

Energy & Mineral Law Foundation
Kentucky Mineral Law Conference 2015
October 21-22, 2015

Speakers' Biographies – *In Order of Speaking*

**Kathy G. Beckett, *PROGRAM CHAIR*
Steptoe & Johnson PLLC**

Twenty-five years of experience practicing environmental, regulatory, and natural resources law have enabled Kathy Beckett to develop a national reputation for her ability to influence environmental policies on behalf of her clients. She has been instrumental in the development of national and state regulatory programs and the drafting of environmental legislation. Ms. Beckett is active in many industry trade groups and serves on the Board of Directors of the U.S. Chamber of Commerce and is a past chair of the West Virginia Chamber of Commerce Environmental Committee. She has also served in a leadership capacity with the American Bar Association Section of Environment, Energy and Resources. Realizing that practicing environmental law is more than civil litigation, Ms. Beckett also has experience in the Homeland Security and Emergency Response sectors.

Ms. Beckett is a member of the Board of Directors and Nominating Committee of the U.S. Chamber of Commerce and is Chair of the U.S. Chamber Energy, Clean Air & Natural Resources Committee. She is also a member of the Board of Directors of the West Virginia Chamber of Commerce and Chair of its Environment Committee. She is a Trustee of the Energy & Mineral Law Foundation.

Kathy G. Beckett, Steptoe & Johnson PLLC, 707 Virginia St. East, Charleston, WV 25301;
Phone: 304.353.8172; Email: Kathy.beckett@steptoe-johnson.com

**Britt A. Freund, *OIL & GAS CHAIR*
Bowles Rice LLP**

Britt Freund is a partner in the Canonsburg, Pennsylvania, office of Bowles Rice, located in the Southpointe commercial complex. He concentrates his practice in mineral and energy law. He represents coal and oil and gas producers, financial institutions and mineral owners with regard to all aspects of real property development, mineral production and sales and finance transactions.

Britt was recognized by Pennsylvania *Super Lawyers* as a Rising Star for 2015. He is a Trustee of the Energy & Mineral Law Foundation, a member of the Energy Law Committee of the West Virginia State Bar and a member of the Commerce Committee for the West Virginia Independent Oil & Gas Association.

Britt earned his J.D., *cum laude*, from the Duquesne University School of Law in Pittsburgh. He earned a Bachelor of Fine Arts degree in musical theater from Ithaca College. Britt is admitted to practice in both Pennsylvania and West Virginia.

Britt A. Freund, Bowles Rice LLP, Southpointe Town Center, 1800 Main Street, Suite 200,
Canonsburg, PA 15317; Phone: 724.514.8929; Email: bfreund@bowlesrice.com

**R. Clay Larkin, COAL CHAIR
Dinsmore & Shohl LLP**

Recognized as a "Rising Star" in the field of Energy & Natural Resources Law by *Super Lawyers* magazine, Clay has devoted a significant amount of his practice to representation of energy clients in the coal, oil & gas, and electricity generation industries. He represents clients in environmental litigation and compliance counseling matters under SMCRA, the Clean Water Act, and other environmental statutes, and also has experience in general litigation and transactional matters in the energy and natural resources field.

Mr. Larkin is a member of the Energy & Mineral Law Foundation, Kentucky Bar Association, Kentucky Coal Association, Kentucky Oil & Gas Association, and the Lexington Coal Exchange. He serves as Secretary and as a member of the Executive Committee of the Fayette County Local Emergency Planning Committee.

Mr. Larkin is a frequent author and speaker on legal issues affecting the energy and natural resources industries.

Mr. Larkin received his J.D. in 2007 from the University of Kentucky College of Law where he was a member of the *Kentucky Law Journal* and Moot Court Board. He received his B.A. from Western Kentucky University in 2004.

R. Clay Larkin, Dinsmore & Shohl, LLP, 250 West Main Street, Suite 1400, Lexington, KY 40507; Phone: 859.425.1095; Email: clay.larkin@dinsmore.com

General Session – Wednesday, October 21, 2015

**Douglas L. McSwain
Wyatt Tarrant & Combs, LLP**

Douglas L. McSwain has been a litigator, legal advisor, speaker, and writer in constitutional, administrative, health care, civil rights, employment, environmental, municipal, and business law for more than 30 years. At the 2014 Howard L. Bost Health Policy Forum, KET's Bill Goodman described McSwain as having "an enviable reputation for being the 'go-to' guy in Kentucky – and in the nation – on the Affordable Care Act." McSwain has been invited to write on healthcare and administrative law topics for Casetext and the American Constitution Society. McSwain is listed as a "Best Lawyer in America," "Kentucky Super Lawyer" and "Top Rated Lawyer" in health care, civil rights and first amendment law, as well as in labor, employment, municipal and appellate litigation. He is an experienced communicator, and written or presented extensively on Federal Practice and Procedure, Federal Courts, and the Affordable Care Act to numerous business and legal audiences alike. He served 27 years as Chair of the Joint Local Rules Commission of Kentucky's U.S. District Courts, Eastern & Western Districts; 6 years as 5th Supreme Court District Kentucky Bar Governor; and is a life member of the Sixth Circuit Court of Appeals Judicial Conference. He currently serves as President of the Central Kentucky American Inns of Court, and is a partner practicing law with the firm of Wyatt, Tarrant & Combs, LLP, in Lexington, Kentucky. McSwain obtained his B.A., *cum laude*, in political science in 1979 from Vanderbilt University, and his J.D., *with distinction*, in 1983 from the University of Kentucky College of Law. After graduating from law school, he clerked from 1983-85 for Hon. Henry R. Wilhoit, Jr., U.S. District Court Judge, Eastern District of Kentucky.

Douglas L. McSwain, Wyatt Tarrant & Combs, LLP, 250 West Main Street, Suite 1600, Lexington, KY 40507; Phone: 859.288.7415; Email: dmcswain@wyattfirm.com

J. Thomas Lane
Bowles Rice LLP

Tom Lane is a partner with Bowles Rice LLP, where his practice focuses on transactions and litigation in the areas of natural resources, coal, oil and gas, and land development. He also engages in lobbying and government relations, particularly on issues affecting the mineral industry.

