

Energy & Mineral Law Foundation  
Kentucky Mineral Law Conference  
October 24-26, 2012

## Speakers' Biographies

### **W. Jonathan Airey** **Vorys, Sater, Seymour & Pease LLP**

Mr. Airey is a partner in the Vorys Columbus office and a member of the energy and environmental group. His oil and gas practice is broad in scope. He has represented numerous clients in state and federal regulatory proceedings and in connection with gas market agreements and disputes. His career highlights include defending several oil and gas producers in gas royalty litigation; representing oil and gas producers in obtaining full compensation for rejection of gas purchase contracts by interstate pipeline companies; and representing gas users in obtaining favorable supply and delivery terms for natural gas.

Mr. Airey is a member of the Ohio State Bar Association, the California Bar Association, the Ohio Oil and Gas Association, the Independent Petroleum Association of America, the Rocky Mountain Mineral Law Foundation, and the Energy & Mineral Law Foundation.

Mr. Airey annually presents a natural gas market report to the Ohio Chamber of Commerce Energy Conference and has led discussions of gas royalty issues for the Independent Petroleum Association of America Law Committee.

Mr. Airey received his J.D. from the University of California at Los Angeles School of Law where he was a member of the *University of California at Los Angeles Law Review*. He received his B.A. with honors from Loma Linda University.

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### **Nick Carter** **Natural Resource Partners L.P.**

Nick is President and Chief Operating Officer of Natural Resource Partners L.P. and its subsidiaries (NRP) as well as Western Pocahontas Properties Limited Partnership and New Gauley Coal Corporation. NRP is a publicly traded master limited partnership (NYSE:NRP). These companies have extensive coal and surface holdings in Appalachia, the Illinois Basin and the West. He and his staff of 65 professionals interface with the coal and timber industries and the various associations and governmental entities related to them.

He is Chairman of the National Council of Coal Lessors, Past-Chairman of the Huntington Regional Chamber of Commerce, the West Virginia Chamber of Commerce and Junior Achievement of the Ohio Valley and is a board member of the National Mining Association, American Coalition for Clean Coal Energy, Federation for American Coal, Energy and Security (FACES), Kentucky Coal Association, West Virginia Coal Association, Indiana Coal Council and Foundation for the Tri-State Community, Inc. He also serves on the board of Community Trust Bancorp, Inc. (NASDAQ: CTBI) and Vigo Coal, Inc. Nick is a graduate of the 1989 Class of Leadership Kentucky and the 1993 Class of Leadership West Virginia. He has served as Chairman of the Elder Board and as a youth group leader at First Christian Church, Ashland, Kentucky.

Prior to his current position, Nick was with MAPCO Coal for eight years and before that was in private law practice in Lexington, KY.

Nick holds B.S. and J.D. degrees from the University of Kentucky and an M.B.A. from the University of Hawaii.

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**Kevin L. Colosimo**  
**Burleson LLP**

Mr. Colosimo is managing partner of Burleson's Pittsburgh office and concentrates his practice in the areas of energy law and business litigation. He also has experience in international trade and creditors' rights, and 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 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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**Charles A. Compton**  
**White Oak Resources LLC**

Charles A. Compton is General Counsel of White Oak Resources LLC. Mr. Compton joined White Oak on January 1, 2012, following a 20 year career in private practice. From 1996 through 2011, Mr. Compton was an attorney and partner with the Evansville, Indiana, firm of Ziemer, Stayman, Weitzel & Shoulders LLP. At Ziemer Stayman, Mr. Compton chaired the Firm's energy practice and represented a number of coal companies and other coal industry clients in matters throughout the Illinois Basin. From 1992 to 1996, Mr. Compton practiced in Indianapolis with the corporate and finance practice groups of Ice Miller, LLP.

Mr. Compton received his Bachelor of Arts degree in Economics, *cum laude*, from DePauw University in 1989, and received his J.D. from Vanderbilt University in 1992. Mr. Compton is admitted to practice in the states of Illinois and Indiana.

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**L. Blair DeVan**  
**Fifth Third Bank**

Blair DeVan is Vice President and Relationship Manager in the Middle Market Group for Fifth Third Bank's Commercial Banking division. In this position, Ms. DeVan works with businesses and other commercial entities to meet their credit and non-credit needs. She specializes in the Energy sector.

Ms. DeVan's banking career spans more than 30 years and includes experience with Credit Policy, International Services, Large Corporate Banking, as well as more than 15 years of Middle Market Commercial Banking in West Virginia.

Ms. DeVan graduated from Hollins University with a bachelor's degree in economics.

In the community, she has served as a board member of the Chemical Alliance Zone, the United Way of Central West Virginia and is an associate member of the West Virginia Coal Association.

Blair and her husband have resided in Charleston, WV since 1996.

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**Richard L. Gottlieb**  
**Lewis, Glasser, Casey & Rollins, PLLC**

Richard L. Gottlieb, a Partner with Lewis, Glasser, Casey & Rollins, PLLC in Charleston, West Virginia, primarily represents oil and natural gas producers and other energy businesses in regulatory, litigation and commercial matters. He was a former counsel in the Office of Enforcement in the Federal Energy Regulatory Commission and was a senior attorney with Columbia Gas Transmission Corporation.

