

Energy & Mineral Law Foundation
Kentucky Mineral Law Conference 2018
October 17-18, 2018

Speakers' Biographies – by session

8:45–9:30 a.m. *Keynote Speaker*

**Robert “Rusty” R. Hutson, Jr.
Founder & Chief Executive Officer
Diversified Gas & Oil PLC**

Born and raised in West Virginia, Rusty Hutson, Jr. is the fourth generation in the Hutson family to immerse himself in the oil and gas industry. With family roots dating back to the early 1900s, each generation has held a variety of roles in field operations where Rusty spent many summers of his youth working with his father and grandfather in the oil fields of West Virginia.

The first in his family to pursue higher education, Rusty graduated from Fairmont State College (WV) with a degree in accounting and earning his CPA License (Ohio). He began his career in banking where he held multiple finance and accounting roles for 13 years at Bank One and Compass Bank, prior to concluding his time within banking as CFO of Compass Financial Services.

Building upon his experiences in the industry and the financial services sector, Rusty established Diversified Gas & Oil in 2001. After years of refining his strategy, Rusty and his team quietly took the company public in 2017 on AIM, a portion of the London Stock Exchange. He continues to lead his team and expand the company's footprint throughout the Appalachian Basin. DGO currently owns approximately 53,000 wells across 6 states with a daily production of around 60,000 barrels of oil equivalency. The company's latest acquisition of EQT's Appalachian producing assets for \$575 million made DGO the largest conventional producer in Appalachia and on AIM. With a rapidly growing portfolio, Rusty remains focused on operational excellence and creating stakeholder value.

Robert R. Hutson, Jr., CEO, Diversified Gas & Oil PLC, 1100 Corporate Drive,
Birmingham, AL 35242; rhutson@dgoc.com

9:30–10:20 a.m. *Using Emergency Powers to Provide Financial Assistance to Coal and Nuclear Plants*

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

Jamie Van Nostrand is a Professor of Law and Director of the Center for Energy and Sustainable Development at WVU College of Law. Before coming to WVU in July 2011, Mr. Van Nostrand served as Executive Director of the Pace Energy and Climate Center in White Plains, NY, which is an environmental policy and advocacy organization active on energy and environmental issues in New York and the Northeast. Before entering into law school teaching, Mr. Van Nostrand had a successful career in private law practice as a partner in the Environmental and Natural Resources practice group of large law firms based in the Pacific

Northwest. In his 22-year career in private practice, Mr. Van Nostrand represented energy clients in state regulatory proceedings in eight western states, as well as proceedings before the Federal Energy Regulatory Commission. Mr. Van Nostrand was recognized by the Energy Bar Association as its 2007 State Regulatory Practitioner of the Year. Before going into private practice, he spent five years with the New York Public Service Commission as an Assistant to the Commission for Opinions and Review and as Assistant to the Chairman.

At the WVU College of Law, Mr. Van Nostrand teaches Energy Regulation, Markets and the Environment; Environmental Protection Law; Legislation & Regulation; Siting and Permitting of Energy Facilities; the Science and Technology of Energy; Renewable Energy & Alternative Fuels; and Clean Air Act Seminar. In his role as Director of the Center for Energy and Sustainable Development, Mr. Van Nostrand is involved in various energy and environmental efforts in West Virginia and the Appalachian region, offering objective, unbiased research and policy analyses and promoting policies that strike a proper balance between the development of energy resources and protection of environment.

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

James M. Van Nostrand, WVU College of Law, P.O. Box 6130, Morgantown, WV 26506; 304.293.4694; james.vannostrand@mail.wvu.edu

10:35–11:25 a.m. What's a Justice (Going) to Do?

David L. Yaussy
Spilman Thomas & Battle, PLLC

Mr. Yaussy is a Member in Spilman Thomas & Battle's Charleston, West Virginia, office and Chair of the firm's Environmental Practice Group. His primary areas of practice are energy and environmental law, including litigation, permitting and administrative appeals for the natural gas, chemical, manufacturing, silviculture and agriculture industries. Mr. Yaussy regularly advocates on behalf of business and trade associations before the West Virginia Department of Environmental Protection and the West Virginia Legislature on environmental and natural resource issues. He is a trustee of the Energy & Mineral Law Foundation and was named *Best Lawyers* 2019 "Lawyer of the Year" in Litigation - Environmental. He has also been recognized by *Chambers USA: America's Leading Lawyers for Business* for his Natural Resources and Environmental Law practice. Mr. Yaussy earned his bachelor's degree from Otterbein University and his law degree from The Ohio State University Moritz College of Law.

