

Energy & Mineral Law Foundation
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About the speakers . . .

Kevin C. Abbott

Kevin Abbott is a partner in Reed Smith's Pittsburgh office where he served as the head of Reed Smith's Pittsburgh trial practice and its U.S. energy practice. He was one of only three lawyers selected by Pennsylvania Super Lawyers in the energy field in 2005-2006 and one of only two lawyers selected in 2007. Kevin has represented companies in the natural gas business for 25 years. He regularly represents interstate natural gas pipeline companies in various litigation disputes, including condemnations under the Natural Gas Act for storage fields and pipeline projects, injunction actions to protect storage fields and pipelines from mine subsidence and encroachments by developers and others, as well as commercial disputes. He also regularly represents exploration and development companies in disputes over leases, farmout agreements, and gathering agreements. He also represents utilities in a variety of matters including free gas claims, One Call Act disputes, and class actions. He has been a frequent speaker at EMLF and the America Gas Association.

Kevin received his B.A. *magna cum laude* from Indiana University of Pennsylvania and his J.D. *magna cum laude* from the University of Pittsburgh School of Law, where he serves as an Adjunct Professor.

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Nicolle S. Bagnell

Nicolle R. Snyder Bagnell is an Associate in the Pittsburgh Office of Reed Smith LLP. She is a member of the Environmental Group and the firm's Energy and Natural Resources Practice.

Ms. Bagnell received her A.B. in Environmental Science and Public Policy, *cum laude*, from Harvard University in 1998. She received her M.A. in Environmental Science from the Nicholas School of the Environment at Duke University and her J.D. from Duke University School of Law in 2001. While at Duke, Ms. Bagnell was the Business and Executive Editor of the Duke Environmental Law and Policy Forum.

While at Reed Smith, Ms. Bagnell has had experience representing energy clients in various matters including pipeline condemnations, encroachment cases, subsidence issues and various contract cases as well as counseling clients on a variety of environmental matters. She was named a Pennsylvania "Rising Star" by *Philadelphia Magazine* in 2005, 2006 and 2007.

Nicolle previously authored "Gas Pipeline Relocation Issues," *26 Energy & Mineral Law Institute*, Chapter 8 (2005) and "Protecting Pipelines, Storage Fields, Wells and Other Facilities from Encroachments" (co-author), *Society of Petroleum Engineers*, SPE 91458 (September 2004).

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Congressman Rick Boucher

Congressman Rick Boucher is serving his thirteenth term in the U.S. House of Representatives representing Virginia's Ninth Congressional District.

He is a member of the House Energy and Commerce Committee, serving on three subcommittees – Energy and Air Quality, of which he is the Chairman, as well as Telecommunications and the

Internet, and Commerce, Trade, and Consumer Protection. He also sits on the House Judiciary Committee, serving on the Courts, the Internet and Intellectual Property Subcommittee.

As Chairman of the Energy and Air Quality Subcommittee, he is uniquely positioned to influence federal legislation relating to a broad range of energy related issues including electricity generation and markets, coal use, pipeline safety, refineries and the Clean Air Act.

Boucher's Subcommittee is drafting legislation to promote American energy independence through the development of alternatives to petroleum for transportation fuels and to promote energy efficiency as a means of reducing consumption. The legislation being developed will encourage the creation of a domestic coal to liquids industry and facilitate the construction of ethanol refineries which use agricultural waste as the feed stock.

With scientific opinion regarding the human contribution to global warming now deeply solidified, Boucher's Subcommittee will write this Fall the country's first mandatory greenhouse gas control measure, which will have economy wide application while not dislocating any economic sector.

Boucher is also at the forefront of federal information technology policy making. He has a long history of involvement in and a deep knowledge of advanced telecommunications and information technology matters. He also extensively examines the intersection of technologies and copyright law, authoring legislative measures to promote technological innovation and the rights of consumers while ensuring that creators of intellectual property are fairly compensated.

He originated the House Internet Caucus in 1996 and currently serves as one of two House co-chairmen of the more than 180 member group. In that position he is a leading architect of federal policy for Information Technology and the Internet.

Rick's Showcasing Southwest Virginia program has brought more than 4,800 technology related jobs to his Congressional district in recent years.

