

*32nd*  
*Annual Institute*

May 15-17, 2011

Nemacolin Woodlands Resort  
Farmington, Pennsylvania



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*Alpha Natural Resources*  
Abingdon, VA  
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# Program Schedule

## Sunday, May 15, 2011

10:00 a.m. **Golf Outing – Mystic Rock**

5:00-7:00 p.m. **EMLF Registration and Reception  
Dinner on Your Own**

6:30-7:30 p.m. **EMLF Board of Trustees Meeting**

7:30-9:00 p.m. **Board of Trustees Dinner**

## Monday, May 16, 2011

7:00 a.m. **EMLF Registration Desk Re-Opens  
Continental Breakfast**

8:15 a.m. **Welcome and Introductions**

- Kirsten L. Nathanson, EMLF President, *Crowell & Moring LLP*, Washington, DC
- Frank B. Harrington, Annual Institute Program Chair, *Alpha Natural Resources, Inc.*, Abingdon, VA

8:30-9:00 a.m. **Keynote Address: Coal, Gas and Common Sense**

- Nick DeIuliis, President, *CONSOL Energy Inc.*, Canonsburg, PA

9:00-9:45 a.m. **White Collar Crime with Your Company as a Victim:  
Conducting the Fraud Investigation**

Your company has been the victim of an expensive and extensive fraudulent scheme. Now what? Begin with the basics of how a white collar fraud investigation works, the critical first 24-48 hours, the roles and responsibilities of the various players in the investigation, and sources of evidence you might not normally think of. Add a dash of how the Foreign Corrupt Practices Act works. Season liberally with how do we keep this from happening again? and the elements of a good antifraud program.

- William D. Wilmoth, *Steptoe & Johnson PLLC*, Wheeling, WV

9:45-10:00 a.m. **Break**

10:00-10:45 a.m. **The Dodd-Frank Act – Overview and Implications  
for Publicly-Traded Energy Companies.**

The Dodd-Frank Wall Street Reform and Consumer Protection Act has had and will continue to have far-reaching implications for all publicly-traded companies, including energy companies. This presentation will provide an overview of the Dodd-Frank Act provisions which apply to energy companies and specifically coal, gas and power companies. Additionally, the Dodd-Frank Act contains numerous provisions which require additional rule-making by the Securities and Exchange Commission (SEC) and the New York Stock Exchange, among other regulatory bodies. The SEC and other regulatory bodies have begun the rule-making process and our presentation will also provide an overview of these rules and how they apply and will impact publicly-traded energy companies.

- Amy I. Pandit, *Buchanan Ingersoll & Rooney PC*, Pittsburgh, PA
- Zafar A. Hasan, Assistant General Counsel, *AES Corporation*, Arlington, VA



NATHANSON



HARRINGTON



DEIULIIS



WILMOTH



PANDIT

10:45-11:45 a.m.

### **Confidentiality Obligations for Lawyers**

The panel will focus on a series of hypotheticals designed to explore both basic and more advanced problems of privilege, work-product, and inadvertent disclosure. The audience will be asked to express an opinion on each hypothetical and the panel will then discuss the possible approaches to deal with the issues.

- John R. Leathers, *Buchanan Ingersoll & Rooney PC*, Pittsburgh, PA
- Douglas R. Richmond, Senior Vice President, *Aon Risk Services Central, Inc.*, Chicago, IL
- David G. Ries, *Thorp Reed & Armstrong, LLP*, Pittsburgh, PA



LEATHERS



RICHMOND



RIES

Noon-1:00 p.m.

### **Hosted Luncheon**

1:30-2:15 p.m.

### **Employee Privacy Rights: Employer Monitoring and Investigating Employees' Electronic Activities and Communications**

Issues surrounding employee privacy are providing grist for the litigation mill and reasons for new legislation that can lay land mines for employers. Innovative claims for, among others, invasion of privacy, discrimination and retaliation are being filed. New statutes are being enacted regulating unauthorized computer access, notice requirements before monitoring emails and laws that protect employee off-duty conduct.

