

# Rebecca Bergeron

Of Counsel

**Practices:** Energy Law; Energy Litigation; Business Litigation; Energy/Oil & Gas

**Industries:** Financial Services; Private Oil & Gas Funds

Rebecca Bergeron is a member of Winstead's Energy Practice Group. Rebecca is Board Certified in Oil, Gas & Mineral Law by the Texas Board of Legal Specialization. Rebecca focuses her practice on representing operators, non-operators, mineral owners, and financial institutions in oil and gas and energy-related litigation, including operator/non-operator disputes, breach of lease and royalty underpayment claims, lease termination disputes, and mineral and leasehold title disputes, in addition to a variety of other upstream oil and gas disputes. Rebecca also has experience representing clients in oil and gas acquisitions, divestitures, and transactions. Rebecca's oil and gas transactional experience includes drafting, negotiating, and advising clients regarding purchase and sale agreements, farmout agreements, joint operating agreements, exploration and development agreements, participation agreements, surface use agreements, and other industry trade agreements, as well as the preparation and analysis of oil and gas leases, assignments, conveyances, and other title documents. Rebecca began her career rendering original drilling, supplemental, and division order title opinions; assisting clients with time-sensitive due diligence title evaluation for the acquisition of oil and gas leases, wells, and mineral interests; and advising clients concerning title defects, appropriate curative measures, and the business risks related to various courses of action. Rebecca's oil and gas transactional experience and her background in land titles provides her with a unique perspective when representing clients in upstream oil and gas disputes.

While attending law school, Rebecca served as a briefing intern at the Texas Fourth Court of Appeals for the Honorable Rebecca Simmons.

## Representative Experience

- Defending financial institution against breach of fiduciary duty claim stemming from allegations of mismanagement of oil and gas assets
- Representing financial institution and mineral owners in trespass to try title suit regarding oil and gas interests in multiple counties in Texas
- Assisted with arbitration of international oil and gas company's title defect claims arising from acquisition of over \$1 billion in oil and gas assets in Texas shale play, resulting in favorable settlement for client
- Assisted in defense of international oil and gas company in multi-district and class action litigation of royalty underpayment and lease termination claims
- Defended international oil and gas company against trespass-related claims stemming from surface foreclosure in Barnett Shale area
- Defended international oil and gas company in litigation of exploration and development agreement and related joint operating agreements covering lands in multiple counties in the Barnett Shale area
- Represented operator in prosecution of claims and defense of counterclaims arising from field-wide Unit Agreement and Unit Operating Agreement



## Houston Office

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## Education

St. Mary's University School of Law

– J.D., 2011

– Editorial Board, Comment Editor, *St. Mary's Law Journal*

University of New Orleans

B.S., 2008

- Assisted in defense of financial institution in arbitration against claims of breach of contract, fraud, and violations of Bank Company Holding Act stemming from credit facility secured by oil and gas assets
- Drafted and negotiated a Purchase and Sale Agreement and related agreements, including a Transition Services Agreement, for \$111.5-million acquisition of oil and gas assets in the Eagle Ford Shale
- Extensive work advising clients concerning exploration and production programs in the Eagle Ford Shale

## Professional & Community Service

- State Bar of Texas
- Houston Bar Association, Litigation Section and Oil, Gas and Mineral Law Section
- Women's Energy Network
- Houston Young Lawyers Association
- Phi Delta Phi International Legal Fraternity
- American Association of Professional Landmen
- San Antonio Association of Professional Landmen
- San Antonio Bar Association, Natural Resources Section

## Awards & Recognition

- *Best Lawyers: Ones to Watch*, (BL Rankings, LLC), 2023-2024
- Best S.A. Lawyers 2016, Energy & Oil & Gas, *San Antonio Scene* Magazine
- Board Certified in Oil, Gas & Mineral Law by the Texas Board of Legal Specialization
- Editorial Board, Comment Editor, Volume 42, *St. Mary's Law Journal*
- Texas Rising Stars, Thomson Reuters, 2022-2023

## Admissions

- Texas, 2011
- U.S. District Court, Southern District of Texas