

28th Kentucky Mineral Law Conference Speakers

Robert B. Allen

Robert B. Allen is a partner in the corporate practice group of Akin, Gump, Strauss, Hauer & Feld, L.L.P. in the Houston office. Mr. Allen's practice has involved all areas of energy transactions and related corporate and real property law. Mr. Allen's practice has been focused on merger and acquisition transactions in which energy assets are involved, such as the sale or purchase of electric power generating and transmission facilities, producing oil and gas properties, refineries, LNG facilities, processing plants, pipelines, gathering lines and related assets, or lending transactions in which such assets form the most significant collateral.

Mr. Allen is a member of the Independent Petroleum Association of America and its Natural Gas Committee and Offshore Steering Committee. He is also a member of the board of trustees of the Energy & Mineral Law Foundation and serves as a member of the board of advisory editors for the publication of the proceedings of the foundation's Annual Institute. He has given presentations on topics such as acquisition of producing oil and gas properties, offshore oil and gas developments, limited liability companies and oil and gas royalties before significant legal education programs such as the Louisiana Mineral Law Annual Institute, the Kentucky Mineral Law Conference and the Energy & Mineral Law Foundation's Annual and Mid Winter Institute, as well as prior presentations of this conference.

A native of Baton Rouge, Louisiana, Mr. Allen is a member of the Texas Bar, the Louisiana Bar, and all Federal courts in the State of Louisiana. He also served as Law Clerk to the Honorable E. Gordon West, United States District Court for the Middle District of Louisiana. He is a 1975 graduate of the Louisiana State University School of Law, where he was a member of the Louisiana Law Review and the Order of the Coif. He received his B.A. from Louisiana State University in 1972. He presently serves on the advisory council to the Dean of the College of Arts and Sciences of Louisiana State University.

J. Craig Baker

J. Craig Baker, is senior vice president - regulation and public policy for American Electric Power in Columbus, OH, and oversees all System-wide public policy activities, on both state and national policy issues. He heads the Public Policy department and the Regulatory Services department, including all regulatory state directors.

In addition, Baker continues to represent AEP in all activities relating to the development of independent regional transmission organizations that would control, operate and own transmission facilities. Baker reports to Susan Tomasky, executive vice president of Legal, Policy, Governmental Affairs and Corporate Communications.

Since joining AEP in 1968, Baker has held positions in information systems, system operation, corporate planning and budgeting, and energy marketing and trading. He most recently was vice president - transmission policy.

Baker earned a bachelor's degree in 1970 from Walsh College in Canton, Ohio, and a master's in business administration in 1980 from the University of Akron.

William G. Barr

Bill Barr is the Vice President, Acquisitions & Legal Affairs, of Daugherty Petroleum, Inc. in Lexington, KY. He received a Juris Doctorate from the University of Kentucky in 1975. Mr. Barr

has more than 27 years experience in the corporate and legal sectors of the oil and gas industry, having served in senior management positions in oil and gas exploration and production companies, and as an attorney with a significant natural resource practice.

Mr. Barr currently serves as Governing Member Trustee for the Energy & Mineral Law Foundation. He serves on the Board of Directors of the Kentucky Oil & Gas Association (KOGA), having previously served as Vice President of that organization from 1988 to 1992, and is chairman of the legislative committee. Mr. Barr frequently lectures on oil and gas issues and has published numerous papers on these topics.

Kathy G. Beckett

Kathy G. Beckett is a member of the law firm of Jackson Kelly PLLC. She works in the Charleston, West Virginia office of Jackson Kelly PLLC and is primarily involved in the practice of environmental and energy law. Kathy has been an active member in the environmental committees for many associations and trade organizations during her years of practice to include the EMLF, American Bar Association Section of Environment, Energy, and Resources Law, Independent Petroleum Association of America, American Petroleum Institute, Interstate Oil and Gas Compact Commission, Kentucky Oil and Gas Association, Ohio Oil and Gas Association, New York Independent Oil and Gas Association, West Virginia Independent Oil and Gas Association, West Virginia Oil and Natural Gas Association, West Virginia Chamber of Commerce and the West Virginia Coal Association.

Kathy holds a Bachelor of Arts from the University of Kentucky (1984) and a Juris Doctorate from the West Virginia University College of Law (1988). She is admitted to practice in West Virginia and Kentucky.

Michael S. Beer

John R. Bender – “Rick”

Rick Bender is the Director of the Division of Oil and Gas at the Kentucky Department of Mines and Minerals. He has been with the Division for 13 years having become the Director in 1995. He is the Official Representative for the Governor to the Interstate Oil and Gas Compact Commission, and serves on several of the Compact's committees. He is a Registered Petroleum Geologist and worked for several oil and gas producing companies in Kentucky, Tennessee, Indiana, and Illinois prior to his employment with the Division. He is a graduate of the University of Kentucky and currently resides in Lexington, KY.

David F. Boehm

David Boehm, Boehm, Kurtz & Lowry, received his Bachelor of Science from Xavier University in 1967 and his law degree from the University of Cincinnati School of Law in 1972. He has practiced law in the public utility and energy areas since 1976. Dave is licensed to practice in Kentucky, Ohio and Pennsylvania. Over the years Dave has represented industrial clients in electric, gas, and water cases in the states of Minnesota, Michigan, Illinois, Ohio, Kentucky and Pennsylvania as well as the Federal Power Commission and its successor, the Federal Energy Regulatory Commission. In Kentucky, the firm of Boehm, Kurtz & Lowry represents the Kentucky Industrial Utility Customers “KIUC,” an organization of 33 of the largest, energy intensive industries. It is active in promoting fair and reasonable gas and electric utility rates principally in proceedings before the Kentucky Public Service Commission. Since its founding in 1982, KIUC has actively participated in virtually every major gas and electric case to be brought before the Kentucky Commission.

Maureen D. Carman

Maureen Carman is an attorney at Wyatt, Tarrant & Combs in the Frankfort, Kentucky, office and is a member of the Firm's Mineral & Energy Practice Group. She concentrates her practice in the areas of surety, construction and mineral and energy law. Ms. Carman was formerly in-house General Counsel for Cumberland Surety Insurance Company, Inc. She served as a director on the Board of Directors for the Mediation Center of Kentucky (1992-97) and was managing attorney in the Office of General Counsel for the Kentucky Natural Resources and Environmental Protection Cabinet(1985-90).

