

Energy & Mineral Law Foundation
Coal Law Short Course
August 1-4, 2010

Speakers' Biographies

Laura E. Beverage

Laura E. Beverage is a Member of Jackson Kelly PLLC, and serves as Chair of the Firm's Occupational Safety and Health Practice Group. She is resident in the Denver Office where she served as the Administrative Manager from 1993 to 2001. She joined the Firm in 1980 after graduating from West Virginia University College of Law where she was elected to the Order of the Barristers. Ms. Beverage represents general industry and mining clients in a variety of matters including compliance issues, policy, legislative and regulatory matters, and civil and criminal enforcement issues, accident investigation, and discrimination claims on both state and federal levels. She has extensive experience involving issues under the Federal Mine Safety and Health Act, Occupational Safety and Health Act, and other state and federal safety and health statutes, including compliance under the Safe Explosives Act and the Surface Transportation Assistance Act.

Ms. Beverage serves on the safety and health committees of a number of state and national trade associations. She is also active in a number of organizations including the American Society of Safety Engineers, National Safety Council, Colorado Safety Association, Colorado Ready Mixed Concrete Association/Colorado Stone Sand & Gravel Association, National Stone, Sand & Gravel Association and the National Mining Association. Ms. Beverage co-chaired the Colorado Mining Association's Safety and Health Committee from 2000 to 2005, is a member of the Board of the Colorado Mining Association, and is Chair of the Colorado Mining Association's Board of Directors for 2008. She is a member of the Rocky Mountain Mineral Law Foundation and serves on the Board of Trustees of the Energy & Mineral Law Foundation. She is listed in the *Who's Who of International Mining Lawyers*, *The Best Lawyers in America*, and was listed in *Colorado Super Lawyers* in 2007 and 2008.

Ms. Beverage has authored several published materials and is a frequent writer and speaker on safety and health topics and has developed innovative training for supervisory employees under the Occupational Safety and Health Act and the Federal Mine Safety and Health Act.

Ms. Beverage has been admitted to practice in Colorado, West Virginia, the D.C. Circuit and the Fourth, Sixth, and Tenth Circuit Courts of Appeals.

Laura E. Beverage, Jackson Kelly PLLC, 1099 18th Street, Suite 2150, Denver, CO 80202. Phone: 303.390.0004. Email: lbeverage@jacksonkelly.com.

Richard J. Bolen

A lawyer with substantial achievements in both professional and community affairs, Mr. Bolen marked his 41st year in practice in 2009. He is a graduate of the University of Virginia School of Law.

Mr. Bolen concentrates in law involving litigation - both personal injury and commercial, and natural resources – coal, oil and gas. Mr. Bolen has a record of defense verdicts in federal and state jury trials in southern West Virginia and eastern Kentucky, and has also served as an arbitrator in various coal, oil and gas matters.

Among his bar and professional activities, Mr. Bolen has served as President of the West Virginia Bar Association and as a Trustee of the Energy & Mineral Law Foundation. Mr. Bolen has written and lectured on various coal, oil, gas and other topics.

A native of Huntington, Mr. Bolen is one of the firm's most dedicated community leaders. He is currently serving on the Executive Committee of the Huntington Area Development Counsel, Inc., was its first chairman, served two terms as Chairman of the Huntington Regional Chamber of Commerce and has served on numerous other community boards.

Mr. Bolen is admitted to practice in West Virginia, Kentucky and Ohio.

Richard J. Bolen, Huddleston Bolen LLP, 611 Third Avenue, Huntington, WV 25701.
Phone: 304.691.8420. Email: rbolen@huddlestonbolen.com.

John T. Boyd II

John T. Boyd II is President and CEO of John T. Boyd Company (BOYD), an international mining, geological, and energy consulting firm headquartered outside Pittsburgh, Pennsylvania, with additional offices in Denver, Colorado; Brisbane, Australia; and Beijing, China. In addition to being an experienced lawyer on mining, environmental, natural resources, and regulatory matters, Mr. Boyd relies upon his finance background when performing comprehensive strategic, operational, and financial assessments, valuations, economic analyses, market forecasts, and sales agreement evaluations for BOYD's diverse client base.

