



**Energy & Mineral Law Foundation  
Coal Law Short Course**

**August 2-6, 2009  
West Virginia University  
College of Law  
Morgantown, West Virginia**

**Course  
Development  
Committee**

**Stephen G. Allen**

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## Coal Law Short Course

On August 2-6, 2009, the first Coal Law Short Course will be held in Morgantown, WV, as a cooperative effort of the Energy & Mineral Law Foundation and the West Virginia University College of Law.

The short course was developed to minimize the training time required of law firms and coal companies by providing young lawyers with a comprehensive understanding of the myriad of laws and regulations which affect the mining, production and the sale of coal.

The course begins on Sunday evening at the Radisson Waterfront Place Hotel, with an overview of the course and presentations on the geology of coal and the various types of coal mining.

The program moves to the WVU College of Law Lugar Courtroom on Monday morning for three days of intensive instruction, culminating with a case study of a sale of coal assets, which will integrate the previous three days' materials. Participants will evaluate the parties' interests and legal requirements of a mock transaction, including due diligence, finance and risk, negotiating terms, documents, filings and regulatory approval. Extensive course materials will be provided for the 25-hour course.

Registration includes all educational sessions and materials, Sunday reception and dinner and Tuesday night cook-out at the Radisson, and daily lunches and refreshment breaks at the law school. The classroom study ends on Wednesday, but all registrants can sign up for optional tours of mining facilities in the Morgantown area on Thursday.

### The Energy & Mineral Law Foundation's Mission:

*To foster the study of energy, mineral and natural resources law through quality, cost effective and timely education, and provide a continuing forum for industry, government, attorneys, legal scholars and the general public to engage in an intellectually honest examination of the issues.*

The Energy & Mineral Law Foundation (EMLF) is a 501(c)(3) tax-exempt educational Organization, governed by a Board of Trustees comprised of individual attorneys, landmen, Bar Associations, Trade and Professional Organizations, and Law Schools: Bar Associations – American Bar Association – SEER, Illinois State Bar Association, Kentucky Bar Association, Ohio State Bar Association, Pennsylvania Bar Association, Tennessee Bar Association, and West Virginia State Bar Association; Law Schools – American University, Appalachian School of Law, Indiana University, University of Kentucky, University of Oklahoma, University of Pittsburgh, Southern Illinois University at Carbondale, University of Texas at Austin, Texas Tech University, and West Virginia University; Trade & Professional Organizations – American Association of Professional Landmen, Kentucky Coal Association, Kentucky Oil & Gas Association, National Mining Association, Ohio Coal Association, Ohio Oil & Gas Association, Pennsylvania Coal Association, United States Energy Association, Virginia Oil and Gas Association, West Virginia Coal Association, and the West Virginia Oil & Natural Gas Association.

Energy & Mineral Law Foundation  
**Coal Law Short Course**  
August 2-6, 2009  
Radisson Waterfront Place Hotel  
and  
West Virginia University College of Law  
Morgantown, West Virginia

**Sunday, August 2, 2009 – Radisson Waterfront Place Hotel,  
Morgantown, WV**

**5:00-6:30 p.m. Registration – Radisson Waterfront Place  
Hotel**

**6:00 p.m. Welcome Reception and Dinner at Radisson  
Waterfront Place Hotel**

**7:30-9:00 p.m. Introduction to Coal and Mining,  
Radisson Waterfront Place Hotel**

- J. Blair McGill, V.P. and General Manager of Federal Operations, *Patriot Coal Corp., Federal No. 2 Mine, Fairview, WV*
- Steven M. Carpenter, Corporate Risk Manager & Director – Carbon & International Business, *Marshall Miller & Associates, Bluefield, WV*

**Part 1 ~ Geology and Introduction to Mining**

- Formation of Coal and Geology of Coal Deposits
- Coal Mining and Related Operations
- Extraction Techniques

