

Energy & Mineral Law Foundation
Kentucky Mineral Law Conference 2013
October 23-25, 2013

Speakers' Biographies

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 2013 and is also listed in *Super Lawyers Corporate Counsel Edition* in the area of energy and natural resources. 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 two 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, *Brown v. Chesapeake Appalachia, LLC*, 2013 U.S. Dist. LEXIS 118827 (N.D. W. Va. Aug. 21, 2013); obtaining the dismissal of royalty claims, *David F. Pollock, et al., on Behalf Of Themselves and All Others Similarly Situated, vs. 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); defeating class certification in a royalty case, *David F. Pollock, et al. v. Energy Corporation of America*, 2013 WL 4015777 (W.D. Pa. 2013); successfully challenging a Recorder of Deeds policy prohibiting the assignment 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 Pennsylvania and West Virginia and the federal courts in Pennsylvania, West Virginia and Ohio.

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

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Richard J. Bolen
Huddleston Bolen LLP

A lawyer with substantial achievements in both professional and community affairs, Mr. Bolen concentrates in law involving litigation - both personal injury and commercial - and natural resources - coal, oil and gas. Mr. Bolen was the lead trial lawyer for the only defendant remaining in the trial of the Mass Flood Litigation at the conclusion of the eight week first phase trial in 2006, which was the only trial in that matter. The Mass Flood Litigation was believed to have been the largest mass litigation in West Virginia history.

Mr. Bolen has also served as an arbitrator in various coal, oil and gas matters. He is a graduate of the University of Virginia School of Law. Among his bar and professional activities, Mr. Bolen has served as President of the West Virginia Bar Association and as a Trustee of the Energy and Mineral Law Foundation. Mr. Bolen has written and lectured on various coal, oil, gas and other topics.

He has been named to *Best Lawyers*® and honored by *Chambers USA*® for his work in natural resource law, and has also been named by *West Virginia Super Lawyers* for his work in the area of energy and natural resources. He was named a Fellow of the West Virginia Bar Foundation for his outstanding service to the legal profession in 2010 and a Fellow of the American Bar Foundation for dedication to welfare of the community and the traditions of the legal profession in 2012.

A native of Huntington, Mr. Bolen is one of the firm's most dedicated community leaders. He is currently serving on the Executive Committee of the Huntington Area Development Counsel, Inc., was its first chairman, served two terms as Chairman of the Huntington Regional Chamber of Commerce and has served on numerous other community boards.

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John T. Boyd II
John T. Boyd Company

John T. Boyd II is President and CEO of John T. Boyd Company (BOYD), an international mining, geological, and energy consulting firm headquartered outside Pittsburgh, Pennsylvania, with additional offices in Denver, Colorado; Brisbane, Australia; and Beijing, China. In addition to being an experienced lawyer on mining, environmental, natural resources, and regulatory matters, Mr. Boyd relies upon his finance background when performing comprehensive strategic, operational, and financial assessments, valuations, economic analyses, market forecasts, and sales agreement evaluations for BOYD's diverse client base.

Mr. Boyd was formerly General Counsel for Sears Home Improvement Products, a manufacturing, sales, and installation subsidiary of Sears, Roebuck and Company,

and an associate at Thorp, Reed & Armstrong representing corporate clients litigating commercial transactions, regulatory, environmental, and natural resources disputes.

Recent presentations/publications include “Investing in Overseas Projects and Coal Export Opportunities,” E&MLF Winter Workshops on Energy Law (2012), “Impact of China and India on World Coal Markets,” Power-Gen International (2011), “Markets for Coal, Oil & Natural Gas Impact of Gas and EPA Rules on Coal Consumption,” 36th Kentucky Mineral Law Conference (2011), co-presenter of “Coal Asset-Based Transactions – A Case Study,” Energy and Mineral Law Foundation (2010 and 2009), “The Markets for Coal, Natural Gas, and Oil,” Energy and Mineral Law Foundation (2009), “Coal: Perception to Reality,” Energy & Mineral Law Foundation (2008).

Mr. Boyd earned a B.B.A. degree in Finance, *magna cum laude*, from The George Washington University and a J.D. degree from the University of Richmond.

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Kevin P. Braig
Dinsmore & Shohl, LLP

Mr. Braig, a partner in Dinsmore & Shohl, LLP’s Columbus, Ohio office, focuses his practice on agricultural and environmental compliance and litigation. Mr. Braig also represents clients in matters involving regulatory issues relating to water, solid and hazardous waste, and underground storage tank compliance and closure, as well as other clients involved in a variety of gaming related businesses.

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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. In addition, 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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Michael O. Conley
Kentucky River Properties LLC

Michael O. Conley is a graduate of Morehead State University, where he earned both a Bachelor of Business Administration Degree (BBA) and a Master of Business Administration Degree (MBA) and holds a Certified Professional Landman (CPL) designation from the American Association of Professional Landmen (AAPL), with its International Headquarters located at 4100 Fossil Creek Blvd., Fort Worth, Texas. Mr. Conley was President of AAPL from 2001-2002 and previously served AAPL as First Vice President from 2000-2001 and as its Treasurer from 1996-1997, as well as having served multiple terms on its Board of Directors. Mr. Conley is a Past President of the Appalachian Association of Professional Landmen and has served on its Board of Directors and numerous committees, as well as its Vice President and as its National Director to AAPL. He was the recipient of the Appalachian Association's Distinguished Service Award in 1994 and again in 2002. Mr. Conley is a member of the Energy and Mineral Law Foundation and has served on its Executive Committee and currently serves as a Governing Member Trustee on the EMLF Board of Trustees. Mr. Conley is a member of the Kentucky Oil and Gas Association (KOGA) and also serves as a member of the KOGA Board of Directors. He has held membership in the East Kentucky Independent Oil and Gas Association (EIOGA) and since 1983 holds membership in the Society of Petroleum Engineers (SPE), the East Kentucky Chapter.