Mr. Boyd was formerly General Counsel for Sears Home Improvement Products, a manufacturing, sales, and installation subsidiary of Sears, Roebuck and Company, and an associate at Thorp, Reed & Armstrong representing corporate clients litigating commercial transactions, regulatory, environmental, and natural resources disputes.

Recent publications include "Energy Policy Act of 2005," Energy and Mineral Law Foundation (2005), "The Policy of Mine Safety in the United States," China Coal Mine Safety Development and Production Symposium (2005), co-author of "Legal Implications of Mine Mapping Errors," 24 *Energy & Min. L. Inst.* (2003), and co-presenter of "Playing the Cards You're Dealt: How to Keep Producing Coal Despite Mountaintop Removal Permitting Issues," Winter Workshops, Energy & Mineral Law Foundation (2003).

Mr. Boyd earned a B.B.A. degree in Finance, *magna cum laude*, from The George Washington University and a J.D. degree from the University of Richmond.

John T. Boyd II, John T. Boyd Company, 1500 Corporate Drive, Suite 100, Canonsburg, PA 15317. Phone: 724.873.4400. Email: jtb2@jtboyd.com.

Barlow Burke

Barlow Burke is a professor of law and the John S. Myers and Alvina Reckman Myers Scholar at the Washington College of Law at American University. He holds expertise in real estate, real estate financial transactions, local government, land use, natural resources and environmental law. Earlier in his career he was a consultant for the U.S. Dept. of Housing and Urban Development on Real Estate Settlement Procedures Act; U.S. Dept. of Agriculture on Foreign Enactment Reporting Act; he was also involved with the Federal Judicial Center on abuse of civil discovery. He is the author of treatises on real estate brokerage, title insurance, and federal mortgage documents; of student texts on real and personal property, real estate transactions, and land use; and of numerous law review articles.

Professor Burke has earned the following degrees: S.J.D., Yale Law School 1977; LL.M., Yale Law School 1970; M.C.P., University of Pennsylvania 1968; LL.B., University of Pennsylvania Law School 1966; A.B., Harvard University 1963.

Professor Barlow Burke, American University, Washington College of Law, 4801 Massachusetts Ave., NW, Washington, DC 20016. Phone: 202.274.4207.
Email: bburke@scl.american.edu.

Steve Carpenter

Mr. Carpenter has been providing environmental, engineering & construction services to domestic and international clients in both the private and public sectors since 1986. As Corporate Risk Manager for Marshall Miller & Associates, Inc., Mr. Carpenter is responsible for corporate level decisions of risk management issues that directly impact the strategic direction of the company. He helps set the strategic risk management vision and is charged with delivering that strategy to the company. His experience includes the Greenhouse Gas science and technology, Brownfield Redevelopment Market, Real Estate ownership & transfer, Environmental Liability & Cost Cap Insurance.

As Director of Carbon & International Business, Mr. Carpenter is responsible for the development, solicitation, estimation and management of all Carbon related and International projects for Marshall Miller & Associates. Mr. Carpenter directs all the work as Prime Contractor to Southern States Energy Board's DoE SECARB coal project in Virginia. Mr. Carpenter also oversees Marshall Miller & Associates carbon verification services and is a Subject Matter Expert for numerous Climate Change organizations such as CCX, CAR & CSA.

Mr. Carpenter earned his B.A. in Physics at Earlham College in Richmond, Indiana and completed graduate coursework in Civil Engineering at Akron University in Akron, Ohio.

He has been certified as a Greenhouse Gas Verifier and a Mold Abatement Specialist. He completed OSHA Supervisory Training, OSHA HAZMAT Training, and MSHA Contractor Safety Training. He is a member of the Society of American Military Engineers and the National Ground Water Association.

Steve Carpenter, Marshall Miller & Associates, 534 Industrial Park Drive, P.O. Box 848, Bluefield, VA 24605. Phone: 513-.60.292 Email: steve.carpenter@mma1.com.

