

## 29<sup>th</sup> Kentucky Mineral Law Conference Speakers

### **Stephen G. Allen**

Steve Allen is an attorney with Stites & Harbison, PLLC in its Lexington, Kentucky office. Stephen is also a licensed professional engineer in Kentucky and Pennsylvania. Stephen has more than 20 years combined experience in the operations and environmental impact of coal mining in Appalachia. Stephen's practice is focused on the legal and environmental aspects of coal mining, including mineral property transactions, environmental compliance and reclamation surety bonds. Stephen has extensive administrative trial experience in mining related cases and has practiced before numerous administrative tribunals including the Department of Interior's Board of Land Appeals, the Pennsylvania Environmental Hearing Board, the Kansas Department of Health & Environment, the Indiana Natural Resources Commission, the West Virginia Surface Mining Board and the Kentucky Environmental and Public Protection Cabinet. Stephen also counsels clients on environmentally sensitive business transactions.

Stephen received his B.S. degree in Mining Engineering from the University of Kentucky College of Engineering in 1980 and his J.D. degree, with distinction, from the University of Kentucky College of Law in 1989. He is a two-time recipient of the Surface Mining Control & Reclamation Act Title III Research Fellowship (1980 and 1989). He is a member of the Order of the Coif and was Managing Editor of the *Journal of Mineral Law & Policy* in 1988-89. He is a past recipient of an Energy & Mineral Law Foundation Scholarship and Writing Award (1988-89).

Stephen is a member of the American, Kentucky, Fayette County and Philadelphia Bar Associations. As a member of the Kentucky Bar Association, he is currently the Vice Chairman of the Natural Resources Law Section for 2004-2005. He is also a member of the Society for Mining, Metallurgy and Exploration (SME), the National Society of Professional Engineers (NSPE), the Kentucky Society of Professional Engineers (KSPE), and a member of that Association's Professional Engineers in Mining (PEM) Section. He is admitted to practice before the United States Courts of Appeals for the Third and Sixth Circuits, the United States District Courts for the Eastern and Western Districts of Kentucky and the Eastern District of Pennsylvania, and the Supreme Courts of Kentucky and Pennsylvania.

### **Professor Owen L. Anderson**

Owen Anderson is the Eugene Kuntz Chair in Law in Oil, Gas & Natural Resources at the University of Oklahoma College of Law. He is licensed to practice law in North Dakota, Oklahoma, and Texas. He is co-editor of *Cases and Materials on Oil & Gas Law*, a casebook on United States oil and gas law, co-editor of *International Petroleum Transactions*, a textbook on international petroleum transactions law, co-editor of the annual supplements to the treatise *Kuntz on Oil and Gas Law*, and contributing author of the treatise *Waters and Water Rights*.

He has authored numerous articles on oil and gas law, and he is a frequent lecturer on oil and gas law and policy. He is a Trustee of the Rocky Mountain Mineral Law Foundation, a Trustee of the Energy & Mineral Law Foundation, an Advisory Board Member of the International Oil and Gas Educational Center at the Center for American and International Law, a member of the Association of International Petroleum Negotiators, and a member of the Oklahoma Legal Committee to the Interstate Oil & Gas Compact Commission. He serves as an Editor of the *Oil and Gas Reporter*, as a Commissioner for the National Conference of Commissioners on Uniform State Laws, and as Editor in Chief of the *Texas Title Standards*.

In 2002, Professor Anderson completed a three-year project as Editor of a Model Well Service Contract, a Model Seismic Acquisition Contract, a Model Master Service Agreement, and accompanying Guidance Notes, a joint effort of the Association of International Petroleum Negotiators, the Petroleum Equipment & Suppliers Association, and the International Association of Geophysical Contractors. His prior teaching experience includes Southern Methodist University, Texas Tech University, The University of Texas, The University of Calgary, The University of Oslo, Norway, the University of Dundee, Scotland, and his alma mater, The University of North Dakota. His energy law experience includes general counsel to the North Dakota Industrial (Oil and Gas Conservation) Commission, general counsel to the North Dakota Board of University & School Lands, lawyer for Kerr-McGee Corporation, and a legal and policy consultant to the oil and gas industry. He was raised on a small grains and cattle farm in North Dakota. He is married and has two children.

### **John Austin**

John Austin is Staff Attorney and Advisor, Office of the Solicitor for the U.S. Department of the Interior, in the Knoxville field office. Since 1983, he has been involved in enforcing and implementing the Surface Mining Control and Reclamation Act of 1977. He served as a Special Assistant U.S. Attorney in Kentucky, Tennessee, Virginia and Alabama to both enforce and defend aspects of SMCRA, and has appeared pro hac vice on behalf of the Secretary of the interior in the U.S. District Court for the Eastern District of Oklahoma.

Although he does legal work for the U.S. Fish & Wildlife Service and the National Park Service, most of his time is spent representing the Office of Surface Mining in the administrative tribunals of the Department of the Interior, and providing legal advice to OSM. For the past 31/2 years he has provided legal advice to the team of OSM employees who are re-writing the ownership and control rules.

Mr. Austin also assists OSM in training state and federal surface mining inspectors to enforce SMCRA, including teaching Enforcement Tools and Applications. Mr. Austin has previously spoken for this group, at the 2000 Kentucky Mineral Law Conference.

### **William G. Barr, III**

Bill Barr is the Vice President, Acquisitions & Legal Affairs, of NCAS Resources Inc. in Lexington, KY. He received a Juris Doctorate from the University of Kentucky in 1975. Mr. Barr has more than 27 years experience in the corporate and legal sectors of the oil and gas industry, having served in senior management positions in oil and gas exploration and production companies, and as an attorney with a significant natural resource practice.

Mr. Barr currently serves as Governing Member Trustee for the Energy & Mineral Law Foundation, representing the Kentucky Oil & Gas Association. He serves on the Board of Directors of the Kentucky Oil & Gas Association (KOGA), having previously served as Vice President of that organization from 1988 to 1992, and is chairman of the legislative committee. Mr. Barr frequently lectures on oil and gas issues and has published numerous papers on these topics.

### **Michael S. Beer**

Michael S. Beer is the Vice President of Rates and Regulatory for LG&E Energy LLC, headquartered in Louisville, Kentucky. In his current capacity, Mr. Beer is responsible for regulatory compliance, and the development and implementation of the company's overall regulatory strategy as it relates to various state regulatory agencies and the Federal Energy Regulatory Commission (FERC). In addition to his current duties, Mr. Beer was recently appointed

as LG&E Energy's Chief Compliance Officer pursuant to FERC's standards of conduct governing the operations of transmission providers having energy affiliates.

He has given presentations on electric industry restructuring and RTO policy development to such organizations as the Practising Law Institute, the Institute for Professionals in Taxation, the United States Energy Association, Edison Electric Institute, and to the national conference on Standard Market Design convened by Kentucky's former governor Paul Patton. Mr. Beer has also given presentations in both Ukraine and Germany on the regulation of public utilities in this country. He is a past presenter at this conference. From 1988 through 1998, Mr. Beer served as both an Adjunct Assistant and an Adjunct Associate Professor of Business Law at Millikin University in Decatur, Illinois.