Ms. Carman served as President of the Kentucky Association of Bonding Institutions (1992-2000). She is a member of the American Bar Association, Tort and Insurance Practice Section - Fidelity and Surety Committee and Kentucky Bar Association. Recent publications include "Regulatory and Transactional Bonding: A Primer on Surety Bonding for the Mineral Lawyer," *17 E. Min. L. Inst.* (1996); *The Law of Suretyship*, 2nd Ed., Gallagher, Ed., ABA, 2000. She has participated as speaker and panelist on the topics of mining reclamation, surety bonding and law office management since 1980. Ms. Carman received her B.A. degree with honors in 1975 and her J.D. degree in 1979 from the University of Kentucky.

Chauncey S.R. Curtz

Chauncey S. R. Curtz is of-counsel in the Lexington, Kentucky office of Dinsmore & Shohl LLP where he specializes in mineral and energy law. Throughout his career he has represented clients involved in the ownership, leasing, extraction and sales of coal and mineral properties. His practice has focused on negotiating, drafting, litigating and arbitrating all types of commercial transactions for both mineral lessors and operating companies. He currently is head of Dinsmore & Shohl's Natural Resources Practice Group.

In addition to his legal practice, Mr. Curtz is President of Coal, Energy Investments & Management, LLC, which is the Managing Partner of Big Sandy Company, L.P., a large privately held mineral lessor based in Boston, Massachusetts.

Mr. Curtz is the Co-Chair of this year's program. He serves on the Executive Committee and is the Assistant Secretary of the Energy & Mineral Law Foundation. He received his B.A. from McGill University in Montreal and his J.D. Degree from the University of Wisconsin in 1981. Mr. Curtz is admitted to practice before the U.S. District Court for the Eastern and Western Districts of Kentucky, the 6th Circuit Court of Appeals and the U.S. Supreme Court.

R. Eberley Davis

R. Eberley Davis is Of Counsel with Stoll, Keenon & Park, LLP and practices in the areas of bankruptcy, environmental and natural resources, and general business and corporate law. He formerly was Vice President, Secretary, and General Counsel of Massey Energy Company, and Vice President and General Counsel of Lodestar Energy, Inc. Mr. Davis was in private practice in Union County, Kentucky, from 1982 through 1992, and served as Union County Attorney from 1990 through 1992.

Mr. Davis received his B.A. degree in Economics, with high distinction, in 1979 from the University of Kentucky, where he graduated Phi Beta Kappa. In 1982, he received his J.D. degree, with distinction, from the University of Kentucky College of Law, where he was elected Order of the Coif and was a staff member of the *Kentucky Law Journal*. Mr. Davis also received an M.B.A. degree from U.K. in 2000.

Commissioner Michael F. Duffy

Michael F. Duffy was sworn in as a member of the Federal Mine Safety and Health Review Commission on December 2, 2002, and was named Chairman of the Commission by President Bush on February 2, 2003. Prior to his appointment to the Commission, Mr. Duffy served as deputy general counsel to the National Mining Association and was responsible for issues ranging from mine safety and health to environmental compliance and public land use. From 1986-1992, he served as counsel to the Chairman of the Review Commission.

Mr. Duffy received his B.A. in English from the Catholic University of America, and his J.D. from the National Law Center at George Washington University. Mr. Duffy is a member of the District of Columbia Bar and is admitted to practice before the U.S. Supreme Court and several U.S. Circuit Courts of Appeals.

He was born and raised in Butte, Montana, and was employed there in the copper mines while working his way through school. He currently resides in Washington, D.C. and Mineral, Virginia. He and his wife, Jane, have three children, Juliana, Eamon, and Brendan.

William P. Ewing

Bill Ewing is a partner in the Corporate Practice Group of Kilpatrick Stockton LLP in Atlanta, and has extensive tax experience in the international, leasing, corporate and partnership areas. He advises clients on various international tax issues, including both U.S. inbound and outbound tax planning structures. He has advised equity investors in multi-billion dollar cross-border leasing transactions and airlines, as lessees, in connection with aircraft leasing transactions.

Mr. Ewing has implemented several corporate reorganizations and acquisitions and partnership transactions. He has acted as tax counsel for developers and equity investors in various tax credit transactions, including substantial experience in transactions involving the Section 29 nonconventional fuels tax credit.

Mr. Ewing received his B.A. in Accounting from Washington and Lee University in 1986. He earned his J.D. in 1989 from the University of South Carolina School of Law. In 1992, Mr. Ewing received an LL.M. in Taxation from the University of Florida College of Law.

Mr. Ewing is admitted to the State Bars of Georgia, Florida and South Carolina. He is a member of the Tax Section of the American Bar Association, International Fiscal Association and Atlanta Tax Forum.

Thomas J. FitzGerald

Tom FitzGerald has been the Director of Kentucky Resources Council, Inc. in Frankfort, Kentucky since 1984. He received his B.A. in American Studies, with distinction from Roger Williams College, Bristol, Rhode Island, in 1976. He was a Reginald Heber Smith Community Lawyer Fellow from 1980-1982, and received his J.D. at the University of Kentucky College of Law in 1980 where he was elected to Order of the Coif.

He has been a Member of the Governor's Clean Air Act Implementation Task Force since 1993, and the Solid Waste Reduction and Management Plan Advisory Committee since 1991. Among his publications are "The Ages Tragedy: Where Were The Regulators?," a report of the 1981 coal waste dam collapse in Harlan County, Kentucky, and the "Federal Regulation of Coal Mine Waste Disposal: A Blueprint For Disaster." This article focused on the need for reform and inter-agency coordination in coal waste regulation, published in the 1984 National Coal Issue of the West

Virginia Law Review. He is also the author of "Abuse of the Surface Mining Act: A Continuing Story," which was published in the 1985 National Coal Issue of the *West Virginia Law Review*.

Sharon O. Flanery

Sharon O. Flanery is currently employed by NiSource Corporate Services in the Corporate Development Operations group. From April 2001 through August 2003, Ms. Flanery was Vice President of Exploration for Columbia Natural Resources, Inc. where she led the company's exploration and development efforts. Several key departments, including Geology and Geophysics, Land and Business Development, Reservoir Engineering and Gas Measurement, were under her direction.

She began her career in 1978 in Charleston, WV with Columbia Gas Transmission as an engineer and worked in that capacity through 1982. From 1983 through 1985, she worked as a reservoir engineer for Aramco in Saudi Arabia and in 1987 joined the engineering staff of CNG Development Company in Pittsburgh. At CNG she supervised the reservoir and production engineering activities of CNG's Appalachian exploration and development program and played an important role on the company's coalbed methane team. In 1991 she worked as an attorney at the Pittsburgh law firm of Thorp, Reed & Armstrong, where her practice was concentrated in the mineral and energy segments. In late 1993, she joined CONSOL, Inc., a major U.S. coal producer, serving as counsel primarily for its coalbed methane and river operations. In March 1998, Flanery returned to Columbia Gas Transmission to serve as its Assistant General Counsel until she left to join CNR.