Mr. Gottlieb is listed in *Best Lawyers in America*® for natural gas law and in *West Virginia SuperLawyers*® for commercial litigation.

Mr. Gottlieb has managed and led complex, high-dollar commercial litigation cases representing energy firms, financial institutions and large corporations. He has represented major natural gas producers in class action royalty disputes, other lease issues, contract cases and environmental and property damage claims; natural gas producers in regulatory and permitting cases before the West Virginia Oil and Gas Conservation Commission, the West Virginia Shallow Well Commission and the Coalbed Methane Review Commission; natural gas local distribution companies, telecommunication companies and other utilities before the Public Service Commission of West Virginia; brokerage firms, investment advisors, national banks and other lending institutions in federal class actions involving claims of fraud, misrepresentation, and violations of federal and state laws; lessors and lessees in mineral lease and joint operating agreement litigation and arbitrations; natural gas producers and developers investing in the acquisition of natural gas rights and development of the Marcellus Shale.

After attending Warwick University in Coventry, England, Mr. Gottlieb received his Bachelor of Arts from Tulane University and his law degree from Washington & Lee University.

He is admitted to the West Virginia and District of Columbia bars and practices before all West Virginia federal and state courts.

Mr. Gottlieb is a member of the Board of Trustees and former officer of the Energy & Mineral Law Foundation and a member of the Legal Committee for the West Virginia Oil & Natural Gas Association.

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**Karen J. Greenwell**  
**Wyatt, Tarrant & Combs, LLP**

With over 25 years of legal experience in the mineral and energy industry, Ms.Greenwell has assisted coal, oil, gas and energy industry clients with all manner of transactions, including leasing matters, asset acquisitions and divestitures, corporate mergers and stock acquisitions, and bankruptcy sales. Her experience in litigating property and mineral-related contract and business tort disputes, as well as in other types of commercial litigation, gives her an unusual breadth of experience and perspective in dealing with issues affecting mineral and energy industry clients.

She is a Trustee of the Energy & Mineral Law Foundation and a Fellow of the Institute for Mining and Mineral Research. She is also on the Advisory Board of the Institute for Energy Law and is an adjunct professor at the University of Kentucky College of Law, teaching mineral and energy related courses. She has been included in Woodward/White's 2007-2012 editions of *The Best Lawyers in America*® in Mining and Natural Resources Law and was recognized by her peers in *Kentucky Super Lawyers* 2009, 2010, 2011. She was also Best Lawyers' 2012 Lexington Natural Resources Law Lawyer of the Year.

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**M. Shane Harvey**  
**Jackson Kelly PLLC**

M. Shane Harvey is a Member in Jackson Kelly's Charleston, West Virginia, office where he practices in the Coal Industry Group. Mr. Harvey has more than a decade of experience as in-house counsel and general counsel for companies in the coal and natural resources industries, including working closely with operations and providing guidance on personal injury litigation, environmental compliance, public affairs and health and safety compliance. He has represented clients in the coal industry since the beginning of his legal career.

Mr. Harvey graduated *summa cum laude* in finance (where he was first in his class) from Virginia Tech in 1991. After receiving his Bachelor's Degree, he received his Juris Doctor in 1994 from the West Virginia University College of Law, where he was an editor of the National Coal Issue of the *West Virginia University Law Review*. Before entering law school, Mr. Harvey worked as an analyst for Goldman Sachs International in London, England.

Mr. Harvey is admitted to practice before the state courts of West Virginia, as well as the U.S. District Court for the Southern District of West Virginia, the West Virginia Supreme Court and the U.S. Supreme Court. Mr. Harvey is a Trustee for the Energy & Mineral Law Foundation and coaches youth sports in Putnam County, West Virginia.

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**Matthew P. Heiskell**  
**Spilman Thomas & Battle, PLLC**

Mr. Heiskell is a Member of Spilman Thomas & Battle, PLLC, in Morgantown, West Virginia. His practice encompasses trial work and litigation, with a focus on complex commercial litigation, mineral and energy law, corporate and partnership business disputes, consumer finance and class actions.

He has represented a variety of clients who include a central Appalachian coal producer in disputes with an international industrial manufacturer concerning a long term coal supply contract; coal producers in disputes related to coal preparation plant financing and royalty interests; an electricity and cogeneration power plant developer in an action against a national energy producer for fraud, racketeering and breach of contract related to multiple energy producing business ventures; classes of shareholders in numerous federal securities class actions; individuals in an action under West Virginia Uniform Fraudulent Transfer Act; and a company and individual in patent inventorship action concerning microprocessor patent portfolio.

Mr. Heiskell is licensed to practice in federal and state courts in West Virginia, Pennsylvania and New York. He received his LL.M., International Trade and Banking, from the American University Washington College of Law; his J.D. from the Duquesne University School of Law; and his B.A. from West Virginia University.

Mr. Heiskell is a member of the Executive Committee and Board of Directors of the United Way of Monongalia and Preston Counties, and he was the Citizens' Review Chair of the United Way's 2013 Campaign. Mr. Heiskell is a graduate of the Leadership Monongalia program and was a member of the Community Advisory Board of the Dominion Post.

