. In addition, he has in-depth experience with technology transfer, patent appeals and oppositions, and counseling on corporate matters. He regularly assists clients with strategic issues involving the acquisition, development, patenting, leveraging, and monetization of their intellectual property. Dr. Weatherspoon's scope of litigation experience is broad and includes the full scope of litigation responsibilities such as preparing initial and responsive pleadings, managing comprehensive discovery, preparing trial and appellate briefs, conducting extensive legal research on highly technical issues, taking depositions of expert witnesses, intellectual property motion practice, trial preparation, and representing clients through alternate dispute resolution and settlement proceedings.

Dr. Weatherspoon has served as outside legal counsel and in-house legal counsel for numerous companies. As a patent attorney, he has experience with a very broad range of different technologies including telecommunications, semiconductors, electronics, petrochemicals, biomedical technology, nanotechnology, genomics, and pharmaceutical industries. He completed his Bachelor of Science at Duke University and his Ph.D. in Pharmacology at The George Washington University Medical Center in 1998, then subsequently worked as a Patent Examiner at the U.S. Patent and Trademark Office. Dr. Weatherspoon is based in the Houston, Texas, office of Bibby, McWilliams & Kearney, PLLC.

**ADMISSIONS TO PRACTICE:**

- Maryland
- District of Columbia
- United States Patent & Trademark Office

**Devon H. Decker, J.D., Senior Counsel & Director of Litigation**

ddecker@bmkpllc.com • (713) 936-9620 x113



Devon Decker is Senior Counsel and the Director of Litigation at Bibby, McWilliams & Kearney, PLLC.

Devon has over 30 years of experience in products liability, oil field litigation, construction defects, negligence, maritime, employment, medical, and commercial litigation matters in both state and federal courts. Mr. Decker is board certified in Personal Injury Trial Law by the Texas Board of Legal Specialization and has served as National Product Liability Counsel for many of his clients. Mr. Decker has represented clients and defended their interests in and outside of Texas, including pro hac vice appearances in Alabama, Iowa, Mississippi, New Jersey, New Mexico, and South Carolina. He has an AV (pre-eminent) rating, the highest available, from the Martindale-Hubbell Law Directory. He also serves as a Member of the Board of Directors for A.D. Players, a Houston-based theater company.

Devon has successfully represented clients in complex lost profits claims, wrongful death claims, and costly burn injuries. He has also represented defendants in oilfield explosions and fire cases involving in multiple wrongful death and massive personal injury claims. Mr. Decker served for twenty years as National Product Liability Counsel for a leading franchiser of commercial truck tire retreading process and manufacturer of tire retreading equipment and products. He was also lead counsel for general contractors in complex multi-party wrongful death lawsuits arising from electrocution during construction at a NASA facility, as well as counsel for oil platform operators in multi-million dollar personal injury and property damage claims resulting from a collision between a fishing boat and mooring buoy. Devon's experience on both the plaintiff and defense sides of high stakes, complicated trials provides immense value to clients in developing trial strategy and litigation talent.

Devon Decker is admitted to practice before the United States District Courts for the Northern, Southern, and Eastern Districts of Texas, all State Courts of Texas, the United States Courts of Appeal for the Fifth and Federal Circuits, the United States Court of Federal Claims, and the Supreme Court of the United States. He is based in the Houston, Texas, office for Bibby, McWilliams & Kearney, PLLC.

**ADMISSIONS TO PRACTICE:**

- Texas
- U.S. Northern District of Texas
- U.S. Eastern District of Texas
- U.S. Southern District of Texas
- U.S. Court of Federal Claims
- U.S. Courts of Appeals, 5th Circuit
- U.S. Supreme Court

**Brandon A. Bibby, J.D. Member, Attorney**

bbibby@bmkpllc.com • (713) 936-9620 x101



After receiving his law degree from South Texas College of Law, Brandon began his career in the oil & gas business as an independent landman working in the Texas panhandle.

Brandon's practice consists of matters relating to natural resource law, oil & gas and energy law, and regulatory law. While he primarily represents exploration and production companies, providing legal services relevant to acquisitions and divestitures, operations, and regulatory matters, he also provides legal support for land service companies, pipeline companies, and landowners. Brandon's experience includes federal onshore oil & gas leasing matters, regulatory issues and procedure, surface and mineral title issues, drafting comprehensive title opinions, and providing curative support.

