



## Nicholas (“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
- 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

### Nick Merkley

**Shareholder | Oklahoma City**

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#### PRACTICE AREAS

- Antitrust
- Energy, Oil & Gas
- Environmental
- Litigation (State and Federal)
- Products Liability

#### EDUCATION

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

#### 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**, 2020-2026  
Energy Law, Commercial Litigation, Litigation - Mergers and Acquisitions
- **Super Lawyers**, 2008-2019, 2024-2025  
Business Litigation, Energy & Natural Resources, Personal Injury-General

# Nicholas (“Nick”) V. Merkley

- 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