Mr. Conley is employed by Kentucky River Properties LLC (KRP), as its Land Agent and serves KRP as Vice President of KRCC Oil & Gas, LLC, a wholly owned entity of Kentucky River Properties LLC, and as a member of the Board of Directors of KRCC Oil & Gas, LLC. In his official capacity with KRP, Mr. Conley is responsible for coordinating and monitoring the company's oil and gas interest and operations and its timber management program and timber operations occurring on the properties. These responsibilities include oversight of joint venture agreements, operating agreements, and coordinating of activities between oil and gas and timber operations with coal operations.

Prior to his current employment with KRP, Mr. Conley was a Field Agent from 1976-1984 with Kentucky West Virginia Gas Company, which at that time was an affiliate of Equitable Resources, Inc. His responsibilities with Kentucky West Virginia Gas Company included negotiations with land owners for the acquisitions of oil and gas leases and the purchase and acquisition of pipeline right-of-ways, road right-of-ways, oil tank sites and the location of oil and gas well drilling sites and working with coal operators for the placement or re-location of oil and gas roads, pipelines and well sites.

Mr. Conley holds an honorable discharge from the United States Army and is a graduate of the Kentucky National Guard Officer Candidate School, and upon

completion and graduation, was appointed a Reserve Commissioned Officer in the Army of the United States, as a Second Lieutenant (Quarter Master), receiving as awards both the National Guard Bureau Erickson Trophy and the National Guard Association of Kentucky Award. He is a Past President of the Martin Kiwanis Club of Martin, Kentucky, is a 32nd Degree Scottish Rite Mason and is a Past Master of John Wesley Hall Masonic Lodge No. 950 F&AM of Martin, Kentucky, and is a Past District Deputy Grand Master for District No. 28 of the Grand Lodge Kentucky. Mr. Conley attends the Allen Christ United Methodist Church in Allen, Kentucky. Mr. Conley has one son, Michael Patrick Conley, a practicing attorney in Hindman, Kentucky, who is married to Alicia Conley. Mr. Conley is proud to announce, as a new Grandfather, his granddaughter, Zoe Alexandra Conley, born April 9, 2013.

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J. Kevin Ellis
Antero Resources Corporation

Kevin Ellis joined Antero Resources in January 2011, and manages its Ellenboro, West Virginia, office. Antero Resources is an independent exploration and production company engaged in the acquisition, development, and production of unconventional natural gas resources in the United States. Unconventional play types for Antero include fractured shales and tight sands. Corporate headquarters are located in Denver, Colorado. Antero has properties in the Appalachian Basin in West Virginia, Pennsylvania and Ohio.

Prior to joining Antero Resources, Kevin worked with Bluestone Energy Partners, a privately held independent exploration and production company engaged in the production of conventional and unconventional natural gas resources in Harrison and Doddridge Counties, WV. While at Bluestone, Kevin focused his efforts on business development and served as in-house counsel. Bluestone Energy Partners completed a transaction with Antero Resources in late 2010, in which Bluestone merged with and into a wholly owned subsidiary of Antero Resources Corporation.

Previously, Kevin was with the law firm of Steptoe & Johnson PLLC in the firm's Morgantown, West Virginia, office, where he was a member of the firm's Energy Practice Group. During his time with Steptoe & Johnson, Kevin's law practice focused on mineral title and real property law, land and mineral transactions, business and asset acquisitions, regulatory and permitting matters, as well as related business litigation for clients in the coal, oil and gas industry.

During and continuing after Kevin's graduation from the Citadel, The Military College of South Carolina in 1992, he served in the United States Army Reserves, both in the enlisted ranks and as a commissioned officer. He was deployed with his reserve unit to Southwest Asia in support of Desert Storm.

Kevin obtained his law degree from the West Virginia University College of Law. He is an active member of the bar in the states of West Virginia and South Carolina. Kevin is admitted to practice before the state courts in South Carolina, and the state and federal district courts in West Virginia. Kevin is an active member of the Energy & Mineral Law Foundation, Independent Oil & Gas Association of West Virginia (IOGAWV) and West Virginia Oil and Natural Gas Association (WVONGA).

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Britt A. Freund
Bowles Rice LLP

Britt Freund is an associate in the Southpointe office of Bowles Rice, located in Canonsburg, Pennsylvania. He focuses his practice on energy law and coal, oil and gas.

Britt earned his law degree from the Duquesne University School of Law in Pittsburgh, where he was recognized by the faculty for the Katie Westbrook Award as the Outstanding Third-Year Student. In addition, he was the recipient of the CALI Award for both constitutional law and advance constitutional law, and was a finalist in the American Association for Justice National Moot Court Competition. He earned a Bachelor of Fine Arts degree in musical theater from Ithaca College.

He is admitted to practice law in West Virginia and Pennsylvania and before the United States District Court for the Southern District of West Virginia. He is a member of the West Virginia State Bar, the Energy & Mineral Law Foundation (EMLF), the Independent Oil & Gas Association of West Virginia and the West Virginia State Bar Energy Committee.