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**Wyatt Hogan  
Natural Resource Partners L.P.**

Wyatt L. Hogan has served as Vice President, General Counsel and Secretary of GP Natural Resource Partners LLC since 2003. Mr. Hogan joined NRP in 2003 from Vinson & Elkins L.L.P., where he practiced corporate and securities law. He has also served since 2003 as the Vice President, General Counsel and Secretary of Quintana Minerals Corporation, Western Pocahontas Properties Limited Partnership and Great Northern Properties Limited Partnership. He is a member of the Board of Directors of Quintana Minerals Corporation and also serves on the Boards of Directors of The Children's Fund and Kids' Meals, Inc. in Houston.

Mr. Hogan graduated from The University of Texas School of Law with honors in 1997, and graduated *magna cum laude* from Duke University in 1994 with a B.A. in Public Policy Studies.

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**Jeffrey R. Holmstead  
Bracewell & Giuliani**

Jeff Holmstead, former Assistant Administrator of the United States Environmental Protection Agency (EPA) for Air and Radiation, is one of the nation's leading air-quality lawyers and heads the Environmental Strategies Group (ESG) at Bracewell & Giuliani. The ESG is a multi-disciplinary group that includes environmental and energy attorneys, public policy advocates, and strategic communications experts – most of whom have had high-level government experience. Under Mr. Holmstead's leadership, they work together on a daily basis to advise and defend companies and business groups confronting major environmental and energy-development challenges, both domestically and globally.

Mr. Holmstead received his J.D. from Yale Law School in 1987 and his B.A., *summa cum laude*, from Brigham Young University in 1984. He is admitted to practice in the District of Columbia.

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**Stephen W. Johnson**  
**CONSOL Energy Inc.**

Stephen W. Johnson has been Senior Vice President & General Counsel of CONSOL Energy Inc. (NYSE: CNX) since January 16, 2009. CONSOL Energy is the leading diversified fuel producer in the eastern United States, operating twelve bituminous coal mining complexes in four states and reporting proven and probable coal reserves of 4.4 billion tons. It is also a leading eastern U.S. gas producer, with proved reserves of 3.7 trillion cubic feet. Prior to 2009, Mr. Johnson served as Executive Vice President & General Counsel of CNX Gas Corporation, a NYSE-listed public company controlled by CONSOL Energy. Before joining CNX Gas on September 1, 2005, he was a partner since 2001 in the Business and Regulatory Group at Reed Smith LLP, one of the 20 largest law firms in the world. From 1984 to 2001, Mr. Johnson was with the law firm of Buchanan Ingersoll & Rooney PC, where he served on several of the Firm's management committees. Mr. Johnson has served as corporate, securities and mergers and acquisitions counsel to both public and privately held companies for his entire professional career. Mr. Johnson served for several years as the Chairman of NEED, a non-profit minority college access program, and is Chairman of the Board of Concordia Lutheran Ministries, a non-profit continuing care retirement community serving thousands of persons every year. Mr. Johnson received a bachelor's degree in history from the University of Virginia in 1981 and a juris doctor degree from the University of Pittsburgh School of Law in 1984.

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**Clay K. Keller**  
**Babst Calland**

Mr. Keller represents and counsels clients in a broad array of oil and gas matters including without limitation matters involving lease negotiations, lease disputes, assignments, mineral title issues, asset sales and transactions, implied covenants, held by production leases, joint venture agreements, environmental issues and the Dormant Mineral Act. He has also represented clients in matters before the Public Utilities Commission of Ohio (PUCO), including representing an Ohio oil and gas producer in a dispute before the PUCO involving natural gas measurement and metering issues.

Mr. Keller also represents businesses and individuals in state and federal courts in lawsuits involving commercial contracts, commercial construction claims, oil and gas leases, business tort claims, unfair competition claims, trademark and copyright infringement claims, misappropriation of trade secrets, consumer claims, employee-related claims and real estate matters.

In addition to court proceedings, Mr. Keller regularly represents clients in alternative dispute resolution proceedings, including arbitration with the American Arbitration Association and mediations, whether conducted privately or pursuant to state or federal court rules and procedures.

Mr. Keller graduated from the University of Wisconsin – Lacrosse with a B.S. in 1997 and Notre Dame Law School with a J.D. in 2000. He has Peer Review Rating of AV® Preeminent™ from Martindale-Hubbell, which is the highest possible rating in both legal ability and ethical standards as established by confidential opinions from members of the Bar.

Mr. Keller is admitted to practice in Ohio, as well as the United States District Courts for the Northern and Southern Districts of Ohio and the United States Court of Appeals for the Sixth Circuit. He is a member of the Ohio State, Akron and Stark County Bar Associations and the Ohio Oil & Gas Association. He is also a board member of Junior Achievement of East Central Ohio.