Frank Clemente

Frank Clemente is a Senior Member of the Graduate Faculty at Penn State and former Director of the University's Environmental Policy Center. Professor Clemente's research specialization is the socioeconomic impact of energy policy, especially on families, minorities, business and communities. He has published more than 100 articles in energy related media including *Public Utilities Fortnightly*, *Electric Light & Power*, *Electrical World*, *Nuclear News*, *World Oil*, *American Coal*, *Oil and Gas Journal* and *the Journal of Commerce*. His research has been funded by the National Science Foundation, Rockefeller Foundation and Ford Foundation. Professor Clemente was first listed in the Social Science section of *American Men and Women of Science* in 1979. He has a doctorate in demography from the University of Tennessee. The Senior Class of 2008 voted him "Best Professor" at Penn State.

Frank Clemente, Department of Sociology, The Pennsylvania State University, 211 Oswald Tower, University Park, PA 16802. Phone: 814.865.2527. Email: fax22i6@psu.edu.

David M. Flannery

David M. Flannery is a Member of Jackson Kelly PLLC and is the manager of the Firm's Environmental Law Department. He is also the Chairman of the Board of Directors of the Firm's ancillary business subsidiary, Jackson Kelly Solutions LLC. His practice is focused upon the representation of companies and trade organizations in a variety of matters including energy and environmental regulatory issues, facility siting and the litigation of environmental enforcement and environmental tort cases at both the state and federal level. His practice has involved extensive participation in appeals of regulatory decisions of the United States Environmental Protection Agency.

Mr. Flannery serves on a number of state and national industry trade associations and environmental committees. He is a member of the Board of Directors of the West Virginia Chamber of Commerce and chaired the Board of Directors in 2005 and 2006. He currently chairs the Energy Committee of the West Virginia Chamber of Commerce and was the Chair of its Environmental Committee from 1982 to 2004. Mr. Flannery is also a member of the Section on Natural Resources and Environmental Law of the American Bar Association. He is a member of the Air and Waste Management Association and served as the Chairman of its West Virginia Chapter from 2003 to 2005. By virtue of an appointment by the Governor of West Virginia, he serves as a Commissioner to the Ohio River Valley Water Sanitation Commission (ORSANCO) and is the current Chairman of ORSANCO. He also serves as a member of the Board of Directors of the West Virginia Youth in Government program and as a Trustee of the Energy & Mineral Law Foundation.

Mr. Flannery has been admitted to practice in Kentucky and West Virginia, the Supreme Court of the United States of America, the D.C. Circuit and various Circuit Courts of Appeal. In addition to his law degree, Mr. Flannery holds a Bachelor of Science in electrical engineering. He is listed in Woodward/White's The Best Lawyers in America[®] for Environmental Law and "Super Lawyers" for Environmental Law. He is a Founding Regent of the American College of Environmental Lawyers.

David M. Flannery, Jackson Kelly PLLC, 500 Lee Street East, Suite 1600, Charleston, WV 25301. Phone: 304.340.1017. Email: dmflannery@jacksonkelly.com.

Timothy W. Gresham

Timothy W. Gresham is a Shareholder/Director of Penn, Stuart & Eskridge, P.C. in its Abingdon, VA office. He represents and advises clients in the areas of workers' compensation and occupational disease, mineral rights and regulations, as well as environmental and safety matters. Before joining PennStuart, Mr. Gresham served as an Assistant Attorney General of Virginia involved in the enforcement of laws relating to the mining and oil and gas industries. He previously worked as staff counsel for The Pittston Coal Group.

Mr. Gresham is active in the Energy and Mineral Law Foundation, serving as President for 2004-2005 and the Executive Committee until May 2007. As past president he is a permanent member of the Board of Trustees and serves as special advisor to the Executive Committee. Mr. Gresham has made many seminar and conference presentations concerning mineral and environmental law and regulation and occupational disease issues. He has published articles relating to mineral and environmental law topics in the Journal of Mineral Law & Policy, West Virginia Law Review and the Annual Proceedings of the EMLF. He received his B.A. in 1976 from Morehead State University and his J.D. in 1979 from the University of Tennessee College of Law and is licensed in Tennessee and Virginia.

