

Energy & Mineral Law Foundation
Kentucky Mineral Law Conference
October 22-23, 2014

PROGRAM CHAIRS

Timothy J. Hagerty, *Program Chair* 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-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.

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Amber Nisbet Hodgdon, *Oil and Gas Chair* EnerVest Operating, L.L.C.

Amber Nisbet Hodgdon is the Managing Attorney at EnerVest Operating, L.L.C., in Charleston, West Virginia. Her work is focused on litigation and various lease and operating issues in the Eastern United States, with a particular emphasis on these issues in Ohio.

Amber received her B.A. degree in English and Political Science from the University of Kentucky in 2006. After graduating from the University of Kentucky, Amber attended the West Virginia University College of Law where she received her J.D. in 2009. She is admitted to practice in West Virginia and Kentucky.

Prior to joining EnerVest in 2011, Amber worked for EQT Midstream in Washington, Pennsylvania, and EQT Production Company in Charleston, West Virginia. Her professional memberships include the West Virginia Bar Association, the Kentucky Bar Association, the

American Association of Professional Landmen, Women's Energy Network, and the Energy & Mineral Law Foundation.

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Nicholas S. Johnson, *Coal Chair*
Alpha Natural Resources

Nicholas S. Johnson is currently Assistant General Counsel for Mining and Environmental at Alpha Natural Resources. Prior to joining Alpha, he worked for the legal department at Massey Energy Company. After graduating from law school, he gained valuable experience representing coal producers while working for the law firms of Dinsmore & Shohl and Allen Guthrie & Thomas.

Nick received his J.D. from the West Virginia University College of Law. He is licensed to practice in West Virginia. Nick lives in Charleston, West Virginia, with his wife, Sarah, and daughter, Kate.

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Speakers' Biographies

Wednesday, October 22 ***General Session – In Order of Speaking***

Deidre G. Duncan
Hunton and Williams LLP

Deidre G. Duncan is a Partner in the Washington, D.C. office of Hunton and Williams. Deidre's practice focuses exclusively on environmental and administrative law with an emphasis on permitting, compliance, and litigation matters regarding the Clean Water Act (CWA). She has written and spoken extensively on the topic of federal CWA jurisdiction. Deidre is counsel to the Waters Advocacy Coalition, a coalition of over 40 organizations focused on the issue of CWA jurisdiction. Prior to entering private practice, Deidre served as Assistant General Counsel of the Army at the Pentagon, advising the Secretary of the Army on environmental issues involving the Corps of Engineers' Civil Works and Section 404 Regulatory Program.

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Michael A. Oropallo
Hiscock & Barclay, LLP

A trial lawyer and counselor to clients, Mike cut his teeth on a variety of jury trials, including complex environmental, toxic tort, products liability and medical malpractice cases. With his science background (and prior employment as a geologist), his more than 25 years of experience, and his ability to translate complex issues to an average juror, he has over the last decade focused his practice largely on intellectual property matters, having tried patent,

trademark and copyright cases. In addition to intellectual property matters, Mike handles complex environmental matters, and has established a niche practice regarding wildlife laws and the Endangered Species Act – handling varying cases from guiding clients through the maze of wildlife laws and the ever-changing and the ever-increasing scrutiny on complex project development, to listings under the Endangered Species Act, to the return of seized wildlife and sport hunted trophies.

Mike uses his experience and broad-based legal knowledge to counsel clients on the pros and cons of litigation, a variety of their intellectual property concerns, and has guided them on IP issues through the due diligence process on M&A transactions. Mike understands that litigation can be an expensive proposition, and uses his skills as a trial lawyer and mediator to leverage desired settlements when and where appropriate.

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**Anne C. Blankenship
Babst Calland**

Ms. Blankenship is a shareholder in the Environmental Services and Energy & Natural Resources groups of Babst Calland. Ms. Blankenship's practice focuses on environmental issues in the energy sector, including the oil and natural gas industry, and industrial and manufacturing sectors. She provides counsel to clients on a broad array of environment issues, including those related to water, air and waste management. Ms. Blankenship represents clients on air permit and NPDES permit appeals and enforcement actions before administrative boards and courts. She also counsels clients on environmental regulatory requirements and compliance matters.

Ms. Blankenship is a registered lobbyist in West Virginia and has provided legal counsel to major industry trade associations on environmental issues, including lobbying for their interests before the West Virginia Legislature and state agencies, and representing them on regulatory and permitting issues and appeals. She also represents public utilities before the Public Service Commission of West Virginia on ratemaking and other regulatory approval processes.

