

PAUL J. SCHLAUCH

Partner - Denver Tech Center

Mining
Mergers and Acquisitions
Natural Resources
International Transactions
Alternate Dispute Resolution
Public Lands
Litigation

(303) 290-1621

pschlauch@hollandhart.com



Experience

Mr. Schlauch has more than 35 years experience in legal issues relating to the mining industry. His practice has included counseling regarding operational and regulatory matters and representing clients in a wide array of transactions and in litigation and arbitration. Mr. Schlauch has assisted in the structuring and negotiation of hundreds of transactions, including joint ventures, limited liability companies, leases, royalty transfers, mineral property purchases and sales, ore sales agreements, cooperative operating agreements, and corporate acquisitions and mergers. He has worked extensively on public land law issues including matters relating to the location, maintenance and patenting of mining and mill site claims, land exchanges, the acquisition of various property use rights, and the resolution of claim conflicts.

In 2005, 2006, and 2007 the International Who's Who of Business Lawyers named Mr. Schlauch as "the World's leading mining lawyer," pointing in particular to his work on international transactions. In 2007, Mr. Schlauch was also honored as one of the top 500 lawyers in the United States by Law Dragon.

Mr. Schlauch has been active in natural resource industry professional organizations. He is a past president of the Rocky Mountain Mineral Law Foundation and a past President of the International Mining Professionals Society. He is a frequent speaker on topics relating to the mining industry and is the author of numerous articles on industry issues. Mr. Schlauch is an Adjunct Professor of Law at Denver University School of Law, where he teaches courses on international mineral law and policy. He also holds an appointment as an Honorary Lecturer and Course Director on the Faculty of the Center for Energy, Petroleum and Minerals Law and Policy at the University of Dundee, Scotland.

Mr. Schlauch is listed in *The Best Lawyers in America*, *Colorado Super Lawyers*, *The International Who's Who in Business Lawyers*, *Who's Who in America*, *Who's Who in American Lawyers*, *Who's Who in International Business*, and the *International Who's Who of Mining Lawyers*.

Selected Transactional Experience

- Represented the successful bidder in the privatization of the Pueblo Viejo gold deposit in the Dominican Republic.

- Lead attorney for the seller of its domestic coal business in a transaction valued at \$1.3 billion.
- Represented a Chilean company in the sale of water rights valued at in excess of \$100 million.
- Lead counsel for a U.S. coal operator in the acquisition of assets worth more than \$600 million.
- Represented seller in sale of assets in largest reported transaction on Nevada's Carlin Trend.
- Represented purchaser in acquisition of a copper deposit and various exploration properties in Spain.

Selected Arbitration and Litigation Experience

- Co-counsel for U.S. mining company in ICC arbitration initiated by an Australian company, that was settled on terms very favorable to the U.S. company.
- Successfully represented a U.S. gold company in several AAA arbitration proceedings initiated by royalty holders.
- Defeated claim for \$30 million brought in AAA arbitration proceedings by a joint venturer against the manager asserting breach of a duty to develop.
- Co-counsel in several lawsuits involving claims by royalty holders of the right to participate in hedging proceeds that resulted in judgments of no or minimal damages for the plaintiffs.
- Served as arbitrator in various matters involving oil and gas property participation rights, coal royalty calculations, land valuation, and gold royalties.

Selected Recent Speaking Engagements and Articles

Speaker and Panelist: "Analyzing Mining M&A – Market Trends, Observations and Outlooks," World Mining Investment Congress 2007, London, England (2007)

Speaker "The Role and Responsibility of Inside and Outside Counsel in the Mining Industry," International Mining and Oil & Gas Law, Development, and Investment 2007, RMMLF, Buenos Aires, Argentina (2007)

Speaker "Comments on the AMPLA Mining Services Model Contract" Biennial Conference, SEERIL, Rome, Italy (2006)

Speaker and Panelist: "More and More Over Less and Less – A Case Study of New Regulation of the United States Hardrock Mining Industry, Energy and Resources Law 2002, Edinburgh, Scotland (2002)

Panel Moderator and Program Organizer: International Resources Law and Projects - Straddling the Millennium, Rocky Mountain Mineral Law Foundation Special Institute, Santa Fe, N.M. (1999)

Speaker: International Mining Opportunities, National Western Mining Conference, Colorado Springs, CO (1998)

Speaker and Panelist: Compliance Programs under the Foreign Corrupt Practices Act, Section of Natural Resources, Environmental and Energy Law, ABA, Annual Meeting, Asheville, NC (1997).

Speaker and Panelist: "New Directions in Project Development and Finance in the Americas," ABAIABA Conference on Development, The Environment & Disputes Resolution in the Americas: New Direction for the Private Sector, Buenos Aires, Argentina (1997).

Speaker: "Foreign Investment Under New Mexican Mining Law," Mexican Mining Summit '97, Mexico City, Mexico (1997).

Professional Activities

Adjunct Professor; University of Denver College of Law, International Mineral Law and Transactions (1999-)

Rocky Mountain Mineral Law Foundation

Board of Trustees (lifetime appointment)

President (1994-1995)

Vice President (1993-1994)

Chair, Mining Agreements Committee (1991-1993)

Secretary (1990-1991)

Executive Committee (1987-1989)

Program Chairman, Annual Institute (1986)

Chairman, Short Course Committee (1983-1985)

Member, Oil and Gas Short Course Committee

Chairman, Mining Law Short Course Committee (1981)

Member, Permanent Sustaining Fund Committee (1981-1983)

Member, Long Range Planning Committee (1979-1982)

Member, Mining Law Topic Committee (1976-1982)

American Bar Association, Section of Natural Resources, Energy, and
Environmental Law
Member of Council (1986-1989)
Chairman, Continuing Legal Education (1983-1985)
Chairman, Hard Minerals Committee (1981-1983)
International Mining Professionals Society
President (2000-2001)
Vice President (1999-2000)
Founding Director
Member, Commercial Arbitration Panel of the American Arbitration
Association
Member, Inter-American Bar Association, Natural Resources Committee
(1993-present)
Member, Board of Governors, Colorado Bar Association (1993-1995)
Member, Advisory Board, Colorado Japan America Society (1990-1991)
Director, Greater Denver Corporation (1987-1991)
Member, Governor's Commission on Mining on the Front Range (1989-
1990)

Education

University of Virginia (LL.B., 1966)
Order of the Coif
Raven Society
Managing Editor, *Virginia Law Review*
Colgate University (A.B., Chemistry, *cum laude*, 1963)
Phi Beta Kappa