

Sean Jain

ASSOCIATE

AUSTIN, TX*

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OVERVIEW

With the perspective of a former in-house counsel, Sean represents energy clients in real property transactions.

After growing up around the world with a father in the oil business, the energy industry was a natural fit for Sean: he graduated from law school with an interest in real estate and knew that oil and gas presented myriad opportunities to dig into deeds, titles, and real property questions. After a brief stint as a landman, Sean joined his first law firm and went on to gain extensive experience drafting and negotiating lease agreements, license agreements, purchase and sale agreements, and joint operating agreements for both onshore and offshore producing properties; advising clients on ownership, lease provisions, pooling agreements, and operating agreements; and reviewing drilling contracts.

Over time, Sean's interest shifted from oil and gas to renewable forms of energy, and he became especially passionate about supporting projects that would lead to a better world for future generations. He accepted several in-house real estate roles with various companies, including Tesla, where he worked with leases, licenses, and environmental site assessments for electric vehicle charging stations.

Today, Sean represents developers and owners of wind and solar projects throughout the country, assisting with licenses and agreements, handling title questions, and resolving real property-related disputes. Prior to joining Husch Blackwell, he served as in-house counsel for eight years, learning firsthand what clients truly need: fast, targeted answers and practical, usable information. Sean chose to return to the firm world out of a love for legal research and

Industry

Energy & Natural Resources

Services

Solar Energy

Wind Energy

complex problem-solving, and he knows clients need him to bring answers and solutions. He handles the research and the background study, staying abreast of emerging legal issues so that clients can focus on their businesses.

Experience

- Drafted, negotiated, reviewed, and revised commercial lease agreements, subleases, license agreements, estoppel certificates, subordination and non-disturbance agreements, letter agreements, early occupancy agreements, and letters of understanding.
- Reviewed ground leases, master leases, title commitments, condominium regime documents, and Phase I Environmental Assessment Reports to advise clients of risks and responsibilities in proposed real estate transactions.
- Liaised with opposing counsel, client project managers, client real estate directors, and in-house counsel on real estate transactions to achieve client-favored results.
- Prepared demand letters related to breach of contract obligations in order to protect client rights and settle resulting real estate disputes.
- Negotiated and settled subcontractor mechanic's lien claims arising out of a general contractor's breach and subsequent default of its construction contracts.
- Reviewed and revised IADC drilling contracts and AAPL Form Joint Operating Agreements.
- Negotiated and drafted purchase and sale agreements for both onshore and offshore producing properties.
- Advised a major institutional lender on Texas-specific environmental laws and regulations affecting construction of a natural gas facility.
- Advised clients on allowable post-production deductions from royalties, phased-development of offshore resource plays in the Gulf of Mexico, and procedures for asserting and enforcing mechanic's liens.
- Drafted, proofread, and edited division order title opinions and drilling title opinions.

Experience

- Interpreted joint operating agreements, oil and gas leases, mineral, surface and royalty conveyances, district and county court cases, and client materials related to oil and gas development.
- Advised clients on surface, mineral, and royalty ownership, lease provisions, pooling agreements, and operating agreements.

AS IN-HOUSE COUNSEL:

- Drafted and negotiated temporary and long-term real property leases and licenses for electric vehicle charging stations.
- Reviewed environmental site assessments, real property covenants, conditions and restrictions, land surveys, operating and easement agreements, and other title documents in order to advise business team on issues and risks as part of site selection due diligence.
- Drafted and negotiated encroachment agreements, subordination and non-disturbance agreements, confidentiality/non-disclosure agreements, master service agreements for construction services, letters of intent, site access agreements, commercial lease agreements, subleases, estoppel certificates, and indemnity agreements.
- Reviewed, interpreted, and advised the business team on issues and risks regarding governmental incentives, legal statutes, and local ordinances related to electric vehicle charging stations.
- Negotiated and settled landlord/tenant disputes.
- Drafted and negotiated long-term in-line and ground leases ranging from 2,000-12,500 square feet with major retail tenants.

Recognition

- Houston Bar Association President's Award for Outstanding Service, 2018

Education

- J.D., Texas A&M University School of Law
- LL.M., University of Kent at Canterbury – Brussels
- B.A., University of Calgary

Admissions

- Texas

Not licensed in California.

Community Leadership

Sean is an enthusiastic supporter of the Special Olympics and volunteers often for the organization's regular tournaments. He's been involved since 2012 in both Texas and California and loves working with these amazing athletes.

*Contact Sean to set up an in-person consultation by appointment in the Austin office.