A native of Bloomington, Illinois, Mr. Beer is a member of the Illinois Bar. He is a 1987 graduate of The John Marshall Law School, located in Chicago, Illinois, where he was a member of *The John Marshall Law Review* and the Order of John Marshall. He received his B.A. in Business Administration from Illinois Wesleyan University in 1980. He is a member of the Board of Directors of the Louisville Orchestra, and the Kentucky-Tennessee chapter of the Volunteers of America.

#### **John R. Bender – "Rick"**

Rick Bender is the Director of the Division of Oil and Gas at the Kentucky Department of Mines and Minerals. He has been with the Division for 13 years having become the Director in 1995. He is the Official Representative for the Governor to the Interstate Oil and Gas Compact Commission, and serves on several of the Compact's committees. He is a Registered Petroleum Geologist and worked for several oil and gas producing companies in Kentucky, Tennessee, Indiana, and Illinois prior to his employment with the Division. He is a graduate of the University of Kentucky and currently resides in Lexington, KY.

#### **Patricia K. Burgess**

Patricia K. Burgess is a member of the law firm of Sawyer & Glancy PLLC in Lexington, KY and concentrates her practice in debtor-creditor relations, financial restructurings and workouts, commercial bankruptcy representing creditors and debtors, and commercial litigation.

Ms. Burgess is a native of Edgewood, Kentucky. She received a B.A. in History and graduated Summa Cum Laude from Thomas More College in 1991 and received her law degree from the University of Cincinnati in 1994. Prior to joining Sawyer & Glancy in 2003,

Ms. Burgess was with the Lexington firm of Stoll, Keenon & Park, LLP for six years and prior to that was with Keating, Muething & Klekamp in Cincinnati.

#### **Maureen D. Carman**

Maureen Carman is a member of the Wyatt, Tarrant & Combs firm's Mineral & Energy Practice Group. She concentrates her practice in the areas of surety, construction and mineral and energy law. Ms. Carman was formerly in-house General Counsel for Cumberland Surety Insurance Company, Inc. She served as director of the Board of Directors for the Mediation Center of Kentucky (1992-97) and was managing attorney in the Office of General Counsel for the Kentucky Natural Resources and Environmental Protection Cabinet (1985-90). Ms. Carman served as President of the Kentucky Association of Bonding Institutions (1992-2000). She is a member of the American Bar Association, Tort and Insurance Practice Section – Fidelity and Surety Committee and the Kentucky Bar Association. Recent publications include "Regulatory and Transactional Bonding: A Primer on Surety Bonding for the Mineral Lawyer," *17 E. Min. L. Inst.*, 1996 and "Reclamation Bonds," *The Law of Suretyship*, 2nd Ed., Gallagher, Ed., ABA, 2000. Ms. Carman

has participated as a speaker and panelist on the topics of mining reclamation, surety bonding and law office management since 1980. She is a member of the Board of Trustees and Executive Committee of the Energy & Mineral Law Foundation. She received her B.A. degree with honors in 1975 and her J.D. degree in 1979 from the University of Kentucky.

### **James V. Corbelli**

Jim Corbelli is a shareholder in the Litigation Services and Construction Services Groups of Babst, Calland, Clements and Zomnir, P.C. in Pittsburgh, PA. He also serves as Chairman of the Litigation Services Group. Mr. Corbelli has acted as lead counsel in a wide variety of complex commercial, construction and environmental cases since 1989 in state and federal courts and before arbitration panels. Some of the specific types of cases Mr. Corbelli has prosecuted and defended include contract, fraud, trade secret, covenant not to compete, shareholder dispute, e-commerce, construction, environmental cost recovery, toxic tort, underground storage tank, insurance coverage, securities and real estate. He has frequently been involved in requests to federal and state courts for injunctive relief. Mr. Corbelli has also actively assisted clients to avoid litigation and positioned clients to prepare for litigation.

Mr. Corbelli graduated cum laude from the University of Maryland with a B.A. in 1986, where he was a member of Phi Beta Kappa and a member of the Honors Program in the History Department. Mr. Corbelli received his J.D., magna cum laude from the University of Pittsburgh in 1989 and was elected for membership in the Order of the Coif. He served as Notes Editor of the *University of Pittsburgh Law Review*, where he also was published.

Mr. Corbelli is admitted to practice before all Pennsylvania Courts, the United States District Court for the Western District of Pennsylvania and the United States Courts of Appeal for the Third and Fifth Circuits. He has also been admitted pro hac vice in numerous state and federal courts. Mr. Corbelli is a member of the Allegheny County Bar Association, Pennsylvania Bar Association and American Bar Association.

Mr. Corbelli had frequently lectured on issues such as trial strategy, expert witness, discovery, construction litigation, environmental cost recovery litigation, and intellectual property and economic litigation.

### **Harold P. Coxson**

Harold P. Coxson is with the firm of Ogletree, Deakins, Nash, Smoak & Stewart in Washington, DC. Mr. Coxson has over 25 years experience in all aspects of workplace law. He has represented business clients in oral arguments before the National Labor Relations Board and other federal administrative agencies; litigated important labor and employment cases in the federal courts; and helped shape national workplace law and policy through oral arguments and the filing of amicus curiae briefs on behalf of business clients in several landmark cases before the federal courts of appeals and U.S. Supreme Court. In addition, he has counseled employers in various aspects of labor and employment law, including methods of avoiding workplace litigation through alternative dispute resolution. He has represented businesses in union representation and unfair labor practice cases, as well as domestic and international "corporate campaigns." He has been appointed by the NLRB as a member of its Management Lawyers Advisory Panel. In his government relations practice, Mr. Coxson is an advocate for the business community before Congress and the Executive Branch. He represents individual corporations and national trade associations, as well as business coalitions which he has been responsible for organizing on a variety of workplace issues.

Hal has a close working relationship on labor and employment law issues with many of the national trade associations in Washington. He currently serves as the chairman of the U.S. Chamber's Subcommittee on Workplace Trends and International Perspectives and as a member of its Labor Relations Committee. He is a member of the National Retail Federation's Committee on Employment Law. He also serves as Executive Director of the First Tuesday Group, an organization of twenty-seven national trade associations involved in workplace issues. Hal brings to his legislative responsibilities a practitioner's perspective, having counseled employers and practiced labor and employment law before courts and administrative agencies. In addition, he brings an international perspective, having been appointed for many years as a labor law advisor and member of the U.S. Employer delegation to conferences of the U.N.-sponsored International Labor Organization in Switzerland. He also has served as the Employer Member of the President's Tripartite Advisory Panel on International Labor Standards.

Hal received his J.D., from American University Law School (Law Review Managing Editor) in 1972 and his B.A. from Franklin & Marshall College in 1969. He's admitted to practice in the State of New Jersey in 1972 and District of Columbia in 1981.

#### **James S. Crockett, Jr.**

Jim Crockett is a member in Charleston litigation group of Spilman Thomas & Battle, PLLC. He is a native of Welch, West Virginia. His primary areas of practice include commercial, toxic tort, environmental and insurance litigation. He was a partner for 13 years at Mays & Valentine (now Troutman Sanders) of Richmond, Virginia. He served as a lead trial counsel for the debtor in the A.H. Robins bankruptcy. Jim represented the RTC and its successors on a regional basis in the S&L crisis. He has defended a major manufacturing company in multiple Clean Water Act cases. Jim holds two degrees from Virginia Tech, having earned his B.A. in 1974 and his M.A. in 1976. He earned his J.D. from the College of William and Mary in 1981, where he was inducted into the Order of the Coif. Jim served as law clerk to the Honorable Albert V. Bryan of the United States Court of Appeals for the Fourth Circuit in 1981-82. He is a member of the West Virginia State Bar and the Virginia State Bar. Jim is admitted to practice in the United States Supreme Court and the West Virginia Supreme Court of Appeals. He is also admitted to the U.S. District Courts for the Northern and Southern Districts of West Virginia, all courts in Virginia, including all federal courts, and the U.S. Courts of Appeal for the Third, Fourth, Eighth and District of Columbia Circuits.

