

## OIL & GAS

Hodgson Russ provides legal counsel to companies, investors, and lenders engaged in all aspects of oil and gas exploration, development, production, transportation, refining, marketing, distribution, and field services. From entity formation through ongoing operations and expansion, we focus on helping our clients achieve their business and growth objectives while avoiding risk and maintaining compliance with all applicable laws and regulations.

Hodgson Russ's multidisciplinary oil and gas team is composed of attorneys from across our full-service law firm. This team approach allows us to provide efficient and effective integrated legal services that address the full range of issues an oil and gas company might face in the course of doing business. Our comprehensive services include:

- Advising on the latest federal and state laws and regulations relating to hydraulic fracturing (a.k.a., hydrofracing and fracking) and the development of unconventional resources, including shale formations
- Guiding clients through local, state, and federal permitting processes; helping clients navigate the federal and state environmental permit review processes; and advising oil and gas clients on environmental evaluation and risk analysis
- Reviewing and analyzing title documents and providing title opinions for the drilling of oil and gas wells or the acquisition of wells or leasehold interests
- Performing transactional due diligence for all sizes of contracts associated with acquisitions or the establishment of corporate entities, joint ventures, and limited partnerships
- Drafting and negotiating industry related documents, including leases, area of mutual interest agreements, easement agreements, operating agreements, development agreements, transportation agreements, and participation agreements
- Preparing private placement memoranda (including tax opinions) for companies seeking capital and advising on requirements for the sale of such investments, including securities filings and FINRA compliance
- Resolving landowner/surface owner disputes
- Assisting with complex tax matters and providing advice and representation on partnership, corporate, and personal tax disputes
- Representing clients in all phases and types of dispute resolution, including defense of pollution and contamination claims, arbitration proceedings, administrative proceedings, and other litigation

### Contact

Alan Laurita  
716.848.1506  
alaurita@hodgsonruss.com

### Professionals

#### Attorneys

Richard Campbell  
John Dax  
Julia Hilliker  
Alan Laurita  
Charles Malcomb  
William McLaughlin  
Daniel Spitzer  
William Turkovich  
John Zak

## OIL & GAS

### Industry Experience

Alan J. Laurita, Hodgson Russ's lead oil and gas partner, brings to the table more than 30 years of experience as an attorney and former business executive in the oil and gas industry. Prior to joining Hodgson Russ, Mr. Laurita served as senior vice president of a large, privately held oil and gas exploration and production company that operated more than 1,600 wells. His work included supervising the company's land department; coordinating all drilling operations; handling purchase, sale, and mortgage transactions and title work; negotiating resolutions of transactional and other types of disputes; and representing the company before the New York State Department of Environmental Conservation, the Pennsylvania Department of Environmental Resources, the Ohio Department of Natural Resources, and the New York State Public Service Commission.

Hodgson Russ's oil and gas attorneys have extensive experience providing legal services to oil and gas clients active in the Northern Appalachian Basin and throughout the continental United States. As one of only a few law firms with a full-time office in Toronto devoted exclusively to practicing U.S. law, and with one of the largest cross-border practice groups among U.S. law firms, we are also well-positioned to assist Canadian oil and gas companies in connection with the U.S. legal aspects of expanding their foothold in the U.S. market. Our services for Canadian clients include structuring tax-efficient and treaty-compliant cross-border transactions and operations; providing legal guidance through multinational mergers and acquisitions; advising on United State-Mexico-Canada Agreement (USMCA) and other trade issues; and handling the full range of labor, employment, and immigration issues associated with launching operations in the United States.

### Experience

Hodgson Russ represented an independent oil and gas company in the acquisition of approximately 100 miles of pipelines and associated rights of way in New York.

Hodgson Russ represents several oil and gas companies in defending lawsuits alleging pollution resulting from drilling activities.

Following a unanimous unfavorable decision by an intermediate court, Christopher L. Doyle successfully secured a unanimous favorable decision involving a natural gas pipeline operator. The decision by New York's highest court declared the natural gas import tax unconstitutional in violation of the Interstate Commerce Clause.

Hodgson Russ represented independent oil and gas companies in the acquisition of leasehold interests and negotiation of area of mutual interest and operating agreements for properties in Pennsylvania, Texas, Oklahoma, Kansas, and North Dakota.

Hodgson Russ represented an independent oil and gas company in the acquisition of various leasehold interests and existing oil and gas wells, including negotiation of operating and related agreements for properties in Texas and Oklahoma.

On an annual basis, Hodgson Russ attorneys prepare private placement memoranda, including tax opinions, for an independent oil and gas company to offer units to accredited investors in limited partnerships that will invest in the drilling of oil and natural gas wells.

## OIL & GAS

Hodgson Russ provided title opinions to several oil and gas companies for the drilling of oil and gas wells at locations in New York and Pennsylvania.

### **In the News**

Hodgson Russ Taps Head of New Real Estate, Enviro Practice  
*Law360*, October 20, 2023

Oil and Gas Trade Group Sets Agenda for Buffalo Meeting  
*Buffalo Business First*, November 6, 2014

IOGA NY Offers Multifaceted Meeting  
*American Oil & Gas Reporter*, August 2014

New York Operators Seek Way Forward  
*American Oil & Gas Reporter*, August 2014

Alan J. Laurita Joins Hodgson Russ LLP in the Firm's Buffalo Office  
May 9, 2011

### **Press Releases**

Craig Fischer, Laura Groschadl, and Seth Pullen Join Hodgson Russ  
*Press Release*, November 18, 2014

### **Publications**

DEC Explains New Enforcement Initiative to the New York Oil and Gas Industry  
*Oil & Gas Alert*, October 2, 2015

Recent Court of Appeals Decision Guts *Force Majeure* Clauses in Most Oil and Gas Leases  
*Oil & Gas Practice Alert*, April 21, 2015

2014 New York Hydraulic Fracturing Caselaw Update  
*The Pipeline*, a publication of the Independent Oil and Gas Association of New York, Winter 2014

Debate Over Federal vs. State Regulation of Fracking Heats Up  
*The Pipeline*, a publication of the Independent Oil and Gas Association of New York, September 17, 2013

*Caltex* Decision Provides Guidance on Structuring Prepaid Drilling Contracts to Satisfy the Economic Performance Requirement  
*The Pipeline*, a publication of the Independent Oil and Gas Association of New York, December 2012

OIL & GAS

Can Municipalities Enact Local Laws Regulating the Oil and Gas Industry  
*Environment & Energy Alert*, January 13, 2012

**Presentations & Events**

New York Energy and Electric Utility Regulation Webinar  
March 5, 2024

Oil & Gas Association Annual Northeast Industry Summit  
Westin Convention Center, Pittsburgh, PA, March 1, 2018

Oil & Gas: What You Need to Know Now - A Continuing Dialogue on Important Issues Facing the Oil and Gas Industry  
Webb's Year-Round Resort, Mayville, NY, January 22, 2015

U.S. Tax: Oil & Gas  
Calgary, AB, October 18, 2011