

Due diligence for an acquiring company is critical to assess risk and properly analyze the value of a pending transaction.

At Babst Calland, we have significant experience in the examination of complex records of title, environmental issues, pipeline and midstream matters and pending litigation in the performance of due diligence required to properly assess risk before closing a deal.

Due diligence review involves a variety of tasks which typically must be completed in a short period of time. We can effectively and efficiently handle any size due diligence project with our team of seasoned attorneys and database designers. We can analyze and process large amounts of information to make sound risk assessments in a timely manner and we have a large group of professionals ready to handle any project.

Our due diligence experience includes working with clients to develop a reasonable due diligence plan for the transaction at hand, gathering, reviewing and distilling information in a consistent format, and working with clients to modify the plan if new issues are uncovered. Given the typically short time frames involved in most due diligence projects, we work with local landmen, environmental consultants, in-house counsel, co-counsel and others to identify unique local issues and to implement parts of the due diligence plan.

Because our attorneys have many years of experience representing the energy industry, we can work ahead of your needs to give you the best possible outcome. The most important part of this work involves our strategic alliance and communication with the client.

Our due diligence related services include:

- Title opinion review and analysis
- Lease review and analysis
- Review of full, limited and supplemental abstracts of title
- Review of mineral ownership reports
- Database design to distill analyses and generate reports and defect notices and responses
- Environmental review of all energy producing properties
- Pipeline and midstream asset review
- Assessment of relevant zoning and land use requirements
- Review of contracts for consents, preferential rights to purchase, or other terms that might have a material adverse impact on the value of the assets
- Ongoing litigation and permit compliance
- Review of accounting to royalty and overriding royalty owners and taxing authorities to identify potential liabilities and impacts to the economic assumptions underlying a proposed transaction

If you need assistance with due diligence matters, please contact Bruce Rudoy, chair of the Mineral Title practice group, at brudoy@babstcalland.com or (412) 253-8815 or Christopher Hall at chall@babstcalland.com or (412) 253-8820.



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