Flanery received a Juris Doctor degree from Duquesne University and holds a Bachelor of Science degree in Petroleum Engineering from West Virginia University. Flanery is a member of the District of Columbia, Pennsylvania and West Virginia State Bars and has a United States Patent and Trademark License. She is co-author of "Orphans, Foundlings, and Wards of the State: Plugging Liability for Orphaned and Abandoned Wells in the Eastern United States," "The Use of Minitrails in Mineral Disputes," and the paper entitled "Application of Log-Inject-Log in Granny's Creek Oil Field." Flanery serves on the advisory committee for the Department of Petroleum and Natural Gas Engineering at West Virginia University and on the board of the Black Diamond Girl Scout Council.

Sandra K. Fraley

Sandra Fraley is the Director of Legal Affairs for the Equitable Supply business segment of Equitable Resources, Inc. Equitable Resources, Inc. is an integrated energy company with an emphasis on Appalachian area natural gas supply activities, including production, gathering, distribution and transmission.

After graduating from the University of Kentucky College of Law in 1991, Ms. Fraley joined Equitable Production Company as a staff attorney and served as in-house counsel for Equitable companies until 1999. In 1999, Ms. Fraley joined the law firm of Penn Stuart in Abingdon, Virginia where her practice focused on oil, gas and coalbed methane law, general corporate law, administrative agency matters and real estate law. In 2000, Ms. Fraley accepted the position of Director of Legal Affairs with Equitable Production Company in its Charleston, West Virginia office.

Ms. Fraley serves as a Trustee and on the Executive Committee of the Energy and Mineral Law Foundation. She is also a member of the Energy and Conservation Advisory Committee to the Virginia Attorney General.

Ms. Fraley has served on the Board of Directors of the Kentucky Oil and Gas Association since 1996, and as Chair of its legal committee from 1996 – 2000. She has also served on the Board of Directors of the Virginia Oil and Gas Association since 2000.

William T. Gorton, III

William T. Gorton, III is a partner in the Lexington office of Stites & Harbison. His practice includes natural resource, mining, waste, energy and environmental law counseling and litigation. His practice also includes transactional work in performing necessary due diligence related to large natural resources and environmentally sensitive commercial transactions, legislative analysis and participation in rulemaking for clients.

Mr. Gorton is an Adjunct Professor of Environmental Law at the University of Kentucky and an arbitrator for the American Arbitration Association. Prior to practicing law, Bill was an associate and manager for Skelly & Loy, Engineers – Consultants. He managed mining and environmentally related projects throughout the United States. In 1996 Bill was invited as one of four United States delegates for the United States Information Agency in a professional exchange to the African nations of South Africa, Zimbabwe and Uganda to meet with government, private sector and environmental groups and educators to address natural resources and environmental issues in a context of economically sustainable development. Bill chaired the 25th Kentucky Mineral Law Conference and is a Trustee of the Energy & Mineral Law Foundation.

Karen J. Greenwell

Karen Greenwell is a partner in the Lexington office of Wyatt, Tarrant & Combs where she practices in the areas of mineral, energy, and property law (including litigation and transactions), as well as general commercial litigation. Ms. Greenwell received both her B.A. and J.D. degrees with highest honors from the University of Kentucky, where she was Phi Beta Kappa and Order of the Coif. She has been admitted to practice before the U.S. District Court/Eastern and Western Districts of Kentucky; U.S. District Court/6th Circuit; and the U.S. Supreme Court. She co-authored “On the Constitutionality of Kentucky’s Mineral Deed Act” 13 *Northern Kentucky Law Journal* 219 (1986); “Kentucky’s Broad Form Deed Amendment: Constitutional Considerations”, 5 *Journal of Mineral Law and Policy* 9 (1989-90); “The Applicant Violator System Under SMCRA; Ownership and Control Regulations”, 6 *Journal of Mineral Law and Policy* 143 (1990-91). She is a fellow of the Institute for Mining and Mineral Research and member of the Fayette County, Kentucky and American Bar Associations.

Mark E. Heath

Mark E. Heath is Counsel at Spilman Thomas & Battle, PLLC’s, Charleston, West Virginia office. He concentrates in safety issues, and labor and employment law. His work involves both federal and state court actions, as well as administrative cases before federal and state agencies.

Mr. Heath represents employers on matters pertaining to the Occupational Safety and Health Administration, the Mine Safety and Health Administration, and state safety agencies with respect to interpretations of regulatory requirements, significant citations and orders, accident investigations, special investigations, and employment discrimination issues related to safety.

Mr. Heath also counsels companies on a variety of labor and employment issues. He has represented companies in precedent-setting WARN Act litigation, including an appellate case that upheld the use of the “unforeseeable business circumstances exception” to shorten WARN notice requirements following a mining company’s loss of a vital contract. Mr. Heath also has been a frequent public speaker on the WARN Act. Mr. Heath provides guidance to companies throughout the United States on other federal labor, employment, and wage and hour issues. Mr. Heath is a

regular speaker before industry and trade groups on health and safety and labor issues. He is also a Trustee of the Energy and Mineral Law Foundation.

Prior to joining Spilman Thomas & Battle, PLLC, Mr. Heath was a partner in the former Heenan, Althen & Roles, LLP, and from 1987 to 1989 was a Captain with the United States Army Judge Advocate General's Corps, where he concentrated in labor, administrative law and military justice. Mr. Heath graduated from the University of Kentucky College of Law (J.D. 1986). He did his undergraduate work at Western Kentucky University (B.A. cum laude, 1983). Mr. Heath is a member of the bars of Kentucky and West Virginia. He is admitted to practice before the Supreme Courts of West Virginia and Kentucky, various U.S. District Courts, as well as the United States Courts of Appeals for the Fourth and Sixth Circuits, and the U.S. Supreme Court.

Martin Huelsmann

Martin Huelsmann was appointed Chairman of the Kentucky Public Service Commission August 1, 2000 to serve through June 30 of 2004. Marty was appointed Executive Director of the Kentucky Public Service Commission in January of 2000. He brings a broad background and range of experience to the Kentucky Public Service Commission. In 1996, Marty was asked to serve as Special Deputy Liquidator for Delta Re Insurance Company, and Deputy Liquidator for the much-publicized Kentucky Central Life Insurance Company liquidation.