Britt's legal practice keeps him involved in a variety of transactional, litigation and administrative law matters focused on mineral production from the Appalachian Basin. Britt assists with representation of the Independent Oil & Gas Association of West Virginia. Britt enjoys writing and speaking on mineral law topics and is a Trustee-at-large for EMLF.

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Mary L. Fullington
Wyatt, Tarrant & Combs, LLP

Mary Fullington leads the Firm's Bankruptcy & Creditors' Rights Service Team. She concentrates her practice in the areas of business bankruptcy, bankruptcy litigation, and commercial litigation.

Ms. Fullington typically represents parties involved in business bankruptcy cases, including post petition lenders, secured creditors, pre-petition and post petition suppliers of goods and services to debtors, lessors and lessees of the business debtor, unsecured creditors, bankruptcy trustees, creditor trusts, and buyers of assets in sales under section 363 of the Bankruptcy Code. She regularly represents defendants in preference and fraudulent transfer recovery litigation, and as counsel to trustees and creditors trusts has prosecuted numerous such actions and coordinated teams of paralegals and attorneys to prosecute large numbers of such actions simultaneously.

Ms. Fullington was chosen as a Fellow of the American Bar Foundation. She is listed in *Woodward/White's The Best Lawyers in America*® 2014 Lexington Litigation – Bankruptcy "Lawyer of the Year", *Woodward/White's The Best Lawyers in America*® in the areas of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation-Bankruptcy, 2009-2014, Best Lawyers® 2013 Lexington Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law "Lawyer of the Year", and Best Lawyers® 2012 Lexington Litigation-Bankruptcy "Lawyer of the Year." She is regularly listed as one of Kentucky's Super Lawyers and is AV rated by *Martindale-Hubbell Law Directory*. Ms. Fullington was listed as a Top Lawyer in Bankruptcy and Creditors Rights Law in *Corporate Counsel* magazine's January, 2010 Annual Guide.

Ms. Fullington earned her J.D. in 1985 and her B.A. in 1978 from Louisiana State University. She was inducted into the Hall of Fame, Louisiana State University Law Center on November 14, 1987, "in recognition of intellectual, financial or leadership qualities of a very high order."

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Daniel C. Garfinkel
Buchanan Ingersoll & Rooney PC

Daniel C. Garfinkel is Counsel at the law firm of Buchanan Ingersoll & Rooney PC in Pittsburgh, Pennsylvania. He is a member of the firm's Energy and Litigation sections, focusing much of his practice on litigation concerning coal supply agreements and mining rights. Mr. Garfinkel is experienced in handling litigation matters in both state and federal court, and has represented energy clients through all stages of the litigation process.

Mr. Garfinkel is admitted to practice before the Pennsylvania Supreme Court and the United States District Court for the Western District of Pennsylvania, and is a member of the Allegheny County Bar Association. Mr. Garfinkel has been selected for inclusion in the *Pennsylvania Super Lawyers*® *Rising Stars* list in 2011, 2012 and 2013.

While attending law school, Mr. Garfinkel served as Editor-in-Chief of the Case Western Reserve University Law Review. Mr. Garfinkel received his B.A. degree (*cum laude*) from Allegheny College in 2000 and his law degree (*magna cum laude* and Order of the Coif) from Case Western Reserve University School of Law in 2003.

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Vaughn R. Groves
Alpha Natural Resources, Inc.

Vaughn R. Groves is executive vice president, general counsel, and secretary of Alpha Natural Resources, a position he has held since August 2009. Prior to the merger with Foundation in July 2009, he served as senior vice president from February 2009 through July 2009, as vice president from September 2006 until February 2009, and as secretary and general counsel from November 2004 through July 2009. In addition to the legal department, also reporting to Mr. Groves are the safety, environmental, risk management and internal audit departments. Mr. Groves joined the management team as the vice president, secretary and general counsel of Alpha Natural Resources, LLC in October 2003, and also served as the vice president and general counsel of ANR Holdings, LLC from November 2003 until ANR Holdings, LLC was merged with another of its subsidiaries in December 2005. Before that time, he served as vice president and general counsel of Pittston Coal Company from 1996 until joining Alpha, and as associate general counsel of Pittston Coal Company from 1991 to 1996. Before joining Pittston, Mr. Groves was associated with the law firm of Jackson Kelly PLLC, one of the leading mineral law firms in the Appalachian region. He also is a mining engineer and before obtaining his law degree, he worked as an underground section foreman, construction foreman and mining engineer for Monterey Coal Company, an affiliate of Exxon.

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Timothy D. Hoffman
Dinsmore & Shohl, LLP

Tim Hoffman is a Partner in the Litigation Department and Chair of the Environmental Practice Group at Dinsmore & Shohl, LLP. With over 30 years of experience in environmental law, Tim concentrates his practice defending clients in civil penalty and alleged environmental crime cases, as well as handling a broad range of environmental matters in virtually every environmental media. This could include pre-purchase environmental due diligence in real estate or corporate transactions or negotiating favorable environmental permit terms.

As an environmental defense attorney, Tim has successfully resolved many civil penalty cases where initial proposed penalties ranged from \$100,000 to multi-million dollars. Tim has a sustained track record of saving his clients thousands of dollars in transaction costs and civil penalties with resolution of nearly 100% of these enforcement cases before trial using negotiation and alternative dispute resolution methods. In addition to saving legal fees, penalties and transaction costs, Tim's clients often preserve their ongoing working relationships with environmental regulators after resolving a case. Tim has also handled numerous white collar crime investigations using a similar strategy to resolve those cases.

