



## Samuel E. Masur

### Member

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### Overview

Sam's practice is focused on oil and gas litigation, general commercial litigation, oil and gas titles, exploration company and oil field service company acquisitions and divestitures and general business acquisitions and divestitures.

Sam litigates oil and gas and general business contract disputes involving oil and gas leases, overriding royalty interest agreements, joint operating agreements, participation agreements, IADC drilling contracts and partnership and limited liability agreements. He has participated in such actions in the state and federal courts of Louisiana, Texas, Oklahoma and Arkansas. Sam has successfully defended several oilfield environmental claims and toxic tort claims related to ambient air quality and has prosecuted a major oil and gas fraud case involving the theft of corporate assets and the breach of fiduciary duties by corporate officers. He also successfully defended a publicly traded company in seven class action suits that sought to enjoin a board recommended take-private merger. Additionally, he has handled products liability litigation involving propane explosions. Sam has been deposed twice and testified at trial twice in an arbitration proceeding before a three-member arbitration panel as an expert in the customs and practices of the energy extraction industry (Texas Brine Company, LLC v. Occidental Chemical Corporation, No. 69 198 129 13), and testified in a jury trial about the function and interpretation of a stock purchase agreement (Omni Energy Services Corp. v. Robert H. Rhyne, Jr. and Brent Trauth, Suit No. 2009-3396 c/w 2013-4316).

Beyond his litigation practice, Sam regularly represents clients in the start-up phase of their new businesses and manages asset-based and stock-based acquisitions and divestitures for exploration companies, chemical companies, oil field service companies and allied health businesses. He negotiates and drafts the complex purchase and sale agreements for those transactions and provides advice on corporate and financing matters to those clients.

Sam is a member of the American Arbitration Association National Roster of Arbitrators and the American Arbitration Association National Energy Panel. Sam is also listed by the Institute for Energy Law as an Energy Arbitrator.

## Practices

- Arbitration and Mediation
- Banking
- Bankruptcy, Restructuring and Creditors' Rights
- Business Transactions and Entity Formation and Governance
- Commercial Litigation
- Corporate and Securities Litigation
- Mergers, Acquisitions and Divestitures
- Oil, Gas and Energy Litigation and Arbitration
- Oil, Gas and Energy Transactions
- Oilfield Service Company Transactions and Litigation
- Products Liability

## Industries

- Banking
- Energy and Natural Resources
- Industrial, Chemical and Manufacturing

## Admissions

- Louisiana
- U.S. Court of Appeals, 5th Circuit
- U.S. District Court, Eastern District of LA
- U.S. District Court, Western District of LA
- U.S. District Court, Middle District of LA

## Education

- LSU Paul M. Hebert Law Center, J.D. 1982
- University of Georgia, B.B.A. 1979

## Experience

**Litigation:**

- Successfully defended an exploration company at a five-day breach of contract trial brought by another oil company claiming it was entitled to past and future production valued between \$15 million and \$20 million
- Obtained \$1.2 Million arbitration award and defeated \$250,000 counterclaim for exploration company against drilling consultant in breach of contract and negligence case
- Obtained \$4.44 Million judgment at trial for a drilling company against an oil company in a breach of contract case

#### Transactions:

- Represented sellers in sale of \$64 million oilfield service company
- Represented sellers in sale of \$40 million oilfield service company
- Represented exploration company in sale of \$77 million of reserves
- Represented seller in \$95 million sale of producing oil and gas properties
- Represented creditor in \$75 million corporate refinance
- Represented buyer in purchase of \$19.75 million oil field service company
- Represented buyer in purchase of \$11.75 million oil field service company
- Represented company in refinance of \$50 million in corporate debt
- Represented exploration company in acquisition of \$110 million producing property package

#### Affiliations

- American Bar Association – Litigation Section, Environment, Energy and Resources Section
- AAA National Energy Panel
- AAA Commercial Panel of Arbitrators
- Emergency Food and Shelter Program Board Member – Lafayette, Vermilion, Acadia Parishes
- Louisiana Bar Association
- Lafayette Bar Association
- Institute for Energy Law – Arbitrators List
- Temple Shalom – President

#### Recognition

- Named the 2022 Lafayette Lawyer of the Year – Natural Resources Law by *The Best Lawyers in America*®
- Listed in *The Best Lawyers in America*®, Energy Law, Natural Resources Law, Oil & Gas Law, 2010 to Present
- Selected to Louisiana Super Lawyers, *Super Lawyers* (Thomson Reuters), 2009 to Present

- Rated *Martindale-Hubbell*® A-V Preeminent™ – Top Rated Lawyer in Energy, Environmental & Natural Resources
- Selected to *Acadiana Profile Magazine* “Top Lawyers” List – Energy Law; Natural Resources Law; Oil and Gas Law; Commercial Litigation, 2013 to Present
- Louisiana Bar Foundation – Fellow
- Inns of Court of Acadiana – Master

## Publications

- *The New AAPL Form 610-2015 – What’s Changed?* Presenter, Gordon Arata Montgomery Barnett Duck Lunch and Seminar, October 2018
- *Louisiana Oil Well Lien Act and the Effect of Bankruptcy Proceedings on a Claimant’s Rights*, Presenter, Gordon Arata Seminar, August 4, 2016
- *Approval of New State Lease Form Delayed*, Drill Deeper Blog – December 8, 2015
- *Louisiana Mineral Board Seeks Comments to Proposed New Lease Form* Drill Deeper Blog , November 24, 2015
- *LIEN on Me: Are You Privileged* LAGCOE 2015, Lafayette, Louisiana, October 27, 2015
- *A Litigator’s Perspective on the Purchase and Sale Agreement* Institute for Energy Law’s Mergers & Acquisitions/Acquisitions & Divestiture Conference, May 29, July 2014
- *Due Diligence in the Acquisition of Producing Properties* LAPL, Lafayette, Louisiana, 2002
- *The Electronic Age and Oil and Gas Contracting*, 48 Min. Law Inst. 244, 2001
- *Confidentiality Issues and Solutions for the Oil Patch*, LAPL, Lafayette, Louisiana, 2001
- *Operating in the Coastal Zone – What Does it Mean for the Landman*, LAPL, Lafayette, Louisiana, October 1998
- *Confidentiality Agreements: A Why, When and How Approach to Usage*, HAPL, Houston, Texas, September 1997
- *The Art of Due Diligence*, The Exploration and Production Company Mergers and Acquisitions Institute, Houston Texas, May 1997
- *Reflections on Seismic Permitting* DAPL, Denver, Colorado, November 1997; PLANO, Beaver Creek, Colorado, February 1996; LAPL, Lafayette, Louisiana, October 1995
- *The 1989 AAPL Model Form Operating Agreement*, Lafayette Bar Association, Lafayette, Louisiana, September 1990