

Energy & Mineral Law Foundation  
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## About the speakers . . .

### **Heather A. Blandford**

Heather A. Blandford is an associate in the Litigation department at Dinsmore & Shohl, LLP in their Morgantown, West Virginia office. Her practice focuses on mine safety and health law. Heather earned her B.A. *summa cum laude* from American University in 2005 and her J.D. *cum laude* from University of Richmond School of Law in 2008. She is a member of the Energy & Mineral Law Foundation and *Phi Beta Kappa*. She is admitted to practice in West Virginia and before the U.S. District Court for the Southern District of West Virginia and the West Virginia Supreme Court of Appeals.

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### **Nick Carter**

Nick is President and Chief Operating Officer of Natural Resource Partners L.P. and its subsidiaries (NRP) as well as Western Pocahontas Properties Limited Partnership and New Gauley Coal Corporation. NRP is a publicly traded master limited partnership (NYSE:NRP). These companies have extensive coal and surface holdings in Appalachia, the Illinois Basin and the West. He and his staff of 45 professionals interface with the coal and timber industries and the various associations and governmental entities related to them. He is Chairman of the National Council of Coal Lessors, Past-Chairman of the Huntington Regional Chamber of Commerce, the West Virginia Chamber of Commerce and Junior Achievement of the Ohio Valley and is a board member of Kentucky Coal Association, West Virginia Coal Association, Indiana Coal Council, WV Clay Center for the Arts and Sciences and Foundation for the Tri-State Community, Inc. He also serves on the board of Vigo Coal, Inc.; Carbo\*Prill, Inc. and Community Trust Bancorp, Inc. (NASDAQ: CTBI). Nick is a graduate of the 1989 Class of Leadership Kentucky and the 1993 Class of Leadership West Virginia. He has served as Chairman of the Elder Board and as a youth group leader at First Christian Church, Ashland, Kentucky. Prior to his current position, Nick was with MAPCO Coal for eight years and before that was in private law practice in Lexington, KY. Nick holds B.S. and J.D. degrees from the University of Kentucky and an M.B.A. from the University of Hawaii.

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### **Sean Cassidy**

Sean Cassidy is a partner in the law firm of Cassidy, Kotjarapoglus & Pohland, LLC, of Greensburg, Pennsylvania. He received his Bachelor of Science degree in Mathematics from Carnegie Mellon University, and his Juris Doctorate degree from the University of Pittsburgh School of Law, where he served as Note Editor for the *University of Pittsburgh Law Review*.

Mr. Cassidy is the author of "Title Defects and Their Cure," *Eastern Min. L. Inst.* ch. 2 (1981), "Preparation and Use of Title Opinions," *Eastern Min. L. Inst.* ch. 6 (1985), "Title Failure," *Eastern Min. L. Inst.* ch. 11 (1990), and "Horizontal Division of Oil and Gas Leaseholds," *Eastern Min. L. Inst.* ch. 20 (1994). He is the author of *Oil and Gas Lease Negotiations*, published as part of the Audioline Series of the Pennsylvania Bar Institute and has presented seminars on oil and gas leasing for the Pennsylvania Bar Institute. Mr. Cassidy is also a contributing author for *The American Law of Mining*, Second Edition, published by Matthew Bender & Co., Inc.

Mr. Cassidy is a Trustee of the Energy and Mineral Law Foundation, formerly known as the Eastern Mineral Law Foundation, and previously served as President of the Eastern Mineral Law Foundation from 1990 to 1991. Mr. Cassidy is a member of the Pennsylvania Bar Association and the Westmoreland County Bar Association. Mr. Cassidy has been the recipient of a Pro Bono Award from the Pennsylvania Bar Association and in 2003 was named the Westmoreland County Bar Association "Pro Bono Lawyer of the Year." Mr. Cassidy is also active civically in the Westmoreland County community. For three years, he served as President of the Laurel Ballet Performing Company. He currently serves on the board of the Westmoreland Symphony Orchestra and is a board member and Treasurer of the Westmoreland Cultural Trust.

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**Matthew S. Casto**

Matthew S. Casto is an in-house attorney with Chesapeake Appalachia, L.L.C., based in Charleston, West Virginia. He is licensed to practice before the West Virginia Supreme Court of Appeals, the Supreme Court of Ohio, the Supreme Court of Kentucky, the United States District Courts for the Northern and Southern Districts of West Virginia, the United States Courts of Appeal for the Fourth and Federal Circuits and the United States Court of Federal Claims. Mr. Casto currently handles litigation in-house for Chesapeake, as well as managing litigation handled by outside counsel. He further assists with land, regulatory, administrative and transactions matters for Chesapeake. Mr. Casto received his B.A. degree, with honors, from Montana State University at Billings. He earned his J.D. degree, *Summa Cum Laude*, from Willamette University College of Law in Salem, Oregon. He spent one year as a Visiting Student at Washington & Lee School of Law in Lexington, Virginia. He is a member of the West Virginia, Ohio and Kentucky Bar associations. He is further a member of the Energy & Mineral Law Foundation and is an Allied Attorney with the Alliance Defense Fund.