**Monday, August 3, 2009 – WVU College of Law, Lugar  
Courtroom**

**9:00 a.m.-Noon Ownership, Mining Rights and Subsidence**

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

**Part 2 ~ Ownership**

- Concepts of Private Ownership
- Ownership Theories: Surface and Hard Minerals; Oil and Gas; Absolute, Qualified and Non-ownership
- Significance of Different Ownership Theories; Corporeal v. Incorporeal Distinction; Real Property or Personal Property
- Estates in Land and the Concept of Severance
- Methods of Severance
- Distinction: Deed, Lease or License

**Part 3 ~ Ownership Determination and Resolving Ambiguities**

- “Surface” Conveyances and Implications
- “Mineral” Conveyances and Implications
- Coalbed Gas: Conflicting Decisions on Ownership
- Container Spaces: Ownership and Use Issues
- Fractional Interest Conveyances
- Interpretation of Instruments, Rules of Construction and Resolving Ambiguities
- Slander of Title: When Everything Goes Wrong



McGill



Carpenter



Lane

**Who should attend  
this short course**

Has your firm recently hired associates to work on your coal cases? Are you a practitioner new to the field of coal law and want to gain a better understanding of how the laws work together? The EMLF Coal Law Short Course is designed to give lawyers who are new to the practice of coal and energy law the tools to handle issues arising in both litigation and transactional settings. While the lawyer in practice 0-5 years will benefit from this short course, landmen, business people and engineers desiring to gain a better understanding of the laws and regulation of coal will find the program invaluable.

Course Objectives  
for Attendees:

- Acquire an overall knowledge of the laws and regulations impacting coal mining and transactions involving coal companies
- Understand mineral ownership concepts unique to coal development
- Synthesize environmental, labor, and safety law concepts in the evolving practice of energy law
- Develop a working knowledge of elements necessary to fulfill one's role as a practitioner in coal asset-based transactions

**10:15-10:30 a.m. Break**

**Part 4 ~ Mining Rights and Easements**

- Severed Ownership and Correlative Rights
- Coal and Hard Mineral Mining Rights: Implied and Express
- Reasonable and Necessary Rules
- Surface Mining Rights
- New Technology - General
- Longwall Mining
- Use of Container Space
- Effect of the Surface Mining Control and Reclamation Act (SMCRA)

**Part 5 ~ Surface Support and Subsidence**

- Geology
- Common Law on Subsidence
- Longwall Mining
- Effect of Surface Mining Act
- Takings Issues

**Noon-1 p.m. Hosted Luncheon at Law School (Lobby)**

**1-2:30 p.m. Conflicts, Trespass and Damage Claims**

■ Richard J. Bolen, *Huddleston Bolen LLP*, Huntington, WV

**Part 6 ~ Conflicts**

- General Principles
- Express and Implied Rights
- Correlative Rights
- Alternate Means (Accommodation) Doctrine
- Coal vs. Surface
- Coal vs. Oil and Gas

**Part 7 ~ Trespass and Damage Claims**

- Trespass Defined
- Waste Defined
- Cases on Trespass and Waste
- Holdover Tenants and Damages
- Nuisance Claims
- Negligence and Damage Claims
- Liability for Condition of Land

**Part 8 ~ Statutory Actions and Protections**

- Protection of Coal Seams
- Citizen Suits Under Surface Mining Act
- Five-Foot Rule

**2:30-2:45 Break**

**2:45-3:45 p.m. Divided Ownership and Adverse Possession**

■ Professor Barlow Burke, *American University, Washington College of Law*, Washington, DC

**Part 9 ~ Divided Ownership**

- Cotenants and Production
- Development and Accounting
- Concept of Waste
- Partition as a Remedy
- Successive Owners – Special Rules
- Other Statutory Remedies: Missing, Unknown or Abandoning Owners



Bolen



Burke

## Part 10 ~ Adverse Possession

- Statutes
- Cases

**3:45-4 p.m. Break**

## 4-5:30 p.m. The Coal Lease, Post Lease Conveyances and Termination

■ Thomas E. Meng, *Sites & Harbison*, Lexington, KY



Meng

## Part 11 ~ The Coal Lease

- The Coal Lease
- Distinction Between Sale and Lease
- Analysis of the Coal Lease: Term Clause; Royalty and Rental Clauses
- Implied Covenants: Commence Mining; Prosecute Mining
- Remedies for Default; Cure