As the Robert T. Donley Adjunct Professor of Law at the West Virginia University College of Law, Tom taught a course in Coal, Oil and Gas from 1986 to 2006, and compiled a teaching text for that course. He has published numerous articles in the *Annual Institute Proceedings* of the Energy & Mineral Law Foundation and the *West Virginia Law Review*.

As President of the Charleston City Council, where he has been an elected member since 1987, Tom is involved in key initiatives to advance Charleston's comprehensive plan. He is chairman of the Charleston Land Trust, chairs a Task Force to develop world-class bike trails in Charleston, and spearheaded the development of Charleston's Live on the Levee series.

Tom is trustee and past President of the Energy & Mineral Law Foundation and past President and Chairman of the Executive Council of The West Virginia Bar Association.

Tom received his Bachelor of Arts degree in 1968 from Washington & Jefferson College and his law degree in 1973 from West Virginia University. He served in the United States Army (1969-1971), and was a law clerk to The Honorable John A. Field Jr., United States Court of Appeals for the Fourth Circuit (1974-1975). He is a member of the Fourth Circuit Judicial Conference.

In 2006, Tom was awarded the annual John L. McClaugherty Award by the Energy and Mineral Law Foundation. Since 1989, he has been listed in "*The Best Lawyers in America*," and is recognized by *Chambers USA* as among "*America's Leading Business Lawyers*." He was recognized by *West Virginia Super Lawyers* as one of "West Virginia Top 10 Super Lawyers."

He is an owner of a land development company, an instrumented-rated private pilot and an avid tennis player with a 4.0 NTRP rating. His favorite pastime is landscaping and gardening.

J. Thomas Lane, Bowles Rice LLP, 600 Quarrier Street, Charleston, WV 25301;
Phone: 304.347.111; Email: tlane@bowlesrice.com

Stewart Harris
Appalachian School of Law

Stewart Harris teaches Constitutional Law at the Appalachian School of Law (ASL) in Grundy, Virginia, where he is a Professor of Law.

Professor Harris graduated from Princeton University in 1983. In his sophomore year, he was selected for admission to the Woodrow Wilson School of Public and International Affairs, a multidisciplinary program spanning the Departments of Politics, History, Sociology and

Economics. His independent work at the Wilson School focused primarily upon international security and nuclear weapons policy. He graduated from the University of Pennsylvania Law School in Philadelphia in 1986, where he won the Law School's Edwin R. Keedy moot court championship.

Professor Harris then worked for the federal government in Washington, DC, where he spent four years on Capitol Hill advising the Army Corps of Engineers on flood control and navigation projects throughout the continental United States. His duties included drafting congressional testimony for the Assistant Secretary of the Army for Civil Works.

Professor Harris subsequently worked for a large private law firm before establishing his own law practice in Florida with his wife, Priscilla Harris, who is now also on the ASL faculty. In Florida, the Harrises concentrated on environmental, civil rights and First Amendment law, notably obtaining a half-million dollar settlement for a public official who had been libeled by a newspaper.

In 1999, Professor Harris began teaching at the University of Florida College of Law. In 2001, he accepted a position on the faculty of the Appalachian School of Law, where he has earned the Faculty Scholarship Award and multiple awards for teaching. For the past several years he has also taught Constitutional Law during the summer semester at the University of Tennessee College of Law. In 2013, he taught an undergraduate seminar on the First Amendment at Emory & Henry College. In 2014, he taught an undergraduate seminar on National Security Law at King University.

As part of his commitment to community service, Professor Harris has established and taught an SAT test preparation program at the Mountain Mission School in Grundy, Virginia, a charitable institution for disadvantaged children.

In 2011, Professor Harris created a public radio show, *Your Weekly Constitutional*, which is produced at WETS-FM, the NPR affiliate in Johnson City, Tennessee, and syndicated nationally. YWC is underwritten by the Robert H. Smith Center for the Constitution at Montpelier, the historic home of the Father of the Constitution, James Madison. The show is on Facebook and Twitter, and podcasts are available on iTunes.

The Harrises have two sons: Tom, an honors graduate of Caltech, and Ben, who is currently a Jefferson Scholar at the University of Virginia.

Stewart Harris, Appalachian School of Law, 1169 Edgewater Drive, Grundy, VA 24614;
Phone: 276.935.4349; Email: sharris@asl.edu

William D. Wilmoth
Steptoe & Johnson PLLC

Bill Wilmoth is the Assistant Head of the Litigation Department of Steptoe & Johnson PLLC, a regional energy law firm with offices in Colorado, Kentucky, Ohio, Pennsylvania, Texas, and West Virginia. Before joining Steptoe & Johnson in 1999, he was the United States Attorney for the Northern District of West Virginia in the Clinton administration, where he participated in and oversaw the prosecution of domestic terrorism, environmental, tax, and other complex criminal cases. At Steptoe & Johnson, he concentrates his practice on white collar criminal defense, compliance audits, health care and other fraud investigations, and serious energy litigation cases. He is a frequent lecturer at professional development and industry seminars

and is the author of client alerts and blog posts on the Foreign Corrupt Practices Act, the Federal False Claims Act, and related subjects. He serves on the Select Advisory Committee on National Sentencing Issues at the Brennan Center for Justice, an affiliate of New York University. He holds Finance and Law degrees from West Virginia University and is a Fellow of the West Virginia Bar Foundation and the American Bar Foundation.

Bill is the Vice-Chair of the Board of Governors of West Virginia University, where he teaches Evidence Law part-time, and serves on the Board of Directors of the Power of 32, an economic development agency serving the 32 counties in four states surrounding Pittsburgh. He is also on the executive committee of the Ohio Valley Industrial and Business Development Corporation, an economic development organization serving the counties surrounding Wheeling, WV, where he lives with Becky, his wife of 44 years. The couple has four adult children.