- C. David Morrison, *Steptoe & Johnson PLLC*, Bridgeport, WV



MORRISON

2:15-3:00 p.m.

### **Implied Real Property Rights Associated with Mineral Ownership**

Some mineral deeds do not expressly grant all of the rights necessary to explore for, recover and transport minerals; however, some court decisions provide that a grant of mineral rights implies the rights necessary to recover such minerals, which "implied rights" include the use of some portion of the surface property. The development of the Marcellus shale by natural gas producers, coal mine expansions and other events have increased competition among mineral producers to access surface property; thus, the importance of "implied rights" is similarly elevated. This presentation will provide a survey of caselaw dealing with the mineral owners' "implied rights" in Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia and West Virginia.

- Richard T. Miller, Vice President and Assistant General Counsel, *Alpha Natural Resources, Inc.*, Linthicum Heights, MD



MEADE

3:00-3:15 p.m.

Break

3:15-4:00 p.m.

### **When Does the Department of Labor Consider a Supplier of Energy Products a Federal Contractor or Subcontractor, and Why Should We Care?**

Many energy companies are treated as federal contractors because of their direct supply of goods or services (including energy products) to the federal government, including, for example, coal sales to the TVA. Energy companies may also be treated as "subcontractors" because a customer supplies goods or services, such as electricity, downstream to the federal government. There are legal ramifications that flow from an entity's status as a federal contractor or subcontractor, including labor and employment law obligations. This session will focus on the following issues: (1) when is a supplier of energy products properly considered to be a federal contractor or subcontractor?; (2) when is an organization with multiple affiliates subject to treatment as a "single employer" under federal labor law such that the entire organization is subject to affirmative action and other obligations by virtue of one subsidiary's status as a federal contractor or subcontractor?; (3) what special legal obligations attach to a federal contractor or subcontractor, including requirements that mandate inclusion of special provisions in contracts with suppliers and service providers?; (4) what liabilities may flow from an entity's status as a federal contractor?; (5) what are the current enforcement priorities of the Department of Labor as to such entities?; and (6) who is subject to E-verify requirements and what does compliance entail?

- Kris D. Meade, *Crowell & Moring LLP*, Washington, DC



WOLFF



ROSS

4:00-5:00 p.m.

### **E-Discovery Obligations for Lawyers**

The panel will focus on the development of electronic discovery issues since the decisions in *Qualcomm*, with special emphasis on the obligations for transactional and in-house lawyers, also focusing on the responsibilities of subordinate lawyers.

- John R. Leathers, *Buchanan Ingersoll & Rooney PC*, Pittsburgh, PA
- Douglas R. Richmond, Senior Vice President, *Aon Risk Services Central, Inc.*, Chicago, IL
- David G. Ries, *Thorp Reed & Armstrong, LLP*, Pittsburgh, PA



LANE

6:00-7:30 p.m.

### **Hosted Reception**

### **EMLF Dine-Around Nemaquin or Dinner on Your Own**



CARPENTER

# Tuesday, May 17

7:00 a.m.-5:00 p.m.

**Registration  
Continental Breakfast**

## Concurrent Session A – Coal

Daniel W. Wolff, Coal Chair, *Crowell & Moring LLP*, Washington, DC

8:00-8:45 a.m.

### **Remedial Remedies, or How I Learned to Stop Worrying and Love the Uniform Commercial Code (UCC)**

In lawsuits over breach of a coal supply agreement, the failure to follow UCC remedies directives has derailed a number of otherwise solid cases, while careful attention to the Code's mandated damage calculations has often won the "unwinnable" case. Understanding the law and recognizing common mistakes in the area of UCC remedies will not only assist the plaintiff in properly proving damages, but will also provide the conscientious defendant with the means to attack improper damages proof

■ Justin W. Ross, *Wyatt, Tarrant & Combs, LLP*, Lexington, KY

8:45-9:30 a.m.