## Part 12 ~ Post Lease Conveyances and Termination

- Assignment and Sublease
- Assignment and Sublease Prohibition Clauses
- Overriding Royalty Agreements
- Lease Termination

**Monday evening – on your own**

## Tuesday, August 4, 2009 – WVU College of Law – Lugar Courtroom

### 8-10:30 a.m. Surface Mining Control and Reclamation Act (SMCRA)

■ Christopher B. Power, *Dinsmore & Shohl LLP*, Charleston, WV

■ Professor Patrick C. McGinley, *WVU College of Law*, Morgantown, WV



Power

## Part 13 The Surface Mining Control and Reclamation Act of 1977 (SCMRA)

- The Principal Environmental Regulation of Coal Mining: State Primacy and Federal Oversight; Residual Office of Surface Mining (OSM) Authority and OSM's Primary Role in Federally-Administered States and Federal Land; *WVCA v. Bragg*; *Pa. Federation of Sportsmen v. Hess*: Implications for Federal Court Subject Matter Jurisdiction; Inconsistent State Law Interpretations: *Canestrero*
- The SMCRA Permit and State Discretion: Activities that Require SMCRA Permits; Ownership and Control and the Applicant Violator System (AVS); Right of Entry; Permit Application Requirements; Public Notice and Comments to the Agency; Reclamation Performance Bonds and Duration of Liability Under SMCRA; Bond Release; SMCRA § 522 and Lands Unsuitable for Mining; Challenging a Permit or Its Conditions



McGinley

**9:00-9:15 a.m. Break**

- Enforcement: Environmental Protection Performance Standards: Mine Site Reclamation, Surface Water Drainage and Discharges, Groundwater Protection, Blasting & Explosives; Violations, Cessation Orders and Failure-to-Abate, Penalty Assessments and Pattern-of-Violations, Administrative review of agency actions, Petition for Review, Challenging the Fact of the Violation, Challenging the Penalty Assessment, Temporary Relief, Judicial Appeals, Individual Civil Penalties, Bond Forfeiture, and "Permit-Blocking" Under AVS
- Dams and Embankment Design and Safety
- Notices of Violation; Cessation Orders and Associated Penalties; Pattern of Violation Determinations; Bond Forfeiture; Injunctive Relief; Imposition of Individual Liability and Associated Penalties (Civil and Criminal)
- Citizen Rights; Citizen Participation in Permit Application Process; Citizen Complaint to Agency; Agency Duty to Investigate; Citizen Suits
- Challenging Agency Rulemaking

**10:30-10:45 a.m. Break**

**10:45-Noon Clean Water Act and Amendments**

- Kirsten L. Nathanson, *Crowell & Moring LLP*, Washington, DC
- Christopher B. Power, *Dinsmore & Shohl LLP*, Charleston, WV

**Part 14 ~ Federal Water Pollution Control Act of 1972**

- Section 402 and the NPDES Program; Technology Based Effluent Limits; Water Quality Based Effluent Limits; Total Maximum Daily Load (TMDL); Anti-degradation Requirements
- Spill Control and Countermeasures Plans
- Citizen Suits; Foreclosing Suits by State-Initiated Administrative Actions
- Section 404: The Dredge and Fill Program; The Historical Reliance by the Corps of Engineers on General Permits and *Rivenburgh* and *Bulen*; The Move Toward Individual Permits and *Coeur Alaska* and *OVEC v. Bulen* (Aracoma); The Declining Significance of the § 404(b)(1) Guidelines