David L. Yaussy, Spilman Thomas & Battle, PLLC, 300 Kanawha Boulevard, East, Charleston, WV 25301; 304.340.3829; dyaussy@spilmanlaw.com

11:25–12:15 p.m. Managing Electricity Supply and Costs

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

Mike Settineri is a Partner in the Columbus, Ohio, office of Vorys, Sater, Seymour and Pease LLP and a member of the firm's Energy Group. Mr. Settineri represents clients in utility and energy matters, including matters before the Ohio Power Siting Board, the Public Utilities

Commission of Ohio, the Ohio Reclamation Commission and the Ohio Oil and Gas Commission. Mr. Settineri's energy practice includes advising clients on electricity supply matters and on the development and siting of oil and gas midstream facilities, power plants and renewable energy projects.

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

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12:15–1:45 p.m. Lunch – Energy Market Update

**William P. Wolf
John T. Boyd Company**

William P. Wolf is a Vice President with the John T. Boyd Company, a leading energy consultancy group headquartered in Pittsburgh, Pennsylvania. Mr. Wolf has been with BOYD since 1991 and specializes in the study of energy and mineral markets, fuel supply agreements, transportation logistics, and the valuation of domestic and international mining operations. He manages BOYD's market analysis group and is the primary author of CoalVision, BOYD's annual publication focused on the US coal industry. Mr. Wolf has undertaken numerous domestic and international project assignments in matters regarding the thermal and metallurgical coal markets and is currently involved in the fuel supply due diligence surrounding several new coal-fired power plant projects being developed in Viet Nam and Indonesia.

Mr. Wolf earned a Bachelor of Science degree in Mining Engineering from the West Virginia University in 1985 and received his MBA from the University of Pittsburgh's Katz Graduate School of Business in 1999. Bill is a member of the Society for Mining, Metallurgy and Exploration, Inc. and West Virginia University's Mineral Resources Alumni Chapter Executive Council and is a volunteer instructor at Pitt's MBA school.

William P. Wolf, John T. Boyd Company, 4000 Town Center Boulevard, Suite 300, Canonsburg, PA, 15317; 724.873.4400; w-wolf@jtboyd.com

1:45–2:45 p.m. Ethical Landmines for Landmen and Lawyers Who Work as or Hire Landmen

**Keith B. Hall
Louisiana State University Law Center**

Keith B. Hall is Director of the Mineral Law Institute and the Campanile Charities Professor of Energy Law. He teaches Mineral Rights, Advanced Mineral Law, International Petroleum Transactions, and an Energy Law Seminar that focuses on environmental issues relating to energy industries. His publications have focused on oil and gas leases, pooling and unitization, hydraulic fracturing, induced seismicity, and the management of produced water. He is co-author of one of the two national casebooks on oil and gas law and also is co-author of a book on the legal issues relating to hydraulic fracturing. He is a frequent speaker at national and international oil and gas, energy, and environmental law conferences, and is a

contributing co-author to the forthcoming new edition of the leading textbook on international petroleum transactions. In addition to teaching at LSU, he has taught energy law classes as a visiting professor at Baku State University in Azerbaijan and as an adjunct professor at Loyola School of Law. Before joining the LSU Law Center, he was a member of the firm Stone Pigman Walther Wittmann in New Orleans, where he practiced law for 16 years, with a focus on oil and gas litigation and transactions, environmental law, and toxic tort litigation.

Professor Hall is a member of the Board of Editors for the Oil & Gas Reporter, the Board of Trustees for the Rocky Mountain Mineral Law Foundation, the Advisory Council for the Institute for Energy Law, and the Board of Trustees for the Energy & Mineral Law Foundation. He is a former Chair of the Louisiana State Bar Association's Environmental Law Section and former Chair of the Oil & Gas Committee of the ABA Section of Environment, Energy and Resources. He serves on the Louisiana Law Institute's Water Law Committee and is a registered professional engineer.

Keith B. Hall, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803; 504.250.2636; khall@lsu.edu

**3:00–4:00 p.m. Energy and Environmental Policy Under the Trump Administration:
Challenges and Opportunities**

**Timothy J. Hagerty
Frost Brown Todd LLC**

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

Mr. Hagerty is a frequent speaker at regional and national conferences regarding the Clean Water Act, SMCRA, NEPA, and related environmental laws. Mr. Hagerty currently serves as the Vice President/President-Elect of the Energy & Mineral Law Foundation. He co-chairs the Public Policy Council of Greater Louisville, Inc., the Metro Chamber of Commerce, and is the former chair of the Kentucky Chamber's Energy & Environmental Council. Before joining Frost Brown Todd, Mr. Hagerty practiced environmental law with Beveridge & Diamond, P.C., in Washington, D.C.

