

Partner, Houston

Complex Litigation and Trials



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## Education

J.D., University of Houston Law Center, 2006 (*magna cum laude*; Order of the Barons; Notes and Comments Editor, *Houston Law Review*)

B.S., University of Houston, 2003 (*summa cum laude*)

## Bar Admissions

Texas

Oklahoma

North Dakota

U.S. District Courts for the Eastern, Northern, Southern and Western Districts of Texas

U.S. District Court for the District of North Dakota

U.S. District Court for the Eastern District of Oklahoma

Michelle Scheffler is an experienced trial lawyer who represents clients in bet-the-company cases in state and federal courts nationwide.

Ms. Scheffler has been repeatedly honored by several leading industry outlets, including *Chambers USA*, in which clients have praised her as a “very skilled trial attorney” who has “instant credibility with the judge and jurors,” as well as “exceptionally talented” and “an extremely knowledgeable and confident trial attorney and leader.” She has also been repeatedly recognized by *The Legal 500* and *Benchmark Litigation*, in addition to being named one of Lawdragon’s 500 Leading Energy Lawyers, a *Thomson Reuters* Stand-Out Lawyer in 2023 and one of the nation’s top energy attorneys under 40 by *Law360* in 2021. In addition, she has been selected as one of the National Diversity Council’s Top 50 Women in Oil and Gas.

Ms. Scheffler represents clients in a variety of industries, though she has extensive knowledge of the energy industry and has led trial teams for oil and gas, renewables, pipeline and marketing clients concerning nearly every aspect of the energy value chain.

Ms. Scheffler regularly helps navigate disputes between parties in complex energy deals that feature multifaceted contractual relationships and a variety of practical and operational concerns. Clients also regularly turn to Ms. Scheffler to try cases that may have had setbacks prior to her counseling on the matter. Some of her most recent courtroom experience includes serving as:

- Lead trial counsel for a startup company in a dispute over alleged trade secret theft in federal court. After an injunction was entered that shut down the client’s fledgling business, Ms. Scheffler succeeded — in less than 30 days — in securing modifications to the injunction that allowed for free competition and the company to keep operating
- Co-lead trial counsel in Texas state court for an energy supermajor in a case against another energy company where the parties disputed the payment of revenue and expenses on jointly owned oil and gas wells. Ms. Scheffler stepped in weeks before the case was tried, picked a jury, handled cross-examinations and closed the case
- Trial counsel representing a minority shareholder and founder of an on-demand energy generation company in a dispute with the company’s majority shareholder. Ms. Scheffler negotiated a favorable settlement in Texas state court

Ms. Scheffler recently joined Skadden trial team. Her representations prior to joining the firm include serving as:

- Lead trial counsel for a major integrated oil and gas company in a three-week jury trial following a fire and explosion at a petrochemical facility which resulted in a favorable settlement before the defense put on its case-in-chief
- Lead trial counsel for an energy client in a monthlong jury trial defending against numerous personal injury claims after a plant explosion, bringing alleged damages down by over half
- Lead trial counsel for an oil and gas client in an alleged royalty underpayment case brought by the state of North Dakota. This case had an industry-wide impact in the state and went up to the North Dakota Supreme Court twice. Ms. Scheffler won a take-nothing judgment at trial on behalf of the client against the state

# Michelle Scheffler

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- Lead trial counsel for numerous oil and gas producers in putative class action cases alleging underpayment of oil and gas royalties
  - Lead trial counsel for an oil and gas producer against a retail electric provider in a case related to power contracts and reimbursement of under-usage credits
  - Trial counsel for wind and solar companies against various personal injury and property damage claims in multidistrict litigation arising from winter storm Uri
  - Trial counsel for a natural gas marketer against a pipeline company and power producer in cases related to marketing and transportation agreements and gas sales in both state and federal court
  - Trial counsel for a midstream company in bankruptcy court to uphold gas gathering agreements against oil and gas producers
  - Trial counsel for an integrated oil and gas company in a highly publicized case alleging widespread environmental damage caused by decades-old oil and gas activity
  - Trial counsel for a major energy company related to alleged damage to saltwater disposal wells due to drilling operations

Ms. Scheffler is a long-standing member of the Institute for Energy Law, where she has served numerous terms on its Executive Committee. She is a frequent speaker on trial- and energy-related topics and has taught trial advocacy.