**Noon-1 p.m. Hosted Luncheon at Law School (Lobby)**

**1-2 p.m. Other Regulatory Programs Affecting Coal Mining**

- Kirsten L. Nathanson, *Crowell & Moring LLP*, Washington, DC

**Part 15 ~ Other Regulatory Programs Affecting Coal Mining**

- Waste and Hazardous Substances; Toxic Substances Control Act § 6(e)(TOSCA) and PCBs
- CERCLA (“Superfund”)
- Resource Conservation and Recovery Act (RCRA)
- Safe Drinking Water Act
- Endangered Species Act
- Emergency Planning and Community-Right-to-Know Act (EPCRA)
- National Environmental Protection Act (NEPA)
- ATF Explosives License
- Coal Combustion Waste

**2-2:45 p.m. Clean Air Act**

- Christopher B. Power, *Dinsmore & Shohl LLP*, Charleston, WV

**Part 16 ~ Clean Air Act**

- Limited Application to Coal Mining Operations; Major/Minor Sources; New Source Performance Standards for Coal Preparation Plants and Coal Handling Facilities; Fugitive Dust and Ambient Particulate; Blasting
- Climate Change and the Future Use of Coal

**2:45-3 p.m. Break**



Nathanson

**3-5 p.m. Mine Safety & Health Law**

■ Laura E. Beverage, *Jackson Kelly PLLC*, Denver, CO



Beverage

**Part 17 ~ Mine Safety & Health Law**

- Statutory Authority: Mine Safety & Health Act of 1969 and 1977; 2006 MINER Act; Today's Enforcement Climate
- State Mine Safety & Health Regulatory Programs
- Jurisdiction: When Does MSHA Jurisdiction Begin and End?
- Warrantless Inspection Power; Document Inspection; Types of Inspections; Accident Investigations
- Enforcement; MSHA Enforcement Tools: Citations and Withdrawal Orders; Significant and Substantial Classifications; Negligence Determinations; Flagrant Penalty Assessments; Pattern of Violations
- Litigating MSHA Enforcement Actions & Civil Penalties: Notice of Contests; Contest of Penalty Assessments; Discovery Process; Hearing Procedures
- Appeal; Federal Mine Safety & Health Review Commission (FMSHRC); Courts of Appeal Review
- Special Investigations Under § 110(c) and Criminal Charges: Statutory Provisions – Civil and Criminal; Initiation of Investigations; Exercising Rights During an Investigation; Potential Penalties
- Discrimination Cases Under § 105(c); Protected Activity; Requirement for Charge; Defenses; Remedies; MSHA Investigation Process; Hearing; Appeal
- Future Issues: Legislative and Regulatory

**Tuesday Evening:**

**6:30 p.m. Hosted Cook-out for all registrants and faculty at Radisson Waterfront Hotel**

**Wednesday, August 5, 2009 – WVU College of Law**

**8-9 a.m. Black Lung (Coal Worker's Pneumoconiosis) and State Workers' Compensation**

■ Timothy W. Gresham, *Penn Stuart & Eskridge*, Abingdon, VA



Gresham

**Part 18 ~ Black Lung (Coal Worker's Pneumoconiosis)**

- History of the Black Lung Act and Amendments
- Constitutionality – *Usery v. Turner Elkhorn Mining Co.*, 428 U.S. 1 (1976)
- Transfer Provisions
- Regulatory Changes
- Financial Liability; Social Security Responsibility; Operator Responsibility – “Responsible Operator,” Successorship, Prior Operator Liability; Insurance vs. Self-Insured; Trust Fund Responsibility
- Entitlement: Standard, Definition and Proof of Pneumoconiosis, Causal Relationship
- Miner's Claims – Definition and Proof of Total Disability, Causation
- Survivors' Claims – Definition of Survivor, Causation
- Benefits; Indemnity Payments – Amounts, Offsets; Medical Benefits; Fees/Expenses Incurred in Successfully Pursuing Claim
- Procedure; Filing Claim and Initial Processing, Administrative Law Judge (ALJ) Hearing, Appeals – Benefits Review Board, Federal Courts of Appeal; Modification, Subsequent Claims