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

Timothy J. Hagerty, Frost Brown Todd LLC, 400 W. Market St., Floor 32, Louisville, KY 40202-3363; 502.568.0268; thagerty@fbtlaw.com

4:00–5:00 p.m.

Safeguarding Client Data – Attorneys’ Ethical and Legal Duties in a Breach-a-Day World

Mary L. Fullington
Wyatt, Tarrant & Combs, LLP

Mary Fullington is a member of the Firm’s Bankruptcy & Creditors' Rights Service Team and the Firm’s Data Privacy and Security Service Team. She divides her time between counseling debtors and creditors in commercial Chapter 11 cases, advising corporate clients on compliance with data privacy and security laws affecting their businesses, and assisting clients in responding to data security incidents.

Ms. Fullington has spoken to the EMLF on bankruptcy issues affecting the energy industry, but in 2018 has spoken on data privacy and security issues to members of the Kentucky Chamber of Commerce and the Chamber’s 2018 Cybersecurity Conference in Lexington, KY, and to a large group of corporate counsel in Memphis, TN.

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, 2009-2018, *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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David G. Ries
Clark Hill PLC

David G. Ries is of counsel in the Pittsburgh, Pennsylvania, office of Clark Hill PLC, where he practices in the areas of environmental, technology, and data protection law and litigation. For over 20 years, he has increasingly focused on cybersecurity, privacy, and information governance. He is a Trustee and Past President of the Energy & Mineral Law Foundation 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.

His environmental practice for over 40 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, safe drinking water issues, Clean Air Act litigation, storage tank litigation, wet weather issues and consent orders, court and administrative challenges to regulatory programs, and defense of enforcement actions. His technology practice has included a variety of litigation matters, including major systems implementation disputes, and advising clients on a number of technology law issues such as

cybersecurity, incident and breach response, hardware, software, and cloud services agreements, privacy regulations, information governance, e-discovery, and electronic contracting.

Dave frequently speaks and writes on environmental, technology, and ethics topics for legal, academic, and professional groups including the American Bar Association, the Energy & Mineral Law Foundation, the Institute for Energy Law and the Pennsylvania Bar Institute. He is a co-author of *Locked Down: Practical Information Security for Lawyers, Second Edition* (American Bar Association 2016) and *Encryption Made Simple for Lawyers* (American Bar Association 2015) and the editor of *eDiscovery, Fourth Edition* (PBI Press 2017). He serves on the Editorial Board of *Environmental Forensics* (a peer reviewed journal).

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Thursday, October 18 – Track 1

8:00–9:00 a.m. OSHA/MSHA Jurisdiction Over Abandoned and Idle Mine Properties

**Mark E. Heath
Spilman Thomas & Battle, PLLC**

Mark E. Heath is a member of Spilman Thomas & Battle, PLLC, in the Charleston, West Virginia, office. He co-chairs the firm's OSHA and MSHA practice group and concentrates his practice in safety issues, litigation and labor and employment law.

His work involves both federal and state court actions, as well as administrative cases before federal and state agencies. Mr. Heath represents employers on matters pertaining to the Mine Safety and Health Administration, the Occupational Safety and Health Administration, and state safety agencies with respect to interpretations of regulatory requirements, significant citations and orders, accident investigations, special investigations, and employment discrimination issues related to safety. Mr. Heath regularly tries cases before Federal Mine Safety and Health Review Commission ALJs and before state mine safety boards in Kentucky and West Virginia. He also litigates commercial claims in civil courts and in arbitration.

He is listed in *The Best Lawyers in America*, 19th to 24th editions, in Energy Law and recognized by *Chambers USA: America's Leading Lawyers for Business* for Labor & Employment and Energy Law.

He serves on the safety committees of the Kentucky and West Virginia Coal Associations. Mr. Heath is also a Trustee of the Energy & Mineral Law Foundation and has served as Secretary, Treasurer and a member of the Executive Committee for the Foundation. He has been a frequent speaker at EMLF programs on Mine Safety Law, Annual Institutes and the fall Mineral Law Conference. He is also active in the American Bar Association, Occupational Safety and Health Law Committee, Section of Labor and Employment Law, and has moderated panel discussions and spoken at Midwinter Meetings. He currently serves as the Employer Co-Chair for the Pro Bono and Community Outreach Committee for the Section of Labor and Employment Law and is a member of the Section's 2016 Leadership Development Class.