William D. Wilmoth, Steptoe & Johnson PLLC, 1233 Main Street, Suite 3000, Wheeling, WV 26003; Phone: 304.231.0456; Email: william.wilmoth@steptoe-johnson.com

Erin E. Magee
Jackson Kelly PLLC

Erin E. Magee is a Member of Jackson Kelly PLLC working in the Litigation Practice Group. Her practice currently focuses on labor and employment consultation and litigation, ERISA matters and commercial litigation for energy-industry clients.

Ms. Magee consults daily with employers about work-related issues, including wage and hour problems, employee leave and benefit questions, reductions in force, drug testing, workplace privacy concerns, personnel policy and handbook drafting and employee discharge and discipline issues. In addition, she regularly provides training and speaks at seminars, conferences and workshops on these topics, particularly focusing on the issues of harassment, discipline and the overlap between FMLA, ADA and workers' compensation laws.

Ms. Magee also regularly litigates on behalf employers in state and federal court, as well as before the West Virginia Human Rights Commission, the Equal Employment Opportunity Commission, the National Labor Relations Board and in arbitration. In the course of her practice, Ms. Magee has handled age, gender, disability and workers' compensation discrimination, wrongful discharge, sexual harassment, wage and hour, FMLA, employee benefit, breach of contract, deliberate intent, wrongful death and workplace safety lawsuits.

Chambers USA has recognized Ms. Magee for her work in the labor and employment field. In the 2011 edition, Ms. Magee is noted by sources as "always on top of everything - up on changes in the law and skilled in the courtroom." She is listed in Woodward/White's *The Best Lawyers in America*® in labor and employment law, and is named by *Law & Politics* as a West Virginia Super Lawyer®.

Ms. Magee is a member of the Executive Committee and Treasurer of the Energy & Mineral Law Foundation and served on its Strategic Planning Committee. She is a founding member and past-President of the Women's Energy Network's Appalachia Chapter, which presented her with its Pioneer Award for leading new ideas that pave the way for others. Additionally, she is recognized in Who's Who in Energy by the Pittsburgh Business Times.

Active in the community, Ms. Magee is a former member and officer of the Board of Directors of the YWCA of Charleston and past-President of the Boards of Directors of the Kanawha Pastoral Counseling Center and the Children's Therapy Clinic Board. She also is a graduate of the West Virginia Chamber of Commerce's Leadership West Virginia program and is a member of the Chamber's Human Resources Committee.

A native of Columbus, Ohio, Ms. Magee received her undergraduate degree from the College of William and Mary in Virginia in 1989 with a concentration in government and a minor in history. She received her law degree from William and Mary's Marshall Wythe School of Law in 1992. She is admitted to the West Virginia Bar, the Pennsylvania Bar, the United States Court of Appeals for the Fourth Circuit and the United States District Courts for the Northern and Southern Districts of West Virginia and the Western District of Pennsylvania.

Erin E. Magee, Jackson Kelly PLLC, 500 Lee Street East, Suite 1600, Charleston, WV 25301; Phone: 304.340.1360; Email: emagee@jacksonkelly.com

Stephen L. Miller
Steptoe & Johnson PLLC

Last October, Steve Miller joined Steptoe & Johnson PLLC as Of Counsel in its new Louisville office. His practice focuses on environmental law and government relations, as well as strategic communications.

Previously, Steve served for 17 years as President and CEO of the American Coalition for Clean Coal Electricity (ACCCE), a national non-profit association, and its predecessor organizations located in Washington, DC. ACCCE's mission was to promote the use of coal in order to provide affordable, reliable electricity and to advocate for new, advanced clean coal technologies.

During his tenure, Steve built ACCCE from an organization focused solely on state government relations to a greatly expanded scope that also encompassed federal government relations and a national communications campaign. In 2009, the American Association of Political Consultants recognized ACCCE as "Grand Marketer of the Year" for its integrated communications campaign, which incorporated paid media, digital media, earned media, and a grassroots citizen army.

Steve also has played important roles in electoral politics. He served as a leading staff member for Brereton Jones in his winning campaigns for Kentucky Governor and Lt. Governor. He was the 1992 Organizational Chairman of the Clinton for President Campaign in Kentucky. That year, he also was a consultant to West Virginia Governor Gaston Caperton in his successful reelection campaign.

Steve is a graduate of the University of Kentucky and the University of Kentucky College of Law. He has the rare distinction of having two letters from the University of Louisville (baseball) and two degrees from the University of Kentucky.

He now lives in Louisville, Kentucky with his wife and two sons.

Stephen L. Miller, Steptoe & Johnson PLLC, 700 N. Hurstbourne Parkway, Suite 115, Louisville, KY 40222; Phone: 502.423.2051; Email: steve.miller@steptoe-johnson.com

Christopher S. Perry
Kentucky Association of Electric Cooperatives

Chris is the President and CEO of the Kentucky Association of Electric Cooperatives, better known as KAEC. KAEC is the statewide organization that represents all twenty-six of Kentucky's electric cooperatives. Prior to being selected as the KAEC CEO in August, Chris was the President and CEO of Fleming-Mason Energy, a position he held for seven years. He is a graduate of the University of Kentucky and Embry-Riddle University. His degrees include a Bachelor of Science degree in electrical engineering and Master's degree in business administration.

Chris grew up in Ashland, Kentucky, and graduated from Russell High School. He started his career as an electrical engineer for Nolin Rural Electric in Elizabethtown, Kentucky. His career advanced when he took a management position at the fastest growing cooperative utility in the country just outside of Orlando, Florida. He returned to Kentucky almost ten years ago to

take the Manager of Engineering position at Fleming-Mason prior to being named the President and CEO in 2007.

Chris is a member of the Institute of Electrical Engineers. He also sits on the board of Comprehend, and was former chairman of the Fleming County Chamber of Commerce. He has also been a college professor. He taught information technology at a junior college in Louisville, Kentucky, and recently taught business at the Maysville Community College.