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**Rae E. Cronmiller**

Rae Cronmiller is the Environmental Counsel at NRECA (National Rural Electric Cooperative Association), the trade association that represents the cooperatively owned segment of the electric utility industry that collectively serves over 40 million electric consumers nationwide. He presently focuses on climate change initiatives and Clean Air Act regulation, assessing their legal, technical and economic impacts on the electric utility industry including the electric cooperatives and on the national economy as a whole. Mr. Cronmiller has represented NRECA in legal, regulatory and federal affairs specializing in energy and environmental areas for over 20 years. Mr. Cronmiller was a practicing patent attorney before specializing in environmental law. He holds a B.S. in Industrial Engineering, an M.S. majoring in Environmental Science from the University of Tennessee and a J.D. from the University of Memphis. Mr. Cronmiller is a member of the U.S. Patent Bar, the Washington D.C. Bar and the U.S. Supreme Court Bar.

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**Bruce E. Cryder**

Bruce Cryder is a member of Greenebaum Doll & McDonald PLLC, resident in the firm's Lexington, Kentucky office. Greenebaum is a full service law firm with other offices in Louisville, Cincinnati, Covington, Frankfort and Nashville. Bruce has practiced mineral and energy law for over 30 years. His work involves virtually all aspects of legal services to the minerals industry, from routine operational issues to mergers and acquisitions to litigation. In 2007 and 2008, he was selected by his peers as one of the top ten lawyers in Kentucky, as published by *Kentucky SuperLawyers* magazine, and was featured in the magazine's cover story in 2008.

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**W. Blaine Early, III**

W. Blaine Early, III is a member of Stites & Harbison, PLLC, in the firm's Lexington, Kentucky, office, where he practices in the Environmental, Natural Resources, and Energy Service Group. His practice covers a range of environmental law, sustainability, and related administrative actions and litigation, including Clean Water Act and other statutory programs, agricultural aspects of environmental law, nuisance and trespass, and reclamation and other environmental obligations covered by surety bonds. Prior to joining the firm in 1998, Dr. Early was Judicial Law Clerk to Hon. Jennifer B. Coffman, U.S. District Judge for the Eastern and Western Districts of Kentucky. Dr. Early was a professor of biology at Cumberland College in Williamsburg, Kentucky before entering the legal profession. He earned a B.A. degree from DePauw University, a Ph.D. in biology from the University of Louisville, and a J.D. from the University of Kentucky. He is currently a Co-Vice Chair of the American Bar Association's Water Quality and Wetlands Committee. A frequent presenter and author, he is the author of *Toilet to Tap and the Clean Water Act and Biofuel Production and Water Quality* for the ABA Water Quality and Wetlands Committee Newsletter, and in 2007 he presented a paper titled *Carbon Concerns: Law, Policy, and Business*, at the Kentucky Bar Association's Environmental

Law Update. He co-authored *Environmental Regulation of Concentrated Animal Feeding Operations* in the September 2002 issue of the *Kentucky Bench & Bar*.

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### **J. Kevin Ellis**

Kevin Ellis is an attorney in the Energy Practice Group of Steptoe & Johnson PLLC, in the firm's Morgantown, West Virginia office. His practice focuses primarily on real property law, business and asset acquisitions, regulatory and permitting matters, and related business litigation for clients in the coal, oil and gas industry. He is also a member of several client centered practice teams within Steptoe & Johnson, including the Construction Law Team.

During and continuing after Kevin's graduation from the Citadel, The Military College of South Carolina, he served in the United States Army Reserves, both as an enlisted soldier and commissioned officer. He was deployed with his reserve unit to Southwest Asia in support of Desert Storm. Before attending law school, Kevin was a law enforcement officer in the Sheriff's Office in Charleston County, South Carolina. He also spent 9 years in store operations, loss prevention and human resources for a regional retail grocery store chain in the southeast United States. Kevin obtained his law degree from the West Virginia University College of Law, where he graduated with honors. He is an active member of the bar in the states of West Virginia and South Carolina. Kevin is admitted to practice before the state courts in South Carolina, and the state and federal district courts in West Virginia. He is an active member of the Energy & Mineral Law Foundation, the West Virginia Coal Association and the Michael Late Benedum Chapter of the AAPL. Kevin serves on the boards of directors, and is a coach for the Morgantown area youth recreational baseball and softball leagues.

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### **William L. Fang**

William L. Fang is the Deputy General Counsel of the Edison Electric Institute in Washington, D.C. He directs the global climate change issue for EEI. Mr. Fang's primary responsibilities are in policy, legislative and regulatory activities affecting the electric utility industry. His areas of expertise include energy and environmental issues as well as regulated industry issues. Prior to joining EEI in 1982, Mr. Fang was an attorney with the U.S. Department of Energy and with the U.S. Postal Service.

Mr. Fang has written and spoken on legal and policy topics relating to global climate change, sustainable development, technology development, regulatory reform and risk assessment, water issues, and excess generating capacity. In May 2004 the *National Journal* profiled him as one of 12 national policy experts on global warming. He is a member of the American Bar Association, and has been a Vice Chair of the American Bar Association's Sustainable Development, Ecosystems and Climate Change Committee since 1992. Mr. Fang received a J.D. degree from the University of Virginia in 1975 and a B.S. degree in journalism from Northwestern University in 1972. He is admitted to the bars of Virginia, the District of Columbia, the U.S. Supreme Court, the Courts of Appeals for the D.C. and Third Circuits, and the Temporary Emergency Court of Appeals.

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### **Timothy J. Hagerty**

Timothy J. Hagerty is a Member of Frost Brown Todd LLC in its Louisville, Kentucky office. He counsels the Firm's clients on environmental compliance, liability, and litigation issues arising under federal, state, and local laws, with an emphasis on natural resources law.

