

Texas Anti-SLAPP Statute Used in Oil & Gas Lease Dispute

In a **blog post**, **John McFarland** of Graves, Dougherty, Hearon & Moody discusses a lawsuit over a petroleum lease dispute that led to a claim under Texas' Anti-SLAPP statute.

He explains that a SLAPP is a “strategic lawsuit against public participation,” a suit intended to censor or intimidate critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition.

The case involves the dispute over whether a petroleum company's oil and gas lease had expired. When the property owner filed a suit for trespass, the production company filed counterclaims for breach of the lease. The property owner filed a motion to dismiss the counterclaims under the anti-SLAPP statute.

An appellate court found that the property owner had waived its right to protection under the anti-SLAPP statute because it agreed in the lease not to sue before giving prior notice and an opportunity to cure.

Read the article.