Timothy W. Gresham, Penn, Stuart & Eskridge, 208 East Main Street, Abingdon, VA 24210. Phone: 276.623.4408. Email: tgresham@pennstuart.com.

Warren J. Hoffmann

Warren J. Hoffmann is a member of Frost Brown Todd in the Lexington, Kentucky office. He chairs the Firm's Natural Resources and Energy Law Practice Area, and he practices corporate and commercial law, concentrating on issues affecting the coal and electric utility industries.

Mr. Hoffmann has devoted most of his professional career to handling energy related matters, including coal reserve acquisition, leasing and permitting, purchases and sales of mining companies, contract mining and coal preparation agreements, transloading and transportation facilities and contracts, financing coal mining operations, issues arising under SMCRA and MSHA, sales and leases of mining equipment, coalbed methane/oil and gas development and synthetic fuel transactions. Mr. Hoffmann negotiates and documents fuel supply contracts for utilities and coal companies, and also counsels clients in the disputes that often arise from such agreements.

Having joined the Firm in 1984, he has also worked extensively on mergers and acquisitions of other businesses, including healthcare providers and financial institutions. Mr. Hoffmann continues to devote a significant portion of his practice to a variety of corporate and commercial transactions.

Mr. Hoffmann is a Trustee of the Energy & Mineral Law Foundation. He is a member of the following: Coal Operators and Associates, Generation and Transmission Lawyers Association, the Kentucky Coal Association, the Lexington Coal Exchange, the Southern Coal Council and the Western Kentucky Coal Association.

He has been selected for inclusion in *Super Lawyers 2007 & 2008, the Best Lawyers in America*® 2005-2009, *Chambers USA*,® America's Leading Business Lawyers 2005-2007, 2008 – *Band One – Natural Resources, Martindale-Hubbell*® AV Rated.

Mr. Hoffmann earned his J.D. from the University of Kentucky College of Law and his B.A. from the University of Kentucky.

Warren J. Hoffmann, Frost Brown Todd LLC, Lexington Financial Center, 250 W. Main Street, Suite 2700, Lexington, KY 40507. Phone: 859.244.3220. Email: whoffmann@fbtlaw.com.

J. Thomas Lane

Tom Lane is a partner with Bowles Rice McDavid Graff & Love LLP, in the Charleston office. He is a member of the firm's Executive Committee and the Energy, Environment and Regulatory Practice Group. He practices primarily in the areas of natural resources, coal, oil and gas, commercial real estate, zoning and land development, as well as litigation cases involving these areas. He also engages in lobbying and government relations, particularly on issues affecting the mineral industry.

As the Robert T. Donley Adjunct Professor of Law at the West Virginia University College of Law, Tom taught a course in Coal, Oil and Gas for over twenty years. He has compiled a teaching text on Coal, Oil and Gas and has published numerous articles, including "Rights-of-Way and Easements in Mineral Development," "Maintaining Oil and Gas Leases in Distressed Markets," "West Virginia Ad Valorem Property Taxes," and "Fire in the Hole to Longwall Shears, Old Law Applied to New Technology."

Tom is Trustee and past President of the Energy & Mineral Law Foundation and past President and Chairman of the Executive Council of The West Virginia Bar Association.

Tom received his B.A. degree in 1968 from Washington & Jefferson College and his J.D. degree in 1973 from West Virginia University. He served in the United States Army (1969-1971), and was a Law Clerk to the Honorable John A. Field, Jr., United States Court of Appeals, Fourth Circuit (1969-1975).

Since 1989, Tom has been listed in *The Best Lawyers in America* by Woodward/White, Inc.; he has an AV rating with Martindale-Hubbell; and he is listed in "Chambers USA: America's Leading Business Lawyers."