Mr. Hagerty assists clients in obtaining wetlands and wastewater discharge permits and related approvals under the federal Clean Water Act and similar state and local laws. He has extensive experience assisting public and private clients in complying with the National Environmental Policy Act (NEPA) and related resource review requirements. Mr. Hagerty provides advice to clients concerning the requirements of the Clean Air Act, the Endangered Species Act, and the National Historic Preservation Act. Mr. Hagerty has both provided compliance counseling and represented clients in litigation concerning major electric transmission line and petroleum pipeline projects, large-scale residential and commercial developments, and major highway and transit projects throughout the country. He also has counseled the

firm's mining industry clients in various matters arising under federal environmental laws, and he recently represented a major coal company in federal litigation regarding the regulation of surface mining under the Clean Water Act. Mr. Hagerty also assists the Firm's clients in conducting environmental due diligence, negotiating environmental provisions in complex corporate and real estate transactions, and addressing property contamination issues. Before joining Frost Brown Todd, Mr. Hagerty practiced environmental law with Beveridge & Diamond, P.C., in Washington, D.C. Mr. Hagerty is admitted to practice in Kentucky; the District of Columbia; U.S. District Court, Eastern and West Districts of Kentucky; U.S. Courts of Appeals, Fourth and Sixth Circuits. He earned his J.D. from Yale Law School, where he was the Senior Editor of the *Yale Law Journal*, and his B.A. from the University of Louisville (*summa cum laude*). He has been selected to the *Best Lawyers in America*® and ranked in *Chambers USA Client's Guide*.

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### **Jessica A. Hall**

Jessica A. Hall joined Crowell & Moring's Washington, D.C. office as an associate in 2005. Her practice involves environmental and natural resource law, with a special focus on climate change. She litigates tort cases involving greenhouse gases and advises clients on existing and emerging regulatory requirements relating to climate change.

Jessica has experience litigating Clean Air Act and environmental tort cases and in arbitrating disputes arising under the North American Free Trade Agreement. She also has an interest and growing expertise in the emerging area of nanotechnology law. Jessica's active pro bono practice has included testifying before the D.C. Council on proposed legislation and authoring a successful amicus brief filed in the U.S. Supreme Court. Jessica earned her B.S. from the Massachusetts Institute of Technology, where she graduated Phi Beta Kappa. She is a graduate of the University of Chicago Law School, where she also devoted time to the Mandel Legal Aid Clinic, advocating on behalf of persons experiencing employment discrimination. While in law school, she interned in the appellate office of the U.S. Department of Justice, Environmental and Natural Resources Division. Prior to coming to Crowell & Moring, Jessica worked as an assistant to Judge Abner J. Mikva, former chief judge for the U.S. Court of Appeals for the D.C. Circuit. She is admitted to practice in the District of Columbia and New York.

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### **Mark E. Heath**

Mark E. Heath is a member of Spilman Thomas & Battle, PLLC, in the Charleston, West Virginia office. He concentrates his practice in safety issues, litigation 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 Mine Safety and Health Administration, the Occupational 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 regularly tries cases before Federal Mine Safety and Health Review Commission ALJs and before state mine safety boards in Kentucky and West Virginia.

Mr. Heath serves as Secretary for the Energy & Mineral Law Foundation and has been a frequent speaker at Foundation programs on Mine Safety Law, Annual Institutes and the Kentucky Mineral Law Conference. From 1987 to 1989, Mr. Heath was a Captain with the United States Army Judge Advocate General's Corps, practicing in the area of criminal justice, administrative law and labor and employment law. 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.

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### **Michael Heyeck**

Michael Heyeck is Senior Vice President – Transmission for American Electric Power, responsible for AEP's 11-state transmission system, including planning, technology development, engineering, project management, construction, maintenance, operations, reliability compliance, and business services.

Mr. Heyeck is also responsible for AEP's plans for new transmission projects, including proposed 765-kilovolt interstate transmission projects (I-765 TM), and joint ventures to fund and own new electric transmission assets. He reports to Susan Tomasky, President-AEP Transmission. Heyeck has previously held leadership and engineering positions in Transmission, including asset management, planning, and operations. He also held leadership positions in Corporate Planning and Budgeting, including corporate budgeting, and economic forecasting. He joined AEP in 1976. Mr. Heyeck serves and has served on numerous industry committees, including the International Conference on Large High-Voltage Electric Systems (CIGRE), the Electric Power Research Institute (EPRI), and the North American Electric Reliability Corporation (NERC). He also serves as member of the Department of Energy's (DOE) Electricity Advisory Committee, representing investor-owned utilities.

Heyeck earned his bachelor's and master's degrees in electrical engineering at the New Jersey Institute of Technology. He earned a master's in business administration at the University of Dayton. He also is a graduate of the Executive Program at the University of Virginia's Darden School and the AEP Management Development Program at The Ohio State University. He is a registered Professional Engineer in the State of Ohio, and a Senior Member of the Institute of Electrical and Electronics Engineers (IEEE). Heyeck has been elected as a Westerville City Council member since 1993, and has served as Chairman (2001-2003) and Mayor (2003-2005). He and his wife Fernanda have three children and reside in Westerville, Ohio.

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#### **Felicia Rhue Howard**

Felicia Rhue Howard is the Director of Demand Side Management at South Carolina Electric and Gas Company (SCE&G), headquartered in Columbia, South Carolina. In this recently created position, she is focused on evaluating current and developing future energy efficiency, conservation and load management programs to help the company's customers save energy and make more effective use of their energy dollars.

