



**MONTGOMERY
& ANDREWS**
LAW FIRM

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Gary Kilpatric

Of Counsel

Santa Fe, NM
505-986-2535

Practice Areas

- Administrative Regulatory
- Banking and Finance
- Commercial Law and Litigation
- Government Relations
- Insurance
- Oil and Gas

Overview

Since joining the firm in 1974, Gary Kilpatric has been both a commercial lawyer and a litigator for many of the firm's corporate clients. Since 1977, he has engaged in an extensive lobbying practice before the New Mexico legislature, representing numerous clients and lobbying the passage, defeat, or amendment of major legislation. Mr. Kilpatric has also engaged in an active regulatory practice, representing clients before a number of New Mexico's regulatory agencies including the New Mexico regulation and licensing, environment, and taxation and revenue departments, and the Office of the Superintendent of Insurance. Prior to joining Montgomery & Andrews, Mr. Kilpatric served as a Deputy District Attorney for Contra Costa County, California. Mr. Kilpatric served in the military including a tour in Viet Nam.

Background

University of California, Hastings College of Law

Juris Doctor, 1972

- Top 10% of Class and Member of Thurston Society

University of California at Berkeley

A.B., 1965

Experience

Representative Cases/Transactions

Mr. Kilpatric has been counsel of record in the following reported cases:
Madrid v. St. Joseph Hosp., 1966-NMSC-064, 122 N.M. 524, 928 P.2d 250
State ex rel., Clark v. State Canvassing Bd., 119 N.M. 12, 888 P.2d 458 (1995)
Hartman v. El Paso Natural Gas Co., 107 N.M. 679, 763 P.2d 1144 (1988)
Anaconda Co. v. Property Tax Dep't., 94 N.M. 202, 608) .2d 514 (Ct. App. 1979)
Jicarilla Apache Tribe v. Supron Energy Corp., 782 F.2d 855 (10th Cir. 1986)
El Paso Natural Gas Co. v. Western Bldg. Assocs., 599 F.2d 927 (10th Cir. 1979)

Anderson v. Dun & Bradstreet, Inc., 543 F.2d 732 (10th Cir. 1976).

Recent examples of legislation for which Mr. Kilpatric played a significant lobbying role include:
Personal Insurance Credit Information Act (2005)
Property & Casualty Insurance Rate Modernization Act (2007)
Surface Owners Protection Act (2007).

Client Comments

"In my 30 years of professional experience working throughout the U.S., I found Gary Kilpatric to be the best attorney I have ever worked with when it comes to government relations. Gary has demonstrated a unique blend of knowledge, insight and wisdom that allows him to stand out as one of the best. His demeanor facilitates effective communication and dialogue. His ethics are beyond reproach. In the arena of government relations, the ultimate compliment is the respect Gary has from both sides of the aisle."

"Gary is a tireless advocate for his clients and well respected within New Mexico's legal and lobbying communities. He is thoughtful, thorough, and timely, making working with him a pleasure. I'm happy to know he is representing our interests in New Mexico."

"Simply stated, Gary Kilpatric is one of the most highly-respected spokespersons on either side of the aisle for business and insurer interests in Santa Fe. His depth of knowledge on diverse business issues combined with a calm and thoughtful approach to finding reasonable compromise render him an indispensable participant at any negotiation. Those same qualities render his contributions equally valuable and sought after on the regulatory level."

"Gary is very calm and professional; his work ethics are second to none. His ability to interact with all the key players in our State has made him the perfect choice to represent our industry. He will not be out-worked, and his ability to think on his feet is a real asset for his clients."

Gary's strongest attributes are his credibility with the legislators and his overall knowledge of the process. His work ethic and his commitment to always obtaining the best outcomes for his clients, make him a real great asset to have on your team. In addition, his honesty and his efficiency make it an honor to be associated with him."

Representative Clients

Anheuser-Busch Company
America's Health Insurance Plans
American Insurance Association
Allstate
American Express
Automobile Club of Southern California
CNA Surety
ConocoPhillips
Delta Dental Plan of New Mexico
LES (National Enrichment Facility)

Professional Memberships and Activities

New Mexico Supreme Court (Advisory Committee to the Compilation Commission in 1994 and Chair from March 2004 to October, 2011)
Federation of Regulatory Counsel (FORC)
Former Chair of the Legislative Affairs Committee of the New Mexico Oil and Gas Association
Founding Board Member of the New Mexico Tax Research Institute
Graduate and Board Member of Leadership New Mexico
Former Chair of the Board of the New Mexico Association of Commerce and Industry
State Bar Historical Committee

Seminars and Publications

Mr. Kilpatric was the editor and co-author of the New Mexico Hotel & Motel Laws Book, which is a compilation and explanation of the laws affecting the lodging industry in New Mexico. He was also the co-author of the New Mexico chapter of the 50 State Handbook of Lobbying PACs and Campaign Finance compiled by the State Capital Group and published by West Publishing Company and he is a contributing author to the FORC Quarterly Journal of Insurance Law and Regulation: where he had two articles published; "A New Day in New Mexico for Third Party Bad Faith Claims," FORC Quarterly Journal of Insurance Law and Regulation, September 1, 2004, Vol. XV, Ed. VII; and "The Curious Case of Raskob v. Sanchez: Direct Action Against Auto Insurers in New Mexico," FORC Quarterly Journal of Insurance Law and Regulation, December 4, 1997, Vol. XI, Ed. IV. Mr. Kilpatric is also the author of "New Mexico's Surface Owners Protection Act 'How Does This Act Change the Relationship Between Surface Owners and Operators?'" published in the May, 2008 edition of the NALTA News.

Speaking Engagements

Mr. Kilpatric frequently serves as a speaker for various organizations on topics including the political process and insurance legislation and regulation in New Mexico. He was honored a "Distinguished Speaker" by the Department of Hotel, Restaurant and Tourism Management of New Mexico state University for his lectures to the students in that department on New Mexico legislative process. He also was a guest lecturer in former Governor Bill Richardson's seminar on government at the University of New Mexico.

Honors

Martindale-Hubbell AV® Preeminent Peer Review Rating

Best Lawyers of America Government Relations Law (every year since 2007)

Best Lawyer's 2012 Santa Fe Lawyer of the Year for Government Relations Practice

2012 Top Rated Lawyers Guide to Energy, Environmental and Natural Resources Law

Greater Albuquerque Chamber of Commerce Business Lobbyist of the Year (2006)

NMOGA 2008 Jason A. Kellahin Award for Outstanding Legislative Advocacy