J. Thomas Lane, Bowles Rice McDavid Graff & Love LLP, 600 Quarrier Street, Charleston, WV 25301. Phone: 304.347.1111. Email: tlane@bowlesrice.com.

David J. Laurent

David J. Laurent focuses his practice on complex ERISA litigation, traditional labor law, and transactional work involving employee-related issues, with a particular emphasis on the coal industry. His extensive ERISA practice includes defending claims by multiemployer trust funds for delinquent contributions and withdrawal liability, as well as a wide array of matters arising under the Coal Industry Retiree Health Benefit Act. Dovetailing his ERISA practice with traditional labor law, David provides unique insight in collective bargaining with regard to benefits matters, as well as unfair labor proceedings, union organizing campaigns, decertification elections, strikes, and corporate campaigns. His knowledge in the ERISA and traditional labor law arenas complements his transactional practice, which encompasses helping clients structure acquisitions and

divestitures, minimizing control group, single employer, and other employee-related liabilities, negotiating labor agreements as a condition to closing transactions, conducting due diligence via web-based data rooms, and drafting complex employee and benefits-related provisions.

Prior to joining Buchanan Ingersoll & Rooney, David was a shareholder in the Pittsburgh office of a regional law firm, where he handled a wide range of labor, employment, and employee benefits laws issues for many years.

In 2007 and 2008, David was recognized in the Labor and Employment Law category in *The Best Lawyers in America*, and was also recognized in the Natural Resources Law category in the publication's 2008 edition. In 2007, *Pittsburgh Magazine* listed him as one of the city's top labor and employment lawyers.

Mr. Laurent is a past president of the Energy & Mineral Law Foundation. David has published many papers for the Energy & Mineral Law Foundation dealing with a variety of labor topics.

Mr. Laurent obtained his B.A. from Indiana University of Pennsylvania in 1977, and his J.D. from Duquesne University in 1980.

He is admitted to practice in Pennsylvania, West Virginia, and the District of Columbia. He is admitted to the U.S. District Courts of Pennsylvania, the U.S. Southern District of West Virginia, and the U.S. District Court for the District of Columbia, as well as the Supreme Court of the United States and the Courts of Appeals for the Third, Fourth, Sixth, and Eleventh Circuits.

David J. Laurent, Buchanan Ingersoll & Rooney P.C., One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, PA 15219. Phone: 412.562.1857. Email: david.laurent@bipc.com.

Timothy L. Lowe

Timothy K. Lowe is an Officer in PennStuart's Bristol, Tennessee office. He is engaged in the representation of energy companies in company acquisitions and the purchase and sale of mineral rights, assets, and subsidiaries. Lowe previously served as Senior Vice President and Corporate Counsel of AMVEST for 14 years. He received his J.D. from the University of Kentucky College of Law and his B.A. from Morehead State University with high distinction. He is admitted to practice in Kentucky and Tennessee.

Timothy L. Lowe, Penn, Stuart & Eskridge, 804 Anderson Street, Bristol, TN 37620. Phone: 423.793.4813. Email: tlowe@pennstuart.com.

Cindy D. McCarty

Cindy McCarty is a Senior Associate at Huddleston Bolen. She represents clients in various industries, including natural resource, mineral, and energy industries. Ms. McCarty's practice is primarily focused in matters including mass tort litigation, commercial litigation, and personal injury defense. In particular, she has represented landowners and businesses sued for flood damage in the West Virginia Mass Flood Litigation, represented clients in regulatory matters before the WV Department of Environmental Protection, the WV Surface Mine Board, and other regulatory agencies and administrative boards, and she has represented clients in "deliberate intent" actions, involving significant issues of OSHA and MSHA compliance. Ms. McCarty has given

presentations regarding Oil, Gas, and Mineral Law, and is also a co-author of the West Virginia section of the "Products Liability Desk Reference, A Fifty-State Compendium," printed yearly by Aspen Publishers.

Ms. McCarty is a member of the Energy & Mineral Law Foundation, the Defense Research Institute, and Defense Trial Counsel of West Virginia. Ms. McCarty was recently recognized in the 2010 Edition of West Virginia Super Lawyers as a Rising Star in class action and mass tort litigation. She is licensed to practice law in West Virginia, Ohio, and Kentucky.

