Christopher W. Rogers

Partner

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Industries

Energy

Oil, Gas & Minerals

Practice Areas

Business & Commercial Litigation

Construction

International Services

Land Use & Zoning

Litigation

Real Estate

Bar Memberships

Ohio

Pennsylvania

Chris is a member in the firm's Pittsburgh office and a part of the Energy Industry Team. He focuses his practice on oil and gas and energy where he primarily assists his clients in predicting, avoiding, and managing mineral disputes, including title, lease, right-of-way, and royalty disputes. With his background in mineral and real property title, Chris brings experience that is especially helpful in navigating the often-murky waters of Ohio's Marketable Title Act and Dormant Mineral Act and their ever-changing jurisprudence.

In addition to his energy practice, Chris' nearly 15 years of practice features diverse experience in civil and commercial disputes, including website accessibility claims, easement and right-of-way disputes, real estate disputes, coal sterilization claims, commercial disputes and personal injury and toxic tort defense.

On the transactional side, Chris has experience managing time-sensitive due diligence projects across several deals that resulted in the acquisition of more than $1 billion in oil and gas assets, as well as closings and management of these assets.

Chris is an avid writer on Ohio and Pennsylvania oil and gas law developments, especially on Ohio's Marketable Title Act and Dormant Mineral Act, and his writings have been published in Energy Law360. He has also written for and presented at various symposiums and continuing legal education seminars for the Institute on Energy Law and the Energy and Mineral Law Foundation on oil and gas related topics.

A life-long Pittsburgh resident, Chris lives in Mt. Lebanon (a suburb south of Pittsburgh) with his wife, two children, and two dogs.

Other Info About Chris

Experience

Represented oil and gas company in dispute over obligation to recognize and pay overriding royalty interests that were created out of leases now expired but allegedly subject to an extension and renewal provision (anti-washout provision).

Represented oil and gas company against claims that surface owner/lessor's search for holders for service with Notice of Abandonment by certified mail was inadequate under Ohio's Dormant Mineral Act, and therefore any abandonment was void.

Represented non-operating leaseholder participating in a unit against lessors' claim that it allegedly failed to properly calculate royalties by not paying them and/or by deducting post-production costs.

Represented oil and gas company against claims that Ohio's Marketable Title Act extinguished severed mineral interest.

Represented overriding royalty owner against claims of lease expiration due to alleged failure of well(s) to produce in paying quantities.

Represented oil and gas company against claims of improper royalty calculation, including claims that post-production costs should not be deducted, and claim that royalty failed to include liquid constituents.

Represented lessee against lessors' claim of breach of lease and termination of lease and pursue arbitration of lessors' claims under broad arbitration provision contained in the lease (and ignored by the lessors).

Represented pipeline owner/right-of-way grantee against former surface owner's claim that pipeline owner was obligated to reimburse for post-production costs even though surface owner sold property and did not reserve right under right-of-way agreement (i.e., no standing).

Represented oil and gas company against claims of trespass and conversion for producing oil and gas subject to title dispute.

Represented pipeline owner against mechanic's lien improperly filed pursuant to Ohio's mechanic's lien oil and gas well subsection, instead of the normal requirements for a mechanic's lien in Ohio.

Represented partial fee mineral owner against the Ohio Public Works Commission's claims that property owner's conveyance and the subsequent development of property violated the Clean Ohio Program requirements and must be unwound (and property owner must pay penalty).

Counseled oil and gas producer on anticipated development of property purchased with Clean Ohio funds, including anticipated ability to include via mandatory pooling and anticipated response and attempted enforcement by Ohio Public Works Commission.

Represented oil and gas company against prior lessor's claim of deed forgery and mineral conversion against third parties, who represented to producer the change of ownership, and pursuit of claims against those third parties to the extent claims of forgery are proven.

Represented private equity in partial acquisition of well-bore interests as collateral for financing development.

Defended pipeline owner against coal company's claims of coal sterilization and right to "mouth of mine" value of coal (i.e., without deducting for costs of production).

Defended and counseled retail companies, banks, and restaurants in connection with claims under Title III of the Americans with Disabilities Act, and other state-law equivalents, that websites and mobile phone applications did not comply with the WCAG 2.0 Level AA accessibility standard.

Defended refinery against claim of personal injury resulting from allegedly faulty asphalt tank filling equipment.