Ms. Blankenship graduated from Marshall University with a B.S. in Biological Sciences in 1997 and an M.S. in Biological Sciences in 2005. She attended Capital University, where she received her J.D. in 2002. While in law school, Ms. Blankenship was a member of the National Environmental Moot Court Team and inducted into the National Order of Barristers.

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**Donald C. Bluedorn II
Babst Calland**

Don Bluedorn is a Shareholder in the Environmental Section of the Pittsburgh office of Babst Calland Clements & Zomnir, P.C. Don Bluedorn's practice focuses primarily on water and wastewater management, site remediation/brownfields, and hazardous and non-hazardous waste issues. Mr. Bluedorn received his B.S. from Grove City College in 1983, where he graduated with high honors in Electrical Engineering, and a J.D. in 1986 from the University of Pittsburgh School of Law, where he graduated Order of the Coif and was a member of the

Editorial Board of the *University of Pittsburgh Law Review*.

Mr. Bluedorn is a member of the Pennsylvania Bar and the West Virginia Bar. Mr. Bluedorn is a member of the Pennsylvania Department of Environmental Protection Water Resources Advisory Committee, and formerly served as a member of the Ohio River Basin Water Resources Planning Committee, Chairman of the Statewide Water Resources Planning Committee, member of the Governor's Sustainable Infrastructure Task Force, and a board member of one of Pennsylvania's largest public drinking water suppliers. Since 2004, Mr. Bluedorn has been ranked among Pennsylvania's top environmental lawyers in Chambers USA's *America's Leading Business Lawyers*. He has been listed in *The Best Lawyers in America*® in the: Environmental Section since 2005; Water Section since 2007; and Litigation - Environmental Section since 2012. In addition, Mr. Bluedorn has been recognized as one of Pennsylvania's top lawyers since 2004, according to an annual survey published in *Philadelphia* magazine.

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Kevin L. Colosimo
Burleson LLP

Mr. Colosimo is managing partner of Burleson's Pittsburgh office and concentrates his practice in oil and gas law. He is an author, lecturer and commentator on oil and gas topics including pooling and unitization and lease avoidance. Kevin frequently addresses state and federal legislators on issues pertaining to the oil and gas industry and served as a member of the University of Pittsburgh Institute of Politics Marcellus Roundtable. He also has provided counsel to clients on a range of other legal matters including risk management alternatives, claims assessment and litigation strategy. He has tried numerous cases to verdict in federal and state courts, and he has argued before the Pennsylvania Superior, Commonwealth and Supreme Courts and the United States District Court for the Third Circuit. He is admitted to practice in Ohio. He is admitted to the U.S. Supreme Court and the United States Court of International Trade. He is rated AV by Martindale Hubbell. Kevin is a Western Pennsylvania native and a graduate of Duquesne Law School, where he served on the *Duquesne Law Review*.

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Robert D. Gabbard
President, PPL EnergyPlus

Robert D. Gabbard is president of PPL EnergyPlus, which manages PPL's wholesale and competitive retail energy sales and services operation. PPL EnergyPlus markets all the electricity generated by PPL's domestic power plants, making sales in key U.S. regions, and sells electricity to retail customers in the eastern and western United States.

Gabbard, an industry veteran with three decades of trading experience, also directs PPL's two trading floors — one in Allentown, Pa., and the other in Butte, Mont. PPL EnergyPlus additionally is responsible for managing the fuel for PPL's power plants.

Before joining PPL in June 2008, Gabbard served as senior vice president of merchant trading

operations of Delaware-based Conectiv Energy since 2005.

A native of Danville, Ky., he began his career as director of marketing and general counsel at Southern Gas Co. in Versailles, Ky. He advanced to vice president of trading and marketing at Southern Gas before joining CMS Energy in 1990 as director of marketing and energy trading.

After seven years at CMS Energy, during which time he advanced to vice president of energy marketing, Gabbard moved to Conectiv Energy as vice president and general manager of power trading in 1998 and was promoted to senior vice president of merchant trading operations seven years later.

Gabbard holds a Bachelor of Arts from Stetson University in Deland, Fla., a law degree from the University of Dayton School of Law in Ohio and has completed the Duke University Fuqua School of Business Advanced Management Program. He is second vice-chairman of the Executive Committee of the Electric Power Supply Association, a member of the Executive Committee of the National Coal Council, and co-chairs the Rail Energy Transportation Advisory Committee.

