



Tony L. Visage
Partner

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About Tony

Tony Visage, Chair of the firm's securities and corporate governance litigation practice group, focuses his trial practice on shareholder class actions and derivative cases alleging violations of the Securities and Exchange Acts, as well as insider trading, fraud, accounting irregularities, reporting requirement violations and state law claims. Tony has first-chair jury and bench trial experience. He defends companies and individual directors and officers. He has conducted numerous internal investigations in response to derivative demands and other matters giving rise to the need for a special investigation by independent counsel. Tony also works with special committees and conflicts committees of boards on matters involving fiduciary duties.

Tony represents clients in the negotiation of and seeking coverage under commercial insurance policies, including Representations and Warranties and Director & Officer Liability insurance policies.

Tony also represents energy services companies, utilities, pipelines, storage facilities/terminals, and energy trading/marketing firms in commercial disputes, bankruptcy matters and in investigations by and enforcement actions before Federal Energy Regulatory Commission (FERC) and Commodity Futures Trading Commission (CFTC).

Tony advises universities, colleges and private schools on sensitive matters and advises their boards on their fiduciary and other duties.

Recent Notable Matters

Kinder Morgan, Inc. — \$1.225 billion acquisition of Stagecoach Gas Services LLC, a natural gas pipeline and storage joint venture between Consolidated Edison, Inc. and Crestwood Equity Partners LP

Wells Fargo Bank, N.A. — as administrative agent for the first lien lender group in the Alta Mesa Chapter 11 bankruptcy case

Huntsman Corporation — represented Huntsman in the prosecution of claims against its former insurance broker, alleging federal antitrust and RICO claims and state law claims of breach of contract and breach of fiduciary duty. The case was resolved through a confidential settlement in late 2017.

Tallgrass Energy Partners, LP — representing the Conflicts Committee of the Board of Directors of the General Partner of Tallgrass Energy Partners, LP (TEP) in the merger agreement between Tallgrass Energy GP, LP (TEGP) and TEP, in which TEGP will acquire all TEP common units held by the public

GDF Suez Energy North America, Incorporated (and related entities) — Commodity Exchange Act case in the United States Court of Appeals for the Fifth Circuit

Ignite Restaurant Group, Inc. and its Board of Directors — Shareholder Class Action in the United States District Court for the Southern District of Texas, Houston Division

Special Committee of the Board of Directors of QR Energy LP — Shareholder Class Action in the United States District Court for the Southern District of Texas, Houston Division

Halliburton Energy Services, Inc. — special settlement counsel in Deepwater Horizon global settlement in the United States District Court for the Eastern District of Louisiana

Baylor University — related to a lawsuit to terminate license agreements and existence of the independent Baylor Alumni Association in the District Court of McLennan County, Texas, 74th Judicial District

MetroCorp Bancshares, Inc. and its Board of Directors and Officers — Shareholder Class Action in the United States District Court for the Southern District of Texas, Houston Division.

Sysco Corporation and its Board of Directors — various shareholder demands alleging Securities and Exchange Act violations and reporting requirement violations.

ConocoPhillips Company — CFTC investigation/proceeding and FERC investigations/proceedings involving gas pipelines and storage facilities

Fiberglass Holdings, Inc. and its Board of Directors — securities litigation in the United States District Court for the District of New Jersey

Global Infrastructure Partners — majority position in a preferred equity investment of up to \$250 million in Caprock Midstream to fund the expansion of Caprock's natural gas gathering and processing assets in the Permian Basin

Texas Petrochemicals, LP (and related entities) — securities litigation in the United States District Court for the Southern District of Texas, Houston Division

Pride International, Inc., its general counsel and board of directors — conducting investigations and advising on sensitive matters

Individual Director of Carbo Ceramics, Inc. — shareholder class action in the United States District Court for the Southern District of New York

Member of the Board of Directors of EGL, Inc. — shareholder derivative cases in the Court of Appeals of Texas, Houston (1st Dist.)

Independent oil and natural gas exploration and production company — commodity antitrust case in the United States District Court for the Southern District of New York

Independent Directors of Kinder Morgan Energy Partners, L.P. — advise directors in related-party transactions

Presbyterian School (Houston, Texas) — intervened in lawsuit to protect school's assets from Presbytery take over in the District Court of Harris County, Texas, 234th Judicial District

Credit Agricole/Calyon — conduct investigations and advise banks on securities and other sensitive matters related to their borrowers

Lufkin Industries Inc. and its Board of Directors –shareholder derivative case in the District Court of Angelina County, Texas, 159th Judicial District
Highland Capital Management L.P. (and related entities and individuals) –securities litigation in the United States Bankruptcy Court for the District of Delaware

Publications and Speeches

“Mentoring in a Large Firm: Five Tips for Mentoring a New Associate,” *The Houston Lawyer*, September-October 2016.

Education

University of Houston Law Center, J.D.

1993 – *cum laude*

Baylor University, Bachelor of Business Administration

1986

Noteworthy

The Legal 500 United States, Securities Litigation: Defense, 2020 - 2021

University of Houston Law Center, *Houston Journal of International Law*, Managing Editor

Affiliations

Houston Bar Association

Houston Bar Foundation

Baylor University Hankamer School of Business, Guest Lecturer

Bar Admissions

Texas

Bracewell LLP