**Part 19 ~ State Workers' Compensation Programs**

- Overview
- What Is Compensated? Functional Loss, Wage Loss, Permanent, Partial Disability, Temporary Total Disability, Death Due to CWP (Coal Workers' Pneumoconiosis)
- How Compensated? Number of Weeks, Percentage of Compensation Rate, Medical Benefits
- Limitations on Actions for Benefits for CWP
- Effect of Award of Federal Black Lung Benefits on Receipt of State Benefits

**9-9:15 a.m. Break**

**9:15-10:45 a.m. The Business of Coal Mining**

- Charles “Chud” B. Dollison, *Imagin Natural Resources*, Richmond, VA
- C. Seth Wilson, *Bowles Rice McDavid Graff & Love*, Morgantown, WV

**Part 20 ~ The Business of Coal Mining**

- Organization and Operational Characteristics
- Agreements; Contract Mining Agreements; Coal Sales Contracts, NYMEX and the “Spot Market”; Coal-handling, Processing, and “Through-Put” Agreements
- Equipment Leasing and Transportation Issues
- Taxes: Federal Black Lung Excise Tax; Abandoned Mined Land (AML) Fees, Severance Taxes, Ad Valorem Property Taxes

**10:45-11 a.m. Break**

**11 a.m.-Noon Labor and Employment: Union Free and Union Operations**

- Robert M. Steptoe, Jr., *Steptoe & Johnson PLLC*, Clarksburg, WV

**Part 21 ~ General Employment Issues and Statutes**

- Whistleblower Laws, Including Sarbanes Oxley (SOX)
- State Wage Payment & Collection Act Issues
- Worker Adjustment and Retraining Notification Act (WARN)

**Noon-1 p. m. Hosted Luncheon at the Law School (Lobby)**

**1-3 p.m. Labor: Union Free and Union Operations**

- David J. Laurent, *Buchanan Ingersoll & Rooney, P.C.*, Pittsburgh, PA
- John L. Woodrum, *Ogletree Deakins Nash Smoak & Stewart*, Washington, DC

**Part 22 ~ Labor: Union Free and Union Operations  
Collective Bargaining in the Coal Industry**

- The United Mine Workers of America (UMWA) and the Bituminous Coal Operators Association (BCOA)
- National Bituminous Coal Wage Agreements (NBCWA)
- Notable Strikes and Corporate Campaigns
- Me-Too Agreements
- Jobs Memorandum of Understanding (Jobs MOU)
- Current and Future Organizing
- Single Employer Issues

**National Bituminous Coal Wage Agreement (NBCWA) Provisions  
(other than Article XX)**

- Article I - Successorship
- Article IA and II - Leasing, Licensing and New Operations
- Article XVII - Panels
- Article XXIII - Grievance and Arbitration

**National Bituminous Coal Wage Agreement NBCWA Article XX Issues: Pension  
and Health Plans – Employee Retirement Income Security Act (ERISA), Multiemployer  
Pension Plan Amendments Act (MPPAA), and Coal Industry Retiree Health Benefit Act  
(CIRHBA)**

- The Labor Contract vs. Plan Documents
- Pension Plan Withdrawal Liability – Multiemployer Pension Plan Amendments Act (MPPAA)
- Evergreen Clause and Single vs. Multiemployer Bargaining
- Statutory Retiree Health Care – Coal Industry Retiree Health Benefit Act (CIRHBA) “Rockefeller” Act and 2006 Amendments
- Contractual Retiree Health Care and the UMWA 1993 Benefit Plan
- 401(k) Pension Plan and the New Inexperienced Miner Program
- Resolution of Disputes (RODs)



Wilson



Steptoe



Laurent



Woodrum

**3:00-3:15 p.m. Break**

**3:15-5 p.m. Coal Asset-Based Transactions: A Case Study**

- Moderator: John E. Rhine, *Rhine Ernest LLP*, Evansville, IN
- John T. Boyd II, *John T. Boyd Co.*, Canonsburg, PA
- Warren J. Hoffmann, *Frost Brown Todd LLC*, Lexington, KY
- Thomas E. Meng, *Stites & Harbison*, Lexington, KY



Rhine

**Part 23 ~ Coal Asset-Based Transactions – A Case Study**

The final session will integrate the previous three-days' materials as participants evaluate the parties' interests and legal requirements of a mock transaction. The Moderator will describe the setting according to facts set forth in the course materials. Through conversations with the Seller's Representative and the Buyer's Representative and by question and answer with the class participants, the Moderator will address a series of questions regarding the transaction. Class participants will reflect on written questions in the course materials and be given a chance to complete their written answers prior to class discussion.