### **Carbon Capture and Sequestration: Critical Property Rights and Legal Liabilities – Real Impediments or Red Herrings?**

This presentation will analyze the critical property rights necessary for a carbon sequestration operation and the potential liabilities. Many tout liabilities as significant impediments; however, this presentation will question whether these concerns are actually red herrings.

■ Steven M. Carpenter, *Advanced Resources International*, Arlington, VA

■ J. Thomas Lane, *Bowles Rice McDavid Graff & Love PLLC*, Charleston, WV

9:30-9:45 a.m.

Break

9:45-10:30 a.m.

### **Use of "Conductivity" to Define Compliance with Narrative Water Quality Standards**

This presentation will discuss recent attempts by environmental groups to establish unachievable limits on sulfate and conductivity in the mining industry. These groups claim that elevated levels of conductivity and sulfate are violating state narrative water quality standards, which prohibit significant adverse impacts to aquatic ecosystems, and need to be controlled through effluent limits which are regarded as impossible to meet absent unaffordable treatment technology.

■ Robert G. McLusky, *Jackson Kelly PLLC*, Charleston, WV

■ Blair M. Gardner, *Jackson Kelly PLLC*, Charleston, WV

10:30-11:15 a.m.

### **So You Would Like to Export Some Coal?**

With increasing limitations on the use of coal for electric generation in the United States and the expanding use of coal abroad, larger and larger percentages of U.S. coal, both thermal and metallurgical, are being exported and sold abroad. This presentation will walk the audience through a coal export sale from the preliminary negotiations to the drafting of an international coal sales agreement (with particular emphasis on specific terms, choice of law, and other issues that may be singular to an international coal transaction). It will then follow the consummation of the transaction, including the logistics and contracts necessary for transportation of the coal and the processing of payments in an international context.

■ Patrick W. Mattingly, *Wyatt, Tarrant & Combs, LLP*, Louisville, KY

■ Peter G. Diakov, *Wyatt, Tarrant & Combs, LLP*, Louisville, KY

11:15 a.m.-Noon

### **Coal Law and Regulation Update**

The annual review of litigation and regulations affecting the coal industry.

■ Eric R. Waller, Senior Counsel, *Patriot Coal Services LLC*, Charleston, WV

Noon-1:30 p.m.

### **Lunch on Your Own**

Panel Moderator:

*Daniel W. Wolff*

1:30-2:45 p.m.

### **Mine Safety & Health Panel I**

This panel will address hot topics in mine safety and health law, with an emphasis on (1) developments in the tests for "unwarrantable failure" and "significant and substantial," and whether those tests have been eroded by recent ALJ decisions; (2) resolving, through litigation or otherwise, mine plan disputes; and (3) the scope of MSHA's "Part 50 audit" authority, including recent litigation on the issue. The floor will also be opened to the audience for questions and answers and further discussion.

■ Melanie J. Kilpatrick, *Rajkovich, Williams, Kilpatrick & True, PLLC*, Lexington, KY

■ Alexander Macia, *Spilman Thomas & Battle, PLLC*, Charleston, WV

■ R. Henry Moore, *Jackson Kelly PLLC*, Pittsburgh, PA



MCLUSKY



GARDNER



MATTINGLY



DIAKOV



WALLER



KILPATRICK



MACIA



MOORE



BEVERAGE

2:45-4:00 p.m.

### **Mine Safety & Health Panel II**

This panel will continue the discussion of hot topics in mine safety and health law, with an emphasis on (1) pattern of violations, including recent MSHA policy changes and recently proposed changes to POV regulations; (2) the current proposed respirable dust standard rulemaking; and (3) the current state of play in Mine Act regulatory and legislative developments in Arlington and on Capitol Hill. As with Panel I, the floor will be opened to the audience for questions and answers and further discussion.

