

Energy & Mineral Law Foundation
Kentucky Mineral Law Conference 2017
October 18-19, 2017

Speakers' Biographies

9:00-10:15 a.m. *Trends and Projections in Electric Supply and Demand*



Kendrick R. Riggs
Stoll Keenon Ogden PLLC

Kendrick is a member in the Louisville office and has been with Stoll Keenon Ogden since 1993. The chair of the firm's Administrative Law/Regulated Industries department and Utility and Energy practice group, Kendrick also serves as vice chair of the firm's board of directors. He routinely appears before state and federal commissions and courts representing energy and telecommunications clients. Kendrick has 35 years of experience with adversary proceedings and alternative dispute resolutions involving complex energy issues, rate mechanisms, mergers and acquisitions, renewable energy, financings, service territorial disputes, regulation rulemaking, legislation issues, negotiation of power contracts, and construction of generation and transmission facilities. He is licensed to practice in Kentucky and Virginia.

Mr. Riggs received a J.D. from the University of Kentucky College of Law in Lexington, Kentucky in 1982, and a B.A. (*cum laude*) in Political Science and Philosophy from Wittenberg University in Springfield, Ohio in 1979.

Kendrick R. Riggs, Stoll Keenon Ogden PLLC, 2000 PNC Plaza, 500 W. Jefferson Street, Louisville, KY 40202; 502.560.4222; kendrick.riggs@skofirm.com



Dylan F. Borchers
Bricker & Eckler LLP

Dylan Borchers has a practice that focuses on energy infrastructure development, regulatory proceedings and energy policy. Throughout his career, Dylan has represented developers of new generation facilities totaling more than 2,500 MW of new electricity capacity before the Ohio Power Siting Board. These projects include three new natural gas combined cycle power plants and four utility scale wind farms. He also represents a variety of clients, including trade associations, municipal aggregators and suppliers in adjudicatory hearings, rulemakings and other proceedings before the Public Utilities Commission of Ohio. One of Dylan's current clients is the developer of the country's largest municipal combined solar and battery storage project.

Dylan was formerly employed in management consulting with the technology and business consulting firm, Accenture. He was also commissioned as an Army officer and received his honorable discharge in 2008.

Dylan has been acknowledged as a Rising Star by *Ohio Super Lawyers* (Energy & Natural Resources) for 2016-2017. He has been recognized by the White House for community service with the Yellow Ribbon Fund, an organization supporting wounded veterans and their families. He volunteers time with the YWCA Family Center Pro Bono Legal Clinic and has done pro bono work through the Columbus Bar Association's Military Task Force.

Dylan received his J.D. from Moritz College of Law – The Ohio State University and his B.A. from Wright State University, *summa cum laude*. He is licensed to practice in Ohio and West Virginia.

Dylan F. Borchers, Bricker & Eckler LLP, 100 South Third Street, Columbus, OH 43215; 614.227.4914; dborchers@bricker.com

Delbert Billiter
Louisville Gas and Electric and Kentucky Utilities

Delbert Billiter works in the Corporate Fuels and By-Products department at Louisville Gas and Electric and Kentucky Utilities. He is the Manager of Fuels and he and his team are responsible for procuring coal, fuel oil, reagents, and transportation services for the companies' coal-fired generating fleet. His group manages over six hundred million dollars of coal and transportation contracts and over forty million dollars of reagents and fuel oil contracts. He also provides testimony before the Kentucky Public Service Commission, Federal Energy Regulatory Commission and the Virginia State Corporation Commission in fuel hearings and other proceedings. Before joining LG&E in 1996, he worked nearly ten years in the coal industry for Arch Coal and Coal Mac. He held positions in engineering, operations and management in Illinois, Missouri, Kentucky, West Virginia and Virginia.

Mr. Billiter has a B.S. in Mining Engineering from the University of Kentucky and is a registered Professional Engineer in the state of Kentucky. The son of a coal miner and one of 10 children, he grew up in a small mining community outside of Pikeville, Kentucky.