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James M. (Jamie) Van Nostrand
Associate Professor of Law
Director, Center for Energy and Sustainable Development
West Virginia University College of Law

Jamie Van Nostrand is an Associate Professor and Director of the Center for Energy and Sustainable Development at WVU College of Law. Before coming to WVU in July 2011, Mr. Van Nostrand spent three years as a member of the adjunct faculty at Pace Law School in White Plains, New York, and Executive Director of the Pace Energy and Climate Center, which is an environmental policy and advocacy organization active on energy and environmental issues in New York and the Northeast. Before entering into law school teaching, Mr. Van Nostrand had a successful career in private law practice as a partner in the Environmental and Natural Resources practice group of large law firms based in the Pacific Northwest. In his 22-year career in private practice, Mr. Van Nostrand represented energy clients in state regulatory proceedings in eight western states, as well as proceedings before the Federal Energy Regulatory Commission. Mr. Van Nostrand was recognized by the Energy Bar Association as its 2007 State Regulatory Practitioner of the Year. Before going into private practice, he spent five years with the New York Public Service Commission as an Assistant to the Commission for Opinions and Review and as Assistant to the Chairman.

Mr. Van Nostrand has taught courses in energy and regulated industries, environmental law, emissions trading, administrative law and business associations in various capacities at Lewis & Clark Law School, the University of Tennessee College of Law, the University of Iowa College of Law, and Pace Law School. He has published and lectured widely on emissions trading and strategies for reducing greenhouse gas (GHG) emissions, climate change, energy policy, renewable energy, utility rates and electric restructuring plans, and utility mergers and acquisitions. At the WVU College of Law, Mr. Van Nostrand teaches Energy Regulation, Markets and the Environment; Environmental Protection Law; Siting and Permitting of Energy Facilities; the Science and Technology of Energy; and Renewable Energy & Alternative Fuels. In his role as Director of the Center for Energy and Sustainable Development, Mr. Van Nostrand is involved in various energy and environmental efforts in West Virginia and the Appalachian region, offering objective, unbiased research and policy analyses and promoting policies that

strike a proper balance between the development of energy resources and protection of environment.

Mr. Van Nostrand received his LL.M. in Environmental Law from Pace Law School in May 2011, his J.D. from the University of Iowa College of Law, his master's degree in economics from SUNY at Albany, and an undergraduate degree in economics from the University of Northern Iowa.

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**Sean Alteri, Director
Division for Air Quality
Commonwealth of Kentucky**

Sean Alteri, a 16-year veteran of the Division for Air Quality (DAQ), is currently serving as the Director of the Division for Air Quality. For the previous five years, Mr. Alteri worked as the Assistant Director under Director John Lyons. During his tenure with the Division, he also managed the Technical Services Branch responsible for operating the ambient air monitoring network and observing compliance demonstration tests at regulated facilities. Earlier in his career, Sean Alteri served as an Environmental Engineer Assistant in both the Permit Review and Emissions Inventory Sections and Environmental Control Supervisor for the Regulation Development Section in the Program Planning Branch.

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**Robert Hodanbosi
Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency**

Bob Hodanbosi became chief of the Division of Air Pollution Control (DAPC), Ohio Environmental Protection Agency (Ohio EPA) in September of 1992. His current duties include being responsible for the air pollution control program for the state of Ohio and development of the programs needed to comply with the Clean Air Act Amendments. Prior to that time, Mr. Hodanbosi held various positions in the division of Air Pollution Control.

Mr. Hodanbosi is a member of the American Institute of Chemical Engineers and Air & Waste Management Association, and is registered as a Professional Engineer in the state of Ohio

Mr. Hodanbosi received his Master's of Science degree in Chemical Engineering at the Cleveland State University in 1977, and his Bachelor of Chemical Engineering at the Cleveland State University in 1973. In addition, he completed post-graduate courses in fluid mechanics and turbulence at the Ohio State University, 1978 to 1982.

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Aaron Stultz Heishman
Jackson Kelly PLLC

Aaron is an associate with Jackson Kelly's Environmental Practice Group, where he has defended energy clients against Clean Water Act citizen lawsuits and state permit challenges, authored comments in opposition to the listing of new species under the Endangered Species Act, and counseled clients on managing environmental liability during real estate transactions.