Cindy D. McCarty, Huddleston Bolen LLP, 611 Third Avenue, Huntington, WV 25701. Phone: 304.691.8422. Email: cmccarty@huddlestonbolen.com.

J. Blair McGill

J. Blair McGill is Vice President and General Manager of the Federal Business Unit of Eastern Associated Coal, LLC, a subsidiary of Patriot Coal Corp. He is responsible for overall management of the operating unit, which encompasses the Federal No. 2 Mine and Federal Preparation Plant in Monongalia County, West Virginia. He also serves as Chairman of Patriot's Central Safety and Health Team.

Mr. McGill received a Bachelor of Science degree in Mining Engineering from Penn State University in 1971. He then joined U.S. Steel Corp., where he had worked as a co-op student, as an Operating Engineer. He subsequently held a number of operations, technical, and managerial positions of increasing responsibility within the company's Pennsylvania operations until 1986, when he was named General Manager of the company's Southern Division in Alabama.

Mr. McGill went on to serve as Vice President and General Manager at Island Creek Coal Company (1987-1993), President of Whitaker Coal Corp. (1993-1995), and President and CEO of Canterbury Coal Company (1995-1998) before joining Eastern Associated Coal Corp. in 1998.

Mr. McGill is a member of the Holmes Safety Association; the Society for Mining, Metallurgy, and Exploration, Inc. (SME); the National Mine Rescue Association (President, Post 11, 1989); the Pittsburgh Coal Mining Institute of America (President, 1997); and the Mining Engineering Technology Industrial Board for Penn State Fayette, The Eberly Campus.

Blair and his wife, Kathy, have been married for 36 years. They have a son and a daughter and two grandsons.

J. Blair McGill, Patriot Coal Corporation, Federal No. 2 Mine, 1044 Miracle Run Road, Fairview, WV 26570. Phone: 304.368.9954. Email: jmcgill@patriotcoal.com.

Christopher B. Power

Christopher B. Power is a Partner in the Litigation Department of Dinsmore & Shohl's Charleston office. Kip's practice encompasses civil and administrative litigation related to the energy industry, with a particular emphasis on coal mining and related operations. His practice also includes general industry compliance counseling and representation in matters arising under federal environmental statutes and their state counterparts. He conducts civil litigation on behalf of companies engaged in natural resources extraction

and other businesses. He also has experience in zoning and land use law. He has served as a mediator and arbitrator in a variety of matters, including natural resources development disputes. He is a member of the firm's Recruiting Committee.

Mr. Power earned his J.D. from the West Virginia University College of Law, his M.B.A. from the West Virginia University College of Business and Economics, and his B.A. in Economics, *cum laud*, from Washington & Lee University.

He is admitted to practice in West Virginia and Kentucky, before the U.S. District Courts for the Northern and Southern Districts of West Virginia and the Eastern District of Kentucky, before the U.S. Courts of Appeal for the Fourth and District of Columbia Circuits, and before the United States Supreme Court.

He is listed in *The Best Lawyers in America*®, 2005 to present, the *West Virginia Super Lawyers*®; and the *Chambers USA Guide to America's Leading Business Lawyers*.

Christopher B. Power, Dinsmore & Shohl, LLP, Huntington Square, 900 Lee Street, Suite 600, Charleston, WV 25301. Phone: 304.357.0902. Email: Christopher.power@dinslaw.com.

David P. Ross

Dave Ross is a counsel in Crowell & Moring's Environment & Natural Resources Group. He joined the firm in 2003 and is located in the Washington, D.C. office. Dave's practice involves client counseling, arbitration, and litigation in all areas of environmental and natural resources law, with an emphasis on the Clean Water Act, the National Environmental Policy Act, the Endangered Species Act, contaminated sites and remediation, the regulation of chemicals, storm water regulation and control, mining, and federal land use issues.