From 1987 to 1989, Mr. Heath was a Captain with the United States Army Judge Advocate

General's Corps, practicing in the areas of criminal justice, administrative law and labor and employment law. Mr. Heath graduated from the University of Kentucky College of Law (J.D. 1986). He did his undergraduate work at Western Kentucky University (B.A. *cum laude*, 1983).

Mr. Heath is a member of the bars of Kentucky and West Virginia. He is admitted to practice before the Supreme Courts of West Virginia and Kentucky, various U.S. District Courts, as well as the United States Courts of Appeals for the Fourth and Sixth Circuits, and the U.S. Supreme Court.

Mark E. Heath, Spilman Thomas & Battle, PLLC, 300 Kanawha Boulevard, East Charleston, WV 25301; 304.340.3843 (o); 304.541.1600 (cell); mheath@spilmanlaw.com

9:00–9:45 a.m. Coal Law Update

**Noelle Holladay True
Williams, Kilpatrick & True, PLLC**

Noelle Holladay True practices primarily in the areas of workplace safety and health and business litigation. Ms. True is a member of the Fayette County, Kentucky and American Bar Associations, the Fayette County Women Lawyers Association, the University of Kentucky College of Law Alumni Association, the Energy & Mineral Law Foundation, and the Kentucky Coal Association.

Ms. True is a graduate of the 2016 class of Leadership Kentucky and is the Immediate Past Chair for the University of Kentucky College of Law Alumni Association. She is also the past Chair for the Southern Hills Early Childhood Program in Lexington, Kentucky. She served for many years as Director and Treasurer for the New Opportunity School for Women in Berea, Kentucky, and is a prior Board Member for the Friends of Raven Run in Lexington, Kentucky. Ms. True was a recipient of the 2004 Lexington Young Professionals Association "Rising Star Award."

She received her B.S. degree with Honors in Finance from Indiana University in 1997, and graduated Order of the Coif in 2000 from the University of Kentucky College of Law. In law school, Ms. True was a member of the Kentucky Law Journal, in which she authored an article entitled "The Limited Fiduciary Duties Owed by Corporate Managers to Preferred Shareholders: A Need for Change." She frequently makes presentations on topics of interest in the area of workplace safety and health at various seminars throughout the country.

Noelle Holladay True, Williams, Kilpatrick & True, PLLC, 3151 Beaumont Centre Circle, Suite 375, Lexington, KY 40513; 859.245.1059; true@wktlaw.com

10:00–11:00 a.m. Leveraging Mine Lands as Centers of Renewable Energy Growth and Innovation

**J. Steven Gardner, PE, SME-RM
ECSI, LLC
Engineers-Consultants-Scientists-International**

Steve Gardner has served as President/CEO of ECSI, LLC, an engineering and consulting firm based in Lexington for 35 years, where his practice focuses on natural resources, mining, reclamation, energy, environmental, health and safety issues. Mr. Gardner has an MS in Mining Engineering, Graduate Certification in Environmental Systems and a BS Agricultural

Engineering from the University of Kentucky. Besides consulting engineering, he has worked in mining operations in various capacities and been an owner and manager of mining and reclamation companies and a surety insurance agency. He has worked on projects throughout the U.S. and internationally. Early in his career, he served on a volunteer mine rescue team. In 2011, he was inducted into the UK Engineering Hall of Distinction. He was 2015 President of the Society for Mining, Metallurgy and Exploration (SME) and recognized as a Distinguished Member and Registered Member. He has served on the UK Mining Engineering Foundation, Kentucky Geological Survey, Biosystems & Agricultural Engineering Advisory Boards and was a member of the Kentucky Board of Licensure for Professional Engineers and Surveyors. He has been nominated to be Director of the U.S. Office of Surface Mining Reclamation and Enforcement in the Department of Interior and awaits Senate Confirmation.

