

Secured Pivotal Summary Judgment Win for Pioneer Natural Resources in Environmental Contamination Dispute

MAY 5, 2023

In February 2023, we secured a major win for Pioneer Natural Resources on summary judgment in a high-stakes breach of contract case brought by MIECO LLC, alleging failure to supply natural gas during Winter Storm Uri. Two weeks before the trial was set to begin in the Northern District of Texas, Judge Jane Boyle granted our summary judgment motion after finding the contractual language of the *force majeure* provision unambiguous. Specifically, the judge found Pioneer's non-delivery was excused by *force majeure* because its loss of gas supply was due to the low temperatures that affected an entire geographic region, even though MIECO had argued Pioneer could have purchased and delivered the gas from other sources.

Plaintiffs moved for reconsideration and in May 2023, the court denied MIECO's motion for reconsideration.

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