#### **Bruce E. Cryder**

Bruce Cryder is a member of Greenebaum, Doll & McDonald PLLC and practices out of the firm's Lexington office, concentrating his practice in mineral and natural resources law and commercial litigation. Mr. Cryder has extensive and varied experience in transactional matters, mineral leasing issues, coal sale and purchase agreements, mining contracts, regulatory issues, and litigation concerning all of these matters.

Mr. Cryder received his J.D. degree from the Ohio State University College of Law in 1972. He has been an active member of the Energy and Mineral Law Foundation for many years and has spoken frequently on mineral law topics at this conference and others over the years.

#### **Jerry M. Eyster**

Jerry Eyster is a managing consultant with the Washington, D.C. office of the PA Consulting Group. He has more than 25 years experience analyzing coal, electric power and environmental issues. He has performed coal strategy studies, estimated the impacts of clean air regulations on coal and electric power markets and produced market assessments and produced price forecasts for coal and environmental allowances. He led PA's efforts to develop a multi-pollutant optimization model to assess the impacts of new government emission reduction policies on the coal and

electric power industries and to evaluate how alternative carbon limitation policies would impact coal and power markets. Prior to joining PA, Jerry was vice president of Corporate Development with A. T. Massey Coal Company. Jerry previously worked in business development for Shell Coal International in London, England, where he analyzed business plans and the performance of Shell's coal companies worldwide. Jerry also worked for the Energy Information Administration of the U.S. Department of Energy where he served as director of the Electric Power and Energy Data Validation offices. Jerry holds a B.A. degree (magna cum laude) in Political Science and Economics from Yale University and an M.B.A. from Stanford Graduate School of Business.

### **Sharon O. Flanery**

Sharon O. Flanery is a Member of the firm of Steptoe & Johnson in the Charleston, WV, office, where her practice is concentrated in the areas of energy and mineral law.

Prior to joining Steptoe, she was employed by NiSource Corporate Services in the Corporate Development Operations group. From April 2001 through August 2003, Ms. Flanery was Vice President of Exploration for Columbia Natural Resources, Inc. where she led the company's exploration and development efforts, overseeing several key departments, including Geology and Geophysics, Land and Business Development, Reservoir Engineering and Gas Measurement.

She began her career in 1978 in Charleston, WV with Columbia Gas Transmission as an engineer and worked in that capacity through 1982. From 1983 through 1985, she worked as a reservoir engineer for Aramco in Saudi Arabia and in 1987 joined the engineering staff of CNG Development Company in Pittsburgh. At CNG she supervised the reservoir and production engineering activities of CNG's Appalachian exploration and development program and played an important role on the company's coalbed methane team. In 1991 she worked as an attorney at the Pittsburgh law firm of Thorp, Reed & Armstrong, where her practice was concentrated in the mineral and energy segments. In late 1993, she joined CONSOL, Inc., a major U.S. coal producer, serving as counsel primarily for its coalbed methane and river operations. In March 1998, Flanery returned to Columbia Gas Transmission to serve as its Assistant General Counsel until she left to join CNR.

Flanery received a Juris Doctor degree from Duquesne University and holds a Bachelor of Science degree in Petroleum Engineering from West Virginia University. Flanery is a member of the District of Columbia, Pennsylvania and West Virginia State Bars and has a United States Patent and Trademark License. She is co-author of "Orphans, Foundlings, and Wards of the State: Plugging Liability for Orphaned and Abandoned Wells in the Eastern United States," and "The Use of Minutials in Mineral Disputes," both published by the Energy & Mineral Law Foundation as part of its Annual Institute proceedings, and the paper entitled "Application of Log-Inject-Log in Granny's Creek Oil Field." Flanery serves on the advisory committee for the Department of Petroleum and Natural Gas Engineering at West Virginia University and on the board of the Black Diamond Girl Scout Council. She is a member of the Board of Trustees of the Energy & Mineral Law Foundation, and has served on its Executive Committee and Strategic Planning Committee, and various program planning committees for oil and gas and coalbed methane programs.

### **Ethan D. Fogel**

Ethan D. Fogel practices at the law firm of Dechert LLC in Philadelphia, PA, where he is a partner in the corporate recovery and insolvency and mergers and acquisitions groups. His primary areas of concentration are business insolvency and reorganization law and natural resources law.

Ethan is a member of the American Bar Association, Section of Business Law; the Eastern District of Pennsylvania Bankruptcy Conference; and, through Dechert, the Energy & Mineral Law Foundation and National Mining Association. He serves as a trustee of the Energy & Mineral Law

Foundation. Ethan speaks Hebrew and French and has a working knowledge of German and Spanish.

Ethan has actively represented a variety of creditors, debtors, and purchasers in bankruptcy proceedings. His creditor representations have included extensive work for secured lenders and for bond trustees whose issuers have been the subject of bankruptcy proceedings or other insolvency proceedings. Ethan has also counseled clients with respect to the actual or possible impact of bankruptcies upon their rights under coal leases, coal supply agreements, securities lending agreements, repurchase agreements, employment and severance agreements, real estate leases, subordination agreements, subcontracts, and licenses of intellectual property. He has had extensive experience representing private environmental claimants in the pursuit of their reimbursement and contribution claims against Chapter 11 debtors.

Ethan's debtor representations have involved both Chapter 11 bankruptcy proceedings as well as numerous out-of-court workouts, ranging from large corporate debt restructurings and exchange offers to the settlement of significant obligations of multiple individual co-guarantors. He has successfully represented many clients in their hotly contested purchases of businesses out of bankruptcy proceedings, including the purchase of coal mines, television stations, and high- and low-tech manufacturing facilities.

Ethan's natural resources representations have involved the representation of coal producers (including coal producer Chapter 11 debtors), the representation of coal lessors in complex leasehold relinquishment transactions, the representation of joint venture investors/operators in transnational mineral joint ventures, the representation of mine owners in the analysis of contingent liabilities triggered by the business failures of lessees and contractors, and the representation of purchasers of coal mines and related assets in bankruptcy proceedings.

Ethan is a graduate of the State University of New York at Stony Brook (B.A., 1975) and the University of Pennsylvania Law School (J.D., magna cum laude, 1983), where he was a member of the University of Pennsylvania Law Review and the Order of the Coif.

#### **Sandra K. Fraley, Program Co-Chairman**

Sandra Fraley is the Director of Legal Affairs for the Equitable Production segment of Equitable Resources, Inc., located in Charleston, WV. Equitable Resources, Inc. is an integrated energy company with an emphasis on Appalachian area natural gas supply activities, including production, gathering, distribution and transmission.

After graduating from the University of Kentucky College of Law in 1991, Ms. Fraley joined Equitable Production Company as a staff attorney and served as in-house counsel for Equitable companies until 1999.

