

Nicholas G. Peters

Partner

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Nicholas (Nick) Peters is a business lawyer who focuses his practice on equity and debt financings, mergers and acquisitions, joint venture agreements, and other complex business transactions. His clients include private equity sponsors, investment funds, energy transition investors, operating companies, startup ventures, executives, investors, and upstream and midstream oil and gas companies. Nick is based in Dallas, Texas, where he is a partner in the firm's Transactions Practice and Energy & Infrastructure Sector and serves as the chair of Foley's Oil and Gas subsector, the co-chair of the Firm's Hydrogen practice team and the vice chair of the Firm's Energy Transition subsector.

While Nick is a generalist who prides himself on serving his clients as "outside general counsel" to help them achieve their business objectives, he focuses his efforts on energy-related matters, including upstream and midstream oil and gas, acquisitions and divestitures, joint ventures, and operating contracts. Nick also works on a number of energy transition matters, with experience in renewable natural gas and hydrogen projects.

Prior to Foley, Nick served as in house counsel for two upstream oil and gas companies. Most recently, Nick was general counsel and director of land and business development functions for a private equity-backed upstream oil and gas company managing over US \$500 million of equity capital deployed. He also managed the company's acquisition and divestiture activities spanning over 30,000 acres located in multiple counties in the states of New Mexico, Oklahoma, and Texas and was responsible for managing land and business development teams in all matters associated with the acquisition, management, and disposition of company assets.

Prior to his private equity experience, Nick served as in house counsel and land manager for a large, Dallas-based upstream oil and gas fund focusing on acquiring, operating, and divesting conventional oil and gas properties throughout numerous states in the continental United States.

Representative Experience

- Represented data center developer in connection with the ~\$75 million sale of a data center project located in Northern Virginia to a strategic infrastructure investor/company.
- Represented public upstream oil and gas operator in connection with an acreage trade related to a combined ~9,000 net acres in the Cotton Valley and Haynesville plays in East Texas, including related joint development and operational activities.
- Advised private upstream oil and gas fund in connection with an \$80 million joint venture to acquire an interest in a continuation fund invested in upstream oil and gas wells/operations throughout the Bakken Shale in North Dakota.
- Represented a green hydrogen company in connection with the negotiation of project development matters and offtake agreements.
- Represented an oil and gas fund sponsor in connection with the formation of a \$50 million fund to acquire mineral and royalty interests.
- Represented a hydrogen company in connection with first of its kind US \$100m debt capital raise secured by intellectual property rights.
- Represented a public oil and gas company in connection with a UUS \$50m acquisition of upstream oil and gas assets.
- Represented commercial real estate developer in connection with a US \$40m multi-family real estate development and complex, private equity-backed joint venture.
- Represented a private equity-backed mineral buyer in connection with a US \$18m acquisition of a mineral and royalty portfolio.
- Represented a commercial real estate owner in connection with a US \$100m fund raise.
- Represented an oil and gas operating company in connection with a US \$50m acquisition of oil and gas assets across several states from a major oil and gas corporation.
- Represented the management team in connection with a US \$100m equity financing to acquire coastal real estate assets throughout the continental U.S.
- Represented an oil and gas company in connection with divestitures totaling over US \$20m of non-operated properties.
- Represented an oil and gas operating company in connection with a US \$15m divestiture of oil and gas assets located in the Permian Basin.
- Represented a private equity-backed management team in connection with a US\$1bn recapitalization.
- Represented a large family office in connection with a corporate reorganization of its oil and gas holdings.
- Represented real estate developer in connection with a US \$40m single family build for rent development joint venture.
- Represented real estate developer in connection with US \$35m residential real estate development joint venture.
- Represented an independent sponsor in connection with a US \$100m acquisition of an environmental waste disposal firm.
- Represented small business owner in connection with a US \$100m company sale to a private equity firm in the packaged food industry.

