Texas Supreme Court Redefines an Offset Well Clause

News

The Court purported to limit its holding to these facts, but the opinion could have far-reaching consequences, according to Gray Reed & McGraw.

PA Court Rejects Fracking Company's Appeal In 'Rule Of Capture' Decision

News

A Pennsylvania appeals court rejected a request by a natural gas production company to rehear a case whose outcome could affect drillers across the country, reports WSKG.

Texas Court Holds Drop in Oil Prices is Not Force Majeure

News

Oil and gas operators should be careful to expressly identify any market-based risks that they want to encompass within force majeure provisions, advises Liskow & Lewis.

Ask and You Shall (Not?) Receive: Retained Acreage Clauses and the Texas Supreme Court

News

Two Texas Supreme Court decisions confirm that retained acreage clauses that vary in language from one instrument to another will likely vary in effect, according to Gray Reed & McGraw's Energy & the Law blog.

Subcontractors Sue Valero Over Explosion at Texas City Refinery

News

The workers are seeking damages based on claims that they suffered orthopedic injuries and hearing loss from the accident and are dealing with post-traumatic stress disorder, reports the *San Antonio Business Journal*.

5th Circuit Sets New Test to Determine If Certain Contracts on Navigable Waters Are Maritime

News

The Fifth Circuit departed from the six-factor test used in cases like *Davis & Sons* in favor of a new, stream-lined two-pronged test to determine whether a contract like the one at issue was maritime in nature, according to Duane Morris LLP.

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20 Dismissed Colorado Royalty Cases: Is There a Good-Faith Basis for Filing in District Court?

News

Two judges of the District Court for the City and County of Denver dismissed royalty underpayment lawsuits for failure to exhaust administrative remedies before the Commission, reports BakerHostetler.

Joint Ventures in the Oil and Gas Industry: Upstream Joint Ventures

On-Demand

This Latham & Watkins series explores market trends driving recent joint ventures, as well as structural options, potential challenges, and other considerations related to joint ventures, within both the midstream and upstream spaces.

Texas Anti-SLAPP Statute Used in Oil & Gas Lease Dispute

News

The case involves the dispute over whether a petroleum company’s oil and gas lease had expired.

Term Royalty Interests Survive the Rule Against Perpetuities in Texas

News

The rule provides “that no interest within its scope is good unless it must vest, if at all, not later than twenty-one

years after some life in being at the creation of the interest.”

Pennsylvania, Texas Courts Disagree on Whether Rule of Capture Applies to Fracturing

Insight

A recent Superior Court of Pennsylvania ruling in a case concerning hydraulic fracturing runs counter to a ruling in a similar case by the Texas Supreme Court, reports Graves, Dougherty, Hearon & Moody.

Renewable Energy Deals Targeted for More Scrutiny in New Trade Report

Insight

Even investments in renewable energy businesses may be affected by this broadening of interest in the industry, and should be considered by parties as part of deal due diligence and negotiations of investment and acquisition agreements, according to Morgan, Lewis & Bockius.

An Indemnity Agreement Means What it Says

Insight

Parties can write an agreement to indemnify one another against claims they later assert against each other. To do so, the parties must expressly and specifically state that intention, writes Charles Sartain of Gray Reed.

Talk About an Electric Shock – Power Company Fined $2.7M After Data Breach

News

The unnamed power company had inadvertently allowed critical cyber security data to be exposed online for 70 days, reports Troutman Sanders.

Global Warming Public

Nuisance Actions Will Stay in Federal Court

News

The cities claim that the companies, despite knowing of the risks associated with climate change and global warming, continued to produce and sell their products to the public that uses fossil fuels.

FERC has Options if Court of Appeals Shuts Down Operating Interstate Pipeline

Insight

A Pierce Atwood article discusses a ruling that raises the possibility that a court will vacate certificates of public convenience and necessity authorizing the construction and operation of some functioning gas pipelines.

Landman Contract Defeated by the Statute of Frauds

Insight

Gray Reed & McGraw's Energy & the Law blog describes a contract case in which an oil and gas landman found out that

the contract he signed with a purported agent for a client was unenforceable.

On-Demand: The Current (and Future) State of Oil and Gas M&A

On-Demand

Gibson, Dunn & Crutcher has posted an on-demand webcast that discusses what the firm has been seeing and expects to see in the future in regard to mergers and acquisitions in the oil and gas industry.

Houston Trial Lawyer Courtney Ervin Joins Hicks Thomas

News

Trial lawyer Courtney Ervin has joined commercial litigation boutique Hicks Thomas LLP.

Exxon’s Response to Climate-Change Case: Sue the Lawyers

News

One expert asks: Does Exxon really need these depositions or is Exxon seeking the depositions to harass mayors and city attorneys into dropping their lawsuits?