- Laura E. Beverage, *Jackson Kelly PLLC*, Denver, CO
- Edward M. Green, *Crowell & Moring LLP*, Washington, DC
- Mark E. Heath, *Spilman Thomas & Battle, PLLC*, Charleston, WV

4:00 p.m.

Adjourn

## ***Concurrent Session B – Oil and Gas***

Nicolle S. Bagnell, Oil & Gas Chair, *Reed Smith LLP*, Pittsburgh, PA

8:00-8:45 a.m.

### **Recent Decisions in Marcellus Shale Jurisprudence**

This session provides an overview of the most recent decisions of the courts in Pennsylvania, Ohio and West Virginia pertaining to oil and gas law litigation, such as title, leasing, royalty disputes, zoning and land use, environmental, and pooling and unitization.

- Kevin L. Colosimo, *Burleson Cooke LLP*, Canonsburg, PA

8:45-9:30 a.m.

### **The Application of Oil & Gas Lease Implied Covenants in Shale Plays: Old Meets New**

Courts have imposed implied covenant obligations on oil and gas lessees for more than 100 years, but the development of shale plays will lead to new fact patterns and new ways for implied covenant disputes to arise. This presentation will explore the coming challenges and how to be prepared for them.

- Keith B. Hall, *Stone Pigman Walther Wittmann L.L.C.*, New Orleans, LA

9:30-9:45 a.m.

Break

9:45-10:30 a.m.

### **Overview of Pooling Affecting Appalachian Shale Development**

A review and analyses of pooling laws affecting development will be presented. Existing laws will be reviewed and proposed statutes in West Virginia and Pennsylvania will be discussed to highlight how pooling and spacing rules will continue to impact the Marcellus and Utica shale plays. In surveying various jurisdictions, key provisions affecting development will be analyzed and compared, including the necessary minimum control of interests within a unit, missing heirs, and drainage issues. In addition, the presentation will review the historical and political contexts impacting on evolution of the statutory and regulatory schemes. Surface owner and environmental considerations will also be discussed.

- Sharon O. Flanery, *Steptoe & Johnson PLLC*, Charleston, WV
- Ryan J. Morgan, *Steptoe & Johnson PLLC*, Charleston, WV

10:30-11:15 a.m.

### **Review of New Oil and Gas Water Regulation of the Marcellus Shale**

This session will review new rules and regulations which impact water use and wastewater handling for large water volume horizontal drilling in the Marcellus Shale region. The presentation will include a review of new proposed policies and standards, including amendments to state water quality standards, developed to protect aquatic life and habitat from excessive water use, as well as new rules and policies regarding the proper handling of wastewater which will impact future development and exploration. The presentation will look at both state and federal changes in rules and regulations in the last 12 months and the recent activity by the various river basin commissions.

- Kevin J. Garber, *Babst, Calland, Clements & Zomnir, P.C.*, Pittsburgh, PA

11:15 a.m.- Noon

### **Condemnation in the Natural Gas Industry: Who Can Take What, When, and How Much Will It Cost?**

This presentation will look at the potential for use of eminent domain by the natural gas industry, reviewing the current state of federal and state laws, practical and strategic uses of eminent domain, key litigation issues, and a look ahead as to the potential for an expansion of eminent domain powers as a result of the exploration of the Marcellus Shale.

- Kevin C. Abbott, *Reed Smith LLP*, Pittsburgh, PA



GREEN



HEATH



BAGNELL



COLOSIMO



HALL



FLANERY



MORGAN



GARBER



ABBOTT

Noon-1:30 p.m.

**Lunch on Your Own**

1:30-2:15 p.m.

**Ownership of Beds and Banks of Streams**

This presentation will explore the ownership of beds and banks of streams, and their underlying strata, and the implications of State-asserted claims of ownership.