Marty has also served as Deputy Secretary for the Kentucky Justice Cabinet, many years as Assistant County Attorney in Kenton County, and a professor at the Salmon P. Chase College of Law at Northern Kentucky University since 1970, teaching Torts, Criminal Law, Insurance, and Professional Responsibilities. In his private life, he has served on a number of community boards, including President and Board Member of Redwood School and Rehabilitation, the Wood-Hudson Cancer Research Board, and as a member of the board of directors for the Interfaith Association of Northern Kentucky University.

Marty has been recognized for his public and private commitments through numerous awards and appointments. He received the Salmon P. Chase American Inn of Court Award of Excellence, and was named the 1997 Patron of the Year by the Kentucky Peace Officers' Association. He has received three gubernatorial appointments including a 1992 appointment to the Executive Ethics Committee, a 1996 appointment to the Task Force on Education, and in 1998 to the Criminal Justice Council. In addition, the Supreme Court of Kentucky has appointed him Special Judge of Supreme Court five times, and he has served as councilman for the City of Ft. Mitchell. When he is not busy in his professional and civic duties, Marty also enjoys a wide variety of hobbies, from fishing to Chess, Numismatics, and a 356 Porsche. Marty and his wife, Shirley, reside in Ft. Mitchell, Kentucky. They have three children.

Makram B. Jaber

Makram B. Jaber is an attorney at Hunton & Williams LLP in Washington, D.C., where he practices Environmental Law. Mr. Jaber has received a B.S. in Civil Engineering from the American University of Beirut in 1984; M.S. and Ph.D. degrees in Geotechnical Engineering from the University of California, Berkeley, in 1985 and 1989, respectively; and a J.D. from Emory University in 1996. During the 1996-1997 term, Mr. Jaber clerked for the Honorable Stanley F. Birch, Jr., United State Court of Appeals for the Eleventh Circuit.

Mr. Jaber's practice spans most major federal and state environmental laws, including the Resources Conservation and Recovery Act ("RCRA"), Superfund, the Clean Water Act, and the Clean Air Act. For the last four years, Mr. Jaber has focused primarily on the Clean Air Act, representing electric utility companies in both enforcement defense and rulemaking. In November

1999, the U.S. Environmental Protection Agency (“EPA”) launched an “enforcement initiative” against the electric utility industry. EPA alleged that, over the last twenty years, utilities repeatedly violated the New Source Review (“NSR”) program of the Clean Air Act when they undertook component repair and replacement projects at their plants without obtaining pre-construction permits. Mr. Jaber represents several of the targets of this initiative, including the Tennessee Valley Authority (“TVA”), FirstEnergy Corporation, and Duke Energy Corporation.

Mr. Jaber represented TVA in responding to an Administrative Compliance Order issued by EPA, including defending TVA at an administrative hearing before EPA’s Environmental Appeals Board and appealing to the Eleventh Circuit. The Court of Appeals issued a decision in June 2003, holding EPA’s order “legally inconsequential.” *Tennessee Valley Authority v. Whitman*, 336 F.3d 1236 (2003). Mr. Jaber also represented (and continues to represent) both FirstEnergy and Duke Energy in their NSR cases. In *Duke Energy*, the district court recently issued an opinion and order on cross-motions for summary judgment, holding unlawful the basic legal premises of EPA’s enforcement initiative. *United States v. Duke Energy Corp.*, ___ F. Supp. 2d ___, No. 1:00CV1262, 2003 WL 22024780 (M.D.N.C. Aug 26, 2003).

Mr. Jaber represents the Utility Air Regulatory Group (UARG”), an ad-hoc coalition of public and private electric utility companies and their trade associations, in rulemakings under the Clean Air Act. In the last few years, he filed comments on behalf of UARG in various NSR-related rulemakings, and he is currently representing UARG in D.C. Circuit litigation over the agency’s rules. He also counsels UARG members on compliance with NSR rules.

Brian M. Johnson

Brian M. Johnson is an attorney with the law firm of Greenebaum Doll & McDonald PLLC, practicing in the litigation section of its Lexington office. Mr. Johnson’s primary area of focus is toxic tort defense, although his practice also includes products liability defense, commercial litigation and construction law.

Mr. Johnson graduated from Transylvania University in 1994. In 1997, he graduated from the University of Kentucky College of Law, where he was a member of the Journal of Natural Resources and Environmental Law. He is admitted to practice in Kentucky, the United States District Courts for the Eastern and Western Districts of Kentucky, and the United States Court of Appeals for the Sixth Circuit.

Benita Kahn

Ms. Kahn is a graduate of The Ohio State University School of Law. She practices in the areas of energy law, telecommunications, privacy law, and compliance with federal and state consumer protection laws at Vorys, Sater, Seymour and Pease in Columbus, Ohio. Her varied practice has included appearances before the Ohio Public Utilities Commission and the Illinois Commerce Commission on behalf of clients with telecommunications, gas, electric and water issues. Ms. Kahn’s energy practice has included the negotiation and drafting of various acquisitions and mergers (including a \$76 million mineral asset acquisition), and agreements for exploratory and development projects, litigation of royalty dispute claims and compliance with federal historic preservation requirements. Ms. Kahn is a member of the Columbus and Ohio State Bar Association; the Ohio Oil and Gas Association; and has been a member of EMLF since the 1980’s, a Trustee from 1990-1996, and President of EMLF in 1996-1997. Ms. Kahn is also a member of the Ohio Oil and Gas Commission that hears appeals from Orders of the Chief of the Oil and Gas Division.

Adam R. Kegley

Adam R. Kegley is an associate in the Commercial Transactions and Real Estate Department of the Lexington, Kentucky office of Frost Brown Todd LLC. Mr. Kegley practices primarily in the areas of bankruptcy and creditors' rights. Mr. Kegley has represented debtors, debtors-in-possession, creditors, creditors' committees and trustees in chapter 11 and chapter 7 bankruptcy cases and creditors in chapter 13 bankruptcy cases.

Prior to joining Frost Brown Todd LLC, Mr. Kegley served as a law clerk to the Honorable Karl S. Forester, Chief Judge for the United States District Court for the Eastern District of Kentucky.

Peter M. Kelly, II

Peter Kelly has been engaged in the practice of employee benefits law in Chicago, Illinois since his graduation from Indiana University School of Law. In addition to plan drafting, Mr. Kelly advises clients regarding plan design, plan administration and compliance with ERISA and tax laws. He has experience with the full range of plans, including qualified and non-qualified retirement plans, health and other welfare plans and fringe benefit and executive compensation arrangements. His practice includes the defense of employers, plans and plan fiduciaries in ERISA litigation.