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**Erin E. Magee**  
**Jackson Kelly PLLC**

Erin E. Magee is a Member of the Firm's Labor and Employment and Commercial Litigation Practice Groups and the Coal Industry Group. Her practice currently focuses on labor and employment consultation and litigation, ERISA (Employment Retirement Income Security Act) matters and coal-related litigation. Ms. Magee consults daily with employers about work-related issues, including wage and hour problems, employee leave and benefit questions, reductions in force, drug testing, workplace privacy concerns, personnel policy and handbook drafting and employee discharge and discipline issues. In addition, she regularly provides training and speaks at seminars, conferences and workshops on these topics, particularly focusing on the issues of harassment, discipline and the overlap between FMLA (Family and Medical Leave Act), ADA (Americans with Disabilities Act) and workers' compensation laws. Ms. Magee also regularly represents employers in state and federal court, as well as before the West Virginia Human Rights Commission, the Equal Employment Opportunity Commission and the National Labor Relations Board. In the course of her practice, Ms. Magee has handled age, gender, disability and workers' compensation discrimination, wrongful discharge, sexual harassment, wage and hour, FMLA, employee benefit, breach of contract, deliberate intent, wrongful death and workplace safety lawsuits.

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

Co-author of "The National Bituminous Coal Agreement of 1993 and the Memorandum of Understanding Regarding Job Opportunities: Is 'Double-Breasting' Dead?," 15 *E. Min. L. Inst.* Ch. 5 (1995), Ms. Magee is a member of the Executive Committee of the Energy & Mineral Law Foundation and served on its Strategic Planning Committee. She is a founding member and President of the Women's Energy Network's Appalachian Chapter. She also is a member of the West Virginia Chamber of Commerce's Human Resources Committee and of the West Virginia Defense Trial Counsel.

Active in the community, Ms. Magee is a member and officer of the Board of Directors of the YWCA of Charleston and past-President of the Boards of Directors of the Kanawha Pastoral Counseling Center and the Children's Therapy Clinic Board. She also is a graduate of the West Virginia Chamber of Commerce's Leadership West Virginia program. Ms. Magee is a former volunteer at the Ronald McDonald House and served as a committee person on the Kanawha County Democratic Committee. She also served as a member of the West Virginia Symphony League and the Junior League of Charleston.

Ms. Magee is a member of Jackson Kelly's Wellness Committee and chaired the Firm's Recruiting Committee for five years. She also served on the Board of Directors of Jackson Kelly Solutions, the Firm's ancillary business, for four years.

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

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**A. George Mason  
George Mason Law Firm, PSC**

George Mason is the principal of A. George Mason, Jr., PSC, a law firm 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 active in the negotiations in Pennsylvania by coal, oil and gas operators that led to Pennsylvania removing itself from the list of "Affected States" in Section 1339. 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 and 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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**Susan M. Mathiascheck  
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Susan Mathiascheck works with large and small clients to achieve business goals in the face of environmental challenges. Representing clients ranging from major industrial concerns and



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Ms. Mathiascheck received her A.B. from Harvard College, *cum laude*, and her J.D. from Boston University School of Law. She is admitted to practice: District of Columbia, Massachusetts, U.S. Court of Appeals for the District of Columbia Circuit.

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**Mark D. McCormick**  
**United Coal Company LLC**

Mark McCormick received his J.D. degree (with honors) from Tulane Law School in 1984. He is admitted to practice in California and Tennessee.

Most of his early professional career was devoted to civil private practice with particular emphasis on complex commercial litigation. He also served on the faculty of the International Education Program for the University of California, Riverside.

Since 1996, Mark has served as an in-house attorney and as a human resources and commercial executive. Following the merger of Ultramar Corporation with Diamond Shamrock Corporation (now Valero Corporation), he was promoted to Managing Attorney for all retail and wholesale operations and human resources. In 2000 he joined SunCoke Energy, Inc., where he served as its Senior Vice President, General Counsel and Chief Compliance Officer. In that capacity, he oversaw the structuring and negotiation of domestic and international projects having a value in excess of \$2 billion dollars, managed diverse domestic and international employee benefit programs, and was a member of the Environmental Risk Management Committee for SunCoke Energy's parent company (Sunoco).

Since 2009, Mark has served as the General Counsel and Vice President of Human Resources for United Coal Company. He also manages the Company's bonding and risk managing programs, and is the Chairman of United Coal's Administrative Committee (which oversees the development and implementation of the company's business processes and systems optimization).

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**Robert G. McLusky**  
**Jackson Kelly PLLC**

Robert G. McLusky is a Member in Jackson Kelly's Environmental Law Practice Group in Charleston, West Virginia. For over a decade, much of his time has been spent representing the coal industry in the mountaintop mining controversy; *OVEC v. Aracoma Coal Co.*, 556 F.3d 177 (4th Cir. 2009); *OVEC v. Bulen*, 429 F.3d 493 (4th Cir. 2005); *Kentuckians for the Commonwealth v. Rivenburgh*, 317 F.3d 425 (4th Cir. 2003); *West Virginia Coal Association v.*

*Bragg*, F.3d 275 (4th Cir. 2001) and *OVEC v. U.S. Army Corps of Engineers*, 2012 WL 4017739 (S.D. W. Va. Sept. 13, 2012). He also is representing much of the coal industry in water permitting and compliance issues concerning selenium. Prior to that, he represented major chemical producers in a variety of environmental matters.