- Douglas C. McElwee, *Robinson & McElwee PLLC*, Charleston, WV



MCELWEE

2:15-3:15 p.m.

**Oil and Gas Operations on Public Lands in the Marcellus Shale Region**

Private owners and lessees of the mineral rights under public lands are increasingly seeking opportunities to develop the Marcellus Shale and other potentially productive shale formations. Public lands, forests, and recreation areas present attractive opportunities for leasing large, contiguous acreage ideal for horizontal well development. National Forest lands alone in the Marcellus region encompass well over one million acres. In addition, some municipal, state and federal agencies can benefit from new revenue sources where the mineral estates are publicly owned. In many cases, mineral estates are privately owned, with a government agency managing the surface estate. Publicly held lands can be subject to special procedures and restrictions on surface and subsurface use, to balance the public interest in protecting surface lands with the property rights of mineral owners and the broader interest in developing mineral resources. Learn about recent federal and state court litigation involving development on and under public lands, and the opportunities and obstacles presented.

- Timothy M. Miller, *Robinson & McElwee PLLC*, Charleston, WV
- R. Timothy McCrum, *Crowell & Moring LLP*, Washington, DC



MILLER



MCCRUM

3:15-4:00 p.m.

**Leasing from Estates and Trusts: Who May Do What?**

Certain unique issues arise when leasing from estates and trusts: What statutory authority or limitations exist? Does the controlling document modify those statutory rights/limitations? Does a Trustee's power to buy or sell include the power to lease? Must the lease contain additional terms? Where must a legal action involving a lease from a trust or estate be filed? This presentation will provide a survey of statutes and case law related to leasing from estates, trusts and other artificial entities in Pennsylvania, Ohio and West Virginia.

- Arnold L. Schulberg, Attorney at Law, Hurricane, WV
- Mandi L. Scott, *Goehring, Rutter & Boehm*, Pittsburgh, PA



SCHULBERG



SCOTT

4:00 p.m.

Adjourn



**1001 Lafayette Drive  
Farmington, Pennsylvania  
Call 800.422.2736 by March 30 for reservations**

Site of this year's Annual Institute is Nemacolin Woodlands, a Forbes five star resort with its 2,000 acres nestled in the Laurel Highlands of the Allegheny Mountains.

The resort – while offering varied activities, dining experiences, shopping and even a renowned spa, more than enough to keep you occupied during your stay – is close to a number of area activities: Ohiopyle State Park which offers some of the best white water rafting and kayaking east of the Mississippi; two Frank Lloyd Wright homes, including the famed Fallingwater; and Fort Necessity, a French and Indian War battlefield.

Conference attendees have their choice of staying in one of two accommodations – either the Chateau Lafayette or the Lodge. The Chateau, inspired by the classic hotels of Europe, features coffered ceilings, crystal chandeliers or striking two-story Palladian windows in the lobby, capturing the essence of refined European hospitality. The other choice for registrants is the Lodge; the original section of the resort, this accommodation features an English Tudor exterior and English country cottage interior.

Room rate at the Chateau is \$199 nightly, with the Lodge rates set at \$150 nightly. Nine percent tax will be charged for both accommodations.

One night's deposit is required when booking. Cancellation may be made without penalty until 30 days prior to arrival date; after that, cancellations and no-shows will be assessed for the full stay. The cut-off date for the hotel is March 30; call 800.422.2736 and ask for the EMLF group rate.

Check-in at 4:00 p.m. and check out by 11:00 a.m. The \$15 daily resort fee is waived for EMLF registrants; the fee gives you access to valet parking, on property shuttle service, fitness center access, wireless Internet, local and toll free calls, pool access,

in-room coffee, newspaper, 3 p.m. art tour, tennis, hiking trails and marina.

Special golf rates for EMLF attendees are Mystic Rock Golf Course \$172 per person per round inclusive of 18 holes with cart, golf staff gratuity and tax; the Links Golf Course is \$91.40 per person per round inclusive of 18 holes with cart, golf staff gratuity and tax.

