



Terrence K. Knister

Member

201 St. Charles Avenue, 40th Floor
New Orleans, LA 70170
Phone: 504.569.1865
tknister@gamb.com

Overview

Terry Knister has over 35 years of litigation experience in bench and jury trials as well as appeals. His practice focuses on energy, environmental and toxic tort litigation; he has defended individual, mass tort and class action lawsuits.

For over two decades, Terry has defended oil and gas companies in numerous “legacy” lawsuits asserting environmental damage claims typically in the hundreds of millions of dollars. Terry’s trial strategy for these cases includes formulating concise discovery for obtaining the most information for the least cost. He is intently involved in selecting key expert and fact witnesses and preparing them for effective testimony at deposition and trial. Where actual environmental damage has occurred, Terry is involved in advising the client with respect to any remediation program required as part of the settlement.

Terry has also helped to formulate the immediate response to emergency situations while they are occurring. These situations have involved oil and gas pipeline ruptures, oil and gas well blowouts, chemical railroad car explosions and derailments and asbestos contamination of buildings, including schools. In these emergency situations, Terry has been involved in the prompt identification of potential hazards, notification of all potentially interested regulatory agencies and potential damage control with regards to the immediate effect of the emergency situation to human health, wildlife and the environment. A key issue in these emergency situations is the identification and involvement of expert witnesses on an expedited basis.

Terry has been an invited speaker at the Louisiana State Bar Association’s Environmental Litigation seminar and has previously spoken at legal programs sponsored by the Association of Corporate Counsel, Defense Research Institute, corporations and insurance companies in the areas of environmental and toxic tort litigation, class actions, mass torts and case management.

Terry has served as lead counsel in numerous lawsuits involving allegations of historic and ongoing oil and gas production activities (“legacy” litigation), personal injury and property devaluation/damage caused by hydrocarbon and chemical releases, hazardous materials such as Naturally Occurring Radioactive Material (NORM), asbestos, asbestos containing materials, silica, lead, ethylene dichloride, nitrogen tetroxide and pesticides and remediation. A number of these matters have included thousands of plaintiffs seeking extensive monetary damages in both class action and mass tort cases.

Terry also has in-depth experience in admiralty, maritime personal injury (Jones Act and Longshoreman and Harbor Workers’ Compensation Act), Occupational Safety and Health Act, workers’ compensation, products liability, premises liability, redhibition and individual chemical exposure.

He has dealt with state and federal regulatory agencies, including the Louisiana Department of Environmental Quality, Louisiana Department of Natural Resources, Louisiana State Police, Louisiana Department of Wildlife and Fisheries, Texas Railroad Commission, Bureau of Safety and Environmental Enforcement, U.S. Coast Guard, Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Department of Labor – Occupational Safety and Health Review Commission and the Occupational Safety and Health Administration.

Practices

- Admiralty and Maritime
- Appellate
- Arbitration and Mediation
- Class Actions
- Commercial Litigation
- Construction
- Employment
- Environmental and Toxic Torts
- Insurance
- Oil, Gas and Energy Litigation and Arbitration
- Oil, Gas and Energy Regulatory
- Products Liability

Industries

- Construction
- Energy and Natural Resources
- Industrial, Chemical and Manufacturing
- Insurance
- Maritime

Admissions

- Louisiana
- Mississippi
- U.S. Supreme Court
- U.S. Court of Appeals, 5th Circuit
- U.S. District Court, Eastern District of LA
- U.S. District Court, Western District of LA
- U.S. District Court, Middle District of LA
- U.S. District Court, Southern District of TX

Education

- University of Mississippi School of Law, J.D. 1981
- University of Mississippi, B.P.A. 1978

Experience

- Defense of numerous lawsuits by landowners and public entities alleging environmental damage arising from historic and ongoing oil and gas exploration and production activities
- Has served as lead counsel in lawsuits involving environmental damage to real property and personal injuries, including mass torts and class actions
- Lead counsel in a three-month trial involving alleged personal injuries from a chemical explosion and release that resulted in a jury verdict of no liability for defendants
- Representation of a major oil and gas company in the immediate response to an ongoing investigation by the Bureau of Safety and Environmental Enforcement and the U.S. Coast Guard due to an offshore platform blow out and fire. (One of the first major blow out and fire on a production platform since the BP Deepwater Horizon Oil Spill in 2010.)
- Representation of a major natural gas company involving the failure of a salt dome storage cavern releasing millions of cubic feet of natural gas into water aquifers resulting in a forty-five-day evacuation of nearby residents, property damage and immediate effect upon nearby federal protected wildlife and waters. Included in this representation was the preparation of a root cause report ordered to be prepared by the Louisiana Department of Natural Resources. Terry also served as lead counsel at the two week trial of nearby residents claiming inconvenience, health and property damages.
- Representation of a major chemical company in different lawsuits involving releases of hazardous chemicals or substances and allegations of personal injury and environmental harm to real property and water aquifers

- Representing a major exploration and production company in a sale contract claim for selling a faulty offshore platform. In related litigation, he is representing that same company in allegations of environmental damage to the Gulf of Mexico.
- Representing an oil and gas company in an onshore oil spill in Livingston Parish.
- Counsel to oil and gas and pipeline companies in the Southeast Louisiana Flood Protection Authority-East Litigation
- Defense of Louisiana Department of Environmental Quality enforcement actions directed at alleged air and water violations
- Defense of Louisiana Department of Natural Resources enforcement actions directed at alleged regulatory violations
- Defense of Environmental Protection Agency enforcement actions directed at alleged air and water violations
- Defense of oil and gas companies charged with criminal violations of the Environmental Protection Act and Clean Water Act in federal court

Affiliations

- Louisiana State Bar Association – Environmental Law Section
- Mississippi State Bar
- Louisiana Oil and Gas Association
- American Bar Association – Environment, Energy and Resources Section
- New Orleans Bar Association
- Professional Landman’s Association of New Orleans – Member
- Past President – Hurstville Neighborhood Association

Recognition

- Louisiana Bar Foundation – Louis Moreau-Lislet Fellow
- The Lamar Order of the Law Alumni Chapter of The University of Mississippi Alumni Association
- AV Preeminent Rated by Martindale-Hubbell
- Best Lawyers in America – Environmental Law (Since 2010)
- Louisiana Super Lawyers – Environmental Litigation (2011-2013, 2015-2019)
- Listed in the A.M. Best’s Directory of Recommended Insurance Attorneys

Publications

- *The Louisiana Senate Weighs in on the Coastal Zone Suits*, Drill Deeper Blog, May 2020
- *Land Loss, Legislative Changes, Recent Jurisprudence*, Presenter, AAPL Gulf Coast Land Institute, October 2019
- *The Best Repellent For The Class Action Mosquito*, Co-author, American Bar Association Mass Torts Litigation Committee Newsletter, Vol. I., Issue 1,
- *Update on Levee Board, CZM and Wetlands Land Loss Cases... What would Ryan Lochte do?* Presenter, Gordon Arata Lunch n' Learn, December 2016
- *Legacy, Levee Board and Coastal Zone Management or Why You Should Never Enter a Ground War in Asia*, Panelist, Gordon Arata Annual Duck Lunch & Seminar, October 2014
- *Update on Levee Board, CZM and Wetlands Land Loss Cases... What would Ryan Lochte do?* Presenter, Gordon Arata Annual Duck Lunch & Seminar, October 2016
- *Gun Law in Louisiana*, Presenter, National Business Institute, March 2017
- *Legacy, Land Loss and 3 AM Tweets*, Presenter, Gordon Arata Montgomery Barnett Annual Duck Lunch & Seminar, October 2018