



Nick V. Merkley



Nick Merkley is a Shareholder at GableGotwals. He has a wide-ranging practice representing individual and commercial clients in state, federal, and appellate courts, as well as arbitration panels. Nick counsels clients on a variety of matters, including litigation (plaintiff and defense), general corporate practice and strategy, and transactional, regulatory, employment, environmental, disciplinary, and dispute-resolution matters. His practice covers numerous industries, including energy, insurance, finance, construction, and retail. He also has extensive experience litigating class actions and other complex cases involving oil-and-gas-royalty, antitrust, shareholder-derivative, personal-injury, and product-liability claims. Nick has valuable experience leading trial and discovery teams in complex cases proceeding simultaneously in multiple venues across the United States.

Representative Experience:

- Litigation counsel for Fortune 500 oil and gas producer in numerous types of cases
- Litigation counsel for multinational pharmaceutical manufacturer in historic opioid cases
- Litigation counsel and outside general counsel for several privately-held oil and gas companies
- Litigation counsel and outside general counsel for national privately-held real estate developers and contractors
- Litigation counsel and corporate governance counsel for national metal refinery
- Led trial and discovery teams for multiple clients in multidistrict litigation
- Served as liaison counsel for several classes of defendants in multidistrict litigation

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Shareholder

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PRACTICE AREAS

- Litigation (State & Federal)
- Energy, Oil & Gas
- Environmental and Natural Resources Law
- Data Centers
- Antitrust Law
- Products Liability

EDUCATION

- J.D., University of Oklahoma College of Law, *with honors*, Order of the Coif
- B.B.A., University of Oklahoma, with special distinction

- Secured dismissal of class action against multinational telecommunications company
- Prevailed in appeal before the Oklahoma Supreme Court for energy producer and secured award of fees and costs
- Won jury verdict in federal court for energy producer in environmental tort case
- Achieved successful defensive settlement in bet-the-company shareholder derivative case involving national company
- Won defense verdict in bench trial of case seeking to enjoin oil and gas operations
- Obtained successful offensive settlement for health care provider in fraudulent billing case
- Secured dismissal of lawsuit to vacate sale of auto dealerships and successfully defended dismissal on appeal
- Obtained successful offensive settlement for furniture retailer in antitrust case
- Secured dismissal of putative class action lawsuit alleging consumer-protection claims against local bank
- Secured dismissal of claims against bank in lender-liability case
- Obtained successful offensive settlement for mother and minor children in wrongful death claim against multinational tractor manufacturer
- Won judgment and fee award for national warranty company in involuntary bankruptcy proceeding
- Successful defense/settlement of numerous lawsuits against energy producers for surface damages, quiet title, lease cancelation, failure to market and pay revenues, accounting fraud, and fraudulent misrepresentation

ADMISSIONS

- Oklahoma
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the Northern, Eastern, and Western Districts of Oklahoma

PROFESSIONAL AFFILIATIONS

- Federal Bar Association
- American Bar Association
- Oklahoma Bar Association
- Oklahoma County Bar Association
- Cleveland County Bar Association

RECOGNITION HIGHLIGHTS

Benchmark Litigation, 2023-2026

United States (National), Oklahoma

Litigation Star

Competition/Antitrust

Product Liability

Energy

Best Lawyers, 2020-2027

Commercial Litigation

Energy Law

Litigation – Mergers and Acquisitions

Oil and Gas Law

Super Lawyers, 2008-2019, 2025

Business Litigation

Energy & Resources

Personal Injury – General