In 1999, Ms. Fraley joined the law firm of Penn Stuart in Abingdon, Virginia where her practice focused on oil, gas and coalbed methane law, general corporate law, administrative agency matters and real estate law. In 2000, Ms. Fraley accepted the position of Director of Legal Affairs with Equitable Production Company in its Charleston, West Virginia office.

Ms. Fraley serves as a Trustee and on the Executive Committee of the Energy & Mineral Law Foundation. She is also a member of the Energy and Conservation Advisory Committee to the Virginia Attorney General.

Ms. Fraley has served on the Board of Directors of the Kentucky Oil and Gas Association since 1996, and as Chair of its legal committee from 1996 – 2000. She has also served on the Board of Directors of the Virginia Oil and Gas Association since 2000.

### **William T. Gorton, III**

William T. Gorton, III is a partner in the Lexington office of Stites & Harbison. His practice includes natural resources, mining, waste, energy and environmental law counseling and litigation. His practice also includes transactional work in performing necessary due diligence related to large natural resources and environmentally sensitive commercial transactions, legislative analysis and participation in rulemaking for clients.

Mr. Gorton is an Adjunct Professor of Environmental Law at the University of Kentucky and an arbitrator for the American Arbitration Association. Prior to practicing law, Bill was an associate and manager for Skelly & Loy, Engineers – Consultants. He managed mining and environmentally related projects throughout the United States. In 1996 Bill was invited as one of four United States delegates for the United States Information Agency in a professional exchange to the African nations of South Africa, Zimbabwe and Uganda to meet with government, private sector and environmental groups and educators to address natural resources and environmental issues in a context of economically sustainable development. Bill chaired the 25<sup>th</sup> Kentucky Mineral Law Conference and is a Trustee of the Energy & Mineral Law Foundation.

### **Richard L. Gottlieb**

Richard L. Gottlieb is a Member of Lewis, Glasser, Casey & Rollins, P.L.L.C. in Charleston, West Virginia, where he practices in the areas of Commercial Litigation, Oil and Gas Law, Public Utility Law, and Environmental Litigation. With regard to the natural gas industry, Mr. Gottlieb represents producers, pipelines, and marketers in contract disputes, commercial transactions and regulatory proceedings before the FERC and the West Virginia Public Service Commission. Mr. Gottlieb also concentrates on representing CBM producers with respect to regulatory, leasing and litigation issues.

Mr. Gottlieb attended Warwick University, in Coventry, England, and received a B.A. from Tulane University in 1976 and a J.D. from Washington & Lee University in 1977. He is admitted to practice in West Virginia, the U.S. District Court, Northern and Southern Districts of West Virginia, District of Columbia, and the U.S. Courts of Appeal for the Fourth, Fifth and District of Columbia Districts.

Prior to joining the firm of Lewis, Glasser, Mr. Gottlieb served as Assistant Attorney General of West Virginia; Counsel, West Virginia State Senate Judiciary Committee; Attorney, Office of Enforcement, Federal Energy Regulatory Commission; Counsel to Columbia Gas Transmission Corporation; and Chief Deputy Attorney General of West Virginia.

### **Karen J. Greenwell**

Karen Greenwell is a partner in the Lexington office of Wyatt, Tarrant & Combs where she practices in the areas of mineral, energy, and property law (including litigation and transactions), as well as general commercial litigation. Ms. Greenwell received both her B.A. and J.D. degrees with highest honors from the University of Kentucky, where she was Phi Beta Kappa and Order of the Coif. She has been admitted to practice before the U.S. District Court/Eastern and Western Districts of Kentucky; U.S. District Court/6th Circuit; and the U.S. Supreme Court. She co-authored "On the Constitutionality of Kentucky's Mineral Deed Act," 13 *Northern Kentucky Law Journal* 219 (1986); "Kentucky's Broad Form Deed Amendment: Constitutional Considerations," 5 *Journal of Mineral Law and Policy* 9 (1989-90); "The Applicant Violator System Under SMCRA; Ownership

and Control Regulations,” 6 *Journal of Mineral Law and Policy* 143 (1990-91). She is a fellow of the Institute for Mining and Mineral Research and member of the Fayette County, Kentucky and American Bar Associations.

### **Jill Morgan Harrison**

Jill Morgan Harrison is a shareholder and director of Penn, Stuart and Eskridge in the Bristol, Tennessee office. She has been with the law firm since 1989. Ms. Harrison represents oil and gas and coal industry clients in the areas of litigation, title examinations for oil, gas, coal and coalbed methane development projects; drafts mineral leases and has been involved in various litigation concerning the development rights of a severed mineral estate owner, real estate issues and mineral ownership.

Ms. Harrison has authored several publications and made presentations at numerous seminars on oil and gas law. She is a member of several professional organizations including the American Association of Professional Landmen, Appalachian Association of Professional Landmen and the Virginia Oil and Gas Association, and is active in numerous civic and charitable groups. She is a Trustee of the Energy & Mineral Law Foundation.

Ms. Harrison is a 1985 graduate of the George C. Taylor College of Law, University of Tennessee and also holds a bachelor's degree in finance from the University of Tennessee. She is licensed to practice law in Virginia, West Virginia, North Carolina and Tennessee

### **Warren J. Hoffmann**

Warren J. Hoffmann is a Member of Frost Brown Todd LLC. He practices general corporate and commercial law, with special emphasis on matters relating to the coal and electric utility industries. Since joining the Firm in 1984, he has worked extensively on various mergers and acquisitions of a wide variety of businesses, including healthcare providers, financial institutions and coal companies. Mr. Hoffmann devotes a substantial portion of his practice to a wide-ranging variety of corporate and commercial dealings, which have included sophisticated lending transactions and equine syndications, multi-bank holding company mergers, purchases and sales of assets and stock of ongoing businesses and the launching of numerous new business ventures.

Mr. Hoffmann participates in a variety of civic and charitable organizations in the Lexington community, including service on the Executive Committee and Board of Trustees Chairman of Cardinal Hill Rehabilitation Hospital. He is a Trustee of the Energy & Mineral Law Foundation.

Mr. Hoffmann received his B.A. from the University of Kentucky in 1979 and his J.D. from University of Kentucky in 1984.

### **Collon C. Kennedy**

Collon Kennedy graduated from Notre Dame Law School in 1977, and is currently Vice President and Director–Natural Gas Development of Peabody Natural Gas, LLC located in Golden, Colorado. Prior to working with Peabody, Collon served for over 20 years in various senior management positions in the Land and Legal Departments for Gold Fields Mining Corporation. At the time he joined Peabody, he was Vice President and General Counsel of Gold Fields.

Peabody Natural Gas is actively involved in the acquisition, development, and production of coalbed methane gas resources in the United States. PNG's parent company, Peabody Energy Corporation, is the world's largest coal company.

Mr. Kennedy is a member of the Colorado Bar Association. He participated on the Legal Committee which was responsible for preparing the initial draft of Kentucky's recently enacted Coalbed Methane Legislation, Ky. Rev. Stat. Ann. § 349 *et seq.* (2004).