Tim started his environmental practice as in-house counsel to a multi-billion dollar conglomerate that produced rubber and plastic products for automotive and non-automotive applications as well as wall coverings, luggage and other industrial and consumer products. While there he defended the company in environmental enforcement proceedings around the country and helped develop the company's first overall environmental compliance and auditing programs for its 23 domestic and international manufacturing facilities.

Tim is a member of The American Bar Association, Section of Environment, Energy and Resources, the Ohio State Bar Association Environment and Resources Committee, and the Dayton Bar Association Environmental Law Committee. His distinctions include Peer Review Rated AV in Martindale-Hubbell, listing in *The Best Lawyers of America*®, named "Best of the Bar" in *The Dayton Business Journal*, selected for the *Ohio Super Lawyers*® List, and listed in *Chambers USA*®: America's Leading Lawyers for Business, Natural Resources & Environment.

Tim received his J.D. from Capital University School of Law in 1981 and his B.A. from Capital University (*cum laude*) in 1978.

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James A. Jarrell
Triana Energy, LLC

James A. Jarrell is Senior Vice President, Secretary and General Counsel of Triana Energy, LLC and other unaffiliated but related companies. He is responsible for the legal affairs of Triana and has been involved in the negotiation of all of Triana's major asset acquisitions. Mr. Jarrell also assists his company's senior management in the development and execution of its business strategies.

Jim has accumulated over 35 years of experience in the natural gas industry, including more than 25 years with Columbia Gas Transmission Corporation in various capacities, including General Counsel and head of Columbia's Asset Management

Group. Mr. Jarrell has served at the senior management level for Triana and other companies for well over 20 years and has broad experience in the natural gas industry.

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Natalie N. Jefferis
EQT Midstream

Natalie N. Jefferis is a Regional Land Director for EQT Midstream in Pittsburgh, Pennsylvania. Mrs. Jefferis is responsible for managing the acquisition of property rights and permits necessary for the construction of gathering and transmission pipelines in Pennsylvania. Mrs. Jefferis joined EQT in 2006 and was responsible for clearing title to conventional shale wells, coalbed methane wells and horizontal wells in the Big Sandy Gas Field until 2008. Prior to joining EQT, Mrs. Jefferis worked as an associate at Bowles Rice McDavid Graff & Love, LLP in Charleston. While at Bowles Rice, she was an associate in the Energy Group and her practice focused on coal contracts, oil and gas litigation and arbitration and commercial real estate transactions.

Mrs. Jefferis is an active member of the Energy & Mineral Law Foundation and currently serves on its Board of Trustees and Executive Committee. She is also a member of the WVU College of Law's 2011-2012 Development Council and the advisory board for the Energy and Sustainability Center at WVU College of Law. She earned her J.D. from West Virginia University College of Law in 2002. She is admitted to practice in the state of West Virginia and before the United States District Court for the Southern District of West Virginia.

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Brian M. Johnson
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Brian M. Johnson is a partner in the Lexington office of Bingham Greenebaum Doll LLP, and is the Chair of the firm's Environmental and Toxic Tort Defense Team. Brian's practice includes the representation of energy companies in a variety of areas, including contract issues and property damage cases. Brian's representation of coal companies has involved an active trial practice, including five jury trials over the course of ten months in 2012-2013.

Brian is admitted to practice in the state and federal courts of Kentucky, the Eastern District of Michigan, and the Northern District of Florida.

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Lucas A. LaVoy
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Lucas LaVoy advises and assists clients in acquisitions, dispositions, and joint ventures relating to oil and gas properties and exploration & production (E&P) companies, with a particular focus on advising and assisting investors and capital providers seeking exposure to the domestic E&P sector. His practice has included E&P asset purchases, participation, and development transactions relating to assets in Texas (Eagle Ford Shale and Permian Basin), Wyoming, Louisiana, and Montana; asset and equity sales in the Barnett Shale; acquisitions of federal leases in the Gulf of Mexico; preparation and negotiation of oil and gas leases; and advice and preparation of agreements related to ongoing E&P activities.

Lucas also represents clients in matters relating to mineral titles, including primary title examination and preparation of drilling title opinions and division order title opinions as well as the design and execution of transactional due diligence programs.

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Joseph U. Leonoro
Steptoe & Johnson PLLC

Joseph U. Leonoro is an Associate in the Labor and Employment Department at Steptoe & Johnson PLLC. He works in the firm's Charleston, West Virginia, office.

Joe represents employers in employment litigation, including claims of discrimination under Title VII, the Age Discrimination in Employment Act and the West Virginia Human Rights Act, claims arising under the Fair Labor Standards Act and state wage-and-hour laws, as well as tort and contract claims related to the employment relationship. Joe also assists employers with drafting personnel policies and procedures, taking appropriate personnel actions, responding to administrative enforcement agencies, and handling other personnel policies and payroll matters.

He is licensed to practice before all state courts in West Virginia, the United States Court of Appeals for the Fourth Circuit, the United States District Court for the Southern District of West Virginia, and the United States District Court for the Northern District of West Virginia. He also regularly practices before state and federal administrative tribunals.

Currently, Joe serves as the Vice President of the Kanawha County Bar Association. He graduated from the West Virginia University College of Law in 2007 as a member of the Order of the Coif. While in law school, Joe served as the Executive Article Selection Editor of the *West Virginia Law Review* and served on the Law Review's Executive Committee. Joe graduated, *magna cum laude*, from Transylvania University in Lexington, Kentucky in 2004.