Prior to law school, Dave served as an environmental consultant to the City of San Diego, California. In that capacity, Dave worked with municipal and private engineers and scientists to evaluate alternative wastewater reclamation and repurification technologies through economic, engineering, and public health studies aimed at providing a safe and reliable long-term supply of clean water for the City's expanding population. He also helped design and operate San Diego's Aqua 2000 Research Center.

Dave graduated from the University of Wisconsin - Madison in 1994, where he earned a B.A. in International Relations and a Certificate in Environmental Studies. He earned his J.D. from Vermont Law School in 2001, graduating *magna cum laude*, while simultaneously earning a Master of Studies in Environmental Law, *summa cum laude*. While at Vermont Law School, Dave served as the Editor-in-Chief of the *Vermont Law Review*.

David P. Ross, Crowell & Moring LLP, 1001 Pennsylvania Avenue, NW, Washington, D.C. 20004-2595. Phone: 202.624.2682. Email: dross@crowell.com.

F. Thomas Rubenstein

F. Thomas Rubenstein is a Partner in the Natural Resources Practice Group of Dinsmore & Shohl LLP. He is the Managing Partner of the Morgantown, West Virginia office. Tom has more than 29 years of experience as a coal lawyer with both substantial in-house and private practice experience representing public and private operating and land holding companies. He is skilled in all legal and business matters pertaining to the coal

industry, including transactions, mergers and acquisitions, coal sales, mine safety and health, and lease, sublease, operating and contract mining agreements. He is an experienced arbitrator for coal and commercial disputes. He provides preventative counsel and representation to county boards of education in administrative and appellate litigation, including appearances before the West Virginia Supreme Court of Appeals. He also provides preventative counsel and services to large and small health care providers, including employment, commercial and collection issues.

Mr. Rubenstein received his J.D. from West Virginia University College of Law (Order of the Coif, Law Review, Duffy and Koontz Scholarship Awards, 1981) and his B.A., in Mathematics from West Virginia University (*magna cum laude*, Pi Mu Epsilon, 1978 Spring Honors Dinner, 1978).

Mr. Rubenstein is licensed to practice in West Virginia and Virginia and is admitted to the U.S. District Court for the Northern District of West Virginia, U.S. District Court for the Southern District of West Virginia, and the U.S. Court of Appeals for the Fourth Circuit.

He is a member of American Bar Association and the West Virginia State Bar. He serves as pro bono counsel to Labor of Love Ministries, is a member of the Morgantown Committee for The Living Room (homeless day shelter) and Emcee of its Annual Faith Promise Banquet. He is active in the Energy & Mineral Law Foundation, where he is a Member and Trustee. Tom is also a member of the West Virginia Coal Association. He is also listed in *The Best Lawyers in America*®.

F. Thomas Rubenstein, Dinsmore & Shohl, LLP, 215 Don Knotts Blvd., Suite 310, Morgantown, WV 26501. Phone: 304.296.1100. Email: thomas.rubenstein@dinslaw.com.

Robert M. Steptoe, Jr.

Robert Steptoe, Jr. is Chairman of Steptoe & Johnson PLLC, residing in the Clarksburg, West Virginia, office. For over thirty-five years, Bob Steptoe has focused his practice in the areas of labor and employment law and civil litigation. In addition to counseling clients, Mr. Steptoe has tried over one hundred jury and non-jury cases, and has argued approximately fifty appeals in the West Virginia Supreme Court and the United States Courts of Appeals.

Mr. Steptoe is a Fellow of the American College of Trial Lawyers, a Fellow of The College of Labor and Employment Lawyers, a permanent member of the Fourth Circuit Judicial Conference, a Fellow of the American Bar Foundation, an Advocate of the American Board of Trial Advocates, a Fellow of the West Virginia Bar Foundation, a member of the Association of Ski Defense Attorneys, a member of the AAA National Roster of Neutrals, and is recognized in *The Best Lawyers in America*® in the fields of alternative dispute resolution, commercial litigation and labor and employment law. Mr. Steptoe is also recognized in the 2007 *Chambers USA America's Leading Lawyers for Business* and West Virginia *Super Lawyers*®. He was named to Who's Who in WV Business by *The State Journal* for 2007.