**Bridget E. Littlefield**

Bridget Littlefield is an associate in Crowell & Moring's Natural Resources and Environment Group. Bridget joined Crowell & Moring's Washington, DC office in 2001 after clerking for the Honorable Frederic N. Smalkin in the United States District Court for the District of Maryland. Bridget's practice primarily involves federal court litigation, federal administrative practice and counseling in matters arising under the Mine Safety and Health Act, the Clean Water Act, the National Environmental Policy Act, Superfund, the Resource Conservation and Recovery Act, and the Surface Mining Control and Reclamation Act. Bridget also represents clients in matters involving state environmental regulatory schemes.

Bridget is a member of the bars of the State of Maryland and the District of Columbia, and is admitted to practice in the United States Court of Appeals for the Fourth Circuit. She is also a member of the ABA's Section on Environment, Energy, and Resources and the Energy & Mineral Law Foundation.

Bridget graduated, Phi Beta Kappa, *cum laude*, from the University of Maryland, where she was in the Honors Program. She received her J.D. with honors from the University of Maryland School of Law in 2000, where she was a member of the Order of the Coif, and served as a notes and comments editor on the *Maryland Law Review*.

**A. George Mason, Jr.**

George Mason is the principal of Mason Energy Consultants, Inc., a consulting business in Richmond, Virginia specializing in advising companies and individuals on contracts and strategies for the acquisition, development, and sale of oil, gas, coal and coalbed methane properties. Based on extensive experience negotiating and drafting oil, gas, coal and coalbed methane legislation and regulations, he advises clients of the actual and potential impact on operations from energy, environmental and tax initiatives.

George was involved in negotiating and drafting the 1990 Virginia Gas and Oil Act and its coalbed methane provisions, as well as West Virginia's 1994 coalbed methane legislation. He also worked on the language of Section 1339 of the Energy Policy Act of 1992 (EPACT), entitled "Ownership of Coalbed Methane." He was active in the negotiations in Pennsylvania by coal, oil and gas operators that led to Pennsylvania removing itself from the list of "Affected States" in Section 1339 of the EPACT. George is presently a member of the Kentucky CBM Initiatives Group, which meets monthly with the Commissioner of the Department of Mines and Minerals, with the goal of drafting coalbed methane legislation for the 2004 Kentucky General Assembly.

George received his B.A. and J.D. from the University of Kentucky. He is licensed to practice law in Kentucky, Tennessee, and Virginia, and is admitted to practice before the U.S. District Courts of Kentucky, the Sixth Circuit Court of Appeals and the U.S. Supreme Court. Immediately prior to establishing Mason Energy Consultants, Inc., George was the Assistant General Counsel of Massey Energy Company. Before that he was the Vice President and General Counsel of Equitable Production Company, a wholly owned subsidiary of Equitable Resources, Inc.

George is a Trustee of the Energy & Mineral Law Foundation and a member of its Oil and Gas Section. He also serves on the Mineral Law Planning Committee for the Kentucky Mineral Law Conference. He has spoken at numerous seminars sponsored by the EMLF and the University of

Kentucky Mineral Law Center. George has been an Adjunct Professor of Law at the Salmon P. Chase College of Law, Northern Kentucky University, where he taught Oil and Gas Law and Coal Law. George is the past President of the Virginia Oil and Gas Association. He is a member of the Kentucky Oil and Gas Association, Independent Oil & Gas Association of West Virginia, Tennessee Oil & Gas Association, American Association of Professional Landmen, and the Appalachian Association of Professional Landmen.

George and his wife, Donna, have a son named Griffin. George is an avid marathon runner, having completed the Marine Corps Marathon last fall. He recently retired from the U.S. Army Reserve with the rank of Colonel.

### **Marcus P. McGraw**

Marc McGraw is a member of Greenebaum Doll & McDonald PLLC in the Lexington Office and is a senior member of the firm's Environmental and Natural Resources Practice Group. His areas of concentration are environmental law, administrative law and mineral law. He received his B.A. from the University of North Carolina and his J.D. from the George Washington University School of Law. Mr. McGraw is admitted to practice in Kentucky, Maryland and the District of Columbia.

Mr. McGraw has authored numerous articles on environmental, mineral law and administrative law issues and is a frequent speaker on these topics. He presently serves on the Health and Safety Committee and Environment Committee of the Kentucky Coal Association, the Health and Safety Committee of the Kentucky Crushed Stone Association and the Environment Committee of the Kentucky Ready-Mixed Concrete Association. He is also a member of the Kentucky Coal Association Board of Directors.

### **Ronald R. McNamara**

Ronald R. McNamara is the Vice President of Regulatory Affairs and Chief Economist at Midwest Independent Transmission. He oversees Midwest ISO's regulatory affairs, with an emphasis on market design and the economic impact of regulatory policy on the Midwest wholesale electricity market. McNamara's 20-year career has included significant contributions in the public and private energy sectors, as well as academic research on energy markets. He was instrumental in the design and implementation of wholesale and retail electricity market rules in New Zealand, which has the least regulated energy market in the world and has been operating successfully since 1996.

Prior to coming to Midwest ISO, McNamara was director of energy markets at American Electric Power in Columbus, Ohio. He also has served as a regulator in Australia, overseeing the gas and electricity markets there, and worked for Duke Energy (Australia). McNamara has served as a senior advisor on electricity markets on numerous industry committees in the United States. Most recently, he served on the markets committee for Southwest Power Pool's board of directors.

McNamara holds a Ph.D. and a master's degree in economics from the University of California, Davis.

### **Thomas C. Means**

Thomas C. Means joined the firm of Crowell & Moring in 1978 and is a Partner in the firm's Natural Resources & Environmental Group. Mr. Means received an AB cum laude with high honors in Government from Dartmouth College in 1969, where he was elected to Phi Beta Kappa.

He received a Masters in Public Administration from the University of Colorado in 1975 and attended Princeton Theological Seminary on a fellowship. In 1978, he earned his law degree with

highest honors from George Washington University, where he was a member of the Law Review and Order of the Coif, graduating third in his class.

Mr. Means is a specialist in judicial review of agency action and appellate advocacy, focusing primarily on issues involving federal regulation of the mining industry, principally under the Federal Mine Safety and Health Act of 1977 (MSHA), the Surface Mining Control and Reclamation Act of 1977 (SMCRA), and other environmental laws. Mr. Means has extensive experience in representing mine operators, mine supervisors, and trade associations in MSHA and SMCRA matters, including MSHA special investigations seeking to impose civil and criminal liability, MSHA discrimination complaints, and MSHA and SMCRA enforcement defense litigation, as well as in litigation challenging unlawful MSHA and OSM regulations and related regulatory actions. Mr. Means is an expert in the limits of MSHA jurisdiction and has been active in the battle to prevent the further expansion of MSHA's jurisdiction to coal-fired power plants and other coal users.

Mr. Means is a Trustee and Past President of the Energy & Mineral Law Foundation and continues to serve on the Foundation's Editorial Board and Scholarship Committee. Mr. Means is a member of the Bar of the District of Columbia. He is admitted to practice before most of the United States Courts of Appeal and the United States Supreme Court.

Prior to joining Crowell & Moring, Mr. Means was a lobbyist and government affairs representative for Colorado Counties, Inc., a non-profit association of all of the county governments in Colorado, where he gained extensive knowledge in the areas of legislation, agency rulemaking, inter-governmental relations, and federalism.

