

Energy & Mineral Law Foundation  
Coal Law Short Course  
August 2-6, 2009

## About the speakers . . .

### **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](mailto: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's record of defense verdicts in federal and state jury trials in southern West Virginia and eastern Kentucky is an enviable one. Mr. Bolen 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](mailto: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](mailto: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](mailto: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](mailto:steve.carpenter@mma1.com).

### **Charles B. Dollison**

Charles B. Dollison is currently Vice President and General Counsel of Imagin Natural Resources, LLC. INR is a natural resource company investing in mining companies, mining operations, reserve positions and other mining related interests including docks, terminals, and transportation assets associated with minerals.

Prior to joining Imagin Natural Resources, Mr. Dollison was a partner with Bowles Rice McDavid Graff & Love LLP of Charleston, West Virginia. While there he practiced primarily in the areas of coal, oil and gas and commercial real estate law and was head of the Energy Practice Group.

Mr. Dollison earned his B.A. in Political Science from Stetson University and his J.D. from the T. C. Williams School of Law at the University of Richmond.

Charles B. Dollison, Imagin Natural Resources, LLC, 100 Market Street, Suite A Man, West Virginia 25635. Phone: 304-583-8060 ext 142. Email: [cdollison@imaginnr.com](mailto:cdollison@imaginnr.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. He now serves on the Board. He is presently the Chair for the 29<sup>th</sup> Annual Institute to be held in May 2008 in Orlando, FL. 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](mailto:tgresham@pennstuart.com).

### **Warren J. Hoffman**

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 effecting 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 members of the following: Coal Operators and Associates, Generation and Transmission Lawyers Association, the Kentucky Coal Association, the Lexington Coal Exchange, the Southern Coals 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 West Main Street, Suite 2700, Lexington, KY 40507. Phone: 859.244.3220. Email: [whoffmann@fbtlaw.com](mailto: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 teaches a course in Coal, Oil and Gas (1986-present). 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 President of the Charleston City Council where he has been an elected member since 1987. He serves on the key committees of Council, is involved in various special projects from homeless shelters to public safety and has organized and oversees ten task forces to carry out a City plan on comprehensive improvements. Tom is active in a variety of church, civic and charitable endeavors.

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](mailto: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, 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, and 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.

### **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](mailto:jmcgill@patriotcoal.com).

### **Patrick C. McGinley**

Professor Patrick C. McGinley is the *Judge Charles H. Haden II Professor of Law* at the West Virginia University College of Law where he teaches courses in environmental and administrative law. Professor McGinley is a graduate of Dickinson College and the Duke University School of Law. Prior to joining the West Virginia University law faculty, Professor McGinley clerked for Associate Justice Thomas M. Pomeroy of the Supreme Court of Pennsylvania. Professor McGinley was appointed a Special Assistant Attorney General working with the Commonwealth of Pennsylvania's Environmental Strike Force in environmental and coal mine safety law enforcement. He was co-editor of the multi-volume treatise *Coal Law & Regulation* and the Annual *Proceedings of the Eastern Mineral Law Foundation*. He was a founder of the Eastern Mineral Law Foundation (now the Energy & Mineral Law Foundation) and has served as Treasurer, Trustee and a member of the EMLF Executive Committee. He has served as Chair of the Environmental Law Section of the Association of American Law Schools, and he has published numerous articles relating to environmental regulation, coal and natural resources law, FOIA and open meetings law. McGinley is an experienced litigator having appeared before federal and state trial and appellate courts and agencies. He assisted in the preparation of the *The Sago Mine Disaster Report: A Report to (W. Va.) Governor Joe Manchin III*. Professor McGinley received the Trial Lawyers For Public Justice Foundation's "Public Justice Achievement Award" for "*winning exceptional victories for the public interest*" and he also is the recipient of the Cary Rydberg Award for "*Outstanding Contributions to Public Interest Advocacy.*"

Patrick C. McGinley, *Judge Charles H. Haden II Professor of Law*, WVU College of Law, P.O. Box 6130, Morgantown, WV 26506-6130. Phone: 304.293.6823. Email: [Patrick.mcginley@mail.wvu.edu](mailto:Patrick.mcginley@mail.wvu.edu).

### **Thomas E. Meng**

Tom Meng is a Member of the firm based in its Lexington office, where he is a member of both the Natural Resources Service Group and the Real Estate & Banking Service Group. His career in natural resources and real estate law spans more than 30 years. In

particular, he has represented coal, oil and gas and utility companies on property rights, coal supply contracts, contract mining agreements, regulatory compliance, acquisitions of mining operations, and financing. He also handles commercial real estate, leasing and financing transactions for regional and national banks and insurance companies.