Delbert Billiter, Louisville Gas and Electric and Kentucky Utilities, 220 West Main Street, Louisville, KY; 502.627.4668; Delbert.Billiter@lge-ku.com



David Owens
VP, Coal & Gas Services
Tennessee Valley Authority

David Owens was named vice president of Coal & Gas Services in January 2012 and is responsible for coal supply & origination, coal logistics, fuel oil supply, gas supply & origination, financial hedging and commercial processes & assurance. Owens joined TVA in April 2011 as vice president, Strategic Planning & Forecasting.

Prior to his employment with TVA, Owens held the position of managing director of Americas, Commodity Sales/Origination/Structuring for Bank of America Merrill Lynch Commodities in Houston, TX. During his 14 years at Bank of America Merrill Lynch (including predecessor companies Koch Energy Trading, Entergy-Koch and Merrill Lynch Commodities), he was involved in private equity (managing partner for Merrill Lynch Commodity Partners), power asset development, mergers and acquisitions, power origination and deal structuring.

Owens previously held positions as director of business development at Duke Power Company, Manager and Associate for Deloitte & Touche Consulting (energy practice) and senior consultant for Energy Management Associates (power system planning software and support). Owens was also a drilling engineer for Exxon where he planned, executed and evaluated the drilling of oil and gas wells in southeast Texas.

David has an MBA in finance from the University of Chicago, Graduate School of Business and a bachelor of science in mechanical engineering from Georgia Institute of Technology.

David Owens, VP, Coal & Gas Services, Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, TN 37902.

10:30-11:30 a.m. *Solar Comes to Coal Country*



Warren J. Hoffmann
Frost Brown Todd LLC

Warren Hoffmann is an attorney practicing with the Energy and Natural Resources team in the Lexington, Kentucky office of Frost Brown Todd. He advises clients on energy related litigation, regulatory and transactional matters. Warren has spent over 30 years practicing in the energy space primarily serving the coal, oil and gas, and electric utilities industries. In recent years, he has devoted an increasing percentage of his practice to assisting land and mineral owners develop their properties for solar farms, mitigation banks and other alternative uses.

Mr. Hoffmann has a J.D. from the University of Kentucky College of Law, where he was on *The Kentucky Law Journal*. He also holds a B.A. from the University of Kentucky.

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Lynda M. Hill
Frost Brown Todd LLC

Lynda Hill runs point for the commercial litigation, products liability, and appellate teams in FBT's Nashville office representing clients in a wide range of business matters and disputes. Additionally, Lynda is a member of the firm's Energy Team. Lynda first gained solar project experience while earning her MBA from Vanderbilt University. During that time, her team conducted a detailed, legal, regulatory, financial and marketing analysis of a regional solar energy company specializing in the installation and operation of private and utility-scale solar farms ranging in size from 5 to 50 MW. She has since counseled firm clients regarding solar-related matters such as interconnection agreements and federal investment tax credit issues.

Lynda received her J.D., *cum laude*, from the University of Tennessee College of Law in 1998, and her B.A. from the University of the South in 1993.

Lynda M. Hill, Frost Brown Todd LLC, The Pinnacle at Symphony Place, 150 3rd Avenue South, Suite 1900, Nashville, TN 37201; 615.251.5589; lhill@fbtlaw.com



David Crews
Senior Vice President of Power Supply
East Kentucky Power Cooperative, Inc.

David Crews oversees Power Supply, which includes the areas of Power Supply Planning, Load Forecasting, PJM Market Operations, Fuel Supply, Renewable Energy Projects, Demand Side Management and Energy Efficiency. Prior to his arrival at EKPC, Crews served as Manager of Federal Regulatory Affairs at Raleigh, N.C.-based Progress Energy Service Co. He also served as the Director of Coal Marketing and Trading for Progress Fuels, and as Director of Power Trading Operations at Progress.

