

ENVIRONMENTAL ISSUES & DAUBERT CHALLENGES IN RECENT LITIGATION

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Litigants have raised environmental, health, and property damage issues that have been used by opponents of hydraulic fracturing and oil and gas production in Texas. The authors have supported successful Daubert challenges that have barred speculative “expert” testimony. This presentation will provide a summary of recent oil and gas production related damage claims in Texas and Oklahoma, “risk” assessments for plaintiffs and defendants, the flaws in the studies, and why experts’ opinions were barred. Suggestions are provided for addressing operational and legal issues, including Daubert challenges and credible assessments.

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