



## Scott A. O'Connor

### Member

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### Overview

Scott O'Connor serves as Chair of the Oil & Gas Section for the Firm. Scott's practice focuses on oil and gas and complex commercial litigation. He has litigated and arbitrated numerous disputes involving onshore and offshore operating agreements, mineral servitudes and leases, purchase and sale agreements, title disputes, royalty claims, gas balancing agreements, farmout agreements, decommissioning obligations, environmental and toxic tort claims, lien and security rights, partitions of co-owned property, preferential purchase rights, pipeline transportation agreements, severance tax claims and unit agreements. He has defended national and state class actions involving oil and gas pricing practices, including antitrust litigation, and he has represented oil and gas clients as creditors and debtors in bankruptcy proceedings and claimants in concursus and interpleader actions.

In 2021, the prestigious *Chambers USA: America's Leading Lawyers for Business* again recognized Scott for the area of Energy & Natural Resources: Oil & Gas, saying, "[Scott] is well regarded for his representation in sector-specific litigation." They quoted a source who noted, "Scott is a very experienced oil and gas litigator and a top-drawer lawyer."

Scott joined the firm in 1990 after clerking for the Honorable A. J. McNamara, former Chief Judge of the U.S. District Court for the Eastern District of Louisiana. During law school, Scott was a member and Managing Editor of the Loyola Law Review and a member of the Moot Court staff.

### Practices

- Appellate
- Arbitration and Mediation

### Industries

- Energy and Natural Resources

- Bankruptcy, Restructuring and Creditors' Rights
- Class Actions
- Commercial Litigation
- Environmental and Toxic Torts
- Oil, Gas and Energy Litigation and Arbitration
- Oil, Gas and Energy Regulatory
- Oil, Gas and Energy Transactions

## Admissions

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

## Education

- Loyola University New Orleans College of Law, J.D. *cum laude* 1989
- University of New Orleans, B.A. 1985

## Clerkships

- Honorable A. J. McNamara, former Chief Judge of the U.S. District Court for the Eastern District of LA, 1989-1990

## Experience

- *Shell Offshore Inc. v. BP Exploration & Production, Inc.*, Case No. 2:18-cv-05020 (E.D. La. 2018) (involving deepwater GOM operations and consequences of non-participation elections)
- *BP Exploration & Production, Inc. v. Shell Offshore, Inc.*, Case No. 2018-29658, 80<sup>th</sup> Judicial District Court for Harris County, TX (involving overriding royalties and consequences of offshore unit expansion and contraction)
- *Stroud Petroleum Inc. v. Louisiana Department of Natural Resources*, Case No. 34865, 39<sup>th</sup> Judicial District Court for Red River Parish, LA (pending) (involving consolidated concursus)

- actions, mineral title disputes and propriety of post-production royalty deductions)
- *Jump v. McFarland*, Case No. 01-2039 (W.D. La.) (pending) (involving ranking of security rights and title dispute over offshore overriding royalties)
  - *Tana Exploration Co. LLC v. W & T Offshore, Inc.*, Case No. 2:17-cv-01005 (E.D. La. 2017) (involving liability of predecessor lessee for decommissioning obligations)
  - *Weyerhaeuser Co. v. Pardee Minerals LLC*, Case No. 5:17-cv-00856 (W.D. La. 2017) (involving servitude maintenance and mineral title)
  - *Crabapple Properties, Ltd. V. Pardee Minerals LLC*, Case No. 40-114, 2<sup>nd</sup> Judicial District for Bienville Parish, LA (pending) (involving servitude maintenance, mineral title and royalty recoupment claims)
  - *TOTAL E&P USA, INC. v. Kerr-McGee Oil & Gas Corp.*, 2014 WL 5500308 (E.D. La. Oct. 30, 2014) (involving offshore overriding royalty claims)
  - *Gatti v. State of Louisiana*, Case No. 2013 CA 0289 (La. App. 2d Cir. 2014) (upholding unitization orders and rejecting challenges to the authority of the La. Commissioner of Conservation)
  - *Chieftain International (U.S.), Inc. v. Southeast Offshore, Inc.*, 553 F.3d 817 (5<sup>th</sup> Cir. 2008) (involving assignor's liability, including for decommissioning obligations, under offshore GOM lease)
  - *Haspel & Davis Milling & Planting Co. v. Board of Comm'rs of Orleans Levee Dist.*, 493 F.3d 570 (5<sup>th</sup> Cir. 2008) (involving mineral title claims and the interplay of state anti-seizure laws and federal court authority to enforce federal court judgments)
  - *In Re: Southeast Offshore, Inc.*, Case No. 04-34536 (W.D. TN 2004) (involving creditor rights in oil and gas bankruptcy)
  - *Amerada Hess Corp. v. Marathon Oil Co.*, Civil Action No. 03-0985 (E.D. La. 2003) (involving alleged breaches of asset transfer restrictions)
  - *Citgo Petroleum Corp. v. Occidental Chemical Corp.*, Case No. 01-5022 (N.D. Okla. 2001) (involving alleged breach of preferential purchase right in context of multi-step stock sale)
  - *In Re: Friede Goldman Halter, Inc.*, Case No. 1:2001-bk-52173 (S.D. Miss. 2001) (involving alleged breach of contract to redesign and refit the USACE Dredge Potter)
  - *In Re: Equinox Oil Co.*, Case No. 00-3502 (E.D. La. 2000) (involving lien ranking and interplay between federal bankruptcy laws and Louisiana's Oil Well Lien Act)
  - *In Re Tri-Union Development Corp.*, Case No. 03-44908 (S.D. TX 2003) (involving creditor rights in oil and gas bankruptcy)
  - *Texas Eastern Transmission Corp. v. Amerada Hess Corp.*, 145 F.3d 737 (5<sup>th</sup> Cir. 1998) (involving reserves dedication under long term natural gas purchase contract)

- *In Re: Lease Oil Antitrust Litigation*, MDL 1206 (S.D. TX 1998) (involving crude oil pricing practices and class action royalty underpayment claims)
- *Fina Oil & Chemical Co. v. Amoco Production Co.*, 613 So.2d 668 (1996) (involving alleged breach of preferential purchase rights in context of corporate restructuring and stock sale)
- *La Plaque Corp. v. Chevron Corp.*, 638 So.2d 354 (La. App. 4<sup>th</sup> Cir. 1994) (involving royalty underpayment claims and application of prescription)

## Affiliations

- Federal Bar Association – New Orleans Chapter; Environment, Energy and Natural Resources Section
- Louisiana State Bar Association
- St. Thomas More Inn of Court
- American Association of Professional Landmen (AAPL)
- Professional Landmen’s Association of New Orleans (PLANO) (since 1991, Board of Directors 2002-2005)
- Louisiana Mineral Law Institute (since 1990, Advisory Council since 2015)
- Institute for Energy Law of the Center for American and International Law (Member since 1993, Advisory Council since 2012)

## Recognition

- Rated *Martindale-Hubbell*® A-V Preeminent™
- Listed in *The Best Lawyers in America*® for Energy Law, Natural Resources Law and Oil and Gas Law, 2008 to Present
- Ranked in *Chambers USA*, Energy and Natural Resources, 2011 to Present
- Louisiana Super Lawyers, *Super Lawyers* (Thomson Reuters), 2010 to Present
- Named a *New Orleans Magazine* Top Lawyer – Oil and Gas Law, 2019