Felicia joined SCE&G as a Quality Advisor for process improvement efforts in the Fossil/Hydro Business Unit. During her fifteen-year tenure with SCE&G and SCE&G's parent company, SCANA Corporation, she has also worked as a Key Account Manager, providing energy and technology consultation to SCE&G's largest industrial customers. Prior to her current position, she worked for SCANA Corporation as its Manager of Community/Economic Development and Local Government, overseeing industry and other business recruiting activities and the company's interface with municipal and county governments.

She holds a B.S. Degree in Electrical and Computer Engineering and a Master of Business Administration Degree from the University of South Carolina.

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#### **Natalie N. Jefferis**

Natalie N. Jefferis is a Regional Land Manager for Equitable Gathering LLC in their Pittsburgh, Pennsylvania office. Mrs. Jefferis is responsible for managing the acquisition of right of way for Equitable's gathering system which supports its Marcellus drilling program in Pennsylvania. Mrs. Jefferis joined Equitable Production Company in 2006, and was responsible for clearing title to conventional shale wells, coalbed methane wells and horizontal wells in the Big Sandy Field. Prior to joining Equitable, Mrs. Jefferis worked as an associate at Bowles Rice McDavid Graff & Love, LLP in the Charleston office. While at Bowles Rice, she was an associate in the Energy Group and her practice focused on coal contracts, oil and gas litigation and arbitration and commercial real estate transactions.

Mrs. Jefferis is an active member of the Energy & Mineral Law Foundation and served on the 2005 and 2008 Strategic Planning Committees and currently serves on the Board of Trustees for EMLF. She earned her J.D. from West Virginia University College of Law in 2002 and her Bachelor of Science in Finance from Fairmont State College. She is admitted to practice in the state of West Virginia and before the United States District Court for the Southern District of West Virginia.

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**Bruce M. Kramer**

Bruce M. Kramer is the Maddox Professor of Law Emeritus at Texas Tech University School of Law and is Of Counsel to McGinnis, Lochridge & Kilgore of Austin and Houston, Texas. He received a B.A. in International Relations from U.C.L.A., a J.D. from the U.C.L.A. School of Law and a LL.M. from the University of Illinois College of Law. He is the co-author of *Williams and Meyers Oil and Gas Law*, *The Law of Pooling and Unitization* and *Cases and Materials on Oil and Gas Law*. He is also the author of over 50 law review articles. He has spoken at over 75 continuing legal education programs sponsored by such organizations as the Energy & Mineral Law Foundation, Center for American and International Law, Rocky Mountain Mineral Law Foundation, the University of Texas School of Law, State Bar of Texas, Colorado Bar Association and the Oklahoma Bar Association. He is a trustee of the Rocky Mountain Mineral Law Foundation and the Energy & Mineral Law Foundation and is on the Executive Committee of the Institute for Energy Law of the Center for American and International Law.

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**Robert G. McLusky**

Robert G. McLusky is a member of the Jackson Kelly's environmental law group in Charleston, West Virginia. Mr. McLusky's practice focuses on environmental litigation and client counseling for the chemical and coal industries in West Virginia and surrounding states. He provides advice on permitting, surface mining, water discharge, and other environmental issues. Most recently, he has represented the coal industry in the mountaintop mining controversy: *OVEC v. Bulen*, \_\_\_ F.3d \_\_\_ (4th cir. 2005); *Kentuckians for the Commonwealth v. Rivenburgh*, 317 F.3d 425 (4th Cir. 2003), and *West Virginia Coal Association v. Bragg*, 248 F.3d 275 (4th Cir. 2001)). He is also representing much of the coal industry in water permitting and compliance issues concerning selenium.

Mr. McLusky is a 1977 graduate of Colgate University and a 1981 graduate of Washington and Lee University School of Law, where he was an editor of the Law Review. He has been listed in Woodward and White's Best Lawyers in America since 1993, and is a frequent speaker and writer. Mr. McLusky has been admitted to the United States Supreme Court; U.S. Circuit Court of Appeals, District of Columbia Circuit; U.S. Circuit Court of Appeals for the Fourth Circuit; U.S. District Court, Northern District of West Virginia; U.S. District Court, Southern District of West Virginia; and the West Virginia Supreme Court.

Mr. McLusky is a past President of the Energy & Mineral Law Foundation, after having served as its secretary and vice president in previous years. In his spare time, Mr. McLusky is an avid whitewater canoeist.

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**Gregory J. Ossi**

Gregory Ossi focuses on all aspects of labor and employee benefits law. Mr. Ossi has counseled employers in dealing with union organizing, unfair labor practice charges and labor issues arising from mergers, acquisitions and bankruptcy. Mr. Ossi has also counseled employers in handling employee benefits. He has arbitrated issues in both labor and employee benefit matters and has litigated labor and ERISA cases in federal courts in the District of Columbia, Illinois, Kentucky and Virginia. Mr. Ossi has extensive experience in bargaining for and drafting retirement and health care plans pursuant to collective bargaining agreements. Mr. Ossi has represented companies as special labor counsel in addressing collectively bargained obligations and retiree health benefits under Sections 1113 and 1114 of the Bankruptcy Code.

