

BIRMINGHAM

M. Beth O'Neill

SHAREHOLDER



Beth's Profile

Beth is a Shareholder and member of the following Corporate Practice Groups: Corporate Securities & Tax, Real Estate; Energy & Natural Resources; General Counsel Services; Intellectual Property Protection; and General Corporate.

Her Real Estate and Intellectual Property practices are concentrated in several highly regulated industries, including energy and natural resources, health care and financial and insurance. Beth leverages her deep industry knowledge and extensive corporate law experience to provide clients with complex transactional and contracting services tailored to meet their business needs.

Real Estate; Energy & Natural Resources

Beth's practice is uniquely suited to serve the Real Estate needs of our clients, particularly those in the energy & natural resources and healthcare industries. She regularly represents buyers, sellers, landlords, tenants and developers in real estate matters, including, acquisition, development, construction, land use planning, zoning, annexation and leasing matters. Beth represents oil & gas, mineral, mining and timber clients, and she regularly advises them on all of their real estate matters, including compliance with zoning, land use and mining and mineral extraction regulations. She recently has represented several large landowners in negotiations with solar project developers who are taking advantage of the extension of federal tax credits and increasing demand for alternative energy projects. Beth advises real estate development clients and contractors on construction matters, including the licensing requirements of the Alabama Board of General Contractors.

Intellectual Property & Technology; Complex Contracting

Beth's Intellectual Property practice includes licensing work for clients

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RELATED INDUSTRIES/SERVICES

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that own and want to monetize their intellectual property as well as clients that are acquiring intellectual property rights for use in their businesses. Her clients include software and technology vendors, data center operators, manufacturers and several large health care, financial and insurance clients. She uses her regulatory knowledge to assist clients in structuring agreements to license, sell, acquire and protect intellectual property rights while complying with regulations protecting sensitive health and financial information. Beth also counsels clients with e-commerce businesses, including establishing on-line stores and implementing website privacy policies, terms of use and terms of sale. Her practice extends to the analysis and negotiation of intellectual property rights transfers and licenses in mergers, acquisitions and sale transactions.

Clients routinely seek Beth's assistance to draft and negotiate a wide gamut of business contracts. She frequently assists clients with preparing form contracts and establishing contracting and licensing programs and procedures that further their business goals while protecting valuable intellectual property. She develops and negotiates contracts on behalf of clients at all levels of the supply chain including:

- Software and technology license, maintenance and support agreements
- Manufacturing, sales and distribution agreements
- Professional services and general services agreements
- Equipment leasing agreements
- Group purchasing agreements

Beth has been recognized by several organizations and industry publications for her work including: Chambers USA: America's Leading Lawyers for Business® for Real Estate; The Best Lawyers in America® for Corporate Law and for Land Use & Zoning Law; Best Lawyers® Women in the Law – Top Peer-Nominated Lawyer; Super Lawyers® for Business/Corporate Law; and Construction Lawyers Society of America, Fellow. She earned and continually has maintained an AV-Preeminent rating with Martindale-Hubbell for the last fifteen years.

Beth's Experience

Real Estate; Energy & Natural Resources

- Represented purchaser in multiple acquisitions of oil & gas assets throughout the Appalachian basin
- Represented purchaser in acquisition of active coal mine and significant coal reserves
- Represented purchaser of multiple mineral reserves and cement and ready mix sites throughout the southeast
- Represented large landowners in negotiation of agreements for solar energy projects
- Represented mineral owner in zoning and land use challenges against new underground mine

- Represented mineral owner in relocation of cemetery that was blocking development of mineral reserves
- Represented timber owner in purchase of significant timber and surface real estate rights
- Represented medical office developer in portfolio sale of 15 medical office buildings
- Represented non-profit hospital in contribution of four hospital facilities and numerous medical clinic facilities to newly created for-profit joint venture
- Represented manufacturer in the acquisition, sale and zoning compliance for manufacturing and service facilities located throughout the United States

Intellectual Property & Technology; Complex Contracting

- Vendor contract services, including complex software and systems licensing services meeting data security, privacy and other regulatory requirements, for top ten publicly traded bank
- Software and systems licensing services meeting data security, privacy, HIPAA and other regulatory requirements for national insurance company
- Managed IT services contracts and complex contract review and negotiations for data center and managed IT service provider
- Vendor contract services, including complex software and systems licensing services meeting HIPAA, data security and privacy regulations, and physician/hospital contract services, including real and personal property leases and service agreements meeting HIPAA, STARK and anti-kickback regulations
- On-line auction services documents, terms and conditions, and privacy policies for national equipment auction company
- Equipment leasing program documents for large equipment manufacturer
- Agreements for the license and implementation of an enterprise resource planning (“ERP”) system for County, including all accounting, finance and human resources functions
- Agreements for the license and implementation of an ERP for a national insurance company, including all accounting, finance, human resources and agent payment systems
- Agreements for a large regional hospital system’s electronic health records (“EHR”) system, including licenses and business associate agreements for use with a sublicense program designed to improve integration and quality of care initiatives between hospital and referring physicians
- Contract services, including real estate agreements (purchase and sale, lease and construction/development), software and systems licensing agreements, professional services agreements, and non-disclosure agreements, for international equipment manufacturer
- Represented hospital system in implementation of a new EHR system, including establishing a sublicensing program for clinics and physicians to further continuum of care/quality initiatives

- Represented equipment leasing company/lender in establishing new equipment leasing program and in closing equipment leasing transactions

Beth's Awards

- Chambers USA, Leading Practitioner in Real Estate (2012-present)
- The Best Lawyers in America® for Corporate Law (2007-present), Land Use and Zoning Law (2016-present), Real Estate Law (2018-present), Mergers and Acquisitions (2021-present)
- Best Lawyers® 2018 "Lawyer of the Year" for Land Use and Zoning Law
- Best Lawyers® Women in the Law – "Top Peer-Nominated Lawyer"
- Mid-South Super Lawyers for Real Estate (2016-present)
- Alabama Super Lawyers for Business/Corporate (2012; 2014-2015)
- Martindale-Hubbell AV® Preeminent Rating - Bar Register of Preeminent Women Lawyers (2013)
- Fellow, Construction Lawyers Society of America



Beth's Affiliations and Civic Involvement

- American Bar Association (Real Property and Business Law Sections)
- Alabama State Bar Association
- Birmingham Bar Association
- Farrah Law Society
- American Health Lawyers Association
- Construction Lawyers Society of America

Bar Admissions

State Bar: Alabama

Education

- University of Alabama School of Law
 - (1988, J.D., Hugo L. Black Scholarship recipient; Alabama Law Review, Articles Editor; Omicron Delta Kappa; Bench & Bar Legal Honor Society; Order of the Coif; M. Lee Harrison Scholastic Honorary Award (Top 5%))
- Auburn University
 - (1985, B.A., summa cum laude)