Defended convenience store and gas station chain against neighboring owner's claim that it has a private easement across the gas station property even though the public was vacated by the

city.

Defended refinery against neighboring landowner's claim that it had an easement by necessity due to the lack of access to public roadways nearby.

Successfully defended mineral holding company against claim that restrictive covenants indeed prohibited development of oil and gas.

Counseled major American oil and gas producer on subsurface easement requirements for horizontal wells in Ohio.

Successfully defended major American oil and gas producer in quiet title action under Ohio Dormant Mineral Act in eastern Ohio.

Assisted American midstream operator in securing additional credit facility.

Managed and co-managed due diligence review and closings for acquisition of 25,000 acres of oil and gas assets in eastern Ohio for major U.S. exploration and production company.

Counseled mineral investment company on purchase of nonparticipating royalty interests in eastern Ohio.

Co-managed due diligence, closing, and asset management of fee mineral assets acquired in West Virginia.

Managed due diligence, closing, and asset management of fee mineral assets acquired in eastern Ohio.

Education

Duquesne University School of Law, J.D., 2006

University of Pittsburgh, B.A., Anthropology & History, 2003, *magna cum laude*

Courts

Supreme Court of Pennsylvania

United States District Court for the Western District of Pennsylvania

Supreme Court of Ohio

Recognition

The Best Lawyers in America® – Energy, 2027; Oil and Gas, 2026-2027

Chambers USA, Energy & Natural Resources, "Up and Coming," 2022-2023; Energy & Natural Resources, 2024-2026

Professional Affiliations

Pennsylvania Bar Association

Allegheny County Bar Association

Ohio State Bar Association

Energy and Mineral Law Foundation

Firm Committees

Ethics Committee, former Member

Presentations

Presented on oil and gas title in Pennsylvania as part of presentation entitled "Fracking – The New 'F' Word And An Overview Of Oil And Gas Law" at Erie County Bar Association (Pennsylvania) on April 7, 2016.

Presented on "Pitfalls of Representing Multiple Clients in Energy Transactions" at the Pennsylvania Bar Institute's 8th Annual Oil and Gas Law Colloquium on July 27, 2016.

Presented on (1) "Oil and Gas Title Endorsements and Exceptions" and (2) "Quiet Title of Mineral Interests – A Practical Walk-Through" at National Business Institute's CLE on December 8, 2016 in Akron, Ohio.

Presented on "The ADA and My Website: Risks and Requirements" at the Frost Brown Todd Annual CLE seminar in Cincinnati, Ohio, on November 10, 2016.

Major Publications

"Faith No More: Ohio Supreme Court Casts Doubt on the Meaning of "Other Minerals" in 1953 Deed," *The Drill Bit Magazine*, Ohio Oil & Gas Association, Summer 2026: 30

"RL Clark, LLC v. Gladys Hammond et al.: Ohio Seventh District's Decision May Haunt NPRI Owners," *The Drill Bit Magazine*, Ohio Oil & Gas Association, Winter 2024: 42-43

"Dougherty v. ABARTA Oil & Gas," *Energy Law Advisor*, Institute for Energy Law – The Center for American and International Law, June 2023: 4

Published written materials for "Oil and Gas Title Endorsements and Exceptions" and "Quiet Title of Mineral Interests – A Practical Walk-Through" as part of CLE presentation on December 8, 2016. Available through NBI.

Featured Articles

Marty to the Supremes? Ohio's Seventh District Rules on Royalty Recoupment

Ohio's Eleventh District Says Inter Vivos Property Sales Contract Gutted Decade-Old Transfer-On-Death-Designation Affidavit

No Takebacks? Royalty Recoupment, Not a Breach of Lease in *Lindsay Golf Group v. XTO Energy*

Stand(ing) in the Place Where You Live: Who Has Standing to Challenge DMA Abandonment After the Mineral Interest Changes Hands?

PA Superior Court Makes Operators Dig Deeper for Implied Surface Access in Pennesi v. DL Resources

Faith No More: Ohio Supreme Court Casts Doubt on the Meaning of "Other Minerals" in 1953 Deed

Ohio's Seventh District Confirms Residuary Clauses Are Title Transactions, But Leaves Behind Some Residue of Its Own

Thomson v. K & R Conservation, LLC: Ohio's Ninth District Court of Appeals Gives Fonzi Two Thumbs Up

RL Clark, LLC v. Gladys Hammond et al.: Ohio Seventh District's Decision May Haunt NPRI Owners

Buyer Beware! Ohio's Seventh District Says DMA Claims Not for Sale

Kemp v. Rice Drilling D, LLC: When 'Royalty' Ruins the Party

Faith Ranch and Farms Fund, Inc. v. PNC Bank: Ohio's Seventh District Uses Faith to Divine the Meaning of "Other Minerals"

Douglas Equipment, Inc. v. EQT Production Company: Bundle Your Sticks Carefully!

