

Oil & Gas Law Fall 2022 Syllabus

1. Class sessions

Monday and Wednesday from 9:00 A.M. to 10:20 A.M.

2. Reading Materials

- (a) Required Reading Materials: Jacqueline Weaver and Bret Wells, Texas Oil and Gas Law: Cases and Materials (LiveCarta 2nd ed. 2021) Available here: <https://app.livecarta.com/catalog/texas-oil-and-gas-law-cases-and-materials-2nd-ed.>
- (b) Suggested (but not required) Reading Materials: Joseph Shade, Primer on the Texas Law of Oil and Gas.

3. Attendance requirement policy

Consistent with university policy, 80 percent attendance is required. Those individuals not satisfying the attendance requirement will be reported to UH Law Center administrative officials to be dropped from the course.

4. Course Objective

The objective of this course is for you to learn the substantive law of Texas Oil and Gas in a comprehensive manner. To accomplish this goal, we will study the landmark cases that have shaped the substantive law in the order set forth in the Weaver & Wells casebook.

Throughout the casebook, there are Problem Sets that test your knowledge and synthesis of the discreet topics covered in the materials. You should work through these Problem Sets. The casebook also has a Form Lease agreement in its appendix. Throughout the course, we will continuously refer back to the Form Lease and consider drafting issues and lease interpretation issues as we make our way through the various substantive topics. The law of Texas Oil and Gas represents a rich mixture of property and contract law concepts, so it builds on principles you should have learned in your first year classes. After completion of this course you should have confidence in being able to identify the critical legal issues for oil and gas matters, and should also have an appreciation for how lawyers draft oil and gas leases to address these legal issues.

5. Class session coverage, focus & discussion

Please be prepared to discuss the reading assignment where we left off in the previous class session and please also be prepared to discuss the next succeeding reading assignment. We will proceed in the order set forth in the reading assignment sheet, but please note that the dates for covering these materials may shift. Please be diligent in monitoring our progress so that you are prepared to discuss the materials that will be covered in each class session.

I reserve the right to supplement the assigned reading with recent or otherwise interesting cases not found in the textbook.

To facilitate our discussion and analysis of the assigned reading, I will question students in panels of 4-5 students per class. Each student will serve on several panels during the semester. I will provide a link to an online scheduling tool no later than the second day of class, and each student will be required to sign up for a designated number of panels.

If for some reason you are unable to be present or prepared on your panel day, it is your responsibility to switch days with someone else and to inform me of the switch before the class begins. If a class is cancelled for some reason, the panel for that day will be rescheduled. All other panels will keep their previously-assigned days. In general, panel members will be questioned on the cases and problem sets that were assigned for that particular day. As mentioned, however, reading and problem-solving assignments may be altered based upon the amount of material that we get through in class. If there are any changes to the assigned readings and problems for which I expect a panel to be responsible, I will announce the changes at the conclusion of the prior class session. To this extent, you are on notice that your panel may be responsible for material that was not initially designated for discussion on your panel date. Participation by non-panel members is welcomed and encouraged. Pursuant to Law Center guidelines, I reserve the right to lower your final grade by one notch (e.g., from a B+ to a B) if you are absent or unprepared on any of your assigned panel days.

In your study, please attempt to answer the questions in the Weaver & Wells casebook that immediately follow the cases. My expectation is that you will have thought about these questions and Problem Sets and will be prepared to give your answers to them if called upon in class or asked about similar constructs on the final exam.

Oil & Gas Law covers a tremendous amount of material. ***As a consequence, it is essential that – even you are not on a panel for that class session – you prepare for class on a regular basis, or you will find yourself overwhelmed at examination time. In addition, because later classes build upon concepts learned in earlier sessions, you will quickly be left behind without regular preparation.*** To this end, I have tried to make the reading assignments manageable and reasonable (i.e., not too short, not too long) without sacrificing coverage of the critical topics of the course. ***You will find that your time spent in class preparation and in class attendance is useful (if not essential) for learning the subject matter of the course and for doing well on the examination.***

6. Grading process for this course

- (a) Final Examination. The grade in this course will be entirely dependent upon the final examination (except as noted Paragraph (b) below). The exam is a closed book exam.

The examination will occur pursuant to the prescribed examination schedule. We will discuss the final exam in our final review for the last class session.

- (b) Participation. Class participation may positively count towards your final grade, and I reserve the right to lower your final grade by one notch (e.g., from a B+ to a B) if you are absent or unprepared on any of your assigned panel days.

7. Questions to professor

Student discussion after class or in my office is welcomed and encouraged. You may call me or email me at any time. Please contact me as follows:

1301 McKinney St., Suite 3700
Houston, Texas 77010-3034
Telephone: 713-286-7178
Email: jmason@bakerdonelson.com

I welcome any comments or suggestions that you may have regarding my teaching style, class presentation, or any other subject. Please feel free to provide me with such comments during the semester as they will help me to improve my teaching. I carefully consider the comments and suggestions that I receive.

8. Counseling Options

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let's Talk” program, a drop-in consultation service at convenient locations and hours around campus. See: http://www.uh.edu/caps/outreach/lets_talk.html.

9. Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

10. Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504

and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact the Justin Dart Jr. Student Accessibility Center (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

11. Syllabus Changes

Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible via email to all registered students.

12. COVID-19 Information

Students are encouraged to visit the University's COVID-19 website for important information including diagnosis and symptom protocols, on-campus testing, and vaccine information. Please check the website throughout the semester for updates.

13. Vaccinations

Data suggest that vaccination remains the best intervention for reliable protection against COVID-19. Students are asked to familiarize themselves with pertinent vaccine information and to consult with their health care provider. The University strongly encourages all students, faculty and staff to be vaccinated.

14. Face Covering Policy

To reduce the spread of COVID-19, the University strongly encourages everyone to wear face coverings indoors on campus.

15. Presence in Class

If you are experiencing any COVID-19 symptoms that are not clearly related to a pre-existing medical condition, do not come to class. Please see Student Protocols for what to do if you experience symptoms and Potential Exposure to Coronavirus for what to do if you have potentially been exposed to COVID-19.