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A. George Mason George Mason Law Firm, PSC

George Mason is the principal of George Mason Law Firm, PSC, located in Lexington, KY, specializing in representing companies & individuals who want to develop oil, gas, coal, coalbed methane (CBM) and Marcellus & Utica Shale properties. Based on extensive experience negotiating and drafting oil, gas, coal and CBM legislation and regulations, he advises clients of the actual and potential impact on operations from energy, environmental and tax initiatives.

Mr. Mason was involved in negotiating and drafting the 1990 Virginia Gas & Oil Act and its CBM provisions, West Virginia's 1994 CBM legislation and regulations, and Section 1339 of the Energy Policy Act of 1992 (EPACT), entitled "Ownership of Coalbed Methane." He was a member of the Kentucky CBM Legal Committee, which negotiated and drafted Kentucky's CBM statute (Ky. Rev. Stat. §349) and regulations (805 Ky. Admin. Regs. 9).

Before entering law school, Mr. Mason served active duty tours with the U.S. Army Special Forces (Airborne) and the 101st Airborne Division ("Screaming Eagles"). He retired from the U.S. Army Reserve with the rank of Colonel.

Mr. Mason received his B.A. and J.D. from the University of Kentucky, where he was a member of the *Kentucky Law Journal*. He is licensed to practice law in Kentucky, Tennessee, Virginia, West Virginia and Pennsylvania. He is admitted to practice before the U.S. District Courts of Kentucky and Virginia, Southern District of West Virginia, U.S. Courts of Appeals for the Fourth and Sixth Circuits, and the U.S. Supreme Court. He served as the Assistant General Counsel of Massey Energy Company and, prior to that, was the Vice President and General Counsel of Equitable Production Company (now named EQT Production Co.), before starting his own law firm.

Mr. Mason is a Trustee of the Energy & Mineral Law Foundation and has spoken at numerous EMLF seminars, including the Kentucky Mineral Law Conference. Mr. Mason has been an Adjunct Professor of Law at the Salmon P. Chase College of Law, Northern Kentucky University, where he taught Oil & Gas Law and Coal Law. He is a member of the Advisory Boards for the Virginia Center for Coal & Energy

Research at Virginia Tech and the Virginia Coalfield Economic Development Authority in Lebanon, VA.

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Richard T. Miller
Coal and Gas Energy Services, LLC

For the past twenty-six years, Richard T. Miller has represented energy producers and electric or gas utility companies. Richard is now the President of Coal and Gas Energy Services, LLC, a consulting and legal services firm serving coal and gas producers and utilities. Richard provides services related to commercial issues, mineral rights, environmental regulation, utilities regulation and litigation. Prior to forming his own firm, Richard was Assistant General Counsel for the Pennsylvania coal and natural gas operations of Alpha Natural Resources, Inc. and, from 2004 to 2009, of Foundation Coal Corporation. From 2000 to 2004, Richard represented residential and small commercial users of electricity and natural gas before the Maryland Public Service Commission, and, prior to that, Richard worked nine years for the U.S. Securities and Exchange Commission and two years for the law firm of Fulbright & Jaworski.

In 2010, Richard spoke and wrote about the implied rights of mineral owners for the EMLF. Richard has also written several articles about various corporate law and securities regulation topics.

Richard Miller received his Bachelor's degree in 1981 from Harvard University and his Juris Doctorate degree from the University of Iowa in 1986 where he served as an Articles Editor on the *Iowa Law Review*. Richard also studied economics in 1981-82 at the University of Wales on a Rotary International fellowship, and he received utility regulatory training at the University of Michigan.

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R. Henry Moore
Jackson Kelly PLLC

R. Henry ("Hank") Moore is a Member of Jackson Kelly PLLC and is resident in the firm's Pittsburgh, Pennsylvania office.

Mr. Moore is a member of Jackson Kelly's wide Occupational Safety and Health Practice Group. His practice is primarily concentrated in the areas of compliance counseling, litigation of civil and criminal enforcement matters, accident investigation and discrimination claims under both state and federal statutory provisions. His career in occupational safety

and health law commenced in 1978, and he has counseled clients in a variety of industries including coal mining, metal and nonmetal mining, stone, sand and gravel operations. In addition, his practice extends to labor and employment issues, including representing employers in investigations by the U.S. Department of Labor and in litigation under the various federal whistleblower statutes.

Mr. Moore was a member of the lead defense team and successfully represented several corporate and individual clients in nationwide dust sampling fraud litigation under the Federal Mine Safety and Health Act of 1977. He has represented clients subject to criminal investigation and prosecution under the Federal Mine Safety and Health Act, including the falsification of training records and tampering with respirable coal mine dust samples. He has represented mine operators in cases involving mine explosions which resulted in multiple fatalities in proceedings up through appeals to the United States Court of Appeals. On a number of occasions, he has been involved at the mine site immediately after an explosion to counsel the operator through the initial phases of rescue and recovery. He has represented mine operators in other cases up through the United States Court of Appeals involving issues of coal mine ventilation, mine safety discrimination and liability for contractor violations.

Mr. Moore is a 1976 graduate of the Dickinson School of Law and a 1972 graduate of Dartmouth College. He is admitted to practice before the Pennsylvania Supreme Court, the U.S. District Court for the Western District of Pennsylvania and the U.S. Courts of Appeals for the Third, Fourth, Sixth, Seventh, Ninth and District of Columbia Circuits.