Congressman Boucher earned his bachelor's degree from Roanoke College and his law degree from the University of Virginia Law School. He has practiced law on Wall Street in New York and in Virginia. Prior to his election to Congress, he served for seven years as a member of the Virginia State Senate. Rick is a native of Abingdon, Virginia, where he currently resides with his wife Amy.

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John W. Broomes

John Broomes is an associate with Hinkle Elkouri Law Firm, L.L.C., in Wichita, Kansas. John is a member of the firm's energy law practice group, where he focuses on oil and gas law and other energy-related matters in the south central United States.

Prior to joining the firm, John served as a law clerk to United States District Judge Monti Belot and United States Magistrate Judge Donald Bostwick. Before pursuing a career in the law, John studied petroleum engineering at the University of Texas at Austin where he earned a Bachelor of Science degree with high honors. Thereafter, John served as a Submarine Officer in the United States Navy, and then as a project manager for an oil and gas pipeline company.

John received his law degree from Washburn Law School, where he graduated *summa cum laude* and earned a certificate in natural resource law. John is a member of the Rocky Mountain Mineral Law Foundation and the Oil and Gas Section of the Kansas Bar Association. He also co-authors the oil and gas chapter of the Kansas Annual Survey of the Law. His publications include "Wrestling with a Downhole Dilemma – Subsurface Trespass, Correlative Rights, and the Need for Hydraulic Fracturing in Tight Reservoirs," 53 *Rocky Mtn. Min. L. Inst.* 20-1 (2007); and "Navigating in Isolated Waters: Section 404 of the Clean Water Act Revisited," 41 *Washburn L.J.* 109 (2001).

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Shawn N. Gallagher

Shawn Gallagher, Thorp Reed & Armstrong, LLP, is a member of the firm's Construction and Land Use Practice Group, which focuses on real estate development, environmental, construction and regulatory practices. His primary practice entails representing private and public entities in the areas of environmental litigation and regulatory compliance as well as zoning and land use matters.

Mr. Gallagher received his B.A. from Allegheny College, his J.D. degree from the Duquesne University School of Law, and Certificate in Environmental and Natural Resources Law, with honors, from the Northwestern School of Law of Lewis and Clark College. Prior to joining the firm, Mr. Gallagher worked for the Pennsylvania Department of Environmental Protection and the Northwest Environmental Defense Council. He is the Program Chair of the Allegheny County Bar Association's Environmental Law Section and a frequent lecturer on environmental and land use matters.

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Professor Bill Jeffery

Associate Professor Bill Jeffery is the Deputy Director of the Center for Water Law and Policy at Texas Tech University School of Law. He teaches environmental and natural resource courses such as Environmental Law, Land Use and Planning, Property, Oil and Gas Law, and Public Land Law. Professor Jeffery brings to these roles over thirty years' of experience as an attorney working with environmental and natural resource issues. In addition to several years serving as an attorney on water quality issues at the U.S. Environmental Protection Agency, Professor Jeffery has counseled clients on issues such as dioxin contamination at Times Beach Missouri; groundwater and Superfund site contamination; and compliance with air, water, and hazardous waste laws in the United States and several foreign countries. He also has worked on water supply issues in California and the Southwest and has helped design a market-based "cap and trade" program for sulfur dioxide emissions in the western United States.

Professor Jeffery earned his B.A. from the University of Colorado, Boulder, in 1971 and his J.D. from Stanford Law School in 1975. He is admitted to practice in California, Arizona, and Colorado.

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Karen E. Kahle

Karen Kahle began her legal career with Steptoe & Johnson in Clarksburg in 1990. She helped open the firm's Wheeling office in June of 1994, where she remains today. Ms. Kahle's practice is devoted primarily to business litigation, with concentration in the areas of class actions, mass torts and product liability.

Prior to practicing law, Ms. Kahle was a registered pharmacist and practiced pharmacy full time from 1982 to 1987. She has a special interest in drug, alcohol, and mental impairment, and she serves as chairperson of the West Virginia State Bar's Lawyer Committee on Assistance and Intervention. She also regularly serves as a court appointed guardian *ad litem* in child abuse and neglect cases.

Ms. Kahle is a member of the ABA Litigation Section – Mass Torts Committee, West Virginia State Bar, Ohio State Bar, Ohio County Bar Association, Board of Governors of the Defense Trial Counsel of West Virginia, and DRI. She is also a member of the Board of Directors of the Wheeling Area Chamber of Commerce.