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Brian D. Zoeller
Frost Brown Todd LLC

Brian is an attorney in the firm's Regulated Business Practice Group and focuses his practice on development, real estate and transactional matters across various industries. He primarily focuses on advising clients on development of renewable energy projects, including anaerobic digester facilities, landfill gas to energy projects and solar projects. He has negotiated landfill gas rights agreements, gas purchase agreements on the NAESB form, interconnect agreements for injection of renewable natural gas, and marketing agreements for the sale of environmental attributes from renewable natural gas. He has advised clients on all phases of renewable energy project development, including site identification and acquisition, obtaining zoning approvals, financing, community engagement, tax credit and incentive procurement, and carbon accounting under the GHG protocol. He has helped clients evaluate financing these projects through Kentucky's EPAD program and other states' PACE program as well as using tax-exempt private activity bonds. These renewable energy projects are an extension of his work on the development of CNG fueling stations and assisting client with fleet conversion to CNG.

Brian earned his J.D. from the University Of Louisville, Louis D. Brandeis School of Law.

Brian D. Zoeller, Frost Brown Todd LLC, 400 W. Market St., Floor 32, Louisville, KY 40202-3363; 502.779.8717; bzoeller@fbtlaw.com

11:00 a.m.–Noon 2018 Employment Law Trends

Jill E. Hall
Jackson Kelly PLLC

Jill E. Hall is a Member in the Labor & Employment and Employee Benefits & ERISA practice groups, as well as the Banking and Health Care industry groups. She practices out of the Firm's office in Charleston, West Virginia.

Jill has extensive experience at both the state and federal level in the areas of labor & employment law and employee benefits, the Employee Retirement Income Security Act of 1974 (ERISA) and ERISA litigation. She has written extensively about these areas of the law and is a frequent speaker on employment and benefits-related topics. She regularly advises clients on a wide array of human resources matters under both state and federal law. Jill also

represents employers, insurers, and third-party administrators in all aspects of health and welfare plan compliance and regularly advises clients on the requirements of the Affordable Care Act. Jill also has experience in advising employers involved in major labor negotiations regarding health and welfare plan issues.

Jill is adept at every stage of the ERISA legal process, from the pre-suit administrative process to appeals in state and federal courts, including successful appearances before the United States Court of Appeals for the Fourth Circuit. She has litigated matters such as ERISA preemption, fiduciary obligations, and claims for benefits. She also has extensive experience in drafting, compliance, and advisory work, as well as subrogation and reimbursement rights under health plans.

Jill began her legal career as a law clerk to The Honorable Frederick P. Stamp, Jr., in the U.S. District Court for the Northern District of West Virginia. Jill has received recognition for her work, having been named to The Best Lawyers in America® as Lawyer of the Year for her work in Employee Benefits and ERISA, and a Rising Star and Super Lawyer in Employment & Labor by West Virginia Super Lawyers®. She has a preeminent AV rating with Martindale-Hubbell and has been named to Benchmark Litigation's "Under 40 Hot List" for two consecutive years. She received her law degree from West Virginia University College of Law, having graduated Order of the Coif and a member of Law Review, and graduated summa cum laude from Bethany College in Bethany, West Virginia.

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Track 2

8:00–9:00 a.m. Oil and Gas Law Update 2018

**Robert L. Burns, Jr.
Buchanan Ingersoll & Rooney, PC**

Mr. Burns is a member of the firm's Energy, Environmental and Natural Resources Section and focuses his practice on environmental law and its intersections with oil and gas, coal and other natural resources, development and construction, lending and other commercial transactions, litigation, and manufacturing and waste. As part of his energy practice, he regularly advises clients regarding environmental permitting and regulatory requirements, as well as environmental disputes, in the oil and gas industry. He has also worked extensively with lenders in the oil and gas and coal industries, addressing real estate and environmental matters. Mr. Burns has worked with midstream companies regarding challenges to and regulation of compressor stations. In his broader practice, he has represented clients as diverse as a public company regarding its construction of a "green" office high-rise; a contractor who designs, constructs and leases staging, lighting, and other effects for concert tours; coal mining companies regarding challenges to their environmental permits and leases under state laws and under the National Environmental Policy Act; environmental permittees with appeals before the Pennsylvania Environmental Hearing Board, and a group of companies contracting for a multiyear cleanup of a Superfund site. Mr. Burns earned a bachelor of science in aerospace engineering and a bachelor of arts in English from the Virginia Polytechnic Institute and State University in 1991. He received a master of science in environmental engineering from Marshall University in 2000. He received his Juris Doctor from the West Virginia University College of Law in 1994. He is certified as an accredited

professional under the LEED (Leadership in Energy and Environmental Design) standard issued by the U.S. Green Building Council.