Mr. Crews holds a bachelor's degree in Civil Engineering from North Carolina State University. He is a registered professional engineer in North Carolina.

David Crews, East Kentucky Power Cooperative, Inc., 4775 Lexington Road, Winchester KY 40392; 859.744.4812; david.crews@ekpc.coop



Ryan Johns
Berkeley Energy Group

Mr. Johns has been with Berkeley Energy Group which is part of the RH Group of companies since 2015, where he heads up Project Development for solar farms, mitigation banks, carbon credit programs, and real-estate. Mr. Johns has a background in finance from his years of being a Wealth Advisor with Morgan Stanley. He was one of the founders and managing partners of Cornerstone Investment Group. He has over twenty years of experience in the coal industry. Mr. Johns resides in Pikeville, Kentucky, with his wife Jennifer and their four daughters.

Ryan Johns, Project Development, Berkeley Energy Group, 750 Town Mountain Road, Pikeville, KY 41501; 606.437.4091; RJOHNS@rossharrisgroup.com

1:00-2:00 p.m.

Rare Earth Minerals – Who Gets to Recover Them and How?



**Paul Ziemkiewicz, PhD
Director, Water Research Institute
West Virginia University**

Dr. Ziemkiewicz, a native of Pittsburgh has a PhD from the University of British Columbia and an MS and BS from Utah State University in the biological sciences. After graduation he worked for ten years with the Alberta Department of Energy before coming to West Virginia University in 1988 to serve as director of the Water Research Institute. The Institute develops and carries out environmental research projects in the region and nationally. Research focus areas include mine water treatment, watershed restoration, mine reclamation, coal ash, wastes from shale gas development and more recently rare earth recovery from acid mine drainage.

Paul Ziemkiewicz, PhD, Director, Water Research Institute, West Virginia University, P.O. Box 6064, Morgantown, WV 26506; 304.293.6958; paul.ziemkiewicz@wvu.edu



**Allyn G. Turner
Steptoe & Johnson PLLC**

Allyn Turner is located in the Charleston, West Virginia office of Steptoe & Johnson PLLC and concentrates her practice in the areas of environmental law, environmental litigation, and environmental policy issues. Her practice involves permitting, enforcement, state and federal water issues, coal and non-coal permitting and certification issues. She represents coal, oil and gas, industrial, municipal and commercial interests on environmental matters, in state and federal court litigation, and assist clients' involvement in legislative and rulemaking processes. Ms. Turner previously served as Director of the West Virginia Department of Environmental Protection's Division of Water and Waste Management as well as the Department's Managing Attorney for its Office of Legal Services.

Ms. Turner is recognized in *Chambers USA America's Leading Lawyers for Business*, *The Best Lawyers in America*® and as Lawyer of the Year, Best Lawyers in the area of Environmental Law for 2015 and 2017. She is a member of the American Bar Association, Energy & Mineral Law Foundation, Rocky Mountain Mineral Law Foundation and the West Virginia Oil & Natural Gas Association.

Ms. Turner received her law degree from Wake Forest University School of Law and her undergraduate degree in Environmental Sciences from the University of Virginia.

Allyn G. Turner, Steptoe & Johnson PLLC, 707 Virginia Street East, 17th Floor, Charleston, West Virginia 25301; 304.353.8167; allyn.turner@steptoe-johnson.com



Gary D. Holland
Steptoe & Johnson PLLC

Gary Holland focuses his practice in the areas of real estate law, commercial transactions, and mineral title examinations. He has managed multiple large-scale title projects to assist clients with development efforts and Managed due diligence teams responsible for abstracting mineral title, rendering corresponding mineral title opinions, and curing title defects to assist energy client in meeting a drilling plan. He has performed mineral title examinations and drafted mineral title opinions to assist clients in acquiring property rights.

Gary earned his J.D. from Appalachian School of Law and his B.S. from the University of Kentucky. He is licensed to practice in Tennessee, Virginia and West Virginia. He joined Steptoe & Johnson PLLC in 2008.