Mr. Moore is a Trustee of the Energy & Mineral Law Foundation and a Director of the Pittsburgh Coal Mining Institute of America. He has been selected by his peers for inclusion in *The Best Lawyers in America*® from 2009-2012.

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Ryan J. Morgan is the Leader of his firms' Energy Transactions Practice Group and concentrates his practice in the area of upstream energy acquisitions and development, with extensive experience in transactional, regulatory and title matters. He has assisted in several multi-million dollar transactions involving the sale and purchase of mineral assets and related facilities, and has extensive experience guiding due diligence and title projects for major E&P companies operating in the Appalachian basin. He also has extensive experience representing energy clients before regulatory agencies and provided guidance in developing the processes to establish pooling units for largest active coalbed methane production program in West Virginia.

Morgan is a graduate of West Virginia University College of Law and received his undergraduate degree from Swarthmore College. While at WVU, he was a member of the *West Virginia Law Review* and the Order of the Coif.

Morgan is an active member the West Virginia Independent Oil & Gas Association, Energy & Mineral Law Foundation, Rocky Mountain Mineral Law Foundation, and the Corporate Board of the HOBY State Leadership Program.

He is a regular author and presenter at seminars and industry events, including "An Update on Appalachian Shale Transactions," TerraLex Global Meeting, Energy Practice Group in 2012; "Shale Transactions in Appalachia: Key Transactional Documents," presented at the 2012 EMLF Annual Institute; and "Lease Maintenance Challenges," for the Rocky Mountain Mineral Law Foundation/Energy & Mineral Law Foundation Joint Conference on Development Issues in Major Shale Plays in 2010.

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**C. David Morrison
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C. David Morrison, Steptoe & Johnson PLLC, was Chair of the firm's Labor and Employment Department from 1994 to 2010. His office is located in Bridgeport, West Virginia. He has 32 years of experience in employment counseling, supervisory training and litigation in state and federal courts as well as before federal agencies.

Currently, David is a past President of the Energy & Mineral Law Foundation ("EMLF"), a permanent member of the Fourth Circuit Judicial Conference, a member of the Employment Law Committee of the West Virginia State Bar, and a member of the Employment Law Section of the American Bar Association. He recently received the prestigious McClaugherty Award from the EMLF.

David is a Fellow in the College of Labor & Employment Lawyers and a Fellow of the West Virginia Bar Foundation. He has presented over 75 seminars, and has served as an adjunct lecturer on both trial advocacy and pre-trial strategies at the West Virginia University College of Law.

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**Todd C. Myers,
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Todd C. Myers focuses his practice on litigation, including mine safety matters before the Federal Mine Safety and Health Review Commission, construction claims, commercial litigation, employment disputes and general tort liability claims.

Todd earned his Juris Doctor, *cum laude*, from the Salmon P. Chase College of Law in 2000. During law school, Todd was a member of the National Mock Trial Team. He graduated from Transylvania University in Lexington, Kentucky, with a Bachelor of Arts in Business Administration (Finance) in 1997.

Todd has tried cases in both state and federal courts, as well as handling hearings before numerous state and federal administrative agencies. He has successfully argued appeals before Kentucky appellate courts as well as the Sixth Circuit Court of Appeals. Todd has also written, lectured and trained employers regarding various issues in mine safety and employment law.

Todd is licensed to practice in Kentucky and West Virginia. He is also admitted before the Sixth Circuit Court of Appeals, United States District Courts for the Eastern and Western Districts of Kentucky and Southern District of West Virginia. He is a member of the Kentucky Bar Association, West Virginia State Bar Association, Fayette County Bar Association, Kentucky Defense Counsel, Federal Bar Association, Defense Research Institute, Energy & Mineral Law Foundation, and Kentucky Coal Association.

Todd has earned a “BV[®] Distinguished[™]” rating by Martindale Hubbell. Some of his significant cases include *Mullins v. IBCS Mining, Inc., Kentucky Div.*, 2011 WL 4715169 (E.D. Ky. 2011); *Laurel Const. Co., Inc. v. Paintsville Utility Com’n*, 336 S.W.3d 903 (Ky. 2010); *Morgan v. Bird*, 289 S.W.3d 222 (Ky.App. 2009); and *Price v. Paintsville Tourism Com’n*, 261 S.W.3d 482 (Ky. 2008).

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Roger L. Nicholson is a sole practitioner in Charleston, West Virginia, serving mineral producers, land owners and other businesses in the energy industry. Mr. Nicholson has significant and varied experience in the energy-related fields. He has served as general counsel for two publicly traded coal producers: International Coal Group, Inc. and Massey Energy Company. In addition, he served as in-house counsel for Arch Mineral Corporation (now Arch Coal, Inc.) and its land-holding subsidiary, Ark Land Company. Prior to establishing his own firm, Mr. Nicholson served two stints with Jackson Kelly PLLC in its Charleston,

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Charles R. Patton
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Charles Patton is president and chief operating officer for Appalachian Power, serving approximately 1 million customers in West Virginia, Virginia and Tennessee. He has authority for distribution operations and a wide range of customer and regulatory relationships. Patton has approximately 26 years in the electric utility business and has served in numerous capacities throughout AEP.

Previously, Patton served in Columbus in the parent company's headquarters of American Electric Power as executive vice president - AEP Utilities West and senior vice president - Regulatory and Public Policy. A significant amount of Mr. Patton's career was in Texas where he served as president and chief operating officer of AEP Texas, serving approximately 901,000 customers and in varying executive roles responsible for external affairs in Texas and in the Southwestern region of AEP-- Texas, Louisiana, Oklahoma and Arkansas.