Mr. McLusky has been admitted to the United States Supreme Court; U.S. Circuit Court of Appeals, District of Columbia Circuit; U.S. Circuit Court of Appeals for the Fourth Circuit; U.S. District Court, Northern District of WV; U.S. District Court, Southern District of WV; and the West Virginia Supreme Court.

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**Ronald Meisburg  
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Ronald Meisburg is a Partner in the Labor & Employment Law Department and co-head of the Labor-Management Relations Group, resident in the Washington, D.C., office of Proskauer Rose LLP.

Before joining Proskauer, Ronald served as General Counsel of the National Labor Relations Board for four and one half years and as a Board Member for one year. He is one of only four people to have served as both a Board Member and as the General Counsel, and the only person to have received Presidential nominations for both offices.

Prior to serving at the NLRB, Ronald was a management labor lawyer from 1980 through 2003. In private practice, he has advised management clients with respect to issues arising under federal labor and employment law and collective bargaining agreements; served as labor counsel in complex business transactions; assisted clients in collective bargaining and in grievance and arbitration cases; and represented clients in matters pending before federal labor and employment agencies, and in federal trial and appellate court litigation.

Prior to entering private practice, Ronald spent six years as a litigator in the Office of the Solicitor, U.S. Department of Labor, in Washington, D.C., in the Division of Employee Benefits and the Division of Mine Safety and Health. At the Department he received a number of recognitions and awards, including being a member of the litigation team that won the Secretary of Labor's Distinguished Achievement Award in 1978.

Ronald has served in various leadership roles, including President of the Energy and Mineral Law Foundation, and has taught business law as an award winning Adjunct Professor at the University of Maryland's Smith School of Business. Ronald resides in Arlington, VA.

Ronald received his J.D. from the University of Louisville's Louis D. Brandeis School of Law and his B. A. from Carson-Newman College. He is licensed to practice in the District of Columbia and Kentucky. He is admitted to the U.S. Supreme Court, the U.S. Courts of Appeals of the District of Columbia, the Second, Third, Fourth, Sixth, Seventh, Ninth, and Eleventh Circuits. He also is admitted to the U.S. District Courts of Colorado, the District of Columbia and Kentucky, Eastern District.

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**Timothy M. Miller**  
**Robinson & McElwee PLLC**

Timothy M. Miller is a Member of Robinson & McElwee PLLC in Charleston, West Virginia, where he is Chair of the Litigation Department. His practice focuses on energy and natural resources law and related corporate representation and civil litigation. He has tried numerous civil cases to jury trial conclusion in federal and state courts throughout West Virginia. Mr. Miller has significant experience in complex litigation and class action litigation, including cases before the West Virginia Mass Litigation Panel and the West Virginia Supreme Court of Appeals. He regularly represents natural resource companies in various matters related to title, contract, royalty, property damage, environmental claims and other disputes, and also represents oil and gas companies before various permitting and regulatory agencies. He is recognized in Woodward and White's publication, *The Best Lawyers in America*®, in the area of Oil and Gas Law, and has been selected as one of West Virginia's "Super Lawyers" in the area of Civil Litigation Defense by the publication, *Super Lawyers*®.

Mr. Miller received his Bachelor of Science degree in Business Administration from West Virginia University in 1977, and received his Juris Doctor degree from the West Virginia University College of Law in 1980. He is a member of the Defense Research Institute, the Defense Trial Counsel of West Virginia, the American Bar Association, Section of Litigation, and the Energy & Mineral Law Foundation, serving currently as President. He also serves on the Board of Directors for the United Way of Central West Virginia. For more information about Mr. Miller and his firm, go to [www.ramlaw.com](http://www.ramlaw.com).

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Ms. Poirier received her B.C.M.E. from the University of Dayton and her J.D. from Vanderbilt University Law School. Her professional memberships include the Ohio State Bar Association (Environmental Law and Natural Resources Law Committees), Dayton Bar Association, Ohio Oil and Gas Association and the American Bar Association (Section of Energy, Environment and Resources). Ms. Poirier is part of her firm's Litigation Department and Environmental Practice Group, and she co-chairs Dinsmore's Shale Resources Team. She represents clients in litigation and administrative proceedings, negotiations and contracting matters regarding federal, state and local compliance and permitting issues, with a particular focus on environmental and energy (including natural gas and oil) regulatory issues. Earlier in her career, Ms. Poirier was a partner with a large international law firm (specializing in energy regulatory law out of their Washington, DC, office), and she served as Deputy General Counsel of the United States Environmental Protection Agency from 2006 to 2009. For additional information, please visit [www.dinsmore.com](http://www.dinsmore.com).

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**David P. Poole**  
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David P. Poole is Senior Vice President – General Counsel and Corporate Secretary of Range Resources Corporation (NYSE:RRC), a Fort Worth, Texas, based oil and gas exploration and production company. David joined Range in June 2008 as its first General Counsel. Prior to joining Range, from May 2004 until March 2008 he was with TXU Corp., serving last as

Executive Vice President – Legal, and General Counsel. Prior to joining TXU, Mr. Poole spent 16 years with Hunton & Williams LLP and its predecessor, Worsham, Forsythe & Wooldridge as an associate, partner and managing partner of the Dallas office. David graduated from Texas Tech University with a B.S. in Petroleum Engineering and received a J.D., *magna cum laude*, from Texas Tech University School of Law where he was on the *Texas Tech Law Review*.

