

Frank W. Basgall

PARTNER

frank.basgall@stinson.com

Direct: 316.268.7921

Office: Wichita



Frank is a commercial litigator who focuses on oil and gas and expert-intensive litigation. His analytical background in engineering and science provide him the foundation to navigate complex and technical issues.

Frank began his career specializing in medical malpractice defense, which provided him extensive trial experience. It also prepared him for technical and expert-driven litigation, which is instrumental in his practice today.

Even before a lawsuit is filed, Frank is constantly working to develop a deep understanding of his clients' businesses in the oil and gas, finance, refinery and health care industries. If a client is sued, Frank compiles a professional team consisting of skilled assistants, paralegals and attorneys. This approach allows him to employ an aggressive approach while being efficient.

Frank has tried numerous jury and bench trials, working on trials and cases exceeding well over \$10 million in alleged damages. He has been successful at each stage of litigation, obtaining temporary and permanent injunctions, summary judgment on individual claims and entire cases, motions to dismiss on procedural issues, jury verdicts, verdicts on bench trials and appeals.

PRACTICES & INDUSTRIES

Business Litigation
Oil & Gas
Product Liability
Construction

ADMISSIONS

Kansas, 2011

EDUCATION

University of Kansas School of Law, J.D., 2011

- *Kansas Journal of Law and Public Policy*, Staff Articles Editor

Kansas State College of Engineering, B.S., 2008

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EXPERIENCE

Oil and Gas

Recovered damages and attorneys' fees for operator in dispute with driller involving catastrophic event during drilling operations.

Obtained summary judgment against alleged partner regarding allegations of existence of joint venture and area of mutual interest for oil and gas exploration and production.

Represented and negotiated friendly settlement for pipeline company in wrongful death lawsuit involving gas explosion.

Obtained summary judgment on breach of contract and conversion claims involving allegations of unauthorized disposal of off-lease saltwater from oil production.

Obtained friendly settlement for investors in failed oil exploration partnership involving claims of fraud, conversion, and breach of fiduciary duty after successfully attaching defendant's assets pre-judgment.

Commercial and Financial Services Litigation

Litigated and negotiated favorable settlement for developer regarding breach of contract claim in sales tax and revenue (STAR) bond project.

Represented unsecured creditor in loan dispute and successfully obtained writ of execution, partition, and forced sale of real property.

Successfully tried and obtained permanent injunction for senior water right holder involving case that ultimately defined "impairment" and helped shape the procedure for prosecuting an impairment claim and the application of the prior appropriation doctrine in Kansas.

Represents lenders in commercial foreclosure and collection actions.

Medical Malpractice Defense

Obtained defense verdict in jury trial for cardiologist involving negligence claims after plaintiff suffered a stroke during heart catheterization.

Obtained favorable settlement for pharmacy in wrongful death lawsuit involving allegations of negligently dispensing opioids.

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RECOGNITIONS

Selected to the 2024 edition of *Best Lawyers in America*©

Recognized as a Young Professional in Legal Services, *Wichita Business Journal*, 2022

PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association

Kansas Bar Association

Kansas Association of Defense Counsel

Civil Procedure Committee for the Wichita Bar Association

DRI

Young Professionals of Wichita

Pro bono adult guardianships

NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List
08.17.2023

Basgall Recognized by *Wichita Business Journal* as a Young Professional in Legal
07.22.2022

SPEAKING ENGAGEMENTS

"Lender Liability: The Borrower's Blame Game and How to Avoid Becoming a Participant," Kansas Bankers Association Annual Conference for Lenders, Fall 2018

"Daubert Comes to Kansas: Three Lessons from Federal Practice," KADC annual meeting

"Ethical Implications of Social Media," Business Law Update Seminar, 2018

PUBLICATIONS

"Daubert's Wake and Other Ripples of S.B. 311", *Kansas Defense Journal*, 2015

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"The Expert Deposition: Back to the Basics," DRI's *The Whisper*, Volume 10, Issue 12, 2015

David Bengtson and Frank Basgall Discuss Habendum Clause and Production in Paying Quantities at KIOGA Conference

11.05.2021

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