



## Benedict J. Kirchner | Of Counsel

**PHONE** (814) 333-4910  
**EMAIL** benedict.kirchner@step toe-johnson.com  
**LICENSURE** DC | NY | PA  
**EDUCATION** J.D. Indiana University Maurer School of Law

Benedict J. Kirchner focuses his practice on energy and natural resources law related to the acquisition and disposition of oil and gas assets, as well as the areas of commercial and international transactions, and export and foreign investor matters. Mr. Kirchner regularly assists upstream exploration and production companies, midstream companies, and private equity firms with mineral title examinations, title curative, and land and legal due diligence associated with acquisitions and dispositions throughout the Appalachian Basin. He completed multidisciplinary graduate coursework related to Central Asia, Russia, and China, including language training in Russian, Uzbek, and Uyghur. Mr. Kirchner has worked in the Middle East, as well as studied in Central Asia and Europe. He is a member of the Corporate Advisory Board for the Program in Energy Land Management at the Pennsylvania State University. He is currently serving as a Co-Chair of the International Energy and Natural Resources Committee, and a Co-Chair of the International Investment and Development Committee for the American Bar Association Section of International Law. He is a Fellow of the American Bar Foundation and a member of the Institute for Energy Law's First Leadership Class.

### REPRESENTATIVE EXPERIENCE

Assisted upstream and midstream energy and natural resource companies in the acquisition and disposition of mineral rights and properties to include leasing, asset sale and purchase transactions, and due diligence associated with such transactions to include the drafting of rights-of-way, affidavits, corrective deeds, and division orders

Acted as local counsel at a lease signing event which aided a major oil and gas production company in the acquisition of more than 80,000 leasehold acres

Coordinated teams of attorneys, abstractors, and landmen in the performance of pre-closing and post-closing due diligence for oil and gas transactions; reviewing title opinions; organizing defect and curative reports; and preparing closing documents

Performed oil, gas, and coal title examinations and drafted the corresponding title opinions and related curative documents to assist a wide variety of clients in acquiring desired property rights

Assisted Private Equity firm in the acquisition of oil and gas portfolio companies, minority interests in upstream and midstream companies and projects, and other oil and gas assets in the Marcellus Shale

Researched and analyzed statutes, regulations and cases for oil and gas transactions in preparation for

an initial public offering on the London Stock Exchange

Drafted contracts for importing and exporting goods in cross-border transactions, including the analysis of relevant customs regulations, border controls, and bilateral trade agreements

Prepared by-laws for private and public corporations, and government agencies

Analyzed and summarized Palestinian bank secrecy laws for use in U.S. civil litigation

Edited, updated and expanded a legal guide to doing business in Palestine

Drafted Foreign Corrupt Practices Act (FCPA) and related compliance policies for export clients

Advised on transactions involving foreign investors and the Committee on Foreign Investment in the United States (CFIUS) process and the Foreign Agents Registration Act (FARA)

Advised clients on U.S. Anti-Boycott Laws

## WORK EXPERIENCE

2010 Steptoe & Johnson PLLC

2010 Culbertson, Weiss, Schetroma & Schug, P.C.

2006-2010 Private Practitioner, Meadville, PA & Washington, DC

2005 Summer Associate, Hussein & Hussein, Ramallah, Palestine

## RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS

China and Russia Ink Mega Gas Deal

Energy Webcast - "Trending Title Topics from Around the Country"

Foreign Investors in U.S. Projects Have Right to Due Process in CFIUS Proceedings

NY Court of Appeals Upholds Local Zoning Restrictions on Oil and Gas

"1st – 5th Appalachia Young Energy Professionals General Counsel Forum," Co-Chair and Moderator, Institute for Energy Law, Pittsburgh, PA, 2014 – 2018

"2018 Survey on Oil & Gas: Pennsylvania Chapter", University of Oklahoma College of Law Oil, Gas, Natural Resources, and Energy Journal (ONE J)

"Foreign Direct Investment into the United States Natural Resources Sector," 61st Congress of the International Association of Lawyers (UIA), Toronto, Canada, October 2017

"2017 Survey on Oil & Gas: New York & Pennsylvania Chapters", University of Oklahoma College of Law Oil, Gas, Natural Resources, and Energy Journal (ONE J)

"Oil and Gas Under Roads, Railroads, Schools, Churches, Cemeteries and Waterways in OH, PA, & WV," Greater Appalachian Basin Association of Lease & Title Analysts 2017 Summer Seminar, Canonsburg, PA, August 2017

"Trending title Topics From Around the Country," 1st National Young Energy Professionals' Law Conference, Institute for Energy Law, New Orleans, LA

"2016 Survey on Oil & Gas: New York Chapter", University of Oklahoma College of Law Oil, Gas, Natural Resources, and Energy Journal (ONE J)

"BOOM or Bust: How it is Shaping the Future of the Petroleum Industry in the Americas," American Bar Association Section of International Law 2016 Spring Meeting, New York, NY, April 2016

"The Foreign Corrupt Practices Act: A Brief Overview," An Introduction to Incoterms," and "A Guide to Legal Issues Regarding the Export of Goods from the U.S." Guest Lectures at the West Virginia Export Manager class at West Virginia University and Marshall University, 2012-2016

"International Petroleum Transactions and Global Negotiations," Institute for Energy Law Hartrick Symposium: Career Paths for Young Attorneys in the Energy Sector, Houston, TX, March 2015

"Introduction to Oil and Gas Law: Property Law for Energy Land Professionals," The Pennsylvania State University, January 2014

"Apportionment of Royalties in Pennsylvania," Appalachian Basin Association of Division Order Analysts, Canonsburg, PA, April 2012

## **MEMBERSHIPS AND AWARDS**

### **PROFESSIONAL**

Fellow, American Bar Foundation

Member, Institute for Energy Law 1st Leadership Class

Deputy Technology Officer, ABA Section of International Law (2016-2018)

Co-Chair, International Energy & Natural Resources Committee, ABA Section of International Law

Co-Chair, International Investment & Development Committee, ABA Section of International Law

Past Co-Chair & Senior Advisor, Eurasia & Russia Committee, ABA Section of International Law

Liaison from the ABA Section of International Law to the Institute for Energy Law

Former Chair, Subcommittee on Hydraulic Fracturing, International Energy & Natural Resources Committee, ABA Section of International Law

Member, Customs Law Committee, Export Controls and Economic Sanctions Committee, International Anti-Corruption Committee, International Private Equity Committee, International Trade Committee, Islamic Finance Committee, and Middle East Committee, ABA Section of International Law

Admitted to practice before the United States Court of International Trade

Admitted to practice before the United States Court of Appeals for the Federal Circuit

Phi Beta Kappa

Awarded Foreign Language and Area Studies Fellowships

Awarded Social Science Research Council Grant

### **INDUSTRY/CIVIC**

Member, Strategic Planning Committee, Advisory Board, Oil and Gas Committee, International Committee, and Young Energy Professionals Committee, Institute for Energy Law

Member, Association of International Petroleum Negotiators

Member, American Association of Professional Landmen

Member, The Corporate Advisory Board for the Program in Energy Land Management at Penn State

Member, Marcellus Shale Coalition Legal and Midstream Committees

