



## || Energy, Oil & Gas Law

Laws and regulations impacting oil, gas, and other forms of energy are far-reaching. For decades, Foster Swift attorneys have provided legal services to the continually expanding and evolving energy industry.

Foster Swift attorneys are experienced in numerous areas within the oil and gas industry, including finance issues, real estate sale and acquisitions, securities, SEC reporting issues unique to the industry, and contract drafting to name just a few. The attorneys' diverse experience allows them to assist many different types of clients and to offer creative solutions to client problems, both simple and complex. The firm has represented clients in various positions in the energy production line including investors, exploration and development companies, drilling companies, service providers, and production companies.

With the rising cost of oil and gas, many companies, individuals, and municipalities are looking for inventive ways to use alternative energy. Foster Swift is on the cutting edge of alternative energy, working with municipalities and companies to implement and regulate wind farms and geothermal systems. Because the energy group comprises attorneys from backgrounds in different areas of the law, clients will benefit from the wide knowledge base available to solve their issue. By combining attorneys from different disciplines, clients may be certain that multiple legal aspects were considered in their matter's resolution.

### EXAMPLES OF SERVICES

#### BUSINESS

- Contract drafting including, Master Service Agreements, Joint Operating Agreements, contracts for AMI (Area of Mutual Interest), Assignments of interest, Royalty agreements
- Sale and acquisition of industry businesses and equity interests in industry businesses
- Representation of commercial customers regarding natural gas commercial choice program including alternative gas supplier agreements and advice and counsel regarding extraordinary facilities agreements
- Representation of publicly traded oil and gas development company

#### ATTORNEYS

##### Senior Shareholder

Webb A. Smith

##### Shareholder

Charles E. Barbieri

James B. Jensen, Jr., J.D., C.P.A.

Iris K. Linder

Ronald D. Richards Jr.

Jean G. Shtokal

Scott A. Storey

Brent A. Titus

##### Senior Attorney

Glen A. Schmiede

#### RELATED PRACTICES

Utilities



- Finance issues related to the oil and gas industry
- Advice and counsel on use of by-products of production
- Corporate counsel, including advice on corporate governance matters
- SEC registration statements and SEC reporting, which has unique standards for the oil and gas industry
- Exploration Agreements and leasehold acquisition agreements
- Organizational documents for all types of business entities
- Loan document review and counsel
- Private Placement Memoranda to raise funds for leasehold acquisition and drilling
- State tax issues
- International equipment sales, purchases and leases
- Estate planning

#### **LITIGATION**

- Litigation including every aspect of lease interpretation, contract interpretation regarding purchase and sale and supply agreements, Joint Operating Agreements, Master Service Agreements, royalty disputes, disputes over ownership of working interests, disputes regarding service charges such as compression and transportation, disputes arising out of drilling operations, sale of large leasehold interests and environmental matters
- Resolution of disputes over ownership of oil and gas interests
- Lessor and lessee disputes regarding payment of royalties and allocation of costs and expenses
- Corporate espionage litigation regarding proprietary information on drilling location and production
- Processing agreement disputes
- Disputes between producers and treatment plants
- Litigation with royalty owners and producers over applicable charges to the lease for the treatment of oil and gas (and allocation of gas and by-products to each producer)
- Disputes over ownership interest in conjunction with the longest directional drill in Michigan
- Negotiation on air pollution permits for gas sweetening facilities
- Litigation on air pollution claims for gas sweetening facilities
- Contested cases/litigation on NPDES and MEPA claims involving oil and gas companies

#### **ADMINISTRATIVE & REGULATORY**

- Administrative matters before the Michigan Supervisor of Wells
- Regulatory matters before the Michigan Public Service Commission



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**REAL ESTATE**

- Land acquisition and representation of land owners with respect to leases unique to the oil and gas industry
- Representation of land owners with respect to wind leases
- Representation of operators of wind farms
- Representation of oil and gas service company acquiring Michigan assets, including transfer of disposal wells and solid waste processing facility
- Consultation and advice on remediation of sites contaminated from oil and gas production facilities

**PUBLICATIONS & ALERTS**

The Significance Of Royalty Provisions In Oil And Gas Leases, *Foster Swift Agricultural Law Update*, February 2012

Hydraulic Fracturing In Oil And Gas Development, *Foster Swift Agricultural Law Update*, January 2012

The Significance Of The Primary Term On Oil And Gas Leases, *Foster Swift Agricultural Law Update*, January 2012

Oil and Gas Leases, *Foster Swift Agricultural Law Update*, July 2011

Foster Swift Wind Farm Tour Recap, *Foster Swift Energy & Sustainability Update*, October 14, 2009

MDEQ Rule Declared Invalid, Shortening Time And Limiting Development of The Administrative Record Relating To Judicial Review Of Permit-To-Install Decisions, *Foster Swift Energy & Sustainability Update*, October 1, 2009

EPA Mandates Greenhouse Gas Monitoring and Reporting Starting in 2010, *Foster Swift Energy & Sustainability Update*, September 29, 2009

Draft EPA Rules Regarding Mandatory Reporting of Greenhouse Gases: Public Comment to be Considered, *Foster Swift Energy & Sustainability Update*, May 20, 2009

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