Ms. Kahle received both her pharmacy and law degrees from West Virginia University. She is licensed to practice law in state and federal courts in West Virginia and Ohio, as well as The Supreme Court of the United States.

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John R. Leathers

John Leathers, Shareholder of Buchanan Ingersoll & Rooney, P.C., Pittsburgh, PA, is the firm's general counsel. He has more than 35 years of legal experience from the perspective of not only a litigator, but also as an educator and published author of more than 25 articles and papers about contemporary legal developments. Prior to relocating to the firm's Pittsburgh office, John practiced law in Lexington, Kentucky. In his career, John has represented diverse clients in a broad array of matters. These range from representing coal industry clients before the U.S. Supreme Court to representing members of the Kentucky Supreme Court, judicial officials from other state courts, and the Kentucky Bar Association in matters related to the practice of law in Kentucky. His experience extends to litigating complex commercial disputes in federal and state courts and administrative adjudicatory matters, as well as alternative dispute resolution through all forms of mediation and arbitration. In 2005 and 2006, he was selected as a Pennsylvania Super Lawyer. As a law professor at the University of Kentucky Law School, John had (and maintains) broad contacts with the Kentucky Bar and the legal academic community. He is a frequent speaker on legal ethics and professional negligence issues. Mr. Leathers is admitted to practice in Kentucky and remains a member of the KBA. He is also a former Trustee of the Energy & Mineral Law Foundation. Mr. Leathers served as a Special Justice and as a member of the Advisory Committee for revision of appellate sections of the Kentucky Civil Rules, both for the Supreme Court of Kentucky.

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Clifford V. Levine

Mr. Levine is a partner in Thorp Reed & Armstrong, LLP. He has served on the firm's Executive Committee and is Co-Chair of the firm's Land Use, Construction, Environmental, and Regulatory Practices Group. Mr. Levine has had significant experience in complex commercial, construction and land use litigation, as well as involvement in counseling clients in administrative and governmental matters. His complex litigation experience has included energy projects, landfill expansions and permitting issues, industrial and commercial construction projects, telecommunications and real estate matters, including an array of real estate development projects. In addition, Mr. Levine is solicitor to the Pittsburgh Water & Sewer Authority and the 3 Rivers Wet Weather Demonstration Program.

Mr. Levine served for 12 years as Vice-Chair of the City of Pittsburgh's Planning Commission and of its Zoning Board of Adjustment from 1994 until 2006. He also served as Chair to a group of Allegheny County municipal solicitors and engineers in negotiating comprehensive consent orders with Department of Environmental Protection concerning regional sewage overflow issues.

Mr. Levine is an elected member of the Academy of Trial Lawyers, and has had numerous appearances before state and federal trial and appellate courts, including the Pennsylvania Supreme, Superior and Commonwealth Courts, and the United States Court of Appeals for the Third and Fifth Circuits. *Pennsylvania Magazine* has designated him as a Pennsylvania Super Lawyer. In addition, he has participated in commercial and construction arbitrations, is qualified as an AAA Construction and Commercial Law Arbitrator, and has served as a court-appointed special master. Mr. Levine has served as a faculty member on numerous Pennsylvania Bar Institute seminars. Also, he has served as a guest lecturer at the University of Pittsburgh's Graduate School of Public & International Affairs. Mr. Levine is the author of various articles

involving subjects in his practice fields. Mr. Levine received his J.D. degree from Duke University in 1980 and a B.A. degree in economics, *magna cum laude*, in 1977 from the State University of New York at Albany. He served as a law clerk to the Honorable David W. Craig of the Pennsylvania Commonwealth Court.

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Timothy M. Miller

Tim Miller practices with Robinson & McElwee in its Charleston, WV office. He is primarily involved in general civil litigation in federal and state courts at both the trial and appellate levels. He is involved in numerous professional affiliations, including: Defense Research Institute; Defense Trial Counsel of West Virginia; American Arbitration Association; Energy & Mineral Law Foundation, Member, Board of Trustees, Oil and Gas Chair for the 2008 EMLF Annual Institute; West Virginia State Bar; Kanawha County Bar Association; and the American Bar Association. He is listed in *The Best Lawyers in America 2007*, Oil & Gas Law.

