



Energy, Oil & Gas Law

Foster Swift's oil and gas team has provided legal services to the industry for decades.

Our attorneys have deep experience in oil and gas regulatory matters, title review and opinions, energy sales and acquisitions, environmental regulatory compliance and due diligence to name just a few. The attorneys' diverse experience allows them to assist many of Michigan's independent E&P companies. The firm has represented clients in various positions in the energy production line including investors, exploration and production companies, drilling companies, and service providers.

Foster Swift was named a Tier 1 firm in **Energy Law** in Lansing by *U.S. News – Best Lawyers®* "Best Law Firms" in 2017.

EXAMPLES OF SERVICES

BUSINESS

- Regulatory representation before the Supervisor of Wells in drilling unit formation, statutory pooling, secondary recovery projects, unitization as well as all other matters within the Supervisor's jurisdiction.
- Contract drafting including, Master Service Agreements, Joint Operating Agreements, contracts for AMI (Area of Mutual Interest), Assignments of interest, Royalty agreements.
- Exploration Agreements and leasehold acquisition agreements.
- Sale and acquisition of oil and gas interests and equity interests within Michigan.
- Representation of publicly traded oil and gas development company.
- Finance issues related to the oil and gas industry.
- Corporate counsel, including advice on corporate governance matters.
- SEC registration statements and SEC reporting, which has unique standards for the oil and gas industry.
- Organizational documents for all types of business entities.
- Loan document review and counsel.

ATTORNEYS

Shareholder

Sara L. Cunningham

Brent A. Titus

Senior Attorney

Charles E. Barbieri

Kelly Reed Lucas

James R. Neal

Michael G. Oliva

Jeffrey S. Theuer

Associate

Benjamin C. Dilley

McKenna S. Rivers

Paralegal

Jennifer L. Knox



- Private Placement Memoranda to raise funds for leasehold acquisition and drilling.
- State tax issues.
- Estate planning for principals of energy companies.

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.
- 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 compliance with the Forestry Division and Mineral Management Section of the Michigan DNR.
- Regulatory matters before the Michigan Public Service Commission.

NEWS

Foster Swift to Welcome Attorneys and Staff from Loomis Law Firm, *EIN Newswire*, November 7, 2023

Name Partner Retires After 60 Years With Firm, *Ingham County Legal News*, September 1, 2022

Foster Swift Attorneys Named 2023 Best Lawyers in America®, *Best Lawyers in America*, August 18, 2022

21 Attorneys Selected to 2022 Michigan Super Lawyers and "Rising Stars", *Michigan Super Lawyers*, August 12, 2022

Firm Continues to See Steady Growth Entering 2022, January 11, 2022

Storey Receives 2021 Theodore W. Swift Civility Award, October 1, 2021

16 Attorneys Selected to 2021 Michigan Super Lawyers and "Rising Stars", *Michigan Super Lawyers*, August 13, 2021



Lansing Attorney Named ICBF President, July 28, 2021

Foster Swift Listed in "Best Law Firms" 2021, *Best Lawyers*, November 5, 2020

18 Attorneys Selected to 2020 Michigan Super Lawyers and "Rising Stars", September 18, 2020

Foster Swift Attorneys Named to 2021 Best Lawyers in America®, August 20, 2020

Smith to Receive SBM Outstanding Achievement Award, July 20, 2020

23 Attorneys Selected to 2019 Michigan Super Lawyers and "Rising Stars", *Automation Alley*, September 3, 2019

Foster Swift Rated Tier 1 in 27 Practice Areas in Best Lawyers® "Best Law Firms", November 1, 2018

30 Foster Swift Attorneys Selected to 2017 Michigan Super Lawyers and Rising Stars Lists, September 8, 2017

21 Foster Swift Attorneys named to 2015 Michigan Super Lawyers and Michigan Rising Stars, September 8, 2015

44 Foster Swift Attorneys Named to 2016 Best Lawyers in America® Roster, August 21, 2015

Seven Foster Swift Attorneys named "Lawyer of the Year", April 9, 2013

EVENTS

An Overview of Statutory Pooling in Michigan, *Michigan Association of Professional Landmen (MAPL) Mid-Winter Mini Seminar*, February 22, 2024

What You Need to Know Now About Renewable Energy Ordinances, *Michigan Townships Association: Planning & Zoning Retreat*, October 28, 2021

Understanding Solar Energy Lease Agreements, *Michigan Farm Bureau and MSUE*, March 14, 2018