

# Oklahoma



DEWITT  
PARUOLO  
MEEK  
ATTORNEYS



**Thomas Paruolo**



**Derek Cowan**

## DeWitt Paruolo & Meeke prevails in Oklahoma Supreme Court

Attorneys Thomas A. Paruolo and J. Derek Cowan of DeWitt Paruolo & Meeke successfully obtained dismissal for their oil and gas client from a working interest owner's negligence, products liability, and breach of warranty claim filed in Grady County, Oklahoma. The case was for damage caused to a well downhole resulting in excess of \$3 million in cost over runs, as well as general damages and lost income which were claimed in excess of \$10 million. Plaintiff generally alleged the damages were caused by a failed tubular in an oil and gas well, but plaintiff failed to provide sufficient factual allegations that, if proven, would show the failed tubular was sold by the defendant, or otherwise was in a defective condition when sold by the defendant. In a unique set of circumstances, following dismissal of the plaintiff's First Amended Petition, the judge ordered the well operator to produce all well documents to the plaintiff before he was required to file his Second Amended Petition. Even though plaintiff was armed with all available knowledge and "pre-responsive pleading discovery," Paruolo and Cowan successfully argued that the Second Amended Petition failed to plead sufficient facts as to any wrongdoing by their client. The plaintiff appealed the judgment, and the Oklahoma Supreme Court denied any relief.