



**Joseph A Baker**

**Contract**

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**PRACTICE AREAS**

- Oil and Gas Litigation
- Construction Litigation
- Employment & Non-Compete Litigation
- Commercial Litigation
- Insurance Defense
- General Civil Litigation

**BIOGRAPHY**

**Midland, Texas Oil & Gas Dispute Lawyer Serving Texas and New Mexico**

Mr. Baker is a **Shareholder Litigation** based in Midland, Texas, representing operators, non-operators, working interest owners, mineral owners, and energy companies in complex oil and gas disputes throughout West Texas and New Mexico.

With nearly two decades of litigation experience in the Midland energy community, Mr. Baker understands both the legal framework and the business realities that drive disputes in the Permian Basin.

Mr. Baker's practice also includes high-stakes construction litigation, and employment matters involving non-compete and non-solicitation agreements.

Licensed in Texas (2008) and New Mexico (2009), Mr. Baker represents operators, working interest owners, mineral owners, contractors, developers, and employers in trial

courts and appellate courts throughout both states. He is admitted to practice before the U.S. District Courts for the Western, Northern, and Eastern Districts of Texas, the District of New Mexico, and the Tenth Circuit Court of Appeals.

A native of Fort Worth, Mr. Baker earned his B.A. cum laude from Texas Christian University and his J.D. magna cum laude from Texas Tech University School of Law, where he served on the Texas Tech Law Review. He has practiced in Midland for the majority of his career, giving him firsthand familiarity with the legal and business realities of the Permian Basin energy market.

### **Oil and Gas Litigation in the Permian Basin**

Mr. Baker handles high-stakes oil and gas litigation involving:

- Oil and gas title disputes
- Royalty underpayment and post-production cost disputes
- Joint Operating Agreement (JOA) litigation
- Breach of operating agreements
- Lease preservation and termination disputes
- Surface use and accommodation disputes
- Oil and gas liens and lien foreclosure

He has handled significant appellate matters, including participation in cases before the Supreme Court of Texas such as **Endeavor Energy Res., L.P. v. Discovery Operating, Inc.** and **Lesley v. Veterans Land Bd. of State**, which addressed significant issues in oil and gas jurisprudence.

His appellate experience also includes matters such as:

- **Royalty Asset Holdings II, LP v. Bayswater Fund III-A LLC** (Tex. App.—El Paso 2023)
- **Rustic Nat. Res. LLC v. DE Midland III LLC** (Tex. App.—Eastland 2022)

This appellate experience gives clients a strategic advantage from the outset of litigation—cases are developed with both trial and appeal in mind.

### **Midland-Based Counsel with Permian Basin Experience**

Practicing in Midland for the majority of his career, Mr. Baker regularly represents:

- Permian Basin operators
- Exploration and production companies
- Private equity-backed energy companies
- Landowners and mineral owners
- Oilfield service companies

He understands the structure of modern drilling programs, horizontal development, allocation wells, and the contractual frameworks that govern Permian Basin operations. Clients rely on him for early case evaluation, risk analysis, injunction strategy, and trial execution in disputes that can impact producing assets and significant revenue streams.

### **Recognized in Oil & Gas Law**

Mr. Baker has been recognized as a “Super Lawyer” by Texas Monthly in the area of oil and gas and natural resources.

### **Permian Basin Oil & Gas Litigation Representation**

Oil and gas disputes in the Permian Basin often involve significant acreage positions, complex title histories, layered contractual obligations, and millions of dollars in production revenue.

If you are facing a royalty dispute, JOA conflict, lease termination issue, or title challenge in Midland or the surrounding Permian Basin region, Mr. Baker provides experienced, trial-ready representation grounded in deep knowledge of Texas oil and gas law.

## **OTHER AREAS OF CONCENTRATION**

### **Construction Litigation**

Mr. Baker represents owners, homebuilders, general contractors, subcontractors, and developers in residential and commercial construction disputes involving:

- Construction defect claims
- Payment disputes
- Mechanics’ and materialmen’s liens
- Constitutional lien claims
- Residential Construction Liability Act (RCLA) claims
- Deceptive Trade Practices Act (DTPA) claims

He understands the practical and financial pressures facing construction professionals and works to resolve disputes efficiently while protecting project profitability and reputation.

### **Employment & Non-Competition Litigation**

Mr. Baker represents employers and employees in disputes involving:

- Enforcement and defense of non-compete agreements
- Non-solicitation agreements
- Trade secret misappropriation under the Texas Uniform Trade Secrets Act
- Injunction proceedings

- Employment separation disputes

He regularly handles emergency injunctive proceedings designed to protect confidential information, customer relationships, and competitive advantage.

## **EDUCATION**

**Texas Tech University School of Law** (2008), J.D. magna cum laude

- Texas Tech Law Review
- Member of Phi Delta Phi (Legal Honors Society)

**Texas Christian University** (2002), B.A. cum laude

- Phi Alpha Theta History Honors Society

## **BAR ADMISSIONS**

- Texas, 2008
- New Mexico, 2009
- U.S. District Court – Western, Norther, and Eastern Districts of Texas
- U.S. District Court – District of New Mexico

## **PROFESSIONAL ASSOCIATIONS**

- Texas Association of Defense Counsel
- Collin County Bar Association

## **LEGAL PRESENTATIONS:**

Speaker, Receivership Leases, AAPL Field Landman Seminar, Midland, Texas, February 2015

Speaker, The Joint Operating Agreement, State Bar of Texas Oil, Gas, and Energy Resources 101 Course, Houston, Texas, September 2015

Speaker, A Litigation Attorney's View of Division Orders, Permian Basin Association of Division Order Analysts, October 2016.

Speaker, Leasing on Relinquishment Act Lands, 19th Annual Permian Basin Oil & Gas Law Seminar, February 2017