As well as a choice of lodging, there are numerous choices for dining on property – all the way from fine dining at Lautrec to more casual fare at the Tavern or the best in locally raised beef, chicken and pork at Aqueous. There are also several seasonal restaurants plus a number of bars and lounges. The resort also offers in room dining daily from 6 a.m. to 10 p.m.

There are also retail stores on the property including a jewelry store, men and women's clothing, women's accessories, kitchen store, logo shop, Nike shop and an outdoor/fly fishing shop.

For relaxing there is the Woodland Spa offering close to 100 treatments including a full service salon. Activities range from swimming (two indoor pools), miniature golf, mountain bike rentals, rock climbing wall and zip lining, nature hikes and a Wildlife Academy with special wildlife habitats – black bears, zebras, elk bison, moose, hyenas, lions, tigers and more.

The WildSide entertainment emporium features bowling, arcade games, pool table, exotic birds, a rock climbing wall and more.

Whatever your interest – family vacation or luxury stay – Nemacolin Woodlands will meet your needs. To learn more about the resort go to [www.nemacolin.com](http://www.nemacolin.com).

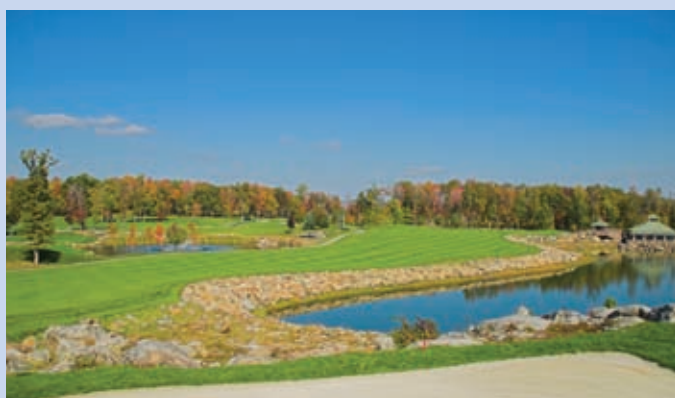
*Resort photos courtesy of Nemacolin Woodlands*



### *Driving distance to Nemacolin Woodlands*

- From Charleston, WV – 190 miles
- From Columbus, OH – 210 miles
- From Lexington, KY – 362 miles
- From Morgantown, WV – 40 miles
- From Pittsburgh, PA – 77 miles
- From Washington, DC – 186 miles

*The outdoors beckons at Nemaquin Woodlands but when the day is done, relax at the Woodlands Spa.*



# Adventure, history, sightseeing

## ■ Ohiopyle State Park

Ohiopyle State Park encompasses over 20,000 acres of rugged natural beauty and serves as the gateway to the Laurel Highlands. The focal point of the park is 14 miles of the Youghiogheny River that pass through the heart of the park, providing some of the best white water rafting in the eastern United States, along with spectacular scenery.

There are a number of licensed commercial outfitters operating on the Youghiogheny, providing guided trips that include rafts, guides, all necessary safety equipment and transportation to and from the river.

If you prefer your excursions to be a bit tamer, the park offers miles of hiking and biking trails including the Great Allegheny passage, a flat trail that connects Pittsburgh to Washington, DC. Or explore Ferncliff Peninsula National Natural Landmark, a 100-acre peninsula that contains many rare and interesting plants. The park also includes several scenic waterfalls.

Find out more about the park by going to [www.dcnr.state.pa.us/stateparks/parks/ohiopyle.aspx](http://www.dcnr.state.pa.us/stateparks/parks/ohiopyle.aspx)

## ■ Fort Necessity National Battlefield

The battle at Fort Necessity in the summer of 1754 was the opening action of the French and Indian War. This war was a clash of British, French and American Indian cultures. It ended with the removal of French power from North America. The stage was set for the American Revolution.