He has a beautiful wife and two wonderful daughters. He loves to read, golf, and teach.

Christopher S. Perry, President & CEO, Kentucky Association of Electric Cooperatives, 4515 Bishop Lane, Louisville, KY 40218; Phone: 502.451.2430; Email: cperry@kaec.org

Timothy J. Hagerty
Frost Brown Todd LLC

Tim Hagerty is a Member of Frost Brown Todd LLC, in Louisville, Kentucky, where he concentrates his practice in environmental and natural resources law, with an emphasis on the energy and natural resources industries. Over his twenty-one year legal career, Mr. Hagerty has assisted clients in obtaining and defending permits under the Clean Water Act, the Surface Mining Control and Reclamation Act, and related federal and state environmental and resource protection laws for projects ranging from large surface coal mines to coal-fired electric generating plants to oil and gas operations. Mr. Hagerty has also provided counsel on the development, construction, and operation of large-scale commercial developments, master planned communities, major highway and transit projects, and even riverboat casinos. His professional experiences include providing both compliance counseling and representation in litigation at the administrative, trial, and appellate court levels. Mr. Hagerty also has extensive experience assisting public and private clients in complying with the National Environmental Policy Act (NEPA), the Endangered Species Act, the Clean Air Act, the National Historic Preservation Act, and related resource review requirements.

Mr. Hagerty is a frequent speaker at regional and national conferences and seminars regarding the Clean Water Act, SMCRA, NEPA, and related environmental laws. Before joining Frost Brown Todd, Mr. Hagerty practiced environmental law with Beveridge & Diamond, P.C., in Washington, D.C.

He is a graduate of the Yale Law School and the University of Louisville.

Timothy J. Hagerty, Frost Brown Todd LLC, 400 W. Market St., Floor 32, Louisville, KY 40202; Phone: 502.568.0268; Email: thagerty@fbtlaw.com

Raymond R. (Rusty) Ashcraft, Jr
Alliance Coal, LLC

Mr. Ashcraft served as Corporate Environmental Manager for Alliance Coal, LLC (formerly MAPCO Coal Inc.) since 1993 till 2011 where he oversaw environmental compliance and permitting for Alliance Coal and their subsidiary companies. He provided technical expertise in the following programs: SMCRA, RCRA, TSCA, CWA, CAA and many other environmental laws and regulations. He currently serves as Manager, Government Affairs & Environmental Policy for Alliance Coal with specific responsibility for KY, Indiana, Illinois and Federal Environmental Issues.

Prior to 1993, Mr. Ashcraft served as Environmental Manager for the Louisville, KY district office of ATEC Associates, Inc., an international engineering and environmental consulting firm. Duties included managing projects and staff which required RCRA groundwater monitoring, hazardous waste spills, site assessments, supervised Environmental Impact Studies and remediation projects.

Mr. Ashcraft earned a B.S. degree in Geology from the University of Kentucky and maintained Professional Geologist Registrations in Kentucky and Indiana.

He serves on the Board of Directors for many state and National Coal Associations. He was recently reappointed by Ky. Governor Steve Beshear to serve as Chairman of the Kentucky Geologic Survey Advisory Board.

Raymond R. (Rusty) Ashcraft, Jr., Manager, Government Affairs & Environmental Policy, Alliance Coal LLC, 1146 Monarch Street, Lexington, KY 40513; Phone: 859.224.7225; Email: rusty.ashcraft@arlp.com

Philip R. Elswick, P.E.
Summit Engineering, Inc.

Philip Elswick is the president of Summit Engineering, Inc. Before this position, Mr. Elswick was the Director of Environmental Services and consulted with numerous clients relating to state and federal water permitting. Philip provided consultation related to the presence or absence of waters of the United States, Clean Water Act permitting requirements, and mitigation plans for impacts to jurisdictional waters.

Mr. Elswick is involved with the Environmental Committee of the Kentucky Coal Association and the Kentucky Oil and Gas Association, where he serves on the association's Board of Directors and Technical and Regulatory Committee.

Mr. Elswick has made a presentation at the annual conference of the National Association of Abandoned Mine Land Programs regarding stream and wetland mitigation in high gradient watersheds. Likewise, he has spoken to the Kentucky Legislature's Special Subcommittee on Energy regarding various aspects of Clean Water Act permitting and its effect on coal mining.

Mr. Elswick holds a B.S. and M.S. in chemical engineering from the University of Kentucky, and he is a licensed professional engineer in several states.

Philip R. Elswick, P.E., Summit Engineering, Inc., 131 Summit Drive, Suite 200, Pikeville, KY 41501; Phone: 606-432-1447; e-mail: pelswick@summit-engr.com

Thomas A. Heywood
Bowles Rice LLP

Tom Heywood is the Managing Partner of Bowles Rice LLP. His responsibilities include overall operations, strategic planning and growth, and practice management and administration.

Tom has significant experience in health care, banking and corporate/commercial law, and is frequently called upon by business and community leaders for advice on business matters related to acquisitions, divestitures and other transactional matters. An experienced facilitator, he frequently assists businesses and organizations in the strategic planning process.

As a former Chief of Staff to the Honorable Gaston Caperton, Governor of West Virginia, Tom has significant experience in dealing with government officials at the local, state and federal levels. He is the leader of the Bowles Rice Government Relations team.

Tom received his bachelor's degree, with distinction, from Stanford University and earned his law degree from Harvard Law School, where he was editor of the *Harvard International Law Journal*.

He is a Trustee of The Claude Worthington Benedum Foundation, President of Discover the Real West Virginia Foundation, a member of the Board of Directors of The West Virginia Chamber of Commerce and Vice Chairman of the West Virginia Roundtable.