- Negotiated US \$375m joint venture agreement geared toward deploying capital in data center infrastructure development.
- Represented buyer in US \$40m bankruptcy acquisition of oil and gas equity and assets.
- Represented seller in US \$80m sale of electric refurbishment business to private equity buyer.
- Represented seller in connection with the sale of its solar energy development company.
- Represented operating company in connection with US \$100m renewable gas project financing.
- Represented private equity backed operating company in its investment in an ESG-focused investment fund.
- Represented tech startup company in Series A fundraising efforts.
- Represented buyer in connection with startup of oil and gas company and subsequent acquisition of South Texas producing wellbores.
- Managed a private equity company's US \$76m sale of non-operated Eagle Ford assets to a public company buyer.
- Managed a private equity company's US \$70m sale of conventional oil and gas properties in the SCOOP play to a private equity-backed buyer.
- Negotiated the trade of over 1,000 acres in the SCOOP and STACK plays in Oklahoma between private equity-backed parties.
- Managed a US\$100m acquisition program in the Delaware Basin for a private equity-backed company.
- Negotiated the US\$14m acquisition of non-operated Eagle Ford wells for a private equity buyer.
- Assisted in negotiation of over US \$2.7bn in upstream oil and gas assets acquired by a privately held company and took primary role in drafting purchase agreements for same and managed buy-side title and environmental diligence teams.
- Lead negotiator in sale of over US \$1.7bn in operated oil and gas assets in the Rockies region.
- Managed acquisition diligence in connection with a privately held company's acquisition of over US \$1bn of upstream oil and gas assets in the mid-continent region.
- Lead negotiator of a farmout agreement covering approximately 20,000 net mineral acres in the State of Oklahoma.
- Managed several royalty disputes and lawsuits in which settlements were obtained awarding the client over US \$11m in royalties due and owing to the company.
- Assisted in management of class action royalty lawsuits in the States of Kansas and Oklahoma.
- Represented private company in connection with the formation, development and subsequent sale of a US \$16m wind farm project located in the United States.
- Represented private company in the US \$250m sale of an oil and gas pipeline construction business to a publicly traded company.
- Represented a private equity fund in formation activities and US \$220m acquisition of natural gas midstream assets.
- Represented a private equity fund in US \$14m sale of retail portfolio company.
- Represented a private equity fund in formation activities and US \$34m energy investment transactions.
- Represented a commercial real estate company in US \$700m merger with a public company.

- Represented investors in connection with their formation of an investment vehicle to fund a restaurant chain.

Awards and Recognition

- Stand-out Lawyer – *Thomson Reuters*® (2023, 2026)

Community Involvement

- Member, Highland Park Presbyterian Church
- Board of Directors, Highland Park Education Foundation
- Member, Salesmanship Club of Dallas
- President, Park Cities Dads Club
- Member, University of Texas at Dallas Jindal School of Energy Management (Fall 2018 – Present)
- Member of the Board of Directors; Secretary, Head Start of Greater Dallas, Inc. (Spring 2016 – 2021)
- Member of the Board of Directors, Dallas Association of Petroleum Landmen (Spring 2012 – Spring 2017)
- Business Law Section of the State Bar of Texas (Spring 2010 – 2014)
 - Chairman of the Contracts Law Committee (2011 – 2013)
 - Secretary and Treasurer of the Business Law Section of the State Bar of Texas
- Founding Member, Young Professionals in Private Equity (Spring 2012 – Spring 2019)
- The Think Ahead Group at the UTD Center for BrainHealth (Spring 2009 – Fall 2015)
- Founding Member; President of the Advisory Board (2010 – 2011)
- Founding Member, Young Texans Against Cancer (Spring 2008 – Spring 2010)

Presentations and Publications

- Moderator – Foley & Lardner LLP Energy Current – Live Discussion on Energy Transition Matters (September 2023)
- Moderator, “Perspectives of the Natural Gas Transportation and Distribution Community on System Investment Needs and Prospects,” Hydrogen Hubs: Building a Financeable Value Chain (August 2023)
- Symposium Chair – Dallas Bar Association’s 38th Annual Review of Energy Law (August 2023)
- Co-Author, “2007 Annual Survey of Fifth Circuit Class Action Cases,” 30 *Texas Business Litigation Journal* 4 (Winter 2008)
- Co-Author, “2006 Annual Survey of Fifth Circuit Class Action Cases,” 29 *Texas Business Litigation Journal* 10 (Winter 2007)
- Contributor, “Annual Survey of Texas Class Action Cases,” 29 *Texas Business Litigation Journal* 4 (Winter 2007)
- Author, “NAFTA and Environmental Regulation in Mexico,” 12 *Law and Business Review of the Americas* 119 (Winter 2006)

Sectors

- Carbon Capture

- Energy & Infrastructure
- Energy Transition
- Hydrogen
- Oil & Gas
- Power & Renewables
- Racial Justice & Equity

Practice Areas

- Corporate
- Transactions

Education

- Southern Methodist University, Dedman School of Law, Dallas, Texas (J.D., cum laude, 2006)
 - Article editor, *International Law Review Association*
 - Student attorney, W.W. Caruth Child Advocacy Clinic
 - Member, The Barristers
- Washington and Lee University, Lexington, VA (B.A., cum laude, 2002)
- Texas Christian University, Fort Worth, Texas (Petroleum Land Management Certificate, 2012)

Admissions

- Texas State Bar
- U.S. District Court for the Northern District of Texas