Aaron received his J.D. from Tulane University Law School in 2010, after graduating from West Virginia Wesleyan College with a degree in environmental science. At Tulane, Aaron earned a certificate in Environmental Law, worked as a student-attorney in the Tulane Environmental Law Clinic, and served as a managing editor of the Tulane Environmental Law Journal.

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Jennifer L. Hughes
Jackson Kelly PLLC

Jennifer L. Hughes is an associate in the Environmental Practice Group at Jackson Kelly PLLC in Charleston, West Virginia. Her practice focuses on environmental litigation and client counseling on environmental and energy-related matters. Prior to joining Jackson Kelly PLLC, Ms. Hughes was Senior Counsel at the West Virginia Department of Environmental Protection, where she represented the agency in administrative appeals and enforcement proceedings. Ms. Hughes also has experience in utilities regulation as a Staff Attorney for the Consumer Advocate Division of the West Virginia Public Service Commission.

Ms. Hughes received her J.D. from Lewis & Clark Law School and earned a B.A. in geology and environmental studies from Oberlin College.

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Laura Patterson Hoffman
Step toe & Johnson PLLC

Laura Patterson Hoffman focuses her practice in the areas of environmental and regulatory law, energy, tort and business litigation. Hoffman regularly assists energy producers with compliance issues and litigation relating to the Clean Water Act and other environmental permitting issues. She has practiced in federal and state courts and before the Kentucky Office of Administrative Hearings. Hoffman has also engaged in extended negotiations with the Kentucky Cabinet for Energy and Environmental Protection and various environmentalist groups. She also has experience in groundwater contamination litigation and contractual disputes.

Ms. Hoffman has represented energy companies in Clean Water Act citizens' suits and provided advice on permitting, surface mining, water discharge and other environmental issues to the coal industry. She has served as lead counsel in cases involving a drilling company and a major chemical company in breach of contract disputes. In a product liability case, she defended an oil services company in the loss of an oil platform in the Gulf of Mexico during hurricane

conditions. She has also represented government contractors by conducting internal investigations into violations of the False Claims Act.

Ms. Hoffman earned both her J.D. and her B.A. from the University of Notre Dame. She is licensed to practice in Kentucky and Texas.

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**Norrie Clevenger Price
Steptoe & Johnson PLLC**

Norrie Clevenger Price is a counselor and litigator. She provides employment advice and counseling to clients in an attempt to keep them out of the courtroom. Recognizing that at times that isn't possible, she litigates complex claims and employment matters. Norrie has tried, to jury, approximately fifteen cases in her twenty years of practice.

Norrie has handled significant Fair Labor Standards Act litigation. She regularly handles discrimination litigation and investigations into allegations of discrimination and sexual harassment. She has defended a major coal company in a tortious interference with royalties' action in bankruptcy court and another in a breach of contract action where damages being claimed were close to one billion dollars. She has handled numerous injunctive actions over the years involving various issues including strike related violence, interference with and encroachment upon utility and pipeline rights of way.

Norrie earned her J.D. from the University of Louisville Brandeis School of Law and her Bachelor of Science in Accounting from the University of Kentucky. She is licensed to and regularly practices in both the state and federal courts in West Virginia and Kentucky.

Norrie previously served as the Managing Member of the firm's Huntington, West Virginia office, but has recently returned home to Lexington.

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***Thursday, October 23
Oil and Gas Track – In Order of Speaking***

**Kevin C. Abbott
Reed Smith LLP**

Kevin is a partner in Reed Smith's Pittsburgh office. He has been recognized in *Pennsylvania Super Lawyers* in the energy field each year from 2004 through 2014 and is also listed in *Super Lawyers Corporate Counsel Edition* in the area of energy and natural resources. He was awarded the 2012 Energy Leadership Award by the *Pittsburgh Business Times*. Kevin has represented companies in all facets of the natural gas business for 30 years. He represents exploration and development companies on various issues related to the exploration of the Marcellus and Utica Shales, including royalty disputes, lease issues and other litigation. In the