Mr. Kelly is a shareholder in the Chicago office of Ogletree Deakins, a leading management employment law firm with offices in 16 cities. Prior to its 1999 merger with Ogletree Deakins, Mr. Kelly's firm was known as Murphy, Smith & Polk. Before joining Murphy, Smith & Polk in 1991, Mr. Kelly was an employee benefits partner with three other Chicago law firms, McDermott, Will & Emery, Kirkland & Ellis and Bell, Boyd & Lloyd. Among his many honors, Mr. Kelly was selected as a Charter Fellow of the American College of Employee Benefit Counsel ("ACEBC") and currently serves as its Treasurer and as a member of its Board of Governors. He is also a Life Fellow of the American Bar Foundation and for many years has received the highest ratings awarded by the Martindale-Hubbell Law Directory.

Mr. Kelly was awarded the "Hammer Award" by the National Performance Review, a federal interagency task force, for his work on a Pension Benefit Guaranty Corporation negotiated rulemaking committee. The award honors teams that make "significant contributions" to "reinventing government." The award's name stems from outdated Pentagon procurement practices (including purchases of hammers at a cost of \$400 each).

In addition to his board experience with the ACEBC, Mr. Kelly has been selected in each of the past 22 years by the U.S. Chamber of Commerce to serve on its Employee Benefits Committee. This committee guides the U.S. Chamber in the development of its public policy positions regarding retirement, health, Social Security and other employee benefit matters, including its policy statements regarding proposed legislation and regulations. For the past eight years Mr. Kelly has served on the governing board of the American Bar Association ("ABA") Joint Committee on Employee Benefits, the body that coordinates the employee benefits activities of six ABA Sections, supervises most ABA employee benefits CLE programs and conducts the well known annual ABA government agency Q&A sessions.

Mr. Kelly served as a Guest Instructor during the Fall 2001, Spring 2002 and Fall 2002 IRS National Training Programs for new Employee Plans Division Agents and taught a course in pension and profit-sharing law for nine years (eight years at Loyola University School of Law and once at Indiana University School of Law (Bloomington)). Mr. Kelly is a frequent author and speaker and has been invited to testify before Congress and government agencies on more than two dozen occasions.

Peter B. Lilly

Peter B. Lilly was named Chief Operating Officer for CONSOL Energy Inc.'s coal segment, effective October 28, 2002. Lilly is responsible for all aspects of the company's coal production, marketing and sales.

Prior to joining CONSOL Energy, Lilly had been President and Chief Executive Officer of Triton Coal Company LLC and Vulcan Coal Holdings, LLC, in St. Louis. Before heading those companies, he held a number of senior positions from 1991 to 1998 with Peabody Holding Company Inc., including President and Chief Operating Officer. He also was President of Eastern Associated Coal Corporation in Charleston, W.Va., and President of Kerr-McGee Coal Corporation in Oklahoma City.

A native of Beckley, West Virginia, Lilly is a 1970 graduate of the U.S. Military Academy at West Point, with a Bachelor of Science degree in general engineering and applied science. He obtained his Master of Business Administration degree in industrial marketing and operations management from Harvard University in 1977. In addition, he completed the advanced executive program at Northwestern University's Kellogg School in 1988.

Lilly has served on the board of directors of the National Coal Association, American Mining Congress, Peabody Holding Company, Penn Virginia Corporation and Penn Virginia Resources, LP. He has chaired the National Mining Association's safety committee, is a former chairman of the West Virginia Coal Association, and has been a member of the Young Presidents' Organization. He and his wife Brenda have two children, Lauren and Peter.

Margaret S. Lopez

Margaret S. Lopez is an attorney in the Washington, D.C. office of Ogletree, Deakins, Nash, Smoak and Stewart, P.C. Her practice is concentrated in occupational safety and health, labor and employment law, employee benefits and non-profit association law. Ms. Lopez regularly advises companies on federal safety and health regulatory matters, including issues arising under the Occupational Safety and Health Act and the Federal Mine Safety and Health Act and represents companies in litigation arising under those laws. Ms. Lopez has represented employers in federal district court and appellate cases concerning employee benefit plan issues arising under ERISA and the Coal Industry Retiree Health Benefits Act of 1992 and in traditional labor law cases, including cases seeking to overturn labor arbitration decisions. Ms. Lopez also counsels non-profit corporations, trade associations, and professional societies on a wide variety of non-profit and employment law matters.

Ms. Lopez is the author of "Application of the Audit Privilege to Occupational Safety and Health Audits: lessons Learned from Environmental Audits," 12 *J. Nat. Resources & Envtl. L.* 211 (1996-97); and "Self-Audits," in *Occupational Safety and Health Law Handbook* 197 (Government Institutes ed., 2001).

Ms. Lopez received her law degree with Honors from The George Washington University Law School where she was an editor of *The George Washington Journal of International Law and Economics*. She also holds a Masters Degree in National Security Studies from Georgetown University and an undergraduate degree with Distinction from the University of Virginia. Prior to attending law school, Ms. Lopez worked for seven years for the Department of Defense, where she specialized in computer and telecommunications security.

A. George Mason, Jr.

George Mason is the principal of Mason Energy Consultants, Inc., a consulting business in Richmond, Virginia specializing in advising companies and individuals on contracts and strategies for the acquisition, development, and sale of oil, gas, coal and coalbed methane properties. Based on extensive experience negotiating and drafting oil, gas, coal and coalbed methane legislation and regulations, he advises clients of the actual and potential impact on operations from energy, environmental and tax initiatives.

As an acknowledged authority on coalbed methane legislation and regulations, George was involved in negotiating and drafting the 1990 Virginia Gas and Oil Act and its coalbed methane provisions, as well as West Virginia's 1994 coalbed methane legislation. He also worked on the language of Section 1339 of the Energy Policy Act of 1992 (EPACT), entitled "Ownership of Coalbed Methane." He was active in the negotiations in Pennsylvania by coal, oil and gas operators that led to Pennsylvania removing itself from the list of "Affected States" in Section 1339 of the EPACT. George is presently a member of the Kentucky CBM Initiatives Group, which meets monthly with the Commissioner of the Department of Mines and Minerals, with the goal of drafting coalbed methane legislation for the 2004 Kentucky General Assembly.

George received his B.A. and J.D. from the University of Kentucky. He is licensed to practice law in Kentucky, Tennessee, and Virginia, and is admitted to practice before the U.S. District Courts of Kentucky, the Sixth Circuit Court of Appeals and the U.S. Supreme Court. Immediately prior to establishing Mason Energy Consultants, Inc., George was the Assistant General Counsel of Massey Energy Company. Before that he was the Vice President and General Counsel of Equitable Production Company, a wholly owned subsidiary of Equitable Resources, Inc.