Mr. Miller earned his J.D. at West Virginia University after graduating from WVU with a B.S. in Management. He is admitted to practice before the United States Court of Appeals for the Fourth Circuit; the United States District Courts for the Northern and Southern Districts of West Virginia, and the West Virginia Supreme Court of Appeals.

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Brace R. Mullet

Brace R. Mullet, Dinsmore & Shohl LLP, is a member of the firm's Litigation and Natural Resources Department. Mr. Mullett is a civil litigator who advises clients on contractual and tort claims. He represents a diverse client base, including coal companies and consumer goods companies, in matters related to workplace injury, product liability claims, and labor and employment disputes. He has experience in all aspects of fact and expert discovery motions practice settlement of complex litigation and trial work. He is a part of the Dinsmore & Shohl team that received the highest ranking in the nation in Mining Law from *Best Lawyers*, a respected peer review publication.

Mr. Mullett is currently the President of the Kanawha County Bar Association and is a member of the West Virginia Defense Trial Counsel, Kanawha Valley Mining Institute, West Virginia Coal Association and EMLF.

He received a B.A. from Concord College and is a graduate of the Washington & Lee University School of Law.

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Kirsten L. Nathanson

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

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

Kirsten currently serves on the EMLF Board of Trustees and Strategic Planning Committee. She also leads the Crowell & Moring Women Attorneys' Network. She earned her B.A. *cum laude*

from the University of Pennsylvania and her J.D. with high honors from George Washington University Law School.

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Gregory J. Ossi

Gregory Ossi joined Venable LLP in July, 2003 and practices in the firm's Tyson's Corner office. Mr. Ossi focuses on all aspects of labor and employee benefits law. Mr. Ossi counsels employers in addressing union organizing, unfair labor practice charges and labor issues arising in mergers, acquisitions and bankruptcy. He also counsels employers in handling related employee benefit issues.

Mr. Ossi has given speeches and written articles on labor and employee benefit issues. He has written about the provision of lifetime health care benefits in both the union and non-union workplace and co-authored an article on damage awards pursuant to the Workers Adjustment and Retraining Notification Act (WARN Act). Mr. Ossi writes the bi-monthly column, *Labor Trends*, for *Coal Age Magazine*.

Mr. Ossi received his law degree in 1997 from Catholic University of America, Columbus School of Law where he was the Executive Editor for the *Journal of Contemporary Health Law and Policy*. Mr. Ossi received a Masters in Accounting in 1991 from the University of Virginia, and a Bachelor of Science in Business Administration and Accounting in 1990 from Washington and Lee University.

Mr. Ossi is a member of the Employee Benefits Committee of the United States Chamber of Commerce and the president of the Washington and Lee Metro D.C. Alumni Association.

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Helena E. Racin

Helena E. Racin is an associate with the firm of Wyatt, Tarrant & Combs, LLP in Lexington, Kentucky. She concentrates her practice in the firm's Commercial Litigation and Mineral and Energy Practice Groups. Originally from Morgantown, West Virginia, Ms. Racin joined the firm after graduating in 2004 from the University of Pittsburgh School of Law where she served as the Network Editor of the *Journal of Technology Law and Policy*. Before beginning her practice in Lexington, Ms. Racin served as a Legal Intern in the Governor's Office of General Counsel, Department of Environmental Protection, Southcentral Litigation Division in Harrisburg, Pennsylvania.

While attending the University of Pittsburgh School of Law, Ms. Racin focused her efforts in civil litigation and was an Appellate Moot Court finalist in both the Best Oralist and Best Brief Competitions. Prior to law school, Ms. Racin graduated from West Virginia University in 2000, Phi Beta Kappa, *summa cum laude* and obtained the honor of being awarded the Most Outstanding Graduate in Liberal Arts and Sciences.

Currently, Ms. Racin is a member of the Fayette County, Kentucky, Federal and American Bar Associations, the Energy & Mineral Law Foundation, the Lexington Coal Exchange, the Kentucky Coal Association, and serves as the Vice-Chair of Public Service for the Mining Section of the ABA Section of Environment, Energy and Resources. She has previously presented at the 2007 Annual Spring Meeting of the Central Appalachian Section of Surface Mining Engineers, the 2007 Professional Engineers in Mining Seminar, and the 32nd Kentucky Mineral Law Conference, sponsored by the Energy & Mineral Law Foundation. Ms. Racin has authored several articles for the Coal Leader and the ABA Section of Environment, Energy and Resources, Mining Committee Newsletter.