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**David G. Ries**

Mr. Ries is a partner in the Pittsburgh firm of Thorp Reed & Armstrong, LLP. He focuses his practice in the areas of environmental, commercial and technology litigation. He chairs the firm's Technology Committee and has used computers in his practice since the early 1980s. Mr. Ries has more than 30 years of experience in these areas of litigation and has frequently lectured and written in this specialized area. He has recently addressed in his practice and teaching such current issues as admissibility of expert opinions, discovery of electronic evidence, environmental forensics, courtroom technology, information security and records management requirements. Professionally he is active with

many organizations, including: The Energy & Mineral Law Foundation (President); International Society of Environmental Forensics; National Ground Water Association; ASTM Committee E50 and Subcommittee E50.05 (developing standards for environmental forensics investigations); Air and Waste Management Association; International Technology Law Association; Information Systems Security Association; and Disciplinary Board of the Supreme Court of Pennsylvania (Hearing Committee Chair and Member 1997-2003). Mr. Ries attended Boston College, graduating *Magna Cum Laude* in 1971 and later obtained his J.D. from Boston College as well. While there he was a member of the *Boston College Industrial and Commercial Law Review*.

Mr. Ries is admitted to practice in the Commonwealth of Pennsylvania, the U.S. District Court for the Western District of Pennsylvania, the U.S. Court of Appeals for the Third Circuit, the U.S. District Court for the Western District of Michigan, the U.S. Court of Appeals for the Sixth Circuit, and the U.S. District Court for the Eastern District of Michigan. He is a member of the Pennsylvania Bar Association (Environmental, Mineral and Natural Resources Law and Civil Litigation Sections); the Allegheny County Bar Association (Chair, Technology Utilization Committee, past Chair, Environmental Law Section; Member, Civil Litigation and Federal Court Sections); American Bar Association (TECHSHOW Board; Section of Environment, Energy and Resources, Litigation Section, Law Practice Management Section, Science and Technology Law Section, and Information Security Committee).

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#### **Peter D. Robertson**

Peter Robertson, a partner in the Washington, D.C. office of Crowell & Moring LLP, assists corporations, governmental entities, non-profit organizations and others who seek to work with Congress and the executive branch to resolve environmental and other public policy matters. Mr. Robertson's work ranges from lobbying on appropriations and substantive environmental legislation to negotiating settlements of environmental enforcement matters or negotiating novel agreements with the Environmental Protection Agency and Department of Justice on regulatory or other issues.

Mr. Robertson's extensive experience in the public and private environmental and public policy sectors includes having served as acting Deputy Administrator and Chief of Staff of the U.S. Environmental Protection Agency during the Clinton Administration. As Deputy Administrator, Mr. Robertson served as the chief operating officer for the EPA and his responsibilities included directing the regulatory agenda and implementing the Agency's budget. He also provided policy guidance to the Agency and served as a liaison between the Agency and all stakeholders, including regulated entities, state and local governments, environmental organizations and others. Additionally, Mr. Robertson served as a member of the President's Management Council. As Chief of Staff, Mr. Robertson operated as the principal policy and political advisor to EPA Administrator Carol M. Browner, where he assisted on all facets of operating the EPA, managing more than 17,000 employees and a budget of \$7 billion. Prior to his tenure as chief of staff, Mr. Robertson was EPA's Deputy Assistant Administrator for Solid Waste and Emergency Response.

Before joining the EPA, Mr. Robertson was in private law practice as a public policy and environmental attorney. He helped design and implement legislative strategy for clients on bills as diverse as the Clean Air Act Amendments of 1990 and Superfund reauthorization, and he worked to influence regulatory policy that EPA developed to implement its authorizing statutes. Mr. Robertson has also been involved in legislative, administrative or judicial proceedings arising under CERCLA, the Clean Water Act, the Clean Air Act, RCRA, NEPA, the Oil Pollution Act, and others. His public policy work outside the environmental arena is diverse as he has represented interests as wide ranging as municipal governments and financial services clients before Congress and the executive branch.

Previous to his tenure in the private sector, Mr. Robertson served for more than six years on Capitol Hill in various roles, including as a professional staff member to the Committee on the Budget of the U.S. House of Representatives and as legislative assistant to Representative James R. Jones (D-OK). Mr. Robertson received his J.D. from Georgetown University Law Center (1987 – *cum laude*) and his B.A. from the University of Oklahoma (1978 – with distinction). He is admitted to practice in the District of Columbia and before the U.S. Courts of Appeals for the Sixth and the District of Columbia Circuits.

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### **F. Thomas Rubenstein**

Tom is a partner in the Natural Resources Practice Group at Dinsmore & Shohl LLP, practicing in the Morgantown, WV office where he also serves the firm as the Morgantown office Managing Partner. His practice involves representation of the firm's natural resource industry clients with an emphasis in coal mine safety and health issues including litigation before the Federal Mine Safety and Health Review Commission as well as the West Virginia Board of Mine Safety Appeals and the Kentucky Mine Safety Review Commission. He also provides substantive training to supervisory personnel of coal industry clients pertaining to Mine Safety and Health Administration enforcement actions.

Tom has more than 27 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. In addition, he has provided 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 is also experienced with issues pertaining to oil and gas and coalbed methane leases. He also provides preventative counsel and services to large and small health care providers, including labor and employment, commercial and collection issues. Tom is a past Trustee for the EMLF and has presented papers at both special institutes as well as the 20<sup>th</sup> annual institute. He earned his B.A. (Mathematics) *magna cum laude* from West Virginia University and is an Order of the Coif graduate of the West Virginia University College of Law. He is admitted to practice in West Virginia and Virginia and has been listed in *The Best Lawyers in America*® since 2007 in Natural Resources.