Prior to joining AEP, Patton spent nearly 11 years in the energy and telecommunications business with Houston Industries/Houston Lighting & Power. While there, he worked in regulatory affairs assisting in the litigation and management of regulatory proceedings. He later became a policy specialist in government affairs and a lobbyist in Texas and Washington, D.C.

Patton has been active in state energy policy matters. He was appointed by former Texas Gov. George Bush to serve on the Texas Energy Coordination Council and the Interstate Oil and Gas Compact Commission. Later, Gov. Rick Perry appointed Patton to the Texas Energy Planning Council, which was established to advise the governor on energy matters.

Patton received a bachelor's degree (*cum laude*) from Bowdoin College in Brunswick, Maine, and a master's degree from the LBJ School of Public Policy at the University of Texas in Austin. He completed, with honors, undergraduate programs at Boston University, Harvard and American University.

He has served and chaired numerous professional civic organizations in the communities in which he has lived. Charles and his family reside in Charleston, West Virginia, where he currently serves on the Boards of the University of Charleston, the

West Virginia Education Alliance, the West Virginia Regional Technology Park, the Clay Center for the Arts and Sciences of West Virginia and the Buckskin Council of the Boy Scouts of America. He has received numerous awards, most notably the NAACP's President's Award for his support in Texas. Mr. Patton also serves on the Advisory Board for the School of Natural Sciences at the University of Texas.

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Brandon S. Renner is Counsel in the Firm's Evansville, Indiana, office. His practice focuses on issues associated with natural resource development, specifically as it relates to the acquisition of mineral interests and operations. He is routinely involved in the issuance of title opinions for major coal producers and oil and gas operators in the Illinois Basin and works closely with industry landmen assisting in curative-related matters. Mr. Renner currently sits on the Board of Directors of the American Association of Professional Landmen.

Mr. Renner earned his undergraduate degree from Southern Illinois University and then his Juris Doctor from The John Marshall Law School in Chicago, Illinois. Mr. Renner also served in the United States Navy for four years, on board the USS Kinkaid (DD 965) and USS Nimitz (CVN 68).

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David G. Ries is a member of Clark Hill Thorp Reed in Pittsburgh, Pennsylvania, where he practices in the areas of environmental, commercial and technology law and litigation. He is a Past President of the Energy & Mineral Law Foundation (EMLF) and served two terms as a member and chair of a hearing committee for the Disciplinary Board of the Supreme Court of Pennsylvania. Dave received his B.A. from Boston College in 1971 and his J.D. from Boston College Law School in 1974 where he was a member of the *Boston College Industrial and Commercial Law Review*.

His environmental practice over the last 39 years has included a broad range of issues in federal and state courts and before administrative agencies, including CERCLA litigation, Clean Water Act litigation, solid and hazardous waste issues, Clean Air Act litigation, storage tank litigation, court and administrative challenges to regulatory programs and defense of penalty actions. His technology practice has included a variety of litigation matters, including major systems implementations, and advising clients on a number of technology law issues such as hardware and software agreements, information security, privacy regulations, records management, e-discovery, and electronic contracting. He has regularly represented energy companies.

Dave has frequently spoken and written on environmental, technology, and ethics issues for legal, academic and professional groups including the EMLF, the American Bar Association, the Association of Corporate Counsel, the Pennsylvania Bar Institute, Carnegie Mellon University, Duquesne University, the American Academy of Forensic Sciences, and the National Groundwater Association. He serves on the Editorial Board of *Environmental Forensics* (a peer reviewed journal).

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Andrew J. Sonderman
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Andrew Sonderman joined Kegler Brown in January 2011 and leads its Energy and Environment practice group, bringing with him 35 years of experience representing energy companies in civil litigation and in state public utility commission proceedings. From 1990 to 2003, he served as general counsel for the public utilities of NiSource, Inc. and the Columbia Energy Group, and then later served as counsel for Cooper & Elliott, LLC and Weltman, Weinberg & Reis Co. LPA.

Through Sonderman, the firm is an active associate member of the American Gas Association, the Ohio Gas Association and the Ohio Oil & Gas Association. Andy chaired the AGA Legal Committee in 2000 – 2001 and served as a charter member of

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He provides counsel to energy clients including mid-stream pipelines, public utilities and competitive electric and gas retail suppliers on a variety of matters relating to rate and regulatory proceedings at public utilities commissions, as well as litigation, contractual, transactional and compliance issues.

Mr. Sonderman received his J.D., *with highest honors*, from The Ohio State University Moritz College of Law and his B.A., *summa cum laude*, from Kent State University.

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Chad J. Sullivan is a Member of Jackson Kelly in Evansville, Indiana. His practice focuses primarily on litigation and labor and employment representation for companies in the coal and oil and gas industries. Mr. Sullivan has represented coal and oil and gas companies in litigation regarding royalty disputes, lease interpretation, surface usage rights, slurry injection rights, coalbed methane and other mineral ownership issues, objections to longwall mining and determination of working interest ownership. He has also presented at seminars regarding hydraulic fracturing in the Illinois Basin.

Mr. Sullivan received his law degree from Washington University – St. Louis, where he received the Scholar in Law Award and was an Associate Editor of the *Washington University Law Quarterly*. He received his undergraduate degree in human resource management from the University of Missouri.