Thomas A. Heywood, Bowles Rice LLP, 600 Quarrier Street, Charleston, WV 25301; Phone 304.347.1702; Email theywood@bowlesrice.com

Coal Track – Thursday, October 22, 2015

Melanie J. Kilpatrick
Rajkovich, Williams, Kilpatrick & True, PLLC

Melanie Kilpatrick is a partner in the law firm of Rajkovich, Williams, Kilpatrick & True, PLLC in Lexington, Kentucky. She practices in the areas of mineral and energy, employment law, and commercial litigation. She has authored articles and given presentations on topics of interest in the mineral and energy and employment law fields. She is experienced in arguing appellate cases before the United States Court of Appeals, the Kentucky Court of Appeals and the Federal Mine Safety and Health Review Commission. Ms. Kilpatrick has been admitted to practice before the Kentucky Supreme Court, the United States District Court for the Eastern and Western Districts of Kentucky, and the United States Court of Appeals for the Fifth, Sixth and D.C. Circuits.

Ms. Kilpatrick serves on the Board of Directors for the Thomas D. Clark Foundation, Radio Eye, Inc., and the Kentucky Coal Association. She is a member of the Fayette County,

Kentucky, Federal and American Bar Associations. Ms. Kilpatrick serves on the Board of Trustees and on the Scholarship Committee of the Energy & Mineral Law Foundation. She has been recognized in the listing of *Kentucky Super Lawyers* from 2012-2015.

Ms. Kilpatrick was Articles Editor (1995-96) and a Staff Member (1994-95) for the *Kentucky Law Journal*. She served as law clerk to the Honorable Eugene E. Siler, Jr. on the United States Sixth Circuit Court of Appeals from 1996-97. Ms. Kilpatrick received her B.A. degree with High Honors in 1992 from the University of Virginia and her J.D. degree (valedictorian) from the University of Kentucky in 1996.

Melanie J. Kilpatrick, Rajkovich, Williams, Kilpatrick & True, PLLC, 3151 Beaumont Centre Circle, Suite 375, Lexington, KY 40513; Phone: 859.245.1059; Email: Kilpatrick@rwkltlaw.com

Daniel Z. Zaluski
Blackhawk Mining, LLC

Mr. Zaluski has over fifteen years of mining experience providing legal and technical advice to clients on regulatory, environmental, health and safety matters. Mr. Zaluski previously served as In-House Legal Counsel to Armstrong Coal Co., Inc. for over six years and is currently employed by Blackhawk Mining, LLC focusing on land, corporate, and regulatory matters.

Before working in the legal field, Mr. Zaluski provided consulting services to a myriad of environmental, energy, and mining clients. Mr. Zaluski has the honor of sitting on the Board of Directors for several mining entities as well as participating in several professional trade groups within the mining industry.

Mr. Zaluski holds a B.A in Geology and Environmental Science from Wittenberg University and a J.D. from Thomas M. Cooley Law School.

Daniel Z. Zaluski, Blackhawk Mining, LLC, 3228 Summit Square Place, Suite 180, Lexington, KY 40509; Phone: 859.543.0515; Email: dzaluski@blackhawkmining.com

William T. Gorton III
Stites & Harbison PLLC

Bill Gorton is Chair of the Environmental, Natural Resources & Energy Service Group at Stites & Harbison PLLC. He is national counsel to numerous clients on natural resource, environmental regulatory and land and water resources matters. He has been counsel in the development of more than ten power plants. He has been Lead Counsel to numerous surety companies regarding over \$2.5 billion in financial guarantees on defaulting mining operations, hazardous waste facilities and solid waste disposal facilities throughout the United States. He has been primary environmental counsel in the development of interstate pipeline associated with major natural gas resource development. He also counsels on large natural resource and energy, business or corporate transactions, and project development assessing and addressing environmental regulatory issues.

Before embarking on a law career, Mr. Gorton managed the Kentucky office of Skelly & Loy Engineers/Consultants and managed many mining-related environmental projects throughout the U.S. He is an adjunct professor at the University of Kentucky teaching Environmental Law in the Natural Resource and Environmental Science Program.

Mr. Gorton holds a B.S. from Pennsylvania State University and a J.D. (*with distinction*) from the University of Kentucky College of Law.

William T. Gorton III, Stites & Harbison PLLC, 250 West Main Street, Suite 2300, Lexington, KY 40507; Phone: 859-226-2241; Email: wgorton@stites.com

Warren J. Hoffmann
Frost Brown Todd LLC

Warren holds a B.A. and J.D. from the University of Kentucky. He practices corporate and commercial law as a member of the Lexington office of Frost Brown Todd. Warren has devoted most of his career to handling natural resources and energy related matters, including the acquisition, leasing and permitting of coal reserves, purchases and sales of mining companies, contract mining and coal preparation agreements, trans-loading and transportation contracts, coal supply agreements, financing coal mining and utility operations, issues arising under federal and state regulatory programs, and sales and leases of mining equipment. A Trustee of the Energy and Mineral Law Foundation, Warren is also recognized as a *Kentucky Super Lawyer* and Band 1 *Chambers USA* lawyer.

Warren J. Hoffmann, Frost Brown Todd LLC, Lexington Financial Center, 250 W. Main Street, Suite 2800, Lexington, KY 40507; Phone: 859.244.3220; Email: whoffmann@fbtlaw.com

Brent A. Rosser
Hunton & Williams LLP

Brent Rosser is a partner on the Energy and Environmental Litigation Team at Hunton & Williams. He regularly represents major utilities throughout the country in all aspects of defense of actions brought under the Clean Air Act, the Clean Water Act, and the Resource Conservation and Recovery Act. He also represents major utilities in environmental litigation related to the storage and disposal of coal combustion residuals, and in defense of actions alleging nuisance and other common law claims. He was selected by *Benchmark Litigation* as North Carolina Future Litigation Star in 2009, and has been recognized by *Super Lawyers Magazine* as a North Carolina Rising Star every year since 2012.

Mr. Rosser holds a B.A. from Furman University and a J.D. (*cum laude*) from Case Western Reserve University School of Law.