You can relive the battle by touring Fort Necessity which is open from 9 a.m. to 5 p.m.

The Visitor Center is the best place to begin your journey. The ranger on duty will answer your questions and collect your entrance fee. The twenty-minute movie "Road of Necessity" introduces the park story. Get a complete schedule of activities at the visitor center.

Follow the short paved path from the visitor center to the Great Meadow and Fort Necessity, where the French & Indian War began.

You may wish to take the short hike to the Mount Washington Tavern. In the spring, summer and fall, tours of the Tavern are available when staffing permits. The Mount Washington Tavern operated as a stage stop from 1828 to 1855. It is now a museum focusing on life along the National Road.

## Where are the area attractions?

- Ohiopyle State Park, PA Route 381, ten miles north of Farmington
- Fort Necessity National Battlefield, one mile west of Farmington on US Route 40
- Fallingwater (a home designed by Frank Lloyd Wright), PA Route 381, 12 miles north of Farmington
- Kentuck Knob (another Frank Lloyd Wright house), 6 miles north of Chalk Hill, PA
- Laurel Caverns, six miles off US Route 40 west of Farmington

A monument marks the final resting place of British General Edward Braddock at the Braddock Grave Unit. Outdoor exhibits explain the ill-fated Braddock Campaign of 1755. A trace of the Braddock Road is clearly visible at this site.

Visit Jumonville Glen, the site of Washington's first encounter with the French. Outdoor exhibits help visitors understand the event.

Plan about two hours to see the historic sites in the main of the park. Add an hour to visit Braddock's grave and Jumonville Glen.

Learn more about Fort Necessity at its website: [www.nps.gov/fone/index.htm](http://www.nps.gov/fone/index.htm)



*The Visitor Center at Fort Necessity*

## ■ Laurel Caverns

Formerly known as Dulaney's Cave, Laurel Caverns is the largest cave in Pennsylvania.

Laurel Caverns is a privately-owned show cave with an hour-long guided tour. It is not a high calcium limestone cave, but rather low calcium limestone made up of 70 percent silica grains cemented together with 30 percent calcium carbonate and a small amount of iron oxide. The cave formed when the calcium carbonate was dissolved by groundwater, allowing the silica to be washed away and giving the cave rough walls, a sandy floor, and very few formations normally seen in the more common high calcium limestone caves. Laurel Caverns was also formed in an area of folded and fractured rock. Because of this, the entire cave is tilted thirteen degrees, resulting in many steep passageways. They tend to follow the fractures in the rock, resulting in a grid of long passageways.

The cave has been known to history since the 18th century, and probably used by the Native Americans long before that. It is home to many bats and stays at a temperature of 52 degrees Fahrenheit year round.

The caverns website can be found at [www.laurelcaverns.com/index.html](http://www.laurelcaverns.com/index.html)



# Fallingwater

Just a short drive from Nemaocolin Woodlands Resort is the amazing home Frank Lloyd Wright designed for the Kaufmann family of Pittsburgh – Fallingwater. It's been called the most celebrated example of American architectural design.

Stretching over a 30-foot waterfall, Fallingwater became immediately famous when it was completed, even making the cover of *Time* magazine in 1938. Ironically, the falls cannot be seen from the house – merely heard.

Hours for house tours are 10 a.m. to 4 p.m. daily (except for Wednesday). It is recommended that you call for a reservation to be assured of a spot on the tour – 724.329.8501, or go online to <https://tickets.fallingwater.org//default.asp> to purchase tickets.

Fallingwater – one of Smithsonian's Life List of 28 places to “visit before you die.” Add it to your list of things to do.

