

Anniversary

NEWSLETTER

MONTHLY RR&A UPDATES



WHAT IS DISPUTE MANAGEMENT?

At RR&A, we are not litigators. Although we have litigation experience, we prefer to focus on Dispute Management. Our Dispute Management services include implementing a Litigation Hold process to help keep your company from facing problems down the road. We know how to handle the pre-litigation process, what claims are best handled by external law firms, and how to ensure you're receiving the most bang for your litigation dollar; that's why so many clients rely on us for Dispute Management.



[DOWNLOAD RR&A'S LITIGATION HOLD TEMPLATE](#)

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[WHY LITIGATION HOLDS SHOULD BE A STANDARD PRACTICE AT YOUR COMPANY](#)

[HOW PRESERVATION NOTICES ARE USED AS A DISPUTE MANAGEMENT TOOL](#)

[KNOW WHEN TO HOLD 'EM, KNOW WHEN TO FOLD 'EM](#)



WHAT'S NEW AT RR&A?

RR&A is celebrating five years of bringing value, service, and insight to our clients!

Send your congratulations to Rachel Reese here.



UPCOMING AT RR&A



A&D GOLF TOURNAMENT

RR&A
RACHEE & ASSOCIATES

 Rachel Reese,
Executive Partner

 Matt Reynolds,
Sr. Counsel

Connect with RR&A at the Tournament

May 12th, 2023
Cowboys Golf Club
Grapevine, TX



LOUISIANA ENERGY CONFERENCE

CONNECT WITH
ANDREW CLINTON



 **MAY 30TH - JUNE 1ST**

 **RITZ-CARLTON,
NEW ORLEANS, LA**

RR&A
RACHEE & ASSOCIATES

LOUISIANA ENERGY CONFERENCE
THE ENERGY CONNECTION



WOMEN IN TECH TEXAS

CONNECT WITH
RACHEL REESE



 **May 30th - 31st**

 **Hyatt Regency,
Houston**

RR&A
RACHEE & ASSOCIATES

CLIENT HIGHLIGHTS

Congratulations to Blackbuck Resources CEO Justin Love for receiving the Emerging Leaders Award from the Virginia Tech Academy of Distinguished Alumni!



CONNECT WITH
RR&A



CASELAW UPDATE

BROWN V. CONT'L RES., INC *58 F.4th 1023 (8th Cir. 2023)*

This Eighth Circuit case originated in South Dakota between a well operator, Continental Resources, Inc. (“Continental”), and two landowners (“the Browns”). In 2010, Continental drilled an oil production well on the Browns’ land, subject to drilling and pipeline agreements with the Browns. Continental later converted the production well to an input well and began using trucks to transport needed water to the input well. Because such trucking left a pasture unusable, the Browns sued Continental for damages to the surface of their land and the use of their pore space.

The drilling and pipeline agreements gave Continental full rights and access to the Browns’ land for “all oil and gas activity.” The Browns argued that the agreements only contemplated production, not input operations; however, the court found no ambiguity in the contract language. Because input operations are part of “oil and gas activity,” Continental was not liable for surface damages to the pasture.

On the Browns’ pore space claim, the court held that the lost use of a pasture is not compensable under South Dakota law. S.D.C.L. Chapter 45-5A holds a mineral developer liable only under three claims: loss of agricultural production, lost land value, and lost value of improvements. The court declined to imply a remedy for lost land use and affirmed the district court’s summary judgment for Continental.