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Fort Worth Boutique Firms Merge

JANUARY 1, 2025 | **BROOKS IGO**

A merger of two first-rate Fort Worth law firms is kicking off the new year.

Vartabedian Hester & Haynes, which launched last January with 10 lawyers specializing in high-stakes energy litigation from Alston & Bird, is combining with the bankruptcy boutique Forshey Prostok. The merger makes 23 lawyers at Vartabedian Hester & Haynes, which more than doubled its headcount in its first year.

“Strategically, we were very interested in corporate restructuring and we were very interested in growing in the Fort Worth market,” founding partner Rob Vartabedian said. “We expect lots of volatility across many industries, especially oil and gas in the coming years.”

Jeff Prostok, a former Cantey Hanger partner who set out to create Forshey Prostok 25 years ago with Robert Forshey, said his team wasn’t looking to merge, though they have been approached many times over the years.

“I’m still a little surprised we are doing this,” he said. “The litigation support [Vartabedian Hester & Haynes] is going to provide is crucial to what we want to do. We have turned down work over the years because we didn’t have a sufficient litigation bench.

“Plus, they have super young lawyers and we are old. It is a good step for our group.”

Prostok also noted the combination “gives us a real Dallas office” and he expects Vartabedian Hester & Haynes’ expertise in oil and gas litigation will translate into more Houston opportunities.

The two firms have previously worked together on several matters, including one litigation matter Vartabedian Hester & Haynes was leading that could have resulted in a significant bankruptcy, which resulted in Forshey Prostok being brought in to provide that counseling.

Prostok has led the firm’s representations in major Chapter 11 debtor cases, including Texas Rangers Baseball, Heartland Automotive, historic Fort Worth law firm Shannon Gracey, and Mirant Energy, one of the largest bankruptcies ever filed in Texas.

More recently in October, the firm represented Eventide Credit Acquisitions in resolving a number of hotly contested legal disputes pending against a number of tribal entities in the U.S. Bankruptcy Court for the Northern District of Texas. Forshey Prostok was also involved in a Chapter 11 resulting from the Kidd Fire incident that caused extensive damage in East Texas in the spring of 2022; the firm counseled Comanche Electrical Cooperative through a multi-party mediation to resolve various multi-million dollar claims and causes of action asserted by constituents ranging from individuals, businesses in East Texas, and insurance companies whose power was affected during the Kidd Fire incident.

Vartabedian said the firm is ending the year on a positive note with two summary judgment wins on Christmas week for a couple of the firm’s largest clients.

On Dec. 23, Viper Energy prevailed on partial summary judgment on the primary issue in an eight-figure dispute against ConocoPhillips subsidiary RSP Permian. The court denied RSP/Conoco’s motion for complete summary judgment and granted Viper’s partial motion, holding that a subsequent pooling agreement between the parties did not relieve RSP/Conoco from its obligations to release valuable acreage pursuant

to the parties' lease agreement. Vartabedian called it a “major victory” for Viper. The case is *Viper Energy v. RSP Permian* in Loving County, Texas.

A few days later, on Dec. 26, the district court dismissed all claims against firm client BPX in a title issue on a full section in Reeves County, Texas. The court also granted summary judgment in favor of BPX's co-defendants, White Star and RCRC. The case is *Gibson v. BPX et al.*

In another December development, Vartabedian Hester & Haynes was an [early mover](#) in matching the Milbank holiday associate bonuses.

Looking ahead, Vartabedian expects a “very busy” 2025 in corporate restructuring and oil and gas litigation. Prostok said they are seeing a lot of activity in the distressed area and out-of-court workouts.

“There is also the uncertainty with the new administration,” Prostok said. “Uncertainty is not always good with our type of clients.”

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