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### **Russell L. Schetroma**

Russell L. Schetroma is a shareholder and director in Culbertson, Weiss, Schetroma and Schug, P.C., a regional Pennsylvania law firm with offices and facilities in Meadville, Erie, Titusville and Pittsburgh. Mr. Schetroma chairs the firm's Business, Real Estate and General Practice Group and focuses his attention upon small business formation, operation and transfer; municipal law, real estate, oil and gas law and international trade.

Mr. Schetroma received his Juris Doctor *cum laude* from the Dickinson School of Law. He is a member of the American, Pennsylvania and Crawford County Bar Associations and is a past president of the Crawford County Bar Association. He currently chairs the Land Title Standards Committee of the Crawford County Bar Association. He serves the Supreme Court of Pennsylvania as a hearing board member in lawyer disciplinary matters. He has directed his firm's work as solicitors for the City of Meadville since 1975. Mr. Schetroma has been recognized by the Pennsylvania Bar Association with its award for "outstanding contributions to the *pro bono* service in Pennsylvania." In 2007, he received the John L. McLaugherty Award for his services to the Energy & Mineral Law Foundation. He has served on its Executive Committee and is a member of the EMLF Board of Trustees. In 2005 he was named a "Pennsylvania Super-Lawyer" by *Law & Politics/Philadelphia* magazine.

Mr. Schetroma has been awarded a certificate in East/West Law and Relations by the McGeorge School of Law of the University of the Pacific after completing a course of study conducted in coordination with the Austro-American Institute of Education in Vienna, Austria and with the law faculty of Eötvös Lorand University in Budapest, Hungary. He has also been awarded a certificate by Edinboro University evidencing his completion of its introductory course in Mandarin Chinese. He holds certificates from the Harvard Law School evidencing completion of its Programs of Instruction for Lawyers in Negotiation and Mediation. Mr. Schetroma has participated in and lectured at many continuing legal education and trade association programs. He publishes and lectures extensively on topics related to oil and gas law, land title law, issues related to forming and counseling small businesses, legal ethics, international trade law, municipal law and negotiation theory. Mr. Schetroma is admitted to practice in Pennsylvania, the United States District Court for the Western District of Pennsylvania, the United States Court of Appeals for the Third Circuit.

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### **David Stetson**

David J. Stetson, age 52, is Managing Director of Dome Capital Advisors, LLC which advises energy companies on mergers and acquisitions, corporate structure and strategy, financing alternatives, recapitalization and corporate governance. He has served as senior vice president of finance, chief financial officer and general counsel for public and

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Robert M. Stonestreet is an attorney with the law firm of Dinsmore & Shohl LLP and practices in the Charleston, West Virginia office. Robert is a member of the firm's Litigation Department, Natural Resources Practice Group, and Environmental Practice Group. Robert assists businesses in complying with various environmental laws, including the Clean Water Act and Surface Mining Control and Reclamation Act, with a focus on the coal mining industry. He has experience in administrative and civil environmental litigation, including the issuance and terms of operating permits, as well as challenges to such permits.

Robert graduated from Marshall University *summa cum laude* in 2000 with a B.A. in History. He received his law degree from West Virginia University College of Law in 2003 where he graduated Order of the Coif and served as Executive Manuscript Editor of the *West Virginia Law Review*. He is admitted to practice law in West Virginia and various federal courts.

Robert's publications include: "Replacing a Solid Wall With a Chain Link Fence: Special Relationship Analysis for Tort Recovery of Purely Economic Loss," which appears in both the 2002 edition of the *West Virginia Law Review* and the *Legal Handbook for Architects, Engineers and Contractors* and co-author of "You Have No Idea: Environmental Regulation of the Coal Industry," which appears in Chapter 9 of Volume 25 of the *Energy & Mineral Law Institute*. He has served as a speaker at various conferences on the topic of environmental law.

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### **Benjamin M. Sullivan**

Benjamin Sullivan has been an in-house attorney with EQT Corporation, formerly Equitable Resources, since 2006, based in Charleston, West Virginia. He is licensed to practice before the West Virginia Supreme Court of Appeals and the United States District Court for the Southern District of West Virginia. Mr. Sullivan graduated with honors from the University of Kentucky in Lexington, Kentucky, with a bachelor's degree in history. After completing his undergraduate degree, he went on to graduate from the West Virginia University School of Law in 2004.

Mr. Sullivan works with EQT Corporation's Production and Midstream Companies' management teams and personnel on operational, land, royalty, regulatory, administrative, and transactional matters. He has been a frequent speaker at natural gas industry conferences. In addition to speaking at this 30th Annual Institute, Mr. Sullivan is giving a lecture to the International Right of Way Association's Annual Convention in June in Indianapolis, IN, about legal issues involving natural gas storage field easements and leases. Mr. Sullivan is a Member of the Energy Committee of the West Virginia Chamber of Commerce, a Trustee of the Energy & Mineral Law Foundation, a Member of the Legal Committee of the West Virginia Oil and Natural Gas Association, and a Member of the Legal Committee of the Virginia Oil and Gas Association.

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Vicky Sullivan is the Climate Strategy Manager in Research and Environmental Affairs Department at Southern Company in Birmingham, Alabama, where she is responsible for coordinating climate-related activities and strategies. Mrs. Sullivan has been with Southern Company for 28 years, and has spent most of that time in air quality issues management. Mrs. Sullivan is a chemical engineering graduate of Auburn University and has a Master of Science in Environmental Management from Samford University. She has also completed coursework toward a Master of Business

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Joel E. Symonds is a landman for Equitable Production Company. His work is focused on title issues surrounding oil and gas development. He has experience in the areas of oil and gas, coal, commercial real estate, and regulatory law. Joel is an active member of the West Virginia State Bar and an inactive member of the Virginia State Bar. He is also a member of EMLF, the West Virginia Bar Association, and is Vice-President of the Charleston, West Virginia Chapter of the Washington and Lee Alumni Association. Joel earned his B.A. and J.D. from Washington and Lee University.

