

Energy Group Of The Year: Gibson Dunn

By Juan Carlos Rodriguez

Law360 (February 16, 2023, 2:02 PM EST) -- Energy attorneys at Gibson Dunn & Crutcher LLP helped create a new energy company, shepherded an oil and gas company purchase to completion and assisted a liquefied natural gas company's initial public offering, earning it a spot among Law360's 2022 Energy Groups of the Year.

The firm's energy practice is divided into three main groups — oil and gas, power and renewables, and regulation and litigation — and boasts 202 attorneys in offices across the U.S., including Houston, Denver, New York and Washington, D.C., and around the world in Singapore and Abu Dhabi, according to Michael P. Darden, a partner and chair of the firm's oil and gas practice group.

The group's growth continues to be a focus for the firm, with 10 partners and two associates with oil and gas, private equity, and mergers and acquisitions expertise joining the Houston office in 2022. The Abu Dhabi office was opened in January, and its eight attorneys will focus primarily on oil and gas, Darden said.

He added that the firm has also worked to develop a robust carbon capture and sequestration practice in the last few years.

"Gibson Dunn was traditionally known as a litigation firm, but we have built up the transactional practice over the last several years, and a key part of that has been expanding the energy practice," Darden said.

The firm executed several huge deals over the past year, including representing Contango Oil & Gas in its \$5.7 billion merger with Independence Energy, which created a private equity-backed oil and natural gas company based in Texas.

Gibson Dunn also advised Reliance Eagleford Upstream Holding LP in the sale of its assets in the Eagle Ford Shale to Ensign Natural Resources LLC for \$402 million.

It further led an IPO for a liquefied natural gas company — the \$442 million IPO of Excelebrate Energy, a provider of LNG regasification services in emerging markets worldwide.

Nicholas Politan, a partner and co-chair of Gibson Dunn's power and renewables practice group, touted



the firm's work on Berkshire Hathaway Energy's purchase of three wind farms located in Montana, the associated transmission rights to deliver the renewable power to other power markets, the operational responsibility for the wind farms and a central operations center for operating these and other renewable power assets.

Politan said Berkshire Hathaway has been a Gibson Dunn client for years, and that the firm has represented it in both conventional and renewable power transactions. He pointed out that in the past, the different renewable components were dealt with separately, so a company would individually invest in a wind plant, a solar plant, a transmission project or a trading organization.

But with the diverse corporate clients that really drive the top part of the market like Berkshire Hathaway, Politan said there has been increasing recognition of the need to be a player in all of those segments.

"This transaction exemplified that in the sense that on its face, it looks like an acquisition of several wind plants, but it strategically only made sense when it was integrated with the other pieces, namely transmission and an operations and trading center, all of which, when you combine them, starts to look like a company as opposed to a set of assets," he said.

Darden said he is particularly proud of the firm's work advising oil and gas companies Chief E&D Holdings LP and Tug Hill Inc. when Chesapeake Energy Corp. purchased Chief, along with some Tug Hill assets, for roughly \$2.6 billion in a cash-and-stock deal. The Chesapeake stock portion of the deal was especially important to Chief, Darden added.

"This was a situation where we could take advantage of Chesapeake's desire to continue growing its natural gas business while acquiring a very, very good purchase price for the assets," Darden said. "And they not only get cash, but a good portion of the consideration in Chesapeake shares, which allows the client to continue to benefit from Chesapeake's growth, not only in these assets, but in the Marcellus as a whole or anywhere else they do business."

He noted that it was the first time the firm had worked with Chief or Tug Hill.

"Our ability to capture the work was based upon our reputation and our recognition in the oil and gas industry of doing these types of high profile, cutting-edge deals — the biggest-deal-a-company's-ever-done-type deal — and we had a lot of experience of doing these where the consideration was split between cash and shares," he said. "So when we interviewed for this, we were able to talk about the very issues the client was concerned about and how we'd addressed those in the other deals we'd done."

--Additional reporting by Tom Zanki. Editing by Steven Edelstone.