past three years, he was lead counsel in winning a trial as to preferential rights under a joint operating agreement, *Exco-North Coast Energy, Inc., v. Cabot Oil & Gas Corporation, Linn Energy Holdings, LLC and XTO Energy Inc.*, No. G.D. 11316 CD 2005 (Indiana C.C.P. 2013); winning summary judgment confirming a producer's right to extend a lease, *William Eastham, et al v. Chesapeake Appalachia, LLC*, 2013 WL 5274576 (S.D. Ohio Sept. 18, 2013), aff'd ___ F.3d ___ (6th Cir. June 6, 2014), *Brown v. Chesapeake Appalachia, LLC*, 2013 U.S. Dist. LEXIS 118827 (N.D. W. Va. Aug. 21, 2013); obtaining the dismissal of royalty claims in a class action, *David F. Pollock, et al., on Behalf Of Themselves and All Others Similarly Situated, v. Energy Corporation Of America*, 2011 WL 5977422 (W.D. Pa. 2011), 2001 WL 3667289 (W.D. Pa. 2011), 2011 WL 3667385 (W.D. Pa. 2011), 2012 WL 6929174 (W.D. Pa. 2012), 2013 WL 275327 (W.D. Pa. 2013); successfully challenging a Recorder of Deeds policy prohibiting the recording of assignments of multiple leases, *Chesapeake Appalachia, LLC v. Golden*, 35 A.3d 1277 (Pa. Commw. Ct. 2012); and establishing that post-production costs could be deducted even if not specified in the lease, *Arthur Katzin v. Central Appalachia Petroleum and Chesapeake Appalachia, LLC*, 39 A.3d 307 (Pa. Super. Ct. 2012).

Kevin graduated from Indiana University of Pennsylvania *magna cum laude* in 1978 and the University of Pittsburgh School of Law *magna cum laude* in 1981. He clerked in the United States District Court for the Northern District of Ohio and the United States Court of Appeals for the Sixth Circuit. He is admitted to practice in all state and federal courts in Pennsylvania, Ohio and West Virginia.

Kevin teaches Oil and Gas Law as an adjunct professor at the University of Pittsburgh School of Law.

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Russell L. Schetroma
Steptoe & Johnson PLLC

Russell L. Schetroma is a member of Steptoe & Johnson PLLC and focuses his practice in the areas of energy and oil and gas law. He has published extensively on energy law and other topics for more than 30 years and continues to speak and to publish regularly on energy issues. He is active in managing due diligence and title projects for energy clients. Mr. Schetroma has extensive experience in resolving cases in litigation, arbitration, and mediation in state and federal courts. He is admitted to practice in all Pennsylvania courts, in the U.S. District Courts for the Eastern, Middle and Western Districts of Pennsylvania and before the U.S. Court of Appeals for the Third Circuit. He is also active in the firm's international practice. He is the Office Managing Member of the firm's Houston office in The Woodlands.

Mr. Schetroma is recognized by *The Best Lawyers in America*® in the area of oil and gas law. Mr. Schetroma is a graduate of the Dickinson School of Law, *cum laude*, and received his undergraduate degree from Elon College, *cum laude*. He holds post graduate certificates in East/West Law and Relations from the University of the Pacific, McGeorge School of Law, *in coordination with* the faculty of law, Eötvös Loránd University (Budapest, Hungary) and the Austro-American Institute of Education (Vienna, Austria); and Program of Instruction for Lawyers in both Negotiation and Mediation from Harvard University. He is a member of the American Bar Association, the Institute for Energy Law, the Energy & Mineral Law Foundation, the Rocky Mountain Mineral Law Foundation as well as the Association of Petroleum

Negotiators, American Association of Professional Landmen, the Appalachian Basin Association of Division Order Analysts and the National Association of Division Order Analysts.

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Frank Hinton
Elias, Books, Brown & Nelson, P.C.

Frank Hinton is an associate with Elias, Books, Brown & Nelson in Oklahoma City and practices primarily in the area of oil and gas law and oil and gas title examination. Mr. Hinton is a member of the Oklahoma City Mineral Lawyers Society, the Oklahoma City Association of Professional Landmen, and the Energy and Natural Resources Law and Real Property Law Sections of the Oklahoma Bar Association. Mr. Hinton has presented to several industry groups, including the Rocky Mountain Mineral Law Foundation and the Oklahoma City Association of Professional Landmen. Mr. Hinton earned his J.D. with Distinction at the University of Oklahoma College of Law and his Bachelor of Arts, *magna cum laude*, in Political Science and English from Oklahoma Baptist University.

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Lija Kaleps-Clark
Director of Land and Legal Services
The Energy Cooperative

Lija Kaleps-Clark is the Director of Land and Legal Services for The Energy Cooperative. The Energy Cooperative is involved in numerous sectors of the energy industry, including oil and natural gas exploration and production, transmission and distribution, electric distribution and propane sales.