Materials: (1) Outline of sale, including narrative description of Seller Company structure, mines and associated facilities, regulatory compliance, and mineral holdings and Buyer Company; (2) Due diligence checklist; (3) For discussion, a list of questions that address the following topics:

**Primary Topics**

- Type of Transaction: Stock Purchase or Asset Sale
- Due Diligence: Confidentiality Agreements; Employ Consultants; Verify Ownership; Evaluate Reserves, Mine Plan, Contracts; Regulatory Compliance; Applicant Violator System; Determine Value
- Finance and Risk: Lenders, Bonding, Insurance
- Negotiating Terms: Price, Representations and Warranties, Consents and Authorizations, Contingencies; Conditions Precedent
- Documents: Term Sheet and/or Letter of Intent; Purchase and Sale Agreement; Assignments, Consents, and Waivers; Deeds and Bills of Sale; Stock or Asset Purchase; Interim Operating Agreement; Mortgages and Security Agreements
- Closing and Post-Closing: Execution and Certificates of Authority; Filings (Real Property, UCC)
- Regulatory Approval: Updating Owner/Controller Records; Transfer of Permits



Boyd



Hoffmann

**5 p.m. Coal Law Short Course Adjourns**

**Thursday, August 6, 2009 – Optional Coal Mine/Prep Plant/  
Power Plant Tour**

Arrangements are being made for registrants to choose a site visit among several area mining operations, which will require on-site safety training prior to the tour. Once registered, attendees will receive information about the options. Separate reservation and fee required to cover transportation and lunch.

# Morgantown, West Virginia – a city of contrasts

Recently heralded as one of the top small cities in which to live, Morgantown is known for its education (West Virginia University), its healthcare, its one of a kind personal rapid transit system (the PRT) and its low unemployment rate.

It is also known for a low cost of living, low crime rate and easy accessibility in a scenic setting where you can hike a forest trail, raft a wild river, browse quaint downtown shops, feast at great restaurants and enjoy a show or art exhibit.

Among its accolades are recognition as the third best small town in America (*Mens Journal*); fifth best small place for business and careers (*Forbes*); 29th smartest place to live (*Kiplinger's Personal Finance*) and one of the best sports cities (*The Sporting News*).

Zackquill Morgan settled the area around 1772; by 1783, Morgan commissioned a survey of the land, dividing it into streets and lots – and Morgan's Town was born.

The city, with a population of around 700, was officially incorporated in 1838 – and has been growing ever since. Around 30,000 people live in Morgantown proper but the surrounding metropolitan area, including Preston County, has over 100,000 residents.

Situated at the junction of Decker's Creek and the Monongahela River (which interestingly flows north), Morgantown became the county seat for Monongalia County. Over the years, the town has made a reputation for itself in coal, the whiskey trade and glassmaking.

Natural resources and immigrants talented in glassmaking led to the creation of some of the nation's most beautiful lead crystal and glass pieces. By the late 20th century, most of the factories had closed.

However, the city is reclaiming its riverfront area by creating the Wharf District along the Monongahela. Old railroad tracks have been transformed into recreational trails and the area abounds in activity.

Also active is High Street, downtown's main route, with an abundance of shopping, eateries and cultural opportunities, with 75 retailers, 35 restaurants and 100 professional businesses – a vibrant area.

Some of those historic buildings from Morgantown's early days are still standing, plus there are museums and other sightseeing opportunities.

For more information, go to [www.tourmorgantown.com](http://www.tourmorgantown.com).