George is a Trustee of the Energy & Mineral Law Foundation and a member of its Oil and Gas Section. He also serves on the Mineral Law Planning Committee for the Kentucky Mineral Law Conference. He has spoken at numerous seminars sponsored by the EMLF and the University of Kentucky Mineral Law Center. George has been an Adjunct Professor of Law at the Salmon P. Chase College of Law, Northern Kentucky University, where he taught Oil and Gas Law and Coal Law. George is the past President of the Virginia Oil and Gas Association. He is a member of the Kentucky Oil and Gas Association, Independent Oil & Gas Association of West Virginia, Tennessee Oil & Gas Association, American Association of Professional Landmen, and the Appalachian Association of Professional Landmen.

George and his wife, Donna, have a son named Griffin. George is an avid marathon runner, having completed the Marine Corps Marathon last fall. He recently retired from the U.S. Army Reserve with the rank of Colonel.

Roy M. Palk

Roy M. Palk assumed the duties of president and chief executive officer of East Kentucky Power Cooperative on April 1, 1994. Prior to joining EKPC, Palk served as assistant general manager of the National Rural Electric Cooperative Association (NRECA) in Washington, D.C. Palk joined NRECA as its director of operations and was in charge of its internal operations, including budgeting and human resources and became NRECA's assistant general manager in 1991. An attorney, he also served as NRECA's corporate counsel.

Palk has represented the electric cooperative program throughout the United States, including serving as the interim president and CEO for Colorado-Ute Generation and Transmission Cooperative located in Montrose, Colorado during the cooperative's workout from Chapter 11 bankruptcy.

International assignments for Palk include Europe, Asia, Central America, and South America. Some of these assignments were for projects funded by various international development agencies, including the World Bank, the Asian Development Bank and the United States Agency for International Development (USAID).

Prior to joining NRECA, Palk spent seventeen years with two distribution systems supplied by the Tennessee Valley Authority. He was the director of member services for Tri-County EMC in Lafayette, Tennessee from 1970-1975 and the general manager of Upper Cumberland EMC from 1975-1987. While in the TVA system, Palk served in various positions with the Tennessee Valley Public Power Association, the trade association for TVA distributors, including chairman of its Rates and Contracts Committee and also as its board chairman. Palk was a founding director of a captive insurance company for TVA Power distributors.

Palk received his BS from Tennessee Technological University and his Doctor of Jurisprudence from the Nashville School of Law where he was elected president of the school's honor council. Additionally, he has studied mechanical and electrical engineering through the TVA and has taken accounting and labor relations courses at the Owen School of Management at Vanderbilt University.

Palk is currently serving on the boards of the Center for Energy and Economic Development in Washington, D.C.; the Kentucky Coal Marketing Council; the University of Kentucky College of Mining Engineering; Pikeville College; the Kentucky Community and Technical College System Foundation; and the Southeastern Power Customer Group. Palk is also a member of the NRECA Power and Water Resources Committee and is the former vice-chair of the Electric Power Research Institute in Palo Alto, California.

Palk makes his home in Lexington. He and his wife Kathy have four children and seven grandchildren.

R. Neal Pierce

R. Neal Pierce has 25 years experience as an energy lawyer, most recently as Vice President, Land and Legal for Columbia Natural Resources, Inc. He is currently in private practice with Robinson & McElwee in Charleston, West Virginia.

Neal is a graduate of the Georgetown University Law Center and has a B.A. from Ohio State University. He also attended the United States Naval Academy. He is a member of the West Virginia and the Ohio Bars. Neal is a past president of the Energy & Mineral Law Foundation and has been active in the Foundation since its inception. He chaired the Long Range Planning Committee and fostered the development of the Foundation's 5- year strategic plan, implemented in 2000. Neal co-authored an article for the 14th Annual Institute on orphan and abandoned wells and is currently serving on a special study committee for the Foundation's Executive Committee. He has been active in a number of Appalachian Basin oil and natural gas trade organizations and is a past President of the Virginia Oil & Gas Association.

Harold P. Quinn, Jr.

Harold ("Hal") P. Quinn, Jr., is Senior Vice President, General Counsel and Secretary for the National Mining Association in charge of legal and regulatory affairs. Mr. Quinn served as the Senior Vice President for Legal and Regulatory Affairs and General Counsel for the National Coal Association prior to the formation of the National Mining Association through the merger of the American Mining Congress and National Coal Association in 1995. For more than fifteen years, he

has represented the mining industry in administrative proceedings and litigation involving the principal regulatory programs applicable to mining.

Mr. Quinn is a graduate of Denison University, and received his law degree from Wake Forest University. He is admitted to practice before the North Carolina and District of Columbia bars, the United States Supreme Court, and various U. S. Courts of Appeals. Mr. Quinn has served in the United States Department of Interior, in various capacities, including Assistant Solicitor for Litigation and Enforcement, Assistant Solicitor for Governmental Relations, Acting Deputy Associate Solicitor for Surface Mining. From 1980-1982, Mr. Quinn was an attorney in the branch of Trial Litigation, for Mine Safety and Health in the Office of the Solicitor, United States Department of Labor.

Mr. Quinn is a frequent speaker on topics related to the regulation of mining. Mr. Quinn has also authored various articles on the subject including "Lessons From the Coal Law - The Future of Natural Resource Development," 41 *Rocky Mt. Min. Law Inst.* 2-1 (1995); "Coal Resource Development and Land Use Planning: The Demands of SMCRA," *Natural Resources and Environment* 3(4):24 (1989); "The Surface Mining Control and Reclamation Act and Changes in the Coal Industry Structure" in Uday Desai, ed., *Moving the Earth, Cooperative Federalism and Implementation of the Surface Mining Act* (Westport, CT: Greenwood Press 1993); "Valid Existing Rights and SMCRA's Proscriptions on Mining" 5 *J. Min. L & Pol'y* 741 (1990); and (with Thomas C. Means) "Liability of Parent Corporations for the Operations of Their Subsidiaries in the Minerals Industry," 17 *E. Min. L. Inst.* ch. 2 (1996).

John R. Rhorer, Jr.

John R. Rhorer, Jr. is a partner in the Lexington office of Dinsmore & Shohl LLP. His work in the mineral industry is concentrated in the areas of real estate and transactions. Outside of the mineral industry, Mr. Rhorer practices in the general corporate area.