Brent A. Rosser, Hunton & Williams LLP, 101 South Tryon Street, Suite 3500, Charlotte, NC 28280; Phone: 704.378.4707; Email: brosser@hunton.com

Sherrie A. Armstrong
Crowell & Moring LLP

Sherrie A. Armstrong is an associate in Crowell & Moring LLP's Washington, D.C. office, where she practices in the Environment & Natural Resources Group. Sherrie handles environmental litigation and appeals, regulatory counseling, and enforcement matters across a wide variety of industries and environmental statutes. Sherrie's practice has most recently focused on compliance and litigation risk counseling regarding EPA's Clean Power Plan, "Waters of the United States" or WOTUS rule, and the Coal Combustion Residuals or "coal ash" rule, defending chemical companies against claims that EPA registered their pesticide products in violation of Endangered Species Act, and prosecuting a billion dollar action

against the federal government under the Comprehensive Environmental Response, Compensation, and Liability Act. Sherrie regularly works with the mining and oil and gas industries on various environmental matters.

Sherrie was named a Washington, D.C. "Rising Star" by *Super Lawyers 2014 and 2015* in Environmental Law. Sherrie currently serves as vice-chair and regional reporter for the ABA Superfund and Natural Resource Damages Litigation Committee.

Prior to joining Crowell & Moring, Sherrie practiced in West Virginia where she served as outside litigation counsel for West Virginia Department of Environmental Protection.

Sherrie graduated from the College of Charleston with a B.A. in political science in 2001 and earned a M.P.A. from the College of Charleston in 2004, winning the award for outstanding graduate student. Sherrie received her J.D. from the University of Connecticut School of Law in 2007, graduating with high honors. While at the University of Connecticut, Sherrie served as editor-in-chief of the *Connecticut Law Review*.

Sherrie A. Armstrong, Crowell & Moring LLP, 1001 Pennsylvania Avenue, NW, Washington, DC 20004; Phone: 202.624.2522; Email: sarmstrong@crowell.com

**Brady W. Dunnigan
Dinsmore & Shohl LLP**

Brady Dunnigan is a Partner in the Lexington, Kentucky, office of Dinsmore & Shohl, practicing in the firm's natural resources, real estate and mergers & acquisitions groups. Mr. Dunnigan has over 17 years experience advising clients in connection with the purchase, sale, lease, financing and development of coal mining operations and associated mineral interests, including deal structure, document negotiation, title review and all manner of due diligence issues.

Mr. Dunnigan holds a J.D. (with distinction) from the Brandeis School of Law at the University of Louisville and a B.A. (with distinction) from the University of Kentucky.

Brady W. Dunnigan, Dinsmore & Shohl LLP, 250 West Main Street, Suite 1400, Lexington, KY 40507; Phone: 859.425.1063; Email: brady.dunnigan@dinsmore.com

Oil & Gas Track – Thursday, October 22, 2015

**Peter Swift
EQT Energy LLC**

Peter Swift joined EQT Energy, LLC in July, as a Principal in its Origination Department. Mr. Swift is responsible for expanding EQT's natural gas liquids (NGL) position by developing new relationships with NGL processors, logistic providers, marketing companies, producers and end use consumers. His primary objective is to lead efforts to deliver sustained value from NGL production through long term planning with a focus on a strong commercial presence, optimizing EQT's market position. He also endeavors to identify and execute on new demand opportunities for all products produced.

Prior to joining EQT, Swift was the VP of Business Development for the Global NGLs group at BP Energy Company. There he worked jointly with BP US Producer Services to execute long-

term agreements providing a cross commodity offering, including Natural Gas, Oil, NGLs and Structured Products. Swift also held leadership positions in the propane industry, including Vice President of US Supply, Trading, Wholesale and Distribution for Heritage Propane and Director of Procurement & Logistics for Agway Energy Products.

Mr. Swift holds a BA in Economics from Stony Brook University and an MBA from Syracuse University. In addition, he taught Futures and Options Trading as an Adjunct Professor at Syracuse University's Whitman School of Management from September 2004 to May 2006.

Peter Swift, Principal, Origination Dept., EQT Energy LLC, 24044 Cinco Center Blvd., Katy, TX 77494; Phone: 281.202.5537; Email: PSwift@eqt.com

George A. Patterson, III
Bowles Rice LLP

George Patterson has a wide variety of legal experience, but now limits his practice to matters involving oil and gas, coal and commercial real estate law.

George has significant experience over the past 18 years in gas-related cases before the Public Service Commission. He helped write the rules under which utilities are required to transport gas to end users, and the rules under which pipelines are regulated by the PSC.

George is frequently invited to write and speak for legal and industry publications and meetings. He has been recognized by *The Best Lawyers in America*® (Oil & Gas Law), *Chambers USA: America's Leading Lawyers for Business* among "Leaders in their Field" for Natural Resources Law, and *Super Lawyers* (Energy & Natural Resources). He is the recipient of the Gunslinger Award, presented by the Independent Oil and Gas Association of West Virginia in 2015.

George received his J.D. from the West Virginia University College of Law and his B.S.B.A., *magna cum laude*, from West Virginia University.

George A. Patterson, III, Bowles Rice LLP, 600 Quarrier Street, Charleston, WV 25301; Phone: 304.347.1118; Email: gpatterson@bowlesrice.com

James R. Nicas
Steptoe & Johnson PLLC

James R. Nicas is Of Counsel with the Energy and Natural Resources Practice Group in the Houston, Texas, office of Steptoe & Johnson PLLC. Jim has worked and practiced in the oil and gas industry for thirty-six years. He currently focuses on title and exploration and development transactional issues. He founded the CONSOL Land Super School and has spoken on various topics including Pennsylvania Apportionment, Calculating Interests, Voluntary Pooling, Farmouts and Ethics. Jim was the first Appalachian speaker at the NALTA 2008 Convention presenting "Appalachia – From the Primordial Ooze of Appalachian Titles to Star Wars Litigation" and was a co-presenter at the EMLF 34th Mineral Law Conference in 2009 speaking on "The Evolving Eastern Oil and Gas Lease – Can We Envision Active Producers 88 for the East?"