**From the beauty of the Coopers Rock overlook to jetskiing on Cheat Lake to the challenge of white water rafting or the innovative technology of the PRT – personal rapid transit system in Morgantown, one of the few such systems in the nation – Morgantown has earned its reputation as one of the best small cities in which to live.**



## Yes, I want to attend the Coal Law Short Course August 2-6, 2009

Registration Fees include all educational sessions, Coal Law Short Course Handbook, Kentucky Mining Institute's *Coal Mining Reference Book*, Sunday reception and dinner and Tuesday evening cookout at the Radisson Waterfront Place, and daily refreshment breaks and lunches at the WVU law school.

<i>Registration fees</i>	<i>Early Bird (by July 1)</i>	<i>After July 1</i>
General Registration Fee*	\$950	\$1,050
EMLF or RMMLF Member*	\$850	\$950
Law school faculty, Landman or Government Agency	\$550	\$650
Full-time student	\$350	\$450
Optional Mine Tour August 6**	\$75	\$75

\*Additional registrants from the same firm or company may deduct \$100 from the General or EMLF/ RMMLF (Rocky Mountain Mineral Law Foundation) Member Registration Fee. No multiple attendee discounts are available for registration rates for law school faculty, government agency or full time law students. Complete one form for each registrant.

\*\*Arrangements are being made for registrants to choose a site visit among several area mining operations on Thursday August 6, which will require on-site safety training prior to the tour. Once registered, attendees will receive information about the options. Separate reservation and fee are required to cover transportation and lunch for the mining operations tour.

First Name \_\_\_\_\_ M.I. \_\_\_\_\_ Last Name \_\_\_\_\_ Title \_\_\_\_\_

Organization/firm \_\_\_\_\_ Daytime phone \_\_\_\_\_

Address \_\_\_\_\_ Fax # \_\_\_\_\_

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

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

State(s) for CLE Credits \_\_\_\_\_

### Fees:

Conference registration \$ \_\_\_\_\_

Optional Mine Tour \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

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 1,275 minutes of instruction. Approximately 25 CLE hours in 50-minute states and 21 hours in 60-minute states will be available. Complete information for reporting your credits will be available at the conference. Additional payment for CLE credits may be required for certain states/organizations.

You may pay by \_\_\_\_\_ check or \_\_\_\_\_ credit card. EMLF accepts MasterCard, VISA or American Express.

Card # \_\_\_\_\_ Expiration date \_\_\_\_\_

Signature \_\_\_\_\_ CVV code (security code) \_\_\_\_\_

### Cancellation policy

Refunds less a \$75 administrative fee will be given for written registration cancellations received by July 10. No registration refunds will be made thereafter, but substitutions can be made without charge. Persons cancelling after July 10 are not entitled to any refund but will receive the handbook and all course materials.

### 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

**Radisson Waterfront Place Hotel** Rate: \$119 plus taxes. Cutoff date for room block is Sunday, July 5, 2009. Check-in time is 3:00 p.m. and checkout time is noon. Mention the Energy & Mineral Law Foundation when making a room reservation. Call 304.296.1700 for reservations.

**Two Waterfront Place, Morgantown WV 26501**

## *EMLF Officers*

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October 28-30, 2009

### **Kentucky Mineral Law Conference**

Marriott Griffin Gate Resort

Lexington, KY

February 4-6, 2010

### **Winter Workshops on Energy Law**

South Seas Island Resort

Captiva Island, FL

May 9-11, 2010

### **31st Annual Institute**

Amelia Island Plantation

Amelia Island, FL

October 14-15, 2010

### **Kentucky Mineral Law Conference**

Marriott Griffin Gate Resort

Lexington, KY

Energy & Mineral Law Foundation

340 South Broadway, Suite 101

Lexington, KY 40508



## **Energy & Mineral Law Foundation Coal Law Short Course**

August 2-6, 2009

West Virginia University

College of Law

Morgantown, West Virginia

Presorted  
**FIRST-CLASS MAIL**  
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