Mr. Rhorer has been involved in numerous sales of coal companies and coal properties during his twenty years of practice. Beginning in 1982, he assisted General Energy Corporation in the sale of its Pike and Bell County operations to Transco Energy. He has also assisted Arch Mineral in its acquisitions from U.S. Steel, Navistar, Diamond Shamrock and Blue Diamond. He advised Westmoreland Coal Company and its subsidiary, Kentucky Criterion Coal Company, when they acquired Bethlehem Steel's Hendrix properties located in Letcher, Knott and Pike Counties. Other transactions in which Mr. Rhorer has been involved included Pen Holdings' purchase of The Elk Horn Coal Corporation; James River Coal Company's acquisition of Transco's operations; Zeigler Coal's acquisition of Shell Mining's Kentucky properties; Argus Energy's acquisition of Pen Coal's River Division properties; and Ark Land Company's transfer to and lease back of mineral properties from Natural Resource Partners.

Mr. Rhorer received his undergraduate degree from Centre College (B.A., 1978). He graduated from the University of Kentucky College of Law (J.D., 1981). He is a Trustee-At-Large of the EMLF, a member of the Bar of Kentucky and the immediate past-President of the Fayette County Bar Association. He is listed in the 2002-2003 edition of the Best Lawyers in America under the Natural Resources Law section.

David G. Ries

David G. Ries is a partner in the Pittsburgh, Pennsylvania, office of Thorp Reed & Armstrong, LLP, where he practices in the areas of environmental, technology and commercial litigation. He is a member of the Executive Committee of the Energy and Mineral Law Foundation and recently completed two years as a hearing committee member and chair for the Disciplinary Board of the

Supreme Court of Pennsylvania. Mr. Ries received his B.A. from Boston College in 1971 and his J.D. from Boston College Law School in 1974 where he was a member of the *Boston College Industrial and Commercial Law Review*.

His environmental practice over the last 29 years has included a broad range of issues in federal and state courts and before administrative agencies, including CERCLA litigation, Clean Water Act litigation, solid and hazardous waste issues, Clean Air Act litigation, storage tank litigation, court and administrative challenges to regulatory programs, defense of penalty actions, defense of citizens' suits, environmental crimes defense, wet weather water quality issues, hazardous sites remediation issues and litigation under the National Environmental Policy Act.

Mr. Ries has frequently spoken and written on environmental, litigation, and technology subjects, including programs for the EMLF. He has given several recent ethics lectures on records management and reporting client misconduct, including a presentation at the Kentucky Mineral Law Conference last fall and a panel session at the 24th Annual Institute. He has given several presentations on "Attorneys and Electronics Communications: Ethical Considerations and Beyond," including one at EMLF's February, 2002 Winter Workshops. He spoke on "Expert Opinions in Environmental Cases After *Daubert* and the New Federal Rule 702" for the University of Wisconsin-Madison College of Engineering's course, *Environmental Litigation: Advanced Forensics and Litigation Strategies* in April, 2001 and spoke on the same topic at the 2001 Kentucky Mineral Law Conference. These sessions were based on a recent CERCLA case in which he successfully argued a *Daubert* motion for a group of 12 defendants. He has also addressed technology law issues at programs for Carnegie Mellon University.

Kendrick R. Riggs

Kendrick Riggs is a member of Ogden Newell & Welch PLLC, in Louisville, Kentucky. Kendrick's practice is concentrated in representing energy and telecommunications clients primarily before the Kentucky Public Service Commission, Virginia State Corporation Commission and the federal agencies. He has extensive administrative trial experience involving all phases of representation. Kendrick has also appeared before state and federal courts representing energy and telecommunications clients in commercial and industry disputes.

Kendrick is a member of the American, Energy, Kentucky and Virginia Bar Associations. He has appeared in *The Best Lawyers in America* since 1997-98 and has held an AV rating by Martindale-Hubbell since 1996. He has appeared at the Electric Power Industry Special Institute sponsored by the Energy & Mineral Law Foundation and serves as a Trustee at Large for the Foundation. He is the 2002-03 Secretary/Treasurer of the East Central Chapter of the Energy Bar Association.

Kendrick is admitted to practice before the United States District Courts for both Eastern and Western Districts in Kentucky as well as the United States Sixth Circuit Court of Appeals and the Kentucky Supreme Court. He is also admitted to practice before the Supreme Court of Virginia.

Kendrick received his B.A. degree *cum laude* from Wittenberg University in 1979 and his J.D. degree from the University of Kentucky College of Law in 1982. He was a member (1980-1981) and the President (1981 - 1982) of the Moot Court Board, and a Legal Writing Instructor for first year students (1981-1982) during law school. He serves as an Assistant Scoutmaster at Troop 317.

Gregory D. Russell

Mr. Russell is a partner with the firm of Vorys, Sater, Seymour and Pease LLP in Columbus, Ohio. He practices primarily in the area of natural resources law, including energy and environmental

law. Mr. Russell's energy practice focuses on oil and gas law issues and related litigation, regulatory and commercial matters. His environmental practice involves primarily citizen-suit litigation in the clean air and hazardous and solid waste areas, regulatory appeals and environmental criminal defense work. Other areas of practice include public utilities law and the representation of clients before administrative agencies.

Mr. Russell is admitted to practice before the courts of Ohio; the United States District Courts for the Northern and Southern Districts of Ohio; the United States Court of Appeals for the Sixth Circuit; and the Supreme Court of the United States.

Mr. Russell received his B.A. in 1988 from Washington and Lee University in Lexington, VA and his J.D. in 1992 from Harvard University Law School in Cambridge, MA.

Gregory R. Schaaf

Gregory R. Schaaf is a member with the law firm of Greenebaum Doll & McDonald, PLLC in Lexington, KY. Greg's practice focuses on commercial reorganizations, including bankruptcies and workouts, and real estate and commercial transactions. He received a B.B. degree in Accounting and a B.S. degree in Law Enforcement Administration from Western Illinois University in 1984. Greg graduated from the University of Kentucky College of Law in 1991 where he was Order of the Coif and a member of the National Moot Court Team, the Moot Court Board, and the Journal of Mineral Law and Policy.

Greg worked as a Certified Public Accountant for KPMG Peat Marwick from 1984 to 1987. He also worked as a solicitor in London, England from 1997-1999, handling corporate matters and real estate transactions for English, Russian and American clients.

Greg has been admitted to the U.S. Circuit Court of Appeals for the Sixth Circuit, the U.S. District Courts for the Eastern and Western Districts of Kentucky and the Kentucky Supreme Court. Greg is also a member of the American Bankruptcy Institute, The Law Society of England and Wales, the American Bar Association, the Kentucky Bar Association and the Fayette County Bar Association.

Greg has represented numerous coal companies in Chapter 11 proceedings as counsel for debtors (Quaker Coal Company, Golden Oak Mining), creditor's committees (Horizon Resources), trustees (Lodestar) and individual creditors. Greg has also made numerous presentations to professionals on reorganization and bankruptcy issues.