Jim received his B.S. from the University of Nebraska Omaha in 1974 and his J.D. from Creighton University in 1979. He has served in the Land Departments of ARCO, EXXON, CNG Producing Company, Dominion Exploration Company and CNX Land Resources where

he was the Director, Title & Pooling. His experience has included the offshore Gulf of Mexico and the Beaufort Sea and onshore from the southwest to the Rocky Mountains and Appalachia. He joined Steptoe & Johnson in 2012 and helped facilitate the opening of their new office in The Woodlands, Texas.

James R. Nicas , Steptoe & Johnson PLLC, 10001 Woodloch Forest Drive, Suite 300, The Woodlands, TX 77380; Phone: 281.203.5767; Email: james.nicas@steptoe-johnson.com

William H. Smith
Steptoe & Johnson PLLC

Bill Smith focuses his practice primarily in the area of Energy and Natural Resources Law. He also has significant experience in commercial transactions, commercial litigation, and real estate. He is fluent in German, making him a valuable resource not only as legal counsel but also as a language and cultural interpreter for German businesses and U.S. companies that do business in Germany.

Bill joined Steptoe & Johnson in 1992 and practices in the firm's offices in Bridgeport, West Virginia, and Denver, Colorado. He earned his bachelor's and master's degrees from Arizona State University and his J.D. from the West Virginia University College of Law.

William H. Smith, Member, Steptoe & Johnson PLLC, 400 White Oaks Blvd., Bridgeport, WV 26330; Phone: 304.933.8176; Email: bill.smith@steptoe-johnson.com

Charles F.W. Saffer
Robinson & McElwee PLLC

Chuck Saffer is an attorney who focuses primarily on real property matters and has handled numerous complex transactions. In addition to transactional matters, he has also litigated business and real property issues in West Virginia. A major component of his practice is conducting title research and analysis for natural gas exploration and production companies operating in West Virginia. He also represents commercial property owners and tenants in leasing and development matters.

He has been a past speaker at EMLF and WVU College of Law CLE events on various real property issues.

Mr. Saffer received his undergraduate and law degrees from West Virginia University where he was a member of the Law Review and the Order of the Coif.

Charles F.W. Saffer, Robinson & McElwee PLLC, 400 Fifth Third Center, 700 Virginia Street, East, Charleston, WV 25301; Phone: 304.347-8331; Email: cfs@ramlaw.com

Joel E. Symonds
Mountaineer Keystone LLC

Joel E. Symonds is Vice President of Land at Mountaineer Keystone LLC in Wexford, Pennsylvania. Prior to joining Mountaineer Keystone, he was a member at Steptoe & Johnson PLLC's Energy and Natural Resources Department based in Charleston, West Virginia. Joel also spent nearly five years as an attorney in the land department of an Appalachian exploration and production company. He has experience representing both

buyers and sellers in energy transactions, managing due diligence projects, and certifying mineral title. He is a member of the Energy and Mineral Law Foundation, has published articles in the EMLF White Papers, and has spoken at multiple EMLF events.

Joel is a native of Princeton, West Virginia, and is admitted to practice in Virginia and West Virginia. He received his Bachelor of Arts in Economics and German Literature and his Juris Doctorate from Washington and Lee University.

Joel E. Symonds, Mountaineer Keystone LLC 6031 Wallace Road Extension, Suite 300, Wexford, PA 15090; Phone: 724-940-1100; Email: jsymonds@mkeystone.com

Michael L. Rush
Rice Energy Inc.

Mike Rush is the Senior Land-Title Manager for Rice Energy Inc. He oversees all title and curative related matters involving RICE's E&P development and operations, which cover Washington County, Pennsylvania; Greene County, Pennsylvania; and Belmont County, Ohio. During his tenure at RICE, Mr. Rush has participated in or has overseen more than \$500 million worth of due diligence for acquisition projects and leasing campaigns throughout the core of the Marcellus and Utica. Moreover, he helped prepare RICE for its Initial Public Offering and continues to assist in its compliance with Sarbanes-Oxley and SEC guidelines. Currently, Mr. Rush is overseeing the simultaneous completion of title and curative for approximately 130 drilling units that encompass 93,500 acres and 8,200 parcels.

Prior to joining RICE, Mr. Rush studied law at the Duquesne University School of Law. He was co-founder and Vice-President of the Law School's Energy & Mineral Law Society, a group created to gather students who had an interest in the fast-growing field of energy law.

Born and raised in Eighty-Four, Washington County, Pennsylvania, Mr. Rush received his Bachelor of Arts degree in Economics from Washington and Jefferson College. The culmination of his college career was his senior thesis—the creation and defense of which was a prerequisite to graduation with a degree in economics. He wrote his thesis on the economic impacts of the Marcellus Shale on Washington County, Pennsylvania. This thesis was the genesis of his current position at RICE and his devout passion for the energy industry.

Mr. Rush holds a B.A. from Washington and Jefferson College and a J.D. from Duquesne University School of Law.

Michael L. Rush, Rice Energy Inc., 400 Woodcliff Drive, Canonsburg, PA 15317;
Phone: 724.746.6720 (ext. 2204); E-mail: Mike.Rush@RiceEnergy.com

Jacob M. Biehl
Triad Hunter, LLC

Jacob M. Biehl is Senior In-House Landman at Triad Hunter, LLC, a subsidiary of Magnum Hunter Resources Corporation. Before his work at Triad Hunter, Jacob was a field Landman for Land and Resource Management, Inc. and later for Hawkeye Research, LLC, working for various clients in the Appalachian Basin on projects in New York, Ohio, West Virginia and Pennsylvania. During that time he honed his negotiating skills while inking hundreds of leases, ROWs, SUAs and curative agreements, finalizing many of those deals on the front porch or at

the kitchen table. In addition to field negotiations he also spent a significant portion of his early career in the record room and is familiar with title projects ranging from lease take-off to detailed abstracts and obscure curative research.