Prior to her position at The Energy Cooperative, Lija was an associate with Vorys, Sater, Seymour and Pease, LLP and a member of the firm's energy and environmental group.

Lija has experience in managing land assets and negotiating oil and gas lease transactions and development agreements. Lija also has experience litigating oil and gas leasing, development, and title disputes in Federal and Ohio State Court.

Lija received her J.D. from The Ohio State University Moritz College of Law graduating *cum laude*. She received her B.A. in History, *summa cum laude*, from Truman State University and was a member and captain of the Women's Swim Team.

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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 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.

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Lawrence E. "Buddy" Goodwin, Jr.
Stoll Keenon Ogden PLLC

Buddy Goodwin is the Managing Member of Stoll Keenon Ogden's office in Canonsburg, Pennsylvania. Mr. Goodwin's current practice is primarily devoted to transactional, due diligence and title work related to the oil and gas industry in the Marcellus and Utica regions. Mr. Goodwin has also done substantial work representing clients in general commercial real estate and lending transactions, as well as general corporate and healthcare-related transactional matters.

Mr. Goodwin graduated with Finance and Multi-National Business Administration degrees from Florida State University, and received his JD and MBA degrees from the University of Kentucky.

Mr. Goodwin is licensed to practice law in Pennsylvania, Ohio, West Virginia and Kentucky.

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Renee V. Anderson
Tucker Arensberg, P.C.

Renee Anderson, Esq. is a Shareholder and Chair of the Energy Group at Tucker Arensberg, P.C. Renee focuses her practice on oil, gas, coal & mineral certified title opinions and due diligence for lease acquisitions. With the other attorneys in the Energy practice group, she offers comprehensive services to those involved in the development of the abundant natural gas reserves in Pennsylvania, West Virginia and Ohio.

She is a member of the Energy and Mineral Law Foundation, the American Association of Professional Landmen, the Northern Appalachian Landman's Association (NALA), and the Pennsylvania Bar Association.

Prior to joining Tucker Arensberg, P.C., she was Director of Title Administration for Chevron and while there she earned Chevron's "Winning Together Award" for outstanding contributions in the acquisition of Marcellus assets from Chief Oil and Gas, LLC and other companies. She was also

awarded Chevron's "Way to Go Award" for hard work and support during all acquisition and integration activities in the Appalachian and Michigan Business Units.

Renee earned her Juris Doctor in 2004 from Duquesne University School of Law and her Bachelor of Arts degree, *cum laude*, from Mount Union College.

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Margeaux Kimbrough
Kegler Brown Hill + Ritter, LPA

Margeaux is an attorney at Kegler Brown Hill + Ritter, LPA in Columbus, Ohio. Her practice is primarily devoted to providing counsel to oil and gas producers, developers, and pipeline companies for a variety of their needs, including Ohio Department of Natural Resources regulatory compliance, general advice and litigation proceedings. Margeaux is a well-versed litigator who has utilized her experience representing companies in a variety of business and commercial disputes to serve as efficient and effective defense counsel to oil and gas companies in lease disputes with landowners in the Utica shale play. In addition to her work with the oil and gas industry, Margeaux provides counsel to utility clients and competitive electric retail suppliers on a variety of matters, including contractual, transactional and compliance issues.

Margeaux received her Bachelor of Arts in Philosophy with a minor in Classics from The Ohio State University in 2006 and obtained her law degree from Capital University Law School in 2009.

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Kevin M. Gormly
Vorys, Sater, Seymour and Pease LLP

Kevin M. Gormly is a Member of the Pittsburgh, Pennsylvania, office of Vorys, Sater, Seymour and Pease LLP. Mr. Gormly's practice is devoted to oil and gas law in the Marcellus and Utica Shales. He focuses on oil and gas litigation, along with oil and gas transactional matters and oil and gas title issues. Mr. Gormly received his law degree from the New York University School of Law.

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Thursday, October 23
Coal Track – In Order of Speaking

Edward M. Green
Crowell & Moring LLP

Edward M. Green is senior counsel in the Washington, D.C. office of Crowell & Moring LLP where he specializes in regulatory and legislative matters affecting the mining and natural resources industries. Mr. Green's practice focuses on safety and health matters arising out of

the Federal Mine Safety and Health Act of 1977 and the Occupational Safety and Health Act of 1970. He is especially expert on complex occupational health issues relating to respirable dust, diesel particulate matter, silica, other airborne contaminants, occupational noise exposure, and the approval and certification of respirators and mining machinery and equipment.