Richard C. Ward

Richard C. Ward is Vice Chairman of the Wyatt, Tarrant & Combs' Executive Committee, and a member of the Mineral & Energy Law, Commercial Litigation, Environmental and Labor & Employment Practice Groups. He concentrates his practice in the areas of general litigation and mineral, energy & environmental law. His experience includes representation of clients in administrative and civil litigation, contract counseling, supply agreements, lease and mining agreements, acquisitions and mineral commercial transactions.

Mr. Ward is from Perry County, Kentucky. He is Past-President of the Eastern Mineral Law Foundation (Energy & Mineral Law Foundation), the 1999 recipient of the "Distinguished Service Award" presented by the National Mining Association, and the 2003 recipient of the EMLF President's Award presented at the 24th Annual Institute. He authored "Domestic Coal Supply Contracts," Banks-Baldwin (1986) and "Brokers and Finders in Coal Sales and Company Acquisitions," Matthew Bender (1989) and co-authored "The Kentucky Environmental Law

Handbook," Government Institutes (1991). He is adjunct faculty at the University of Kentucky College of Law where he teaches Energy Law.

Mr. Ward currently serves on the Board of Trustees of Georgetown College, Kentucky. He is admitted to practice in Kentucky, the U.S. Federal District Court in Kentucky, the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. He is currently a member of the Fayette County, Kentucky, American, Federal and Federal Energy Bar Associations and has been named in the publication *Best Lawyers in America*. Mr. Ward received his B.S. degree in 1960 from Georgetown College (Kentucky) and his J.D. degree in 1964 from the University of Kentucky.

J. Kevin West

John Kevin West is a partner with the Lexington, Kentucky, law firm of McCoy, West, Franklin & Beal where he specializes in mineral law and litigation. He is a graduate of Centre College of Kentucky, and graduated from the University of Kentucky Law School, where he was a member of the *Kentucky Law Journal*. Mr. West is a member of the Energy & Mineral Law Foundation.

Mr. West has extensive litigation experience in matters involving oil and gas leases. He also devotes a substantial portion of his practice to representing oil and gas companies before regulatory agencies.

John A. Woodrum

John R. Woodrum is a partner in the Washington, D.C. office of Ogletree Deakins, following the merger of the Washington office of Heenan Althen & Roles with this firm. He concentrates in pension and employee benefits litigation. He also works extensively in the labor and environmental law areas. Mr. Woodrum's practice emphasizes preventive law and maintaining compliance with state and federal laws which govern employee rights and entitlements. He represents employers in arbitration and federal court litigation, defending claims brought by multiemployer pension and welfare plans, government agencies, and employees under ERISA and other employee benefit statutes. He routinely counsels and defends employers in disputes with employees, retirees and other claimants involving pension benefits, severance pay, health care benefits, and other entitlements claims.

Mr. Woodrum has served as the Field Solicitor for the Department of the Interior in Charleston, West Virginia (1979-1983). In that position he was responsible for all administrative and federal court litigation in West Virginia, Pennsylvania, Virginia and Maryland related to the regulatory initiatives assigned to him. During the 1970s he served as a labor union counsel and in that capacity was responsible for collective bargaining and legal issues related to pensions, health care and employee benefits. Mr. Woodrum is a frequent speaker at seminars and national conferences on pension, labor and environmental topics. He contributes regularly to professional publications such as law review journals and the BNA Pension Reporter, and serves as Trustee and Executive Committee Member of the Energy & Mineral Law Foundation.

Mr. Woodrum received his undergraduate degree from Harvard University (B.A. 1969) where he majored in Economics. He obtained his law degree from the University of Southern California in 1974. He is a member of the California and District of Columbia bars, and is admitted to practice before various federal district and circuit courts, including the United States Supreme Court

Jeff A. Woods

Jeff Woods is Co-Chair of Wyatt, Tarrant & Combs' Mineral & Energy Practice Group and a member of the Commercial Litigation and Environmental Practice Groups. He concentrates his

practice in complex litigation matters and has extensive experience litigating coal supply agreements, coal industry construction contracts, environmental contamination claims and mineral property disputes. He served as the Judicial Law Clerk for the Fayette County Circuit Court (1975-76), and Chief Staff Attorney for the Kentucky Court of Appeals (1976-79).

Mr. Woods is the author of "The Continuing Viability of Subjacent Support and Subsidence Damage Waivers: Fact or Myth?" 14 *Eastern Mineral Law Institute*, Ch. 10 (1993) and is a contributing author of the "Kentucky Appellate Handbook." He has been admitted to practice before the United States District Court for the Eastern District of Kentucky, the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. He is a Trustee of the Energy & Mineral Law Foundation, a member of the Association of Trial Lawyers of America, Lawyer Professionalism Committee (KBA) and Lexington Coal Exchange and serves as Treasurer of the Board of Directors of the Lexington-Fayette Urban County Airport. He is also a member of the Louisville, Fayette County, Kentucky and American Bar Associations.

Mr. Woods received his B.S. degree in 1971 from Michigan State University and his J.D. degree in 1975 from the University of Kentucky.

Joseph A. Zupanick

Joseph Zupanick is the vice president of northeast operations for CDX Gas, LLC. CDX is a Dallas based company that is a leading developer of unconventional fuel sources. Mr. Zupanick joined CDX in 1998 after 15 years with U.S. Steel. His career at both companies has centered around coalbed methane (CBM) extraction and he is credited with 17 patents for CBM-related technologies.

Since joining CDX Gas, Mr. Zupanick has developed the company's low pressure, dual-well and pinnate multi-lateral drilling systems. This technology allows recovery of CBM resources in one-third the time allotted for traditional development, yet with minimal environmental impact to the development area. This unique drilling and production system has led to rapid expansion for CDX, and has allowed CDX to grow and to become the largest CBM producer in the state of West Virginia.

Mr. Zupanick continues to refine the pinnate multi-lateral system while developing other new systems directed towards optimizing CBM operations. He currently oversees the CBM drilling, production and exploration activities of CDX in Virginia, West Virginia, Pennsylvania and Indiana.

While at U.S. Steel, Mr. Zupanick managed both the underground and surface projects that drained methane gas associated with underground mine development. These methane drainage projects were vital to coal mine safety productivity. Ultimately, he implemented one of the first commercial CBM projects in the State of West Virginia by selling the gas drained in advance of mining operations.

Mr. Zupanick graduated with honors from West Virginia University Institute of Technology in 1980 with a bachelor's degree in mining engineering. Mr. Zupanick is a registered professional engineer, and he is a member of the Society of Petroleum Engineers, the Society of Mining Engineers, and the Society of Explosive's Engineers. He and his family live near the town of Pineville, in Wyoming County, West Virginia.