Robert L. Burns, Jr., Buchanan Ingersoll & Rooney PC, 301 Grant Street, 20th Floor, Pittsburgh, PA 15219; 412.562.1312; robert.burns@bipc.com

9:00–9:45 a.m. Delayed Pipeline Construction in Appalachia

**Jennifer M. Thompson
Reed Smith LLP**

Jennifer is an associate in the Energy & Natural Resources Group and focuses her practice in the area of commercial litigation, with an emphasis on energy litigation and oil and gas law. Jennifer is experienced in representing clients in contract and lease disputes, title disputes, royalty disputes and class actions, encroachments, and condemnations. Jennifer has practiced in both federal and state court in Pennsylvania, and in federal court in West Virginia. Jennifer also provides counseling on pipeline issues, including negotiating and drafting easement agreements and other related agreements.

In addition to her work in the Energy & Natural Resources Group, Jennifer has worked on employment matters, including wage and hour class action litigation, and she has experience in intellectual property and trade secret litigation. Jennifer is also involved with Reed Smith's pro bono efforts.

Prior to joining Reed Smith in 2015, Jennifer was a summer associate at the firm, and she served as a judicial intern for the Honorable Max Baer of the Pennsylvania Supreme Court.

Jennifer M. Thompson, Reed Smith LLP, Reed Smith Centre, 225 Fifth Ave., Pittsburgh, PA 15222; 412.288.3622; jmthompson@reedsmith.com

10:00–11:00 a.m. Write What You Mean; Mean What You Write

**Wesley R. Abrams
Vorys, Sater, Seymour and Pease LLP**

Wes is an associate in the Vorys Cincinnati office and a member of the litigation group. Wes recently completed a U.S. District Court clerkship with the Honorable Greg N. Stivers, Western District of Kentucky. He also worked as a summer associate in the Cincinnati office and as an intern for the Honorable William O. Bertelsman, Eastern District of Kentucky. Wes received his J.D., *summa cum laude*, from the Northern Kentucky University Chase College of Law, where he was the Executive Editor-In-Chief for the Northern Kentucky Law Review. He received his B.S. with highest honors from the University of Louisville.

Wesley R. Abrams, Vorys, Sater, Seymour and Pease LLP, 301 East Fourth St., Suite 3500, Great American Tower, Cincinnati, OH 45202; 513.723.4608; wraabrams@vorys.com

**Philip F. Downey
Vorys, Sater, Seymour and Pease LLP**

Phil is a partner in the Vorys Akron office in the litigation group. His practice focuses on oil and gas litigation, toxic tort litigation and litigation in a variety of areas including environmental, financial institutions, bankruptcy, probate, product liability and general contract and

commercial litigation. Phil is a member of the Akron and Ohio State Bar Associations and has presented seminars on trial practice, regulation of oil and gas development, and toxic tort litigation.

Phil received his J.D. from The Ohio State University Michael E. Moritz College of Law, Order of the Coif and his B.A. from Rutgers, The State University of New Jersey.

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11:00 a.m.–Noon 2017 Tax Cuts and Jobs Act – The Impact on FERC Gas Pipeline Shipper’s Rates

**Kurt L. Krieger
Steptoe & Johnson PLLC**

Kurt Krieger focuses his practice in the areas of pipeline and utility regulation and energy law. He represents and counsels regulated gas and electric utility companies, regulated and unregulated natural gas pipelines and midstream companies, natural gas producing companies, and power generation developers with respect to both state and commonwealth public service (or utility) commission and Federal Energy Regulatory Commission (FERC) matters.

His experience includes: drafting and negotiating commercial agreements pertaining to energy-related transactions (e.g., gas and liquids gathering and transportation; commodity purchase and sale; JDA/JOA marketing arrangements; marketing agreements); conducting extensive due diligence for investors and other purchasers of energy infrastructure assets; counseling and representing companies in tariff, rate (or rate-making), economic, safety, facility siting or expansion (certificate-related) issues and proceedings; integrating alternative energy providers into existing utility systems; representing parties in enforcement proceedings before the FERC; and developing and presenting training on regulatory matters to company employees. As a former in-house counsel, he developed, implemented, and managed a FERC and regulatory compliance program for interstate natural gas pipeline companies and gas and electric utilities, and has counseled extensively on related standards of conduct and code of conduct issues.

Mr. Krieger received his J.D. from West Virginia University College of Law where he was the Executive Editor of the West Virginia Law Review. He has a degree in Accounting from Wheeling Jesuit University. He is a member of numerous energy-related associations, including the Energy Bar Association, American Gas Association, Energy & Mineral Law Foundation, Independent Petroleum Association of America, and the Institute for Energy Law.

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