Gary D. Holland, Steptoe & Johnson PLLC, Chase Tower, Eighth Floor, 707 Virginia St. East, Charleston, WV; 304.353.8108; gary.holland@steptoe-johnson.com

2:00-2:45 p.m. *Regulatory Reform: Now What?*



Karen C. Bennett
Clark Hill PLC

Karen C. Bennett is a Member in the firm's Washington, D.C. office in the Environment, Energy & Natural Resources practice group where she represents clients on environmental and administrative law matters, focusing primarily on permitting, compliance, litigation and legislative and regulatory policy under the Clean Water Act (CWA), the Surface Mining Control and Reclamation Act (SMCRA), the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and the the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Karen is recognized as a skilled strategist, with expertise in obtaining federal approvals for complex projects that face multi-front regulatory hurdles and public scrutiny, with special emphasis on the U.S. Army Corps of Engineers and the Advisory Council on Historic Preservation.

Prior to entering private practice, Karen was Vice President for Environmental Affairs at the National Mining Association (NMA), the Washington, D.C. based trade association that represents the coal and hardrock mining industry before Congress, the Administration, and regulatory agencies. Karen earned her J.D. from the University of Denver, College of Law, where she was the Editor of the Water Court Reporter, and is licensed to practice in the District of Columbia.

Karen C. Bennett, Clark Hill PLC, 601 Pennsylvania Ave. NE, North Building, Suite 1000, Washington, DC 20004; 202.572.8676; Email: kbennett@clarkhill.com

3:00-4:00 p.m.

Access to Capital – Creative Financing Options



David S. Meyer
Vinson & Elkins LLP

David is a partner in Vinson & Elkins' Restructuring and Reorganization group. His practice involves representing debtors, creditors, equity holders and investors in all aspects of complex corporate restructurings including chapter 11 cases, out-of-court restructurings and special situation investments and acquisitions. David also advises boards of directors and senior management of financially troubled companies regarding fiduciary duties, restructuring strategies and considerations, operating in chapter 11, and negotiating and structuring financings and other commercial transactions.

David was named a New York "Rising Star" by *Super Lawyers* magazine from 2014–2016 in the area of bankruptcy and creditor rights for his restructuring practice, selected as an Outstanding Young Restructuring Lawyer by *Turnaround & Workouts* in 2017, and was recognized by *Legal 500* in the areas of finance and restructuring in 2017.

David received his J.D. from Brooklyn Law School, where he was the Associate Managing Editor on the *Brooklyn Journal of International Law*. David received his B.A. from Bates College, majoring in Political Science.

David S. Meyer, Vinson & Elkins LLP, 666 Fifth Avenue, 26th Floor, New York, NY 10103; 212.237.0058; dmeyer@velaw.com



Darin W. Schultz
Vinson & Elkins LLP

Darin W. Schultz is a Partner in the Finance practice group of the Houston, Texas office of Vinson & Elkins LLP. Darin has been with Vinson & Elkins since 2005. Darin's practice is focused primarily on secured lending transactions in the energy sector. He represents borrowers, sponsors, project developers, and lenders in a wide variety of syndicated financings, including upstream, midstream, oilfield services, project finance, and acquisition finance. He counsels clients in all phases of domestic and cross-border lending transactions. During his time at Vinson & Elkins, Darin has represented clients on four separate project financings that have achieved "Deal of the Year" status from various trade publications.

Darin received his J.D. *cum laude* from Georgetown University Law Center, where he was an Executive Editor on *The Tax Lawyer*. Darin received his B.S. *magna cum laude* from Georgetown University, majoring in Accounting and Finance. Darin grew up in Fargo, North Dakota.

Darin W. Schultz, Vinson & Elkins LLP, 1001 Fannin Street, Houston, TX 77002; 713.758.2584; dschultz@velaw.com

4:00-5:00 p.m.