Before joining Crowell & Moring in 1993, beginning in 1970, Mr. Green was an attorney at the U.S. Department of the Interior specializing in mining issues. He drafted many of the mine safety and health regulations still in force today. From 1973 to 1975, he served as a special counsel to the Secretary of the Interior, charged with focusing on legal issues relating to the controversial bills being considered by the Congress that were ultimately enacted as the Surface Mining and Control and Reclamation Act of 1977. He then served as Special Assistant and Chief of Staff to the Administrator of the Mining Enforcement and Safety Administration (predecessor of MSHA). Mr. Green left government service in 1977 to join the American Mining Congress (a predecessor organization to the National Mining Association).

Mr. Green has spoken and written extensively on mining topics. He is a past president of the Energy & Mineral Law Foundation, and continues as a trustee of that organization. He received both his B.A. degree and his J.D. degree from Boston University under the University's Accelerated Combined Degree Program.

Mr. Green is admitted to practice before several U.S. Courts of Appeals and in the District of Columbia.

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Dan Wolff is a partner with the firm's Environment and Natural Resources Group in Washington, D.C. His practice extends broadly to appellate and trial litigation and administrative counseling in a number of areas of environmental and natural resources law, and on the workplace safety and health laws applicable to the group's clients. Dan regularly appears in federal district and appellate courts around the country, and counsels clients on a host of federal regulatory programs concerning workplace safety and health, Superfund, and public lands. As part of his practice, he represents clients in relation to government investigations of workplace accidents, fatalities, supervisor liability, and whistleblower complaints, and on responding to requests for company records. He frequently speaks and writes on these and related topics, including Superfund litigation, workplace process safety and risk management, and all aspects of mine safety and health compliance, enforcement, and rulemakings arising under federal law.

Dan is on the Executive Committee of the Energy & Mineral Law Foundation, a member of the Rocky Mountain Mineral Law Foundation, and a member of the ABA and its Sections on Administrative Law & Regulatory Practice, Labor and Employment and its Safety and Health subcommittee, and Environment, Energy and Resources. He is admitted to practice in Ohio, the District of Columbia, and numerous federal courts.

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Jeffrey K. Phillips
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Jeff Phillips joined Step toe & Johnson in 1991. After working in the firm's Charleston, West Virginia, office for 18 years, Jeff moved to Kentucky where he became the managing member of Step toe's Lexington office. Jeff balances a civil litigation case load and an MSHA practice. He has tried cases to verdict for over 20 years in federal and state courtrooms in West Virginia and Kentucky.

Jeff is the current leader of Step toe's MSHA team. The team assists clients with accident investigations, discrimination complaints, contests of enforcement actions, and other interactions with government investigators and inspectors.

After graduating from Point Park University with a business management degree, Jeff attended the University of Pittsburgh earning his juris doctorate.

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Jonathan Ellis is a Member at Step toe & Johnson PLLC in Charleston, West Virginia. He regularly represents mine operators on a variety of MSHA matters including citation contests, fatal accident investigations, pattern of violations issues, contests of flagrant violations, and 110(c) investigations. In addition, Jonathan defends coal operators and other energy clients in civil litigation against claims of wrongful death, deliberate intent, personal injury, and breach of contract.

Jonathan is a member of the West Virginia Coal Association, the Kentucky Coal Association, the Energy & Mineral Law Foundation, MENSA, and the National Mining Association. Jonathan is a graduate of the Washington and Lee University School of Law.

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Timothy W. Gresham is a director and shareholder in the law firm of Penn, Stuart & Eskridge with offices in Abingdon, Virginia, Richmond, Virginia, and Bristol, Tennessee. His practice involves mining and natural resources law and regulation, environmental law and workers' compensation and occupational disease. Before joining PennStuart in 1987, Mr. Gresham served as an Assistant Attorney General, representing Virginia's mining, environmental, and oil and gas regulatory agencies. Before that, Mr. Gresham was a staff attorney for the Pittston Company Coal Group. Mr. Gresham received his B. A. from Morehead State University in 1976 and his J.D. from the University of Tennessee in 1979.

Mr. Gresham is a Trustee and Past President of the Energy & Mineral Law Foundation. He has been included in The Best Lawyers in America[®] in Mining Law and Environmental Law since

2008. He has made presentations on various topics relating to coal mining, citizen suit and attorney fee provisions in environmental laws, and occupational lung disease related to mining. He is the author of several articles published in law reviews and the EMLF Annual Institute Proceedings.