#### **Ronald E. Meisburg**

Ronald E. Meisburg is a member of the National Labor Relations Board in Washington, D.C. He was nominated by President Bush in November, 2003, and his nomination is pending confirmation in the United States Senate. In December, 2003, Mr. Meisburg was given a recess appointment to the Board by President Bush. Mr. Meisburg will serve under the recess appointment until the Senate adjourns *sine die*, probably in November, 2004.

Prior to his service on the Board, Mr. Meisburg was a partner in the Washington, D.C. offices of Ogletree, Deakins, Nash, Smoak & Stewart and, prior to that, Heenan, Althen & Roles. In private practice, Mr. Meisburg advised management clients with respect to issues arising under federal labor and employment law and labor agreements; served as labor counsel in complex business transactions; assisted clients in preparing and presenting arbitration cases; and represented clients in litigation before federal agencies and courts.

Prior to joining Heenan, Althen & Roles in 1980, Mr. Meisburg was an appellate litigator in the Office of the Solicitor, U.S. Department of Labor, in Washington, D.C. In 1978 he was awarded the Secretary of Labor's Distinguished Achievement Award.

Mr. Meisburg was born in Bowling Green, Kentucky, and is a graduate of Carson-Newman College and the University of Louisville's Brandeis School of Law. He is a past president and an honorary Trustee of the Energy & Mineral Law Foundation. Mr. Meisburg is married to Mary Helen Ratchford, and they reside in Arlington, Virginia.

#### **Timothy M. Miller**

Timothy M. Miller is a Member with the firm of Robinson & McElwee PLLC in the Charleston, West Virginia office.

He is a member of the Litigation Department, and his practice focuses on energy law and related corporate representation and civil litigation. He has tried over 25 civil cases to jury trial conclusion in federal and state courts throughout West Virginia. Mr. Miller has significant experience in complex toxic tort, environmental, mass tort and class action litigation, including experience before the West Virginia Mass Litigation Panel. Significant cases include representation of a natural gas distributor in hearings before the National Transportation Safety Board and over 25 civil suits arising from a natural gas pipeline explosion. He serves as lead counsel for a number of clients in the mass litigation arising from flooding in West Virginia, including serving as one of three attorneys who recently argued on behalf of over 125 defendants before the West Virginia Supreme Court of Appeals. He also serves as lead counsel in two cases pending in West Virginia filed or certified as class actions, related to royalty calculation disputes. He has represented premises owners and others in numerous wrongful death and serious personal injury cases.

Mr. Miller received his Bachelor of Science degree in Business Administration from West Virginia University in 1977, and received his Juris Doctor degree from the West Virginia University College of Law in 1980. He is a member of the Defense Research Institute, the Defense Trial Counsel of West Virginia, the American Bar Association, Section of Litigation. He has served as an arbitrator and as counsel in proceedings before the American Arbitration Association and in private mediations and arbitrations.

#### **David J. Minsky**

David J. Minsky serves as Chief of Staff to the Wage and Hour Administrator at the U.S. Department of Labor. The Wage and Hour Division (WHD) of the Employment Standard Administration administers and enforces a variety of labor statutes that protect the rights of the nation's workers. Mr. Minsky is responsible for a wide variety of issues including the President's Management Agenda, the administration and enforcement of the Fair Labor Standards Act, Davis Bacon Act, Service Contract Act, Migrant and Seasonal Agricultural Worker Protection Act, Section H-2A of the Immigration Reform and Control Act, and Section H-1B of the Immigration and Nationality Act. Other responsibilities include field office management, the implementation of the budget and performance integration plan, personnel management, strategic planning and web development. Mr. Minsky has traveled to over 35 Wage and Hour District Offices and has participated in over 30 Wage and Hour investigations.

Prior to joining the Wage and Hour Division, Mr. Minsky served as the Deputy White House Liaison for the U.S. Department of Labor. As Deputy White House Liaison, Mr. Minsky was responsible for recommending all future political appointees to the Secretary of Labor.

During the 2000 election cycle, Mr. Minsky was the Director of Telemarketing for the National Republican Senatorial Committee, where he raised over \$2 million for the Committee. Mr. Minsky holds a Master of Arts degree in Political Management from George Washington University and a Bachelor of Arts degree from Hofstra University.

#### **Hans Naumann**

Hans Naumann is Senior Vice President of Marshall Miller & Associates, Inc. (MM&A) in the Lexington, Kentucky, office. Hans is a Professional Mining Engineer licensed in 6 states with over 36 years of practical industry experience. MM&A is a multi-disciplinary engineering, geology, and environmental consulting firm. Prior to his position with MM&A, he practiced engineering with Reynolds Mining Corporation, the US Armor and Engineer Board, Island Creek Coal Company, J. W. Miller & Associates, Republic Steel, and Knox Creek Corporation. He was appointed to an Acid Mine Drainage and Technical Advisory Committee with the West Virginia Department of Natural

Resources from 1981-1983.

Over the past year, Hans has been sharing his time between China and the USA. Most of his assignments involve consulting on coal mining ventures in China on behalf of Asian American Coal, Inc. (AACI). AACI specializes in the identification, organization, and financing of energy-related projects in China.

Presentations include "Locating Abandoned Underground Coal Mines," CAS-SME/WVCMI; "Acid Mine Drainage Rule Making and Bond Requirements for Mine Operations," South Regional Mining Conference; "Addressing The Practical Issues of a 'Pre-Acquisition' Phase I Environmental Site Assessment," Coal Outlook's Seminar on Evaluating, Buying & Selling Coal Properties; "Underground High Resolution Seismic Method as a Low Cost Alternative for Mapping Sandstone Replacement Channels in Coal Mines," 13th Conference on Ground Control in Mining. Publications include "Integration of Hydrogeologic and Geophysical Techniques for Identification of AMD Seepage and Remedial Design," April 1995, with R. H. Mullenex and V. P. Wiram; "Alkaline Additions to the Backfill: A Key Mining/ Reclamation Component to Acid Mine Drainage Prevention," April 1995, with J. B. Vance and V. P. Wiram; "A Systematic Approach For Conducting a Phase I Environmental Audit Utilizing Case History Examples," April 1994, with B. Hanlon and R. Pothini; "Seismic Method as a Low Cost Alternative for Detecting Non-Coal Inclusions in Longwall Panels," April 1994, with R. Rodriguez; and "Delving Into a Landfill's Depths with Geophysical Exploration," World Wastes, August 1994, with R. Rodriguez and E. Allen.

#### **R. Neal Pierce**

R. Neal Pierce has 25 years experience as an energy lawyer, most recently as Vice President, Land and Legal for Columbia Natural Resources, Inc. He is currently in private practice with Robinson & McElwee in Charleston, West Virginia.

Neal is a graduate of the Georgetown University Law Center and has a B.A. from Ohio State University. He also attended the United States Naval Academy. He is a member of the West Virginia and the Ohio Bars. Neal is a past president of the Energy & Mineral Law Foundation and has been active in the Foundation since its inception. He chaired the Long Range Planning Committee and fostered the development of the Foundation's 5- year strategic plan, implemented in 2000 and chairs the current strategic planning committee. Neal co-authored an article for the 14th Annual Institute on orphan and abandoned wells and is currently serving on a special study committee for the Foundation's Executive Committee. He has been active in a number of Appalachian Basin oil and natural gas trade organizations and is a past President of the Virginia Oil & Gas Association.