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**Allen R. Prunty**  
**Robinson & McElwee PLLC**

Allen Prunty is Of Counsel with Robinson & McElwee PLLC in Charleston, West Virginia. He focuses his practice on general litigation matters.

Allen received his law degree from West Virginia University in 1980. Before joining Robinson & McElwee in 1996, Allen spent 3½ years in New York City as a consultant with the Swiss Trust Bank, and he worked as a Special Assistant Corporation Counsel with the New York City Law Department. Prior to his time in New York, Allen was with the Charleston offices of Jackson Kelly for twenty-two years.

Allen has forty years of political experience. He has worked as a campaign volunteer doing everything from stuffing envelopes to driving voters to the polls to writing radio and television commercials and print media advertising to organizing and managing door-to-door canvassing. He has worked as a campaign manager and strategist, managed a party campaign headquarters, served as the director of a Get-Out-The-Vote campaign, served on a county Democrat Executive Committee, served as Treasurer of the West Virginia State Democrat Executive Committee, and was West Virginia General Counsel for President Bill Clinton's 1992 and 1996 campaigns.

Most recently, Allen obtained a preliminary injunction in the Southern District of West Virginia enjoining the enforcement of certain West Virginia election laws, which allowed for the formation of the first West Virginia state election Super PAC – Stay the Course West Virginia.

Allen is going to help us understand some of the nuances of campaign finance law and the significance of the U.S. Supreme Court's decision in *Citizens United* and the *SpeechNow.org* case out of the U.S. Court of Appeals for the District of Columbia.

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**Tyson D. Schwerdtfeger**  
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Tyson Schwerdtfeger serves as Corporate Counsel for Alliance Coal, LLC in its Tulsa, Oklahoma, office. Mr. Schwerdtfeger advises Alliance management on coal supply agreements, contract legal strategies, and the resolution of disputes, as well as corporate governance and federal securities law compliance.

Prior to joining Alliance in 2011, Mr. Schwerdtfeger was a shareholder with GableGotwals, P.C. in Tulsa, Oklahoma. During his tenure at the firm, his practice was focused on commercial litigation with a particular emphasis on oil and gas matters. He represented various public and private oil and gas producers in both state and federal courts. Mr. Schwerdtfeger is licensed to practice in Oklahoma and Texas and admitted to practice in the United States Court of Appeals for the Tenth

Circuit, and the United States District Courts for the Northern, Eastern and Western Districts of Oklahoma.

Mr. Schwerdtfeger serves on the Board of Directors for the national non-profit organization, Stand In The Gap, Inc. He is a member of the Oklahoma Bar Association and the Texas State Bar. He is also a member of the Energy and Natural Resources Section of the Oklahoma Bar Association.

Mr. Schwerdtfeger was a member of the moot court board and mock trial board, and was named the Harold Stirling Vanderbilt Scholar at Vanderbilt University Law School, where he received his J.D. degree in 2002. He served as law clerk to the Honorable Claire V. Eagan on the United States District Court for the Northern District of Oklahoma from 2002-03. Mr. Schwerdtfeger graduated *summa cum laude* from Oklahoma Christian University where he received the valedictory President's Medal in 1999.

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**Shannon Arthur Singleton  
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A Member in the Lexington office, A.J. Singleton has been with Stoll Keenon Ogden PLLC since 2000. He is the firm's Deputy General Counsel and is a member of the Business Litigation Practice with a concentration in Business Torts and Class Action. A.J.'s practice focuses on legal ethics; judicial, legislative, and executive branch ethics; mineral litigation, including trespass actions; shareholder derivative actions; and defense of breach of fiduciary duty claims. He also addresses attorney-client privilege and confidentiality issues for the firm and for the firm's clients.

A.J. is AV® Preeminent™ Peer Review Rated by *Martindale-Hubbell*® for his many legal accomplishments. He works on ethics compliance issues for the firm and is a frequent speaker on legal ethics, professional responsibility, and risk management topics.

Coupling his love of history with a commitment to his community, A.J. has served as a member of the Board of the Henry Clay Memorial Foundation and as Secretary and Board member of the Kentucky Civil War Round Table.

A.J. received his J.D. from the University of Washington School of Law in 1996 and his B.A., *summa cum laude*, from Furman University in 1993. He attended Kansai University of Foreign Language in Osaka, Japan in 1991.

A.J. is licensed to practice in Kentucky and Georgia. He is admitted to the U.S. District Courts of Kentucky, Eastern and Western Districts and of Georgia, Northern District.

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**W. Brennan Smith  
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Brennan Smith is a Managing Director in Citi's Global Industrials Group with a focus on the Global Metals and Mining sector. Mr. Smith's responsibilities include managing the firm's relationships across the globe for bulk material, steel/aluminum, base metals and precious metals companies. In addition, Mr. Smith serves as Head of Midwest Industrials within

Citigroup's Institutional Client Group and as Co-Head of the Chicago Corporate and Investment Banking office.