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### **Chet M. Thompson**

Chet M. Thompson is a partner in the Washington, D.C. office of Crowell and Moring and a member of the firm's Environment & Natural Resources Group. Chet is the former deputy general counsel and associate deputy general counsel of the U.S. Environmental Protection Agency (EPA), positions he held between 2004 and 2006. His practice includes counseling, litigation, and regulatory and legislative representation of a wide array of clients under the major environmental statutes, including the Clean Air Act (CAA), the Resource Conservation and Recovery Act (RCRA), and the Comprehensive Environmental Response, Compensation, Liability, and Recovery Act (CERCLA).

As EPA's deputy general counsel, Chet provided legal advice to the EPA administrator, the general counsel, and various program offices, particularly the office of air and radiation (OAR), the office of enforcement and compliance assurance (OECA), and the office of solid waste (OSW). During his tenure, Chet oversaw the agency's air and radiation law office and the legal aspects of many of the Bush Administration's hallmark CAA initiatives, including off-road engine and low-sulfur diesel standards, the Clean Air Interstate Rule (CAIR), the Clean Air Mercury Rule (CAMR), New Source Review (NSR) reforms, designations and implementation of the revised national ambient air quality standards (NAAQS) for ozone and particulate matter, and implementation of the CAA's residual risk program. He also supervised the agency's legal defense and appellate dockets and the day-to-day legal support of EPA's CAA title V, New Source Performance Standards (NSPS), NSR, and prevention of significant deterioration (PSD) programs. Additionally, Chet provided legal counseling on a number of energy issues, including permitting of oil and gas exploration and processing plants, coal-fired power plants, and liquefied natural gas (LNG) facilities. Chet also supervised the agency's solid waste and emergency response law office, which provides legal support for CERCLA and RCRA issues. He was the United States' lead negotiator in multi-year negotiations that culminated in a landmark settlement with a Canadian mining company over the extraterritorial application of CERCLA and liability associated with the historic contamination of the Upper Columbia River in Washington State. The settlement guaranteed full-funding for a comprehensive, multi-year study of human health and ecological risks at the site and avoided years of protracted litigation between the United States and Canada that could have had negative ramifications for U.S. industries.

Prior to joining EPA, Chet was a partner in the environmental practice group of another major D.C. law firm. He represented trade associations and companies in the steel, nonferrous metals, petroleum, and forest and paper industries on a number of CAA and RCRA regulatory and litigation matters. Chet received a B.A. in Political Science, *cum laude*, from Boston College in 1990, and his J.D. from Catholic University, the Columbus School of Law in 1993, graduating in the top five percent of his class. He is admitted to the bars of the District of Columbia and Maryland.

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R. Timothy Weston is a partner in the Harrisburg, Pennsylvania office of K&L Gates LLP, and co-practice group coordinator of K&L Gates' energy and utilities practice group. With more than 35 years of experience in environmental counseling and litigation, energy development, administrative and legislative issues, his practice includes representation of diverse interests, including both private enterprise and public agencies, in project development, natural resource management and regulatory matters.

Mr. Weston is 1972 *cum laude* graduate of Harvard Law School, and earned his B.A. in mathematics with high honors from the University of California at Santa Barbara in 1969. Mr. Weston served for eight years as an Assistant Attorney General in the Pennsylvania Department of Environmental Resources. From 1979 to 1987, Mr. Weston served as Associate Deputy Secretary for Resources Management in the Pennsylvania Department of Environmental Resources, overseeing a wide range of engineering projects, land management functions, and regulatory programs affecting water and related resources. During this same period, he served as Pennsylvania's Commissioner on the Delaware and Susquehanna River Basin Commissions, and served various terms as Chair of both DRBC and SRBC. He was a member of the U.S. delegation to the International Joint Commission's Diversions and Consumptive Uses Study Board, and was one of the principal negotiators and authors of the *Great Lakes Charter*. He served on the American Society of Civil Engineers work group that prepared the Regulated Riparian States Model Water Code. A nationally recognized practitioner in the field of water law and natural resources management, Mr. Weston was honored with listings in *Chambers USA America's Leading Lawyers for Business*, *Best Lawyers in America*, and *Super Lawyers*.

Tim has published various articles in the environmental and natural resource law field, including "Harmonizing Management of Ground and Surface Water Use Under Eastern Water Law Regimes," 11 *U. Den. L. Rev.* 239 (2008); "Evolving Issues in Eastern Water Law - Harmonizing Management of Ground and Surface Water Use," Section of Environment, Energy, and Resources 15<sup>th</sup> Section Fall Meeting (September 26-29, 2007); "Evolving Water Issues in the Mid-Atlantic Region," ABA Section of Environment, Energy, and Resources 13<sup>th</sup> Section Fall Meeting (September 21-25, 2005); "The Nexus Between Science and Water Law," ABA Section of Environment, Energy and Resources, Eastern Water Resources Conference (May 11, 2006); "Legal Aspects of Pennsylvania Water Management," in *Water Resources in Pennsylvania: Availability, Quality and Management* (S.K. Majumdar, E.W. Miller, R.R. Parizek, eds.), Pa. Academy of Science Press (1990); "Gone with the Water - Drainage Rights and Storm Water Management in Pennsylvania," 22 *Villanova Law Review* 901-982 (1977); "Law of Ground Water in Pennsylvania," 80 *Dickinson Law Review* 11-63 (1976); "Legal Control of Consumptive Water Use in Pennsylvania Power Plants," 80 *Dickinson Law Review* 353-409 (1976); and "Public Rights in Pennsylvania Waters," 49 *Temple Law Quarterly* 515-557 (1976).