#### **Bryan R. Reynolds**

Bryan R. Reynolds is a partner with the Owensboro law firm of Sullivan, Mountjoy, Stainback & Miller, where his practice is concentrated in Environmental and Mineral Law and Litigation. Mr. Reynolds graduated with a B.S. in Geology from Indiana University in 1983. After graduation, he worked as a geologist until 1988 for Reynolds Resources, Inc., an independent oil and gas exploration and production company in Owensboro. He received his J.D., magna cum laude, from Salmon P. Chase College of Law in 1991. He has been a member of the Board of Directors of the Kentucky Oil and Gas Association since 1992, is currently the Chair of the KOGA legal committee, and also serves on the Legal Committee of the Interstate Oil and Gas Compact Commission. He authored "Who's Going to Regulate NORM?" which was published in 1995 in the *Northern Kentucky Law Review*, and has spoken on several occasions for the Energy & Mineral Law Foundation.

**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, technology and commercial litigation. He is a member of the Executive Committee of the Energy and Mineral Law Foundation and recently completed two years as a member and chair of a hearing committee for the Disciplinary Board of the Supreme Court of Pennsylvania. Mr. Ries 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 30 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. He has represented clients in a variety of technology litigation matters and advised clients on a number of technology law issues such as Y2K agreements and disclosures, domain name disputes, information security, privacy, records management and electronic contracting.

Mr. Ries has frequently spoken and written on environmental, litigation, and technology subjects, including EMLF programs. He spoke on "Attorneys and Electronic Communications: Ethical Considerations and Beyond," at the EMLF's 25<sup>th</sup> Annual Institute in May, 2004 and organized and participated on a panel session, "Reporting Client Misconduct – Whistleblowing and Going Up the Corporate Ladder After Enron" at the 24<sup>th</sup> Annual Institute. He has also addressed technology law issues at programs for Carnegie Mellon University, Duquesne University Law School and the University of Pittsburgh Law School.

He has spoken on "Expert Opinions in Environmental Cases After *Daubert* and the New Federal Rule 702" for the University of Wisconsin-Madison College of Engineering's course, *Environmental Litigation: Advanced Forensics and Litigation Strategies*, the *Annual International Conference on Soils, Sediments and Waters* at the University of Massachusetts-Amherst, and the 2001 Kentucky Mineral Law Conference.

**Kendrick R. Riggs**

Kendrick Riggs is a member of Ogden Newell & Welch PLLC, in Louisville, Kentucky. Kendrick's practice is concentrated in representing energy and telecommunications clients primarily before the Kentucky Public Service Commission, Virginia State Corporation Commission and the federal agencies. He has extensive administrative trial experience involving all phases of representation. Kendrick has also appeared before state and federal courts representing energy and telecommunications clients in commercial and industry disputes.

Kendrick is a member of the American, Energy, Kentucky and Virginia Bar Associations. He has appeared in *The Best Lawyers in America* since 1997-98 and has held an AV rating by Martindale-Hubbell since 1996. He has appeared at the Electric Power Industry Special Institute sponsored by the Energy & Mineral Law Foundation and serves as a Trustee at Large for the Foundation. He is the 2002-03 Secretary/Treasurer of the East Central Chapter of the Energy Bar Association.

Kendrick is admitted to practice before the United States District Courts for both Eastern and Western Districts in Kentucky as well as the United States Sixth Circuit Court of Appeals and the Kentucky Supreme Court. He is also admitted to practice before the Supreme Court of Virginia.

Kendrick received his B.A. degree *cum laude* from Wittenberg University in 1979 and his J.D. degree from the University of Kentucky College of Law in 1982. He was a member (1980-1981) and the President (1981 - 1982) of the Moot Court Board, and a Legal Writing Instructor for first year students (1981-1982) during law school. He serves as an Assistant Scoutmaster at Troop 317.

### **Alfred B. Robinson**

Alfred B. Robinson, Jr. was appointed as Acting Wage and Hour Administrator on June 14, 2004, at the U.S. Department of Labor. He previously served as Deputy Wage and Hour Administrator for Policy. The Wage and Hour Division (WHD) of the Employment Standard Administration administers and enforces a variety of labor standards statutes that are national in scope and that enhance the welfare and protect the rights of the nation's workers. These laws include the minimum wage, overtime, child labor and record keeping requirements of the Fair Labor Standards Act, the Family and Medical Leave Act, field sanitation and housing standards and worker protections provided in the immigration law.

Prior to joining the U.S. Department of Labor, Mr. Robinson had been a member of the South Carolina House of Representatives since 1992. Prior to serving in the General Assembly, he worked on the board of the South Carolina Jobs-Economic Development Authority where he focused on job creation and economic development. Mr. Robinson was also Counsel to the firm of Wimberly, Lawson, Daniels & Brandon, LLC in Greenville, South Carolina. He practiced in Upstate, South Carolina for 20 years, specializing in labor and employment matters and corporate law. His practice included representing clients before the Equal Employment Opportunity Commission, the National Labor Relations Board, other administrative agencies and various federal and state courts. He regularly advised business clients regarding corporate economic development incentives and employment compliance issues.

Mr. Robinson received a Bachelor of Science Degree in Commerce from Washington and Lee University and his law degree from the University of South Carolina School of Law. He is a member of the South Carolina Bar Association and was admitted to practice before the U.S. District Court of South Carolina. He and his wife Sallie have two children, A. Burgess III and Evelyn Frances.

### **John A. Rollins**

Mr. Rollins is a member of the commercial law firm of Lewis, Glasser, Casey & Rollins, PLLC of Charleston, West Virginia. His practice is concentrated in commercial disputes and bankruptcy representation. Mr. Rollins has primarily represented coal industry clients and this representation has included all aspects of commercial transactions involving troubled businesses. He has acted to reorganize, sell and liquidate coal producers in bankruptcy and workout proceedings as well as represent parties who are acquiring such companies or their assets. In addition, he has acted in bankruptcy cases to protect lease, supply contract and lien interests for lenders, producers, lessors, vendors and creditor groups in coal industry cases.

The cases in which Mr. Rollins have been involved have resulted in a number of reported opinions on bankruptcy and coal industry issues in the bankruptcy and district courts in various jurisdictions as well as the Fourth Circuit Court of Appeals. Many of these cases have involved Chapter 11 debtors and the sale of assets or claims in the context of their obligations under collective bargaining agreements or the Coal Industry Retiree Health Benefits Act. He is admitted to practice in the United States Supreme Court, Fourth Circuit Court of Appeals, United States Tax Court, and in all federal and state courts in West Virginia. In addition, he has practiced in specific cases in the bankruptcy courts in West Virginia, Kentucky, Ohio, Tennessee, Texas and Delaware.

Mr. Rollins has been recognized for ten years in White/Woodard, *The Best Lawyers in America* in the field of bankruptcy representation. He is a periodic lecturer on complex bankruptcy issues for state bar and EMLF educational programs.

Mr. Rollins graduated from the West Virginia University School of Law in 1978. Academic honors include his service as associate editor of the law review and an undergraduate admission to Phi Beta Kappa.

### **Gregory R. Schaaf**

Gregory R. Schaaf is a member with the law firm of Greenebaum Doll & McDonald, PLLC in Lexington, KY. Greg's practice focuses on commercial reorganizations, including bankruptcies and workouts, and real estate and commercial transactions. He received a B.B. degree in Accounting and a B.S. degree in Law Enforcement Administration from Western Illinois University in 1984. Greg graduated from the University of Kentucky College of Law in 1991 where he was Order of the Coif and a member of the National Moot Court Team, the Moot Court Board, and the *Journal of Mineral Law and Policy*.