Within the legal profession, Mr. Steptoe has served as President of the West Virginia Bar Association and President of the West Virginia Bar Foundation. He has served as Adjunct Professor (Appellate Advocacy) at the West Virginia University College of Law. Within the community, Mr. Steptoe has served as President of the Harrison

County Chamber of Commerce, President and Campaign Chair of the United Way of Harrison County, member of the West Virginia Ethics Commission, Board member of United Hospital Center, Inc., and Chairman of the Board of the West Virginia Chamber of Commerce. He also serves as Chairman of the Board of Trustees of The Nature Conservancy (WV Chapter).

Mr. Steptoe graduated from the West Virginia University College of Law in 1970, where he was Associate Editor of the *Law Review* and a member of the National Moot Court Team. He is an undergraduate of the University of Virginia and served two years as an officer in the United States Navy.

Robert M. Steptoe, Jr., Steptoe & Johnson PLLC, Chase Tower, Sixth Floor, Clarksburg, WV 26301. Phone: 304.624.8142. Email: bob.steptoe@steptoe-johnson.com.

C. Seth Wilson

Seth Wilson is a partner in the Morgantown office of Bowles Rice McDavid Graff & Love, and a member of the Energy and Real Estate Development group. He practices in the areas of tax, energy and real estate development, commercial real estate law, mineral law and general business law.

Seth has a broad real estate and mineral law practice that involves assisting clients with structuring, negotiating and closing real estate transactions, like kind exchanges, all types of commercial, residential and mixed-use developments, commercial lease transactions, the examination of mineral titles, curative title work and the sale and acquisition of coal, oil, gas and timber properties. Seth is an agent with First American Title Insurance Company and has examined and insured titles in connection with a wide variety of commercial real estate projects. Seth has also represented clients in the areas of zoning, land use planning, foreclosure and landlord/tenant.

Seth graduated *summa cum laude* with a bachelor of science in economics from West Virginia University. He obtained his law degree in 2001 from the West Virginia University College of Law, where he graduated with distinction as a member of the Order of the Coif. While attending law school, he served as president of the Student Bar Association and was inducted into Mountain, West Virginia University's highest ranking honorary. He is a member of the 2005 Class of Leadership West Virginia. He is the coordinator of the Bowles Rice Summer Clerk Program and a member of the firm's campus recruitment committee.

Seth is licensed to practice in West Virginia and Pennsylvania and is admitted to the U.S. District Court for the Southern District of West Virginia. He is a member of the West Virginia State Bar, the Pennsylvania State Bar, the West Virginia Bar Association, the Energy and Mineral Law Foundation and the Monongalia County Bar Association.

C. Seth Wilson, Bowles Rice McDavid Graff & Love LLP, 7000 Hampton Center, Morgantown, WV 26505-1720. Phone: 304.285.2531. Email: swilson@bowlesrice.com.

John R. Woodrum

Prior to joining Ogletree Deakins, Mr. Woodrum was a partner in the Washington, D.C. office of Heenan, Althen & Roles. He concentrates in pension and employee benefits litigation. He also works extensively on issues arising under federal labor laws and

collective bargaining agreements.

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 multi-employer 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.

Immediately prior to joining Heenan, Althen & Roles, Mr. Woodrum 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, employee benefits and labor topics. He contributes regularly to professional publications such as law review journals and the BNA Pension Reporter, and serves as Trustee of the Energy and Mineral Law Foundation. 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.

Mr. Woodrum earned his J.D. from the University of Southern California in 1974, and his B.A. from Harvard University in 1969.

He is admitted to practice in the state of California, the District of Columbia, and the United States Supreme Court. He is a member of the District of Columbia Bar Association, State Bar of California, and American Bar Association.

John R. Woodrum, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., 2400 N Street, N.W., Washington, DC 20037. Phone: 202.887.0855. Email: john.woodrum@ogletreedeakins.com.