Tatum et al v. Charmaine Dawson: Laches and the Search for Holders Under Ohio's DMA

The MTA Equation – Dougherty v. ABARTA Oil & Gas: Ohio's 5th District Does the Math

At-The-Well or First-Marketable Product? Pennsylvania's High Court will Hear Dressler, LP v. PennEnergy Resources, LLC

John A. Chartier et al. v. Rice Drilling D LLC, et al.: The Land of Confusion

Ohio Supreme Court Gives a Thumbs Up to Fonzi v. Brown

Peppertree II: Ohio Supreme Court Holds Recorded Will Not a Title Transaction Under the Marketable Title Act

Peppertree Farms, L.L.C. v. Thonen: Ohio's High Court Classifies Unaccrued Royalties as Real Property

Ullman v. Whitacre: Ohio's Seventh District Addresses Paying Quantities Evidence and the Plaintiff's Burden of Proof

George K. Pernick et al. v. Jasper J. Dallas et al.: Seventh District Court of Appeals Highlights Bedrock Principles of Conveyancing Behind MTA and DMA

Ignorance is still not bliss… Ohio's 7th District Confirms DMA Surface Owners Ignore County-Record Evidence at their Peril

Zelek v. Tomlinson: Ohio's 11th District Signals Disapproval of Default Judgments Against Subset of Non-Answering Heirs Where Title Dispute Has Not Been Decided

Tennant v. Range Resources – Appalachia, LLC: The Market Enhancement Burden

Stonebridge Operating Co., LLC v. Antero Resources Corp: On the Importance of Contracts and Pleading

Browne v. Artex Oil Part II: No Production Reports? No Problem.

Tomechko v. Garrett – Ohio's Seventh District Holds Adverse Possession of Shallow Gas Covers All Gas

Ohio's Seventh District Concludes 1940 Reservation of "Coal and Other Minerals" Included Oil and Gas

Fifth District Clarifies Blackstone v. Moore Reach and Confirms West v. Bode Effect

Erickson v. Morrison: Ohio Supreme Court Clarifies When Recitals of Prior Reservations Are Sufficiently Specific to Preserve Under Ohio's Marketable Title Act

More Ohio MTA Action: Seventh District Further Clarifies Difference between Specific and General References

Lucas v. Whyte: Seventh District Says Filings in Other Counties Are Not Title Transactions Under the Marketable Title Act

Ohio Supreme Court Shuts Down ODNR Ability to Nullify Surface Damage and Support Waivers

Gerrity v. Chervenak: Reasonableness Remains the Same

West v. Bode: Ohio Supreme Court Embraces a "Choose-Your-Own-Adventure" Regime of Mineral Abandonment/Extinguishment

Crum v. Yoder: No, the DMA Does Not Require You to Serve Notice of Abandonment on Your Own Address

Fonzi Gives Thumbs Down to Ohio DMA Search that Ignored Pennsylvania Records

Hutchins v. Baker: Affidavits of Heirship and the Ohio DMA

Ohio Supreme Court Holds 21-Year Statute of Limitations Applies to Lease Busting Claims

The Search for Holders Under the ODMA: The 5th District Says You Don't Always have to Use the Internet for ODMA Due Diligence

Beware the Ides of March – Pa. Appellate Court Allows AG to Pursue UTPCPL Claims Against Oil and Gas Operators

Ohio Supreme Court: Land Agents Are Real Estate Brokers

Pennsylvania Superior Court Recognizes Claims for Hydraulic Fracturing Trespass

Ohio Court Denies Landowners' Claims Against Utility's 60-Year Storage Field Use

Ohio Supreme Court Declines to Recognize a Separate Implied Covenant to Explore Further

The Ohio Supreme Court Affirms The 7th District Court of Appeals in Hustack v. Beck Energy Corporation (formerly Hupp v. Beck Energy Corporation)

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