Mr. Smith joined Citigroup's Investment Banking Division as an Associate in June 1995. Mr. Smith has worked in both Chicago and New York. Prior to joining Citigroup, Mr. Smith spent approximately three years with Continental Bank and Bank of America in corporate banking.

Since joining the firm, Mr. Smith has worked on a variety of advisory roles and capital markets financing transactions for a variety of clients. Select companies include: Arch Coal, Alpha Natural Resources, Cliffs Natural Resources, Glencore International, Gerdau SA, Peabody Energy, Novelis Inc., Nucor Corporation, Teck Resources, Ternium SA and Xstrata plc.

Mr. Smith holds a B.B.A. in Finance from the University of Notre Dame and an M.B.A. from the University of Chicago.

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**Dan Sweeney**  
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Mr. Sweeney currently serves as Associate Division Counsel – Eastern Division for Chesapeake Energy Corporation, wherein he advises the company on a wide range of exploration and production related legal matters. Prior to joining Chesapeake Energy, Mr. Sweeney served as Director – Legal Services for Rex Energy Corporation where he was responsible for representing the company in all legal and compliance affairs, contract negotiations and legal due diligence. Prior to joining Rex Energy in 2008, Mr. Sweeney worked as an associate with several Pittsburgh, Pennsylvania, law firms where he focused his practice on commercial and complex litigation. Mr. Sweeney graduated with a Bachelor of Arts degree from Case Western Reserve University in Cleveland, Ohio, and a Juris Doctorate degree from Duquesne University in Pittsburgh, Pennsylvania.

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Joseph A. Tarantelli is an attorney with Chesapeake Energy Corporation in Oklahoma City, Oklahoma, where he focuses his practice in the areas of litigation and oil and gas. He received his B.S. from Xavier University and his J.D. from The George Washington University. Mr. Tarantelli is admitted to practice before the United States District Court for the Eastern and Western Districts of Kentucky and the Northern and Southern Districts of West Virginia and the United States Court of Appeals for the Sixth Circuit. He is a member of the Kentucky, West Virginia and American Bar Associations and a Trustee of the Energy & Mineral Law Foundation.

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**J. Kevin West**  
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Kevin West is a Member with Steptoe & Johnson, PLLC. His practice includes complex litigation, asset and stock transactions, lease transactions, as well as land and legal due diligence for

acquisitions. He has also drafted legislation regarding natural gas operations. Prior to joining Steptoe & Johnson, he served as Managing Director of External Affairs at EQT Corporation where he oversaw the producer's Government Affairs, Corporate Communications, Environmental & Safety, and Community Affairs Departments. He is a graduate of Centre College of Kentucky and the University of Kentucky College of Law.

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**Thomas S. West**  
**The West Firm, PLLC**

Thomas S. West, founder of The West Firm, PLLC, is recognized for his accomplishments in the oil and gas and environmental fields by the *Best Lawyers in America*®, *Super Lawyers*, *Corporate Counsel Top Lawyers*, and *Strathmore's Who's Who*. He was featured in the 2009 Edition of *Upstate Super Lawyers* magazine and was selected as the 2010 Professional of the Year by *Strathmore's Who's Who* in the field of environmental law. At The West Firm, Tom represents clients in the oil and gas sector on a broad variety of issues involving legislation, compulsory integration, administrative adjudication, civil litigation, investigations by the New York Attorney General's office, and criminal defense. In 2010, he and his firm launched a title practice in New York and Pennsylvania and they are actively writing title opinions in both states for the oil and gas industry.

In his more than 30 years of practice, Tom has represented the oil and gas industry on many issues. He was one of the principal authors of the spacing and compulsory integration legislation that overhauled New York's oil and gas program in 2005. He was also at the forefront of the 2008 amendments to New York law to accommodate the development of the shale resources in New York State. That law authorized spacing units up to 640 acres in size and multiple wells on a common well pad. Since the passage of that law, he has been actively involved with the environmental review process being conducted by the New York State Department of Environmental Conservation ("DEC") to prepare a Supplemental Generic Environmental Impact Statement ("SGEIS") relative to high-volume hydraulic fracturing. He has been working closely with industry on their comments to the DEC relative to the SGEIS and recently represented an industry working group in responding to technical comments from the DEC. He is also currently counseling several clients concerning the steps that must be taken to defend against the highly anticipated litigation that will be brought challenging the SGEIS and is working with multiple operators in developing the strategy for permitting that will comply with the high environmental standards being set by the SGEIS. Those projects include representation of clients relative to road use agreements and water supply issues, including permitting before the Susquehanna River Basin Commission and the Delaware River Basin Commission.

Tom also regularly represents clients relative to state legislation and currently represents one major operator before the New York State Legislature and the Governor's office relative to oil and gas issues.