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#### **Daniel W. Wolff**

Dan Wolff, an attorney in the Washington D.C. office of Crowell & Moring, maintains a broad practice that involves appellate, trial, and administrative counseling on a number of areas of environmental and natural resources law, including climate change, Superfund, land-use rights, and mine safety and health. He has authored or co-authored briefs in the U.S. Supreme Court and a number of federal appellate courts, and has argued cases in the U.S. Courts of Appeals for the D.C. and Fourth Circuits. As a litigator and specialist in the firm's Environmental & Natural Resources Group, he has also appeared on behalf of the firm's clients in matters arising in federal district court, and in his administrative practice he has represented clients before a number of federal agencies, including the Departments of Labor, Interior, and Agriculture, and the Federal Mine Safety and Health Review Commission. Dan also has an active pro bono practice in a wide variety of areas, including asylum, habeas corpus, landlord-tenant, and fair wages, and on such matters he has appeared in the federal courts, the U.S. Immigration Court, and the courts of Maryland and the District of Columbia. Dan graduated from the University of Wisconsin in 1992, where he earned a B.A. from the School of Journalism. He earned his law degree at the University of Dayton School of Law, from which he graduated *summa cum laude* in 2001. While in law school, Dan served as an editor on the *University of Dayton Law Review*, and was active with the Environmental Law Society. Immediately following law school, he clerked for two years in the Southern District of Ohio for the Honorable Walter H. Rice. Dan is a member of the District of Columbia and Ohio Bars, as well as the bars of several federal courts.

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Ms. Wood is a partner in the Washington D.C. office of Hunton & Williams LLP. Her practice focuses on environmental and administrative law, with an emphasis on air issues, including global climate change, emissions trading, and the establishment and implementation of national ambient air quality standards. She has experience in appellate and district court litigation, agency rulemakings, compliance advice, and legislative representation. Representative clients include companies and trade associations in the electric generation industry, manufacturing industries, and transportation and land development industries.

Ms. Wood has represented the electric power industry in the Supreme Court and the D.C. Circuit in a landmark case involving whether EPA has authority under the Clean Air Act to regulate greenhouse gas emissions to address global climate change. She has defended companies in the district court and court of appeals from tort suits alleging that carbon dioxide emissions from the companies' normal business operations contribute to the "nuisance" of global climate change. She has represented the electric utility industry in a challenge pending in the D.C. Circuit regarding whether EPA should have set a carbon dioxide new source performance standard for petroleum refineries. Prior to joining Hunton & Williams, Ms. Wood was an Associate with Kelley Drye & Warren from 1998-99. She was Editor-in-Chief of *The Environmental Lawyer*, 1997-98 and Publications Chair for the Moot Court Board, 1997-98. Ms. Wood is a Member of the District of Columbia and Virginia State Bars and the American Bar Association. She is Vice Chair of the Board of Directors, Environmental Markets Association. She is admitted to practice before the following courts: U.S. Supreme Court, U.S. Courts of Appeals for the Second, Fourth, and D.C. Circuits, U.S. District Court for the District of Columbia, U.S. District Court for the Eastern District of Virginia. Ms. Wood received her J.D. from George Washington University Law School, with honors in 1998 and her B.S. from California State University, Northridge in 1993.

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#### **Arthur J. Wright**

Arthur Wright, a partner in the Dallas office of Thompson & Knight LLP, counsels clients in acquisitions and dispositions of explorations and production, midstream properties, and natural resources companies. He provides advice and prepares agreements in relation to exploration and production activities; gas plant operations; and marketing of gas, LNG, and electricity production in all relevant matters. He also prepares title opinions and is involved in regulatory and

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Mr. Wright is listed in *The Best Lawyers in America* (Natural Resources Law); 2003-present and as a Texas Super Lawyer in *Texas Monthly*, 2004, 2006. He served as an Adjunct Professor at Southern Methodist University School of Law teaching Oil and Gas Law, 1992-1995. In addition, Mr. Wright served as an Instructor for Maguire Oil and Gas Institute, Cox Business School, Southern Methodist University, 1998. He has also participated in the education of legal assistants as an adjunct professor teaching Contracts, Administrative Law, and Oil and Gas Law at Southern Methodist University, 1985-1992.

Other positions held include: Executive Vice President and General Counsel for CDX Gas; Associate General Counsel, Commercial & Operations, USX-Delhi; Assistant General Counsel, Texas Oil & Gas Corp.; and Advisory Board Member, Institute For Energy Law of The Center for American and International Law, 2004. Mr. Wright is a trustee of the Energy & Mineral Law Foundation and a member of the American Bar Association (Natural Resources, Energy, and Environmental Law Section, Natural Gas Marketing and Transportation Committee, 1984-present; Vice Chair, 1996-1998; Committee Chair, 1998-2000; Editor of Year-in-Review, 1996-2000, for Natural Gas and Electric Marketing; Litigation Committee, Committee Chair, 1992-1994; Vice-Chair, 1991-1992).

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