# Kentuck Knob

Close to Fallingwater is another Frank Lloyd Wright masterpiece, Kentuck Knob. Built for Bernardine and I.N. Hagan in the mid-1950s, this house was one of the last homes to be completed by Wright. Already well into his 80s, Wright was contacted by the Hagans after they'd experienced the home the architecture built for their friends, the Kaufmanns. As described by Mrs. Hagans when she wrote a book about her house, “There is a sense of beauty, comfort, serenity and harmony in the house and all of its surroundings.” The house is designed on a hexagonal module and is designed to be affordable for the common people. Situated below the crest of the hills, the house appears almost to be a part of the mountain itself. An open floor plan, cantilevered overhangs and great expanses of glass integrate the inside with the outside. Just beyond the back terrace are breathtaking views of the Youghiogheny River Gorge and the Laurel Highlands mountains that surround it.

Kentuck Knob is seven miles south of Fallingwater. There are two types of tours of the house as well as Sculpture Gardens available. Reservations are recommended and can be made by calling 724.329.1901 or online by going to <https://tickets.fallingwater.org//default.asp>. Like Fallingwater, Kentuck Knob is closed on Wednesdays.



## Yes, I want to attend the 32nd Annual Institute May 15-17, 2011 at Nemaocolin Woodlands Resort & Spa

Registration fee includes all educational sessions, meeting materials and CD, welcome party on Sunday evening, continental breakfast Monday and Tuesday, hosted reception on Monday, lunch on Monday, and refreshment breaks. Guest registration includes Sunday's welcome party and Monday reception.

| <i>Registration fees</i>                        | <i>Early Bird (by April 15)</i> | <i>After April 15</i> |
|---|---------------------------------|-----------------------|
| Non-member Registration Fee .....               | \$850 .....                     | \$950                 |
| EMLF Member Attorney .....                      | \$700 .....                     | \$800                 |
| EMLF Member Landman .....                       | \$500 .....                     | \$600                 |
| Young Lawyer (3 years or less) .....            | \$500 .....                     | \$600                 |
| Guest Registration Fee .....                    | \$100 .....                     | \$100                 |
| Golf outing – Mystic Rock, Sunday, May 15 ..... | \$172 .....                     | \$172                 |

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_ Badge name \_\_\_\_\_

Organization/firm \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

City, state, zip \_\_\_\_\_

Daytime phone \_\_\_\_\_ Fax # \_\_\_\_\_

Email address \_\_\_\_\_ Guest \_\_\_\_\_

State(s) for CLE Credits \_\_\_\_\_ Do you need AAPL Credit? \_\_\_\_\_

Pre-publication order – EMLF Annual Institute Proceedings on CD – \$20

Offer limited to 32nd Annual Institute registrants only, CD containing post-Institute chapters written by speakers, to be published as Volume 32 of the Energy & Mineral Law Institute– available in January 2012.

**Fees:**

|                             |          |
|-----------------------------|----------|
| Conference registration     | \$ _____ |
| Guest registration          | \$ _____ |
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Conference accreditation is pending from states with mandatory Continuing Legal Education and with the AAPL. Please indicate on your registration form where you are seeking credit. The program contains 720 minutes of CLE, including 120 minutes of ethics. This is equal to 12 CLE hours including 2.00 hours of ethics in 60-minute states and 14.4 hours including 2.4 hours of ethics in 50-minute states. Complete information for reporting your credits will be available at the conference. Additional fees may be required for certain states/organizations.

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### Cancellation policy

Refunds less a \$75 administrative fee will be given for written registration cancellations received by April 30. No registration refunds will be made thereafter, but substitutions can be made without charge. No golf refunds after April 30 unless a substitute can be found. Persons cancelling after April 30 are not entitled to any refund but will receive all course materials. EMLF Members who cancel after April 30 can credit their registration fee less \$200 for a future EMLF program.

### Three ways to register

- If registering online, go to [www.emlf.org](http://www.emlf.org)
- If registering by fax, call 859.226.0485
- If registering by mail, send form and payment to EMLF, 340 South Broadway, Suite 101, Lexington, KY 40508

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