Ms. Racin is admitted to practice before the Supreme Court of Kentucky, United States District Courts for the Eastern and Western Districts of Kentucky and the 6th Circuit Court of Appeals.

Recently, Ms. Racin was awarded the honor of being the 2007 Bluegrass Leukemia and Lymphoma Society's Woman of the Year in recognition of her efforts in raising close to \$12,000.

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John E. Rhine

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

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

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

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

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

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

He is currently a member of the board of directors of an Illinois Basin coal operator and has served as acting general counsel for another coal company. He is a member of the board of directors of Voices for Illinois Children, a children's advocacy group, and served as chairman, 1993-96.

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David G. Ries

David G. Ries is a partner in the Pittsburgh, Pennsylvania, office of Thorp Reed & Armstrong, LLP, where he practices in the areas of environmental, commercial and technology litigation. He is the President of the Energy & Mineral Law Foundation and recently served two terms as a member and chair of a hearing committee for the Disciplinary Board of the Supreme Court of Pennsylvania. Dave received his B.A. from Boston College in 1971 and his J.D. from Boston

College Law School in 1974 where he was a member of the *Boston College Industrial and Commercial Law Review*.

His environmental practice over the last 34 years has included a broad range of issues in federal and state courts and before administrative agencies, including CERCLA litigation, Clean Water Act litigation, solid and hazardous waste issues, Clean Air Act litigation, storage tank litigation, court and administrative challenges to regulatory programs and defense of penalty actions. His technology practice has included a variety of litigation matters, including major systems implementations, and advising clients on a number of technology law issues such as hardware and software agreements, domain name disputes, information security, privacy regulations, records management and electronic contracting.

Dave has frequently spoken and written on environmental, technology, and ethics issues for legal, academic and professional groups including the EMLF, the American Bar Association, the Association of Corporate Counsel, the Pennsylvania Bar Institute, Carnegie Mellon University, Duquesne University, Robert Morris University, the University of Wisconsin-Madison, the Association for Environmental Health and Sciences, the American Academy of Forensic Sciences, and the National Groundwater Association.

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Albert F. Sebok

Albert F. Sebok, Jackson Kelly PLLC, is a member of the firm's litigation department and labor and employment practice group. He primarily represents coal companies in civil litigation in both state and federal court. He also consults with employers on personnel issues, union avoidance issues, and wage and hour matters.

Mr. Sebok has co-authored two law review articles in mining-related areas entitled "Legal Issues Surrounding Pre-employment Physical Examinations in the Coal Industry" and "Professional Liability of Non-Legal Consultants to the Minerals Industry."

Mr. Sebok is admitted to practice in West Virginia. He graduated *Order of the Coif* from Washington and Lee University School of Law in 1985. He was Note and Comment Editor for the *Law Review* and published an article while a staff member on union representation elections. He received his undergraduate degree in History/Religious studies from Albion College in Albion, Michigan.

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Amy M. Smith

Amy Smith, a member of Steptoe & Johnson, has practiced law for several years with concentrations in appellate litigation, energy litigation and class action litigation. Ms. Smith is a co-chair of the firm's appellate litigation practice group.

Ms. Smith has a broad range of experience in both state and federal courts. Representative reported cases argued by Ms. Smith include *Charleston Area Med. Ctr., Inc. v. Parke-Davis*, 614 S.E.2d 15 (W. Va. 2005); *Columbia Gas Transmission Corp. v. Drain*, 237 F.3d 366 (4th Cir. 2001); *Myles Lumber Co. v. CAN Fin. Corp.*, 233 F.3d 821 (4th Cir. 2000).

Ms. Smith has presented papers on various topics at several continuing legal education seminars sponsored by the American Bar Association, the West Virginia State Bar and the West Virginia University College of Law. In addition, she is a circuit editor of *Superceding and Staying Judgments: A National Compendium* (Roger D. Townsend, et al., eds. 2007).

Active within the legal profession, Ms. Smith serves on the American Bar Association's Section of Litigation committees on federal procedure. She is also an active member of both state and local bars.