Greg worked as a Certified Public Accountant for KPMG Peat Marwick from 1984 to 1987. He also worked as a solicitor in London, England from 1997-1999, handling corporate matters and real estate transactions for English, Russian and American clients.

Greg has been admitted to the U.S. Circuit Court of Appeals for the Sixth Circuit, the U.S. District Courts for the Eastern and Western Districts of Kentucky and the Kentucky Supreme Court. Greg is also a member of the American Bankruptcy Institute, The Law Society of England and Wales, the American Bar Association, the Kentucky Bar Association and the Fayette County Bar Association.

Greg has represented numerous coal companies in Chapter 11 proceedings as counsel for debtors (Quaker Coal Company, Golden Oak Mining), creditor's committees (Horizon Resources), trustees (Lodestar) and individual creditors. Greg has also made numerous presentations to professionals on reorganization and bankruptcy issues.

### **John Sturm**

John W. Sturm, currently Director of Corporate Development, joined ACES Power Marketing in June 2000 as the Director of Structuring. In his current capacity he is responsible for ACES' internal and external energy risk management training. He is also heavily involved in helping clients establish risk management policies and appropriate risk management governance structures.

John has eighteen years of experience in the energy industry, with marketing companies as well as cooperative organizations. John earned a Bachelor of Science degree with majors in finance and economics from Ball State University where he graduated with distinction. His industry experience includes quantitative analysis, trading, new business start up, risk management policy and governance, power supply planning, risk modeling, and the development and instruction of energy risk management and trading seminars.

### **Richard C. Ward**

Richard C. Ward is Vice Chairman of the Wyatt, Tarrant & Combs' Executive Committee, and a member of the Mineral & Energy Law, Commercial Litigation, Environmental and Labor & Employment Practice Groups. He concentrates his practice in the areas of general litigation and

mineral, energy & environmental law. His experience includes representation of clients in administrative and civil litigation, contract counseling, supply agreements, lease and mining agreements, acquisitions and mineral commercial transactions.

Mr. Ward is from Perry County, Kentucky. He is Past-President of the Eastern Mineral Law Foundation (Energy & Mineral Law Foundation), the 1999 recipient of the "Distinguished Service Award" presented by the National Mining Association, and the 2003 recipient of the EMLF President's Award presented at the 24th Annual Institute. He authored "Domestic Coal Supply Contracts," Banks-Baldwin (1986) and "Brokers and Finders in Coal Sales and Company Acquisitions," Matthew Bender (1989) and co-authored "The Kentucky Environmental Law Handbook," Government Institutes (1991). He is adjunct faculty at the University of Kentucky College of Law where he teaches Energy Law.

Mr. Ward currently serves on the Board of Trustees of Georgetown College, Kentucky. He is admitted to practice in Kentucky, the U.S. Federal District Court in Kentucky, the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. He is currently a member of the Fayette County, Kentucky, American, Federal and Federal Energy Bar Associations and has been named in the publication *Best Lawyers in America*. Mr. Ward received his B.S. degree in 1960 from Georgetown College (Kentucky) and his J.D. degree in 1964 from the University of Kentucky.

### **John Paul Woodley**

On August 22, 2003, President George W. Bush appointed John Paul Woodley, Jr., as Assistant Secretary of the Army (Civil Works). Mr. Woodley is responsible for the supervision of the Army's Civil Works program, including programs for conservation and development of the nation's water and wetland resources, flood control, navigation, and shore protection.

Prior to his appointment as the Assistant Secretary of the Army (Civil Works), Mr. Woodley served as the Assistant Deputy Undersecretary of Defense (Environment). In this capacity Mr. Woodley oversaw the Defense environmental program, encompassing both environmental restoration and compliance and pollution prevention efforts. Mr. Woodley was also the principal advisor to the Secretary of Defense on environmental, safety and occupational health policy and programs.

Prior to his appointment as the Assistant Deputy Undersecretary of Defense (Environment), Mr. Woodley served as Secretary of Natural Resources in the Cabinet of Virginia Governor Jim Gilmore from January 1998 until October 2001. As Secretary of Natural Resources, Mr. Woodley supervised eight Virginia agencies responsible for environmental regulation, permitting and enforcement, natural and historic conservation, and outdoor recreation, including parks, fisheries and wildlife management. Mr. Woodley also served as Deputy Attorney General of Virginia for Government Operations beginning in 1994. The Government Operations Division of the Attorney General's Office represented all state agencies in the areas of administration, finance, transportation, economic development, and natural resources.

Mr. Woodley attended Washington & Lee University in Lexington, Virginia, on an Army R.O.T.C. scholarship. He received a Bachelor of Arts degree from Washington & Lee in 1974, and was elected to Phi Beta Kappa. Mr. Woodley also attended the Law School at Washington & Lee, where he received his juris doctor degree cum laude in 1977. Mr. Woodley served on active duty

with the U.S. Army Judge Advocate General's Corps from 1979 until 1985 and retired from the Army Reserve in August 2003 as a Lieutenant Colonel. He has been awarded the Legion of Merit, the Meritorious Service Medal (2nd Oak Leaf Cluster), the Army Commendation Medal (1st Oak Leaf Cluster), and the Army Achievement Medal. His civilian awards include the Secretary of Defense Medal for Outstanding Public Service. Mr. Woodley is a native of Shreveport, Louisiana.

#### **Jeff A. Woods, Program Co-Chairman**

Jeff Woods is Co-Chair of the Wyatt, Tarrant & Combs firm's 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. 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 as Chairman of the Board of Directors of the Lexington-Fayette Urban County ("Blue Grass") Airport. 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.

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

Arthur J. Wright is a Senior Partner of the firm of Thompson & Knight L.L.P. in Dallas, and was formerly an Assistant General Counsel of Texas Oil and Gas and Associate General Counsel of Delhi Gas Pipeline Corporation. He received a bachelor's degree from Tulane University and graduated with Honors from the University of Texas School of Law where he was a member of the Order of the Coif.

The present focus of his work is matters related to the acquisition and sales of oil and gas assets and the exploration for and production and marketing of oil and gas and the downstream products made therefrom. He also has represented both producers and pipelines before various regulatory agencies, such as the Federal Energy Regulatory Commission.

Mr. Wright currently serves on the ABA's Negotiated Acquisitions Committee and Asset Acquisition Task Force and on the Advisory Board of the Institute for Energy Law. He has been on the Council of the Oil and Gas Section of the State Bar of Texas, Chair of various Committees of the ABA's Natural Resources and Law Section and President of the North Texas Energy Council. He is also past Chairman of the Oil, Gas & Mineral Law Section of the Dallas Bar Association and has taught oil and gas law at SMU's School of Law.

He is a frequent speaker on oil-and-gas-related subjects at State and local Bar Association meeting and has authored numerous articles relating to natural gas, the acquisition of oil and gas properties, and legal ethics for the AAPL's *Landman Magazine*, Rocky Mountain Mineral Law Foundation, Universities of Texas, Houston and Tulsa and the Dallas, Oklahoma and Texas Bar Associations. He has also co-edited a book entitled *Natural Gas Contracts* for the American Bar Association.