After 5 years in the field Mr. Biehl was recruited by Triad Hunter to join their growing land department as an in-house landman. Since then, Mr. Biehl has handled all aspects of in-house land work, including the management of contract land personnel, prospect development from initial lease acquisition, through unit development, title review and curative, up to and including location selection and drilling. In addition to managing his own prospect areas in West Virginia and Ohio, Mr. Biehl also contributes as a specialist on most trades, divestitures, and operating agreements.

Mr. Biehl is a member of the American Association of Professional Landmen and holds the certification of Registered Professional Landman (RPL). He is also a member of the Northern Appalachian Landman's Association and the Michael Late Benedum Chapter of the AAPL.

Jacob M. Biehl, Triad Hunter, LLC, 125 Putnam Street, Marietta, OH 45750;
Phone: 740.760.0553; Email: jbiehl@triadhunter.energy

Travis L. Brannon
K&L Gates LLP

Travis Brannon is an associate in the K&L Gates Pittsburgh office, and focuses his practice on energy and environmental matters, with an emphasis on oil and gas litigation. Mr. Brannon represents energy production and associated companies throughout Pennsylvania and West Virginia in multiple areas, including contract disputes, oil and gas leasing, royalty disputes, real property advising, and environmental contamination. He has been counsel in the development of multiple oil and gas production and midstream projects as well as investigatory efforts related to crisis management and government enforcement. Also, he has experience counseling energy clients on legislative and regulatory developments at the state and federal level.

During law school, he served as a Research Assistant at the WVU College of Law - Center for Energy and Sustainable Development performing energy and environmental public policy work. Mr. Brannon also previously interned with the U.S. Mine Safety and Health Administration and former U.S. Senator from Virginia, Jim Webb.

Mr. Brannon holds a B.A. in Political Science from the University of Virginia's College at Wise and a J.D. from the West Virginia University College of Law.

Travis L. Brannon, K&L Gates LLP, K&L Gates Center, 210 Sixth Avenue, Pittsburgh, PA 15222;
Phone: 1.412.355.7443; Email: travis.brannon@klgates.com

Daniel R. Michelmore
Jackson Kelly PLLC

Daniel R. Michelmore is an Associate in the Pittsburgh office of Jackson Kelly PLLC where he is part of the firm's Oil & Gas and Litigation practice groups. His practice centers on representing oil and gas producers and service companies in a wide variety of civil litigation matters, including breach of contract, insurance coverage, quiet title and other curative

actions, contractual indemnity disputes, and the defense of serious personal injury and wrongful death claims.

Mr. Michelmore received his B.A., *cum laude*, in International Studies from Kenyon College in 2001 and his J.D. from Washington University in St. Louis in 2004, where he was an Articles Editor on the Journal of Law & Policy and the recipient of the Christophine G. Mutharika International Law Prize and the Land Use Law Prize.

Daniel R. Michelmore, Jackson Kelly PLLC, Three Gateway Center, 401 Liberty Avenue, Suite 1500, Pittsburgh, PA 15222; Phone: 412.434.8809; Email: drmichelmore@jacksonkelly.com

Michael J. Settineri
Vorys, Sater, Seymour and Pease LLP

Michael J. Settineri is a Partner in the Columbus, Ohio, office of Vorys, Sater, Seymour and Pease LLP and a member of the firm's Energy Group. Mr. Settineri represents clients in utility and energy matters, including matters before the Ohio Power Siting Board, the Public Utilities Commission of Ohio, the Ohio Reclamation Commission and the Ohio Oil and Gas Commission. Mr. Settineri's energy practice includes a significant emphasis on the development and siting of oil and gas midstream facilities, power plants and renewable energy projects.

Mr. Settineri received a B.S. in chemical engineering from the University of Michigan and received his law degree from Capital University Law School. Prior to joining Vorys, Mr. Settineri held various project engineering and operations management positions at Abbott Laboratories.

Michael J. Settineri, Vorys, Sater, Seymour and Pease LLP, 52 East Gay Street, Columbus, OH 43215; Phone: 614.464.5462; Email: MJSettineri@vorys.com

J. Daniel Arthur, P.E., SPEC
President/Chief Engineer
ALL Consulting

Mr. Arthur is a registered professional petroleum engineer specializing in fossil energy, planning/engineering analysis and environmental issues. He has 30 years of diverse experience that includes work in industry, government and consulting. Mr. Arthur is a founding member of ALL Consulting and has served as the company's President since its inception in 1999.

Prior to founding ALL Consulting, Mr. Arthur served as a Vice President of a large international consulting engineering firm managing the firm's upstream energy business. Mr. Arthur's experience also includes serving as an enforcement officer and National Expert for the U.S. Environmental Protection Agency (EPA); a drilling and operations engineer with an independent oil producer; and supporting both cementing and completion operations for a large international services company.

Mr. Arthur has served as a testifying and/or Consulting Expert in the following areas: Petroleum Engineering (various), Underground Injection (various aspects), Aquifer Exemptions, Well Integrity, Stray Gas/Gas Migration, Groundwater, Induced Seismicity, Alleged Environmental Impacts Associated with Hydraulic Fracturing, Produced Water Treatment, Produced Water Pits & Impoundments, Pit Design and Closure, Salt Solution Mining (e.g., Cavern Stability & Integrity,

Well Integrity, Gas Storage, etc.), Well Spacing, Unitization, Paying Well Determinations, Well Valuation, Well Plugging, Fast Tract Design/Build Projects, BOP Installation/Safety, Various Safety Engineering (e.g., Pipeline Pigging Safety, Flash Fires, Static Electricity as a Source to Flash Fires, Proper Grounding of Equipment, etc.).

Over the last five years, Mr. Arthur has assisting clients in establishing best practices throughout every major shale play in the North America, served as the Technology Subgroup Leader on a National Petroleum Council study on North American Resource Development, and has evaluated and recommended unconventional resource development practices internationally in more than a dozen countries.

J. Daniel Arthur, P.E., SPEC, President/Chief Engineer, ALL Consulting LLC, 1718 S. Cheyenne Avenue, Tulsa, OK 74119; Phone: 918.382.7581; Email: darthur@ALL-LLC.com