Ms. Smith received her law degree from Indiana University School of Law, graduating *magna cum laude* and was inducted into the *Order of the Coif*. She also served on the *Indiana Law Journal*. She received her undergraduate degree from Butler University College of Business Administration, graduating *cum laude* with departmental honors in accounting.

Upon graduation from law school, Ms. Smith served for two years as a law clerk to the Honorable Leroy J. Contie, Jr. on the United States Court of Appeals for the Sixth Circuit. She also served as an adjunct faculty member at the West Virginia University College of Law. From 1993 through 1996, she taught an appellate advocacy course to second and third year law students.

She is admitted to practice before the West Virginia Supreme Court of Appeals, the District of Columbia Court of Appeals and the Ohio Supreme Court. She is also admitted to practice before the United States Supreme Court, the United States Courts of Appeals for the District of Columbia, Fourth, Fifth and Sixth Circuits and the United States District Courts for the District of Columbia, Northern and Southern Districts of West Virginia and the Northern District of Ohio.

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Benjamin E. Sullivan

Benjamin Sullivan is an in-house attorney with Equitable Production Company, 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 Equitable's management team and personnel on operational, land, royalty, regulatory, administrative, litigation, and transactional matters. He completed the 2004 Rocky Mountain Mineral Law Foundation's Oil & Gas Law Short Course. Mr. Sullivan was a speaker at the EMLF 26th Annual Institute on Amelia Island, Florida, and the 31st Mineral Law Conference in Lexington, KY. Mr. Sullivan is a member of the West Virginia Bar Association, the Energy & Mineral Law Foundation, Virginia Oil and Gas Association, West Virginia Oil and Natural Gas Association, and the West Virginia Chamber of Commerce's Environmental Committee Advisory Group.

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Allyn G. Turner

Allyn G. Turner is a member of Spilman Thomas & Battle, PLLC and practices in the Charleston, West Virginia office. Her primary area of practice is environmental law from both the legal and regulatory perspectives.

Ms. Turner's past work with regulatory agencies has contributed to her broad knowledge of environmental issues. As Director of the West Virginia Department of Environmental Protection's Division of Water and Waste Management, she managed the NPDES permitting, the TMDL/impaired waters program, the Clean Water Act State Revolving Fund, 401 water quality certification, groundwater, and non-point source water programs, solid and hazardous waste programs, and numerous other regulatory and non-regulatory water and waste programs. She was one of two state representatives with the United States Environmental Protection Agency's Office of Water in Washington, D.C. in the development of national water program goals and targets for EPA's national strategic plan. Her work with the Division of Water and Waste Management also resulted in extensive involvement in water quality and quantity issues faced by the coal industry.

She also served as the Managing Attorney for the DEP's Office of Legal Services, handling numerous administrative appeals, civil action, and other legal proceedings

She has presented at national meetings of Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), Association of State Drinking Water Administrators (ASDWA), and Ground Water Protection Council (2003) and has been a frequent speaker in West Virginia on environmental issues. During legislative interim and session meetings, Ms. Turner is the DEP representative for water issues.

Ms. Turner received her J.D. in 1990 from the Wake Forest University School of Law. She received her B.A. in Environmental Sciences from the University of Virginia.

Ms. Turner is admitted to practice in United States Court of Appeals for the Fourth Circuit, United States District Courts for the Northern and Southern Districts of West Virginia, and the West Virginia Supreme Court of Appeals.

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John M. Williams

John M. Williams is a native of Loyall in Harlan County, Kentucky, and a partner in Rajkovich, Williams, Kilpatrick & True, PLLC, in Lexington, Kentucky. John graduated from the University of Kentucky College of Business & Economics with a Bachelors of Business Administration (Finance) in 1984 and received his Juris Doctor from the University of Kentucky College of Law in 1987. He is a member of the Kentucky, Fayette County (Kentucky), American and Federal Bar Associations. He has held several officer positions with the Kentucky Chapter of the Federal Bar Association, including President in 2000.

John has extensive litigation experience in federal and state courts throughout Kentucky. He has recently worked with the Kentucky Coal Association's Health & Safety Committee in its review and commenting on Kentucky's recent mine safety legislation. Although his practice is primarily in mineral and energy and commercial litigation, John also has experience in personal injury, construction claims, and architect and engineer defense. His experience in mineral law includes litigation of contract disputes, boundary disputes and personal injury matters, plus drafting and reviewing lease agreements, contract mining agreements and other transactions. In the commercial litigation area, John has also represented parties in business torts, lender liability and a wide variety of contract disputes.