Tom is frequently called upon to assist industry with mineral lease interpretation issues, which sometimes involve representing operators in associated litigation and dispute resolution procedures. In that capacity, he has represented operators in cases involving lease extensions, site access for seismic testing, site access for pipeline routing, trespass claims, and top lease disputes, and is currently representing several operators in litigation concerning force majeure lease extensions. Through the title practice, Tom and his firm offer integrated land services to the operator, providing operators title information for permitting and the proper and timely notification of uncontrolled mineral interest owners of their rights under the compulsory integration program. The firm also prepares and sends compulsory integration notices and

represents operator interest at the compulsory integration hearing. Tom has represented a number of operators in the disputes referred to adjudication due to issues raised by uncontrolled owners at the compulsory integration hearing.

Tom has also represented clients on a variety of pipeline certification and construction issues. He was active in the legislation streamlining the pipeline certification process before the New York State Public Service Commission and regularly counsels clients concerning midstream strategies and transactions associated with midstream development. Also, he has represented major interstate pipelines on environmental issues and is currently working with one large interstate pipeline company to help streamline the review process before the United States Army Corps of Engineers.

Outside of the oil and gas area, Tom has an extensive environmental practice, representing a broad variety of clients on environmental issues involving counseling, civil litigation, administrative practice, and criminal defense. He represented industry groups in litigation successfully challenging overzealous regulations relative to the State Superfund and pesticide programs in New York State. He also has extensive experience assisting clients in obtaining permits in all of the regulatory programs, including air quality, water quality, water quantity, solid waste, hazardous waste and low-level radioactive waste. He is currently involved in one permitting matter where he is defending the right of a landfill operator in New York State to accept drill-cutting waste despite allegations of NORM (naturally occurring radioactive materials) contamination.

Mr. West, a 1974 graduate of St. Lawrence University and a 1977 graduate of Albany Law School of Union University, has been admitted to the U.S. Supreme Court, U.S. Court of Appeals for the Second Circuit, and the U.S. District Court for the Northern, Southern, Eastern and Western Districts of New York. He is licensed to practice in New York and Pennsylvania. He is a member of the Executive Committee of the Environmental Law Section and Co-Chair of the Mining and Oil & Gas Exploration Committee of the New York State Bar Association.

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**Craig P. Wilson**  
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Craig Wilson is a partner in the law firm of K&L Gates LLP and Practice Group Coordinator of the Firm's global Environment, Land and Natural Resources Practice Group.

Mr. Wilson concentrates his practice in the areas of energy, environment and natural resources. He has counseled clients who are exploring for, producing and transporting natural gas; clients who are developing and operating energy projects and other commercial and industrial projects; clients who are seeking environmental permits and zoning and land development approvals from government agencies; and clients who are parties to business transactions or litigation involving potential environmental liabilities.

Mr. Wilson has authored articles and given many presentations on issues related to oil and gas exploration and related infrastructure development, water and air resources, wastewater management, and other environmental regulatory issues.

Mr. Wilson is admitted to practice in New York, Ohio and Pennsylvania and before the United States Supreme Court, the United States Courts of Appeals for the Third, Fourth, Sixth and Ninth Circuits, and the United States District Courts for the Eastern, Middle, and Western Districts of Pennsylvania.



Mr. Wilson received an A.B. in 1987 from Dartmouth College and an M.S.E.L. and J.D. in 1992 from Vermont Law School (*summa cum laude*). He was Managing Editor of the *Vermont Law Review*.

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Thomas A. Wilson is a Member of Jackson Kelly PLLC in Canton, Ohio. Mr. Wilson practices in the Land and Natural Resource Development Practice Group where he focuses on energy and real estate law. He has significant experience in mineral titles and has represented energy clients in connection with financing and execution of multiple transactions, including wind energy transactions. He has also handled permitting and regulatory issues associated with coalbed methane and gas wells. Mr. Wilson is licensed to practice law in Ohio, Pennsylvania, West Virginia, and North Carolina.

Mr. Wilson received his Juris Doctor from the University of North Carolina School of Law in May of 2004. While in law school, Mr. Wilson served as Article and Notes Editor of the *North Carolina Banking Journal*. He received his Bachelor of Business Administration from the University of Kentucky in May of 1999. While at the University of Kentucky, Mr. Wilson was a National Merit Scholar and studied abroad in Spain.

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**Jo Ellen Diehl Yeary**  
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Jo Ellen earned her B.A. in English and Economics from Marietta College in 1976 and her J.D. from Capital University Law School in 1980. A founding member and Vice President and General Counsel of Northeast Natural Energy LLC, Charleston, WV, Jo Ellen commenced her legal career in the natural gas industry in 1981 following a judicial clerkship with the Fourth District Court of Appeals of Ohio. She was a member of the legal department of Columbia Gas Transmission Corporation until 1989 when she joined Columbia Natural Resources. In 2001, she became a founding member of Triana Energy, where she served as Vice President and General Counsel. She held the same title at Columbia Natural Resources upon Triana's acquisition of that company and at Chesapeake Appalachia, LLC, following its acquisition of Columbia Natural Resources.

Jo Ellen serves on the Board of Directors as Vice Chairperson of Star USA Federal Credit Union; the Board of Counselors of Capital University Law School; and the Board of Trustees of Marietta College. She is a past board member of Family Counseling Connection and of MAR Systems, Inc., a Solon, Ohio, water treatment company. She and her husband, John, reside in South Charleston, WV. They have one adult son, Philip.

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