Mr. Meng has been named to The Best Lawyers in America® (2001-2009) and has been elected a Fellow in the American College of Real Estate Lawyers. He has long been active in the Energy and Mineral Law Foundation, serving as President (2003-04); Vice President (2002-03); Treasurer (2001-02); and member of the Executive Committee (1998-2006). Mr. Meng has made presentations at numerous Energy and Mineral Law Foundation Annual Institutes and University of Kentucky Mineral Law Seminars.

Tom received his B.B.A. from the University of Kentucky in 1971 and his J.D. from the University of Kentucky College of Law in 1974.

Thomas E. Meng, Stites & Harbison, PLLC, 250 West Main Street, Suite 2300, Lexington, KY 40507-1758. Phone: 859.226.2363. Email: [tmeng@stites.com](mailto:tmeng@stites.com).

### **Kirsten L. Nathanson**

Kirsten L. Nathanson is a partner in the Environment & Natural Resources Group at Crowell & Moring LLP, residing in the Washington, D.C. office. Her practice primarily involves litigation, enforcement defense, and regulatory counseling under all major federal environmental and public lands statutes, with particular focus on the Clean Water Act, Clean Air Act, NEPA, SMCRA, and CERCLA.

She has represented clients in EPA civil and criminal enforcement actions, nationwide regulatory challenges, Administrative Procedure Act litigation, CERCLA cost recovery actions, and citizen suit litigation. She is admitted to practice before the U.S. Supreme Court and numerous federal appellate and district courts nationwide.

Kirsten currently serves on the EMLF Board of Trustees and Strategic Planning Committee. She also leads the Crowell & Moring Women Attorneys' Network. She earned her B.A. *cum laude* from the University of Pennsylvania and her J.D. with high honors from George Washington University Law School.

Kirsten L. Nathanson, Crowell & Moring LLP, 1001 Pennsylvania Avenue, NW, Washington, D.C. 20004-2595. Phone: 202.624.2887. Email: [knathanson@crowell.com](mailto:knathanson@crowell.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.

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.

### **John E. Rhine**

John E. Rhine is a partner in Rhine Ernest LLP, a firm that focuses on energy law, with offices in Evansville, Indiana, and Mt. Carmel, Illinois.

Mr. Rhine has 29 years experience in energy industry law practice. He has represented many coal companies in major reserve sales and acquisitions and has represented major American and European banks in mineral project financing. In addition to reserve and operations transactions, his coal practice includes coal supply, title, SMCRA and environmental matters. He has litigated various mineral title questions and has testified as an expert witness on interpretation of coal leases.

Mr. Rhine's reported court successes include cases critical to the coal industry: *Arclar Company v. Gates*, 17 F. Supp. 2d 818 (1998), (ancient grants of appurtenant mining rights, including right to purchase surface, remain valid and enforceable in modern times); *Rocking M. Ranch, Inc. v. Sahara Coal Co.*, 576 N.E.2d 1120, (ancient subsidence waivers remain enforceable post-SMCRA) and *Continental Illinois Resources v. Illinois Methane*, 364 Ill. App.3d 691, 847 N.E.2d 897, 301 Ill. Dec. 887 (2006), (coalbed methane belongs to the coal estate). He has published a brief history of coal mining in the Illinois Basin discussing the relevance of historical coal mining practices to enforcement of modern producer's mining rights. *Practicing in the Past, Today*, ISBA Mineral Law, Vol. 24, No. 2, November, 1997.

Mr. Rhine received his law degree from the University of Illinois (J.D., *magna cum laude*, Order of the Coif, 1977) and is admitted to the bar in Illinois, Indiana, the U.S. District Court, Southern District of Illinois and Central District of Illinois, and the U.S. Court of Appeals, Seventh Circuit. He attended Southern Illinois University (B.A., 1974).

He served as law clerk to Justice Robert C. Underwood, Illinois Supreme Court, 1977-1978 and was Special Assistant Attorney General, 1980-1983. He served as Visiting Professor of Law, Moscow State Institute for International Relations (MGIMO), 1993, 1995. He served as Chairman, Voices for Illinois Children from 1993-1996.

Mr. Rhine is a member of the Illinois State Bar Association (Delegate: Mineral Law Section Council, 1993-, Chairman 1999-2000; Law Office Economics Section Council, 1986-1993), Indiana State Bar Association, Energy & Mineral Law Foundation, and Tri-State Landman's Association.

John E. Rhine, Rhine Ernest LLP, One Main Street, Suite 600, Evansville, IN 47708-1464. Phone: 812.759.0600. Email: [jrhine@rhine-ernest.cm](mailto:jrhine@rhine-ernest.cm).

**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](mailto:bob.steptoe@steptoe-johnson.com).

### **C. Seth Wilson**

Seth Wilson is a partner in the Morgantown office of Bowles Rice 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](mailto: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 1970's 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, 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](mailto:john.woodrum@ogletreedeakins.com).