Brandon Bibby is licensed to practice law in Texas and Oklahoma (*pending*). He is based in the Houston, Texas, office.

**Matthew T. McWilliams, J.D., Member, Attorney**

mcmwilliams@bmkpllc.com • (713) 936-9620 x102



Prior to attending law school at Texas Wesleyan University School of Law (now Texas A&M University School of Law), Matt worked as an independent field landman examining title in various counties in Texas and Arkansas.

He continued to work in the field throughout law school, gaining seven years of land and title experience prior to moving to Houston. In the years preceding the founding of Bibby, McWilliams & Kearney, PLLC, Matt worked as an oil and gas attorney with a primary focus on the drafting of drilling and division order title opinions for oil and gas exploration and production companies in Texas and the Rocky Mountain states. Mr. McWilliams has also conducted due diligence projects for clients involved in the purchase or sale of producing and non-producing oil and gas properties.

Matt McWilliams is licensed to practice law in Colorado and Texas. He is based in the Houston, Texas, office.

**Scott C. Kearney, J.D., Member, Attorney**

skearney@bmkpllc.com • (303) 586-3992 • (713) 936-9620 x103



Scott practices oil and gas law, advising exploration and production companies on operations, title opinions, joint exploration and development agreements, purchase contracts, and farmin-farmout agreements.

His practice involves representing companies in oil and energy acquisitions, including due diligence in the purchase and sale of producing and non-producing oil and gas properties. As an attorney, Scott has also advised landmen and provides curative recommendations on unique title issues in the Rocky Mountain Region. Scott also has experience assisting in the review of leasehold ownership reports, mineral ownership reports, and title abstracts.

Scott Kearney is licensed to practice law in Colorado and Wyoming. He is based in the Denver, Colorado, office.

**John J. Davis III, J.D., Ph.D., Member, Attorney**

jdavis@bmkpllc.com • (713) 936-9620 x104



John practices intellectual property law, residential & commercial property law, commercial transactions, and litigation. He completed his Ph.D. in Virology and Gene Therapy at MD Anderson Cancer Center and worked for a Houston pharmaceutical company, engineering translational medicines and biotherapeutics.

At South Texas College of Law, John served as President of the Intellectual Property & Technology Law Society, President of the Alternative Dispute Resolution Advocates, and remains an active member and coach of the school's prestigious advocacy programs. He also serves as Chief Operating Officer for a start-up cosmeceutical company and an online advertising small business owner. He has experience in state and federal courts in Texas, focusing primarily on commercial contract disputes, intellectual property infringement, landlord/tenant disputes, and trade disparagement.

John Davis is licensed to practice law in state and federal courts in Texas. He is based in the Houston, Texas, office.

**2015 FEE SCHEDULE**

- **Oil & Gas Title Matters**

Attorneys (*based on years of experience*)

<i>Years of Experience</i>	<i>Rate</i>
0-1	\$150.00 - \$160.00
1-2	\$160.00 - \$180.00
2-3	\$180.00 - \$200.00
3-5	\$200.00 - \$215.00
5-7	\$215.00 - \$225.00
7-10	\$225.00 - \$250.00
10+	\$250.00 - \$350.00

Law Clerks: \$50.00 - \$100.00

Paralegals: \$75.00 - \$125.00

Legal Assistants: \$50.00 - \$75.00

- **Merger and Acquisition, Transactions, Litigation, Intellectual Property, Entity, or Estate Matters**

Attorneys (*based on years of experience*)

<i>Years of Experience</i>	<i>Rate</i>
0-1	\$160.00 - \$175.00
1-2	\$175.00 - \$200.00
2-3	\$200.00 - \$225.00
3-5	\$225.00 - \$250.00
5-7	\$250.00 - \$275.00
7-10	\$275.00 - \$300.00
10+	\$300.00 - \$500.00

Law Clerks: \$50.00 - \$125.00

Paralegals: \$100.00 - \$125.00

Legal Assistants: \$50.00 - \$100.00