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Mr. Supcoe is active in the Independent Oil and Gas Association of West Virginia and is a past President and Vice President of that organization. He was also the 2011

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Mr. Supcoe graduated from West Virginia University with a Bachelor of Science Degree in Business Administration. He received a Doctor of Jurisprudence Degree from West Virginia University College of Law.

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Ms. Turner is a member of the law firm of Spilman Thomas & Battle, PLLC's Charleston, West Virginia, office and heads the firm's Environmental Practice Group. She has broad legal and regulatory experience in environmental issues. Ms. Turner has over twenty years of experience in environmental matters, including work on the Clean Water Act (CWA), the National Environmental Policy Act (NEPA), the Safe Drinking Water Act (SDWA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA) and the Emergency Planning and Community Right-To-Know Act (EPCRA) matters and state environmental matters.

Ms. Turner previously served as Director of the West Virginia Department of Environmental Protection's Division of Water and Waste Management (formerly the Office of Water) from 2000 to 2005. She also served as counsel to the agency as Manager of its Office of Legal Services from 1998 to 2000.

Ms. Turner represents clients in federal and state courts, and state administrative boards, and focuses on litigation, permitting, compliance, enforcement, and regulatory issues. She is a frequent speaker on water issues and other environmental topics.

Ms. Turner earned her bachelor's degree in Environmental Sciences from the University of Virginia and her J.D. from the Wake Forest University School of Law. She is a native of Riner, Virginia.

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Jeffrey W. Wagner
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Mr. Wagner serves as Senior Vice President, General Counsel and Corporate Secretary for Pardee Resources Company. Mr. Wagner graduated from Trinity College in 1979 and from the Dickinson School of Law in 1982. Upon graduation from Dickinson, he worked for Sun Refining and Marketing Company and Sun Company, Inc. as an Associate Counsel before moving to Tulsa, Oklahoma to join Sun Pipe Line Company in 1987. Mr. Wagner became Chief Counsel of Sun Pipe Line Company in 1990. In 2000, Sun Company, Inc. decided to spin off its pipeline and terminal business into a publicly traded master limited partnership. Mr. Wagner worked on the initial public offering for Sunoco Logistics Partners L.P. and became its first General Counsel in 2002. He joined Pardee Resources Company in 2004 where his practice focuses on real estate, contracts and acquisitions. Mr. Wagner is a member of the Pennsylvania and Oklahoma Bar. He is on the Executive Committee of the National Council of Coal Lessors and is a Trustee of the Energy and Mineral Law Foundation.

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Eric Waller is Assistant General Counsel – Commercial and Regulatory in the Charleston office of Patriot Coal Services, LLC, an affiliate of St. Louis, Missouri, based Patriot Coal Corporation. In his role, Eric provides legal support for a variety of legal issues that affect Patriot and its subsidiaries, including domestic and international coal sales transactions, commercial litigation, mine safety & health legal matters, and other regulatory issues. Prior to joining Patriot in 2007, Eric was an associate attorney at Steptoe & Johnson PLLC, where he practiced in the firm's litigation and business departments.

A native of Williams Mountain in rural Boone County, West Virginia, Eric graduated with a B.S. in finance from the West Virginia University College of Business and Economics in 2001. Eric obtained his J.D. from the WVU College of Law in 2004, where he graduated as a member of the Order of the Coif.

In addition to his membership in the Energy & Mineral Law Foundation, Eric is also a member of the West Virginia Symphony Orchestra Board of Directors, WV Chamber of Commerce Environmental Committee, the WV Coal Association's Friends of Coal, and the Kanawha Valley Corvette Club. Eric currently resides in Charleston, West Virginia.

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Daniel W. Wolff is a partner in the Washington, D.C., office of Crowell & Moring LLP and a member of the firm's Environment, Energy and Resources Group. Dan's practice extends broadly to appellate and trial litigation and administrative counseling in a number of areas, including mine safety and health. Dan's Mine Act practice covers all aspects of regulatory compliance, investigations, and enforcement defense, and he regularly represents mine operators in enforcement matters before the Federal Mine Safety and Health Review Commission, in special investigations, and in petitions to MSHA seeking modifications of the application of safety standards under section 101(c) of the Act. He has also argued in numerous federal courts of appeals in challenges to both agency rulemakings and enforcement actions.

Dan is on the Executive Committee of the Energy & Mineral Law Foundation and a member of the Rocky Mountain Mineral Law Foundation. He is admitted to practice in Ohio, the District of Columbia, and numerous federal courts.

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Arthur J. Wright is a Partner in Thompson & Knight's Dallas office and serves as the Firm's Oil and Gas Practice Group Leader. Arthur counsels clients in acquisitions and dispositions of E&P, midstream properties, and natural resources companies and joint ventures relating thereto. He provides advice and prepares agreements in relation to exploration and production activities; gas plant operations; and marketing of gas, NGL, LNG, and electricity production in all relevant matters. He is also involved in regulatory and oil and gas litigation matters. In addition, Arthur represents borrowers and lenders in conventional financing and investors and operators in equity transactions and unconventional financing.

With more than 40 years of experience, both in private practice and as an officer and in-house counsel to several energy industry companies, Arthur brings extensive energy industry knowledge to the table. Since January 2010, he has assisted his clients in closing more than \$7.4 billion in oil and gas transactions, and he has been named by *The Best Lawyers in America*[®] as the "Dallas Lawyer of the Year" in Oil & Gas and Energy Law in 2011-2012.

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