John is on the Board of Directors of Special Olympics Kentucky, Inc., serving as its Board Chair for two years. He was also on the Board of the Lexington Children's Museum, Inc, for almost ten years, during which he served as Board Chair for five years.

In September of 2005, John, Marco Rajkovich, Melanie Kilpatrick and Noelle Holladay True formed the law firm of Rajkovich, Williams, Kilpatrick & True, PLLC, located in Lexington, Kentucky. Prior to that, he practiced in the Lexington office of Wyatt, Tarrant & Combs, LLP, for eighteen years.

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L. Frederick Williams, Jr.

Fred Williams joined Steptoe & Johnson in 2002. Prior to joining the firm, Mr. Williams was a partner for several years in Snell & Wilmer, a Phoenix based law firm of over 360 attorneys. Mr. Williams concentrates his practice in tax, business and public finance matters, as well as government relations. Mr. Williams' experience includes significant involvement in complex business transactions, preparation of offering documents for both public and private securities offerings, involvement in a variety of economic development projects, appearing before legislative bodies on business and public law matters, drafting legislation on tax and public law

matters, extensive representation of public entities in public finance and other matters and representation of both public and private entities in the structuring and financing of professional sports facilities. Mr. Williams is also recognized in *The Best Lawyers in America* in the fields of corporate law, project finance law, public finance law, structured finance law, tax law and trusts and estates.

Mr. Williams is a member of the State Bar of Arizona, State Bar of West Virginia, Ohio State Bar Association, American Institute of Certified Public Accountants and West Virginia Society of Certified Public Accountants. He is also active in several community organizations. Mr. Williams serves as a member of the Board of Directors of the Huntington Area Development Council.

He served as Secretary of the West Virginia Department of Revenue and State Tax Commissioner from 1990 to 1991 and was an Executive Assistant to Governor Gaston N. Caperton from 1991 to 1992. In 1992 Mr. Williams was designated a "Distinguished West Virginian" by Governor Gaston Caperton.

He received his law degree from West Virginia University College of Law in 1981 and was a member of that school's Law Review. He received his Masters of Law in Taxation in 1984 from the University of Florida. Mr. Williams received his undergraduate degree in accounting from Wheeling Jesuit University graduating *magna cum laude*. Mr. Williams is a Certified Public Accountant.

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Jeff A. Woods

Jeff A. Woods is Co-Chair of Wyatt, Tarrant & Combs' Mineral & Energy Practice Group and a member of the Commercial Litigation and Environmental Practice Groups. He concentrates his practice in complex litigation matters and has extensive experience litigating coal supply agreements, coal industry construction contracts, and mineral property disputes.

He served as the Judicial Law Clerk for the Fayette County Circuit Court (1975-76), and Chief Staff Attorney for the Kentucky Court of Appeals (1976-79). Mr. Woods is the author of "The Continuing Viability of Subjacent Support and Subsidence Damage Waivers: Fact or Myth?" 14 *Eastern Mineral Law Institute*, Ch. 10 (1993) and is a contributing author of the *Kentucky Appellate Handbook*. He has presented numerous topics on mineral law at conferences and seminars sponsored by the Energy & Mineral Law Foundation.

He is admitted to practice before the United States District Court for the Eastern District of Kentucky, the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court.

Mr. Woods is listed in the Woodward-White publication *Best Lawyers in America* in Mining Law and was recognized by his peers as one of the *Kentucky Super Lawyers 2007*. He is a Trustee of the Energy & Mineral Law Foundation, a member of the Association of Trial Lawyers of America, Lexington Coal Exchange, and serves on the Board of Directors of the Lexington-Fayette Urban County ("Blue Grass") Airport (having served terms as Chair, Vice-Chair, Treasurer and Secretary, and currently Chairs the General Development & Operations Committee). He is also a member of the Louisville, Fayette County, Kentucky and American Bar Associations.

Mr. Woods received his B.S. degree in 1971 from Michigan State University and his J.D. degree in 1975 from the University of Kentucky.

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