Mr. Gresham is admitted to practice in Virginia and Tennessee and is a member of the Virginia State Bar and the American and Virginia Bar Associations. He presently serves on the VBA's Environmental, Natural Resources & Energy Section Council as Chair-elect.

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John M. Williams
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John M. Williams is a native of Loyall in Harlan County, Kentucky. John graduated from the University of Kentucky College of Business & Economics with a Bachelors of Business Administration (Finance) in 1984 and received his Juris Doctor from the University of Kentucky College of Law in 1987. He is a member of the Kentucky, Fayette County, American and Federal Bar Associations. He has held several officer positions with the Kentucky Chapter of the Federal Bar Association, including President. John has an "AV[®] Preeminent[™]" rating by Martindale Hubbell.

John represents numerous coal companies in mine safety matters before the Federal Mine Safety and Health Review Commission. He regularly represents operators in special investigations conducted by the Mine Safety and Health Administration and also advises these clients on compliance matters. He is also a frequent speaker on mine safety matters.

John has extensive litigation experience in federal and state courts throughout Kentucky. Although his practice is primarily in mineral and energy and commercial litigation, John has experience in personal injury, construction claims, architect and engineer defense and collection matters. His experience in mineral law includes drafting and reviewing lease agreements, contract mining agreements and other transactions plus litigation of contract disputes, boundary disputes and personal injury matters. In the commercial litigation area, John has represented parties in business torts, lender liability and a wide variety of contract disputes.

John has served on the Board of Directors of Special Olympics Kentucky, Inc., for over 20 years. John is also a member of the Board of Trustees of the Kentucky Bar Association Lawyers Assistance Program Foundation, Inc. and a member of the Kentucky State Corrections Commission.

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Emily McKinney is a senior associate in the Louisville, Kentucky, office of Frost Brown Todd, and a member of the firm's environmental practice group. She represents clients in a variety of environmental litigation matters in state and federal courts and before administrative agencies, including permit appeals, government enforcement actions, and environmental citizen suits. Ms.

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Ms. McKinney earned her J.D. from the University of Chicago Law School and her B.S. in Biology, *summa cum laude*, from the University of Kentucky. She is a member of the Kentucky Bar Association. Ms. McKinney serves on the executive boards of the Celiac Sprue Association and Women in Commercial Real Estate Louisville.

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Rick graduated from the University of Virginia with a B.A. in Foreign Affairs and received his law degree from the Wake Forest University School of Law. He is admitted to practice in West Virginia and has been ranked in *Chambers USA: America's Leading Lawyers for Business* recognized as a *Rising Star* by *Super Lawyers*.

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Warren Hoffmann is a member of Frost Brown Todd's Lexington, Kentucky, office, practicing corporate and commercial law in the energy and natural resources area. Warren has been selected for inclusion in *Kentucky Super Lawyers*® 2007-2014 and received a Band 1 ranking by *Chambers USA*® for Kentucky-Natural Resources. Recently, *Best Lawyers in America*® recognized Warren as the "2014 Lexington Natural Resources Lawyer of the Year", and formerly the "2011 Lexington Energy Lawyer of the Year." Warren has devoted most of his career to handling energy related matters, including coal reserve acquisition, leasing and permitting, purchases and sales of mining companies, contract mining and coal preparation agreements, trans-loading and transportation facilities and contracts, financing coal mining and utility operations, issues arising under federal and state regulatory programs, including SMCRA and MSHA, and sales and leases of mining equipment. Warren negotiates and documents fuel supply contracts for utilities and coal companies and also counsels clients in the disputes that often arise from such agreements.

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Justin W. Ross lives in Lexington, Kentucky, and is a partner with Wyatt, Tarrant & Combs, LLP. His practice involves commercial transactions and disputes in the energy industry, and he has extensive experience with the negotiation and litigation of coal supply agreements. Justin is a frequent author and presenter for the Energy & Mineral Law Foundation on these issues, including his recent articles, *Remedial Remedies: or How I Learned to Stop Worrying and Love the UCC* and *Reopening Pandora's Box: Market Price Reopeners in Volatile and Uncertain Times*. Justin earned his undergraduate degree in economics from Wake Forest University and his law degree from the University of Kentucky. Along the way, he obtained a master's degree in the study of Film and Television at the Savannah College of Art and Design.

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