Putting Your Best Face Forward: Managing Your Social Media Presence (Ethics)



Stephen D. Daly, Esq.
Manko, Gold, Katcher & Fox LLP

Stephen joined Manko, Gold, Katcher & Fox, in 2016 and concentrates his practice on environmental litigation. He has represented an array of individual and business clients on a variety of different environmental matters, ranging from litigating land contamination issues to defending permits against third-party appeals. He was previously a member of Potter Anderson & Corroon's Corporate Litigation Group where he gained extensive experience in high stakes commercial disputes involving breaches of contract, tortious interference, trade secrets, as well as corporate disputes involving breaches of fiduciary duty.

While attending The Pennsylvania State University, Dickinson School of Law, he was a research assistant for Legal Writing Professor, Nicole Chong. Stephen also served as a federal judicial extern for the Honorable D. Brooks Smith on the U.S. Court of Appeals for the Third Circuit and as a judicial intern for the Honorable Pamela A. Ruest on the Centre County Court of Common Pleas.

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Bryan P. Franey, Esq.
Manko, Gold, Katcher & Fox, LLP

Bryan is a partner at Manko, Gold, Katcher & Fox, a mid-sized environmental, energy, safety, land use law and litigation firm located outside of Philadelphia. He has experience in counseling and representing clients on a range of environmental and energy matters. Over the last several years, Bryan's practice has focused on regulatory compliance and transactional matters, particularly in the areas of air and water quality, redevelopment, sustainability, permitting, energy efficiency and renewable energy development. He has represented a broad array of clients from private individuals through major international corporations in various types of matters.

Bryan is a *cum laude* graduate of the Villanova University School of Law where he was a Managing Editor of the Symposium for the *Villanova Law Review* and co-founder and president of Villanova's Environmental and Energy Law Society. Bryan has recently returned to Villanova as an adjunct professor of law teaching a class focused on practical lawyering skills in an environmental context.

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5:00-6:00 p.m.

Corporate Counsel Roundtable



**Eric R. Waller, Moderator
Armstrong Energy, Inc.**

Eric Waller is Vice President, General Counsel, and Secretary of Armstrong Energy, Inc. Prior to joining Armstrong, Eric worked as Senior Counsel for Columbia Pipeline Group, where his practice focused on commercial and real estate transactions. Eric previously worked for eight years at Patriot Coal Corporation, where he held legal positions including Assistant General Counsel and Senior Counsel. His wide array of legal experience at Patriot Coal included commercial transactions, regulatory compliance, litigation, SEC, and corporate governance matters, among others. Prior to joining Patriot Coal, Eric was an associate attorney at Steptoe & Johnson PLLC, where his practice focused on energy, labor, and litigation matters. Eric graduated *summa cum laude* from the West Virginia University College of Business & Economics, and holds a Bachelor of Science in Business Administration - Finance. He also holds a Doctor of Jurisprudence from the West Virginia University College of Law, where he graduated as a member of the Order of the Coif. Eric is a licensed attorney in Missouri, North Carolina, and West Virginia. Eric is a Trustee for the Energy & Mineral Law Foundation, and serves on the Foundation's Executive Committee.

Eric R. Waller, Armstrong Energy, Inc. 7733 Forsyth Boulevard, Suite 1625, Saint Louis, MO 63105; 314.655.4925; ewaller@armstrongcoal.com



**Jessica B. Brisendine
Assistant General Counsel
EQT Corporation**

Jessica Brisendine was appointed Assistant General Counsel in May 2016. In that role, she is responsible for leading EQT's Litigation, Claims, and Business Insurance Group. Jessica joined EQT in February 2007 and has held positions of staff attorney, senior staff attorney, counsel, and senior counsel at EQT, all of which maintained an emphasis on litigation and legal claims management.

Prior to starting her tenure with EQT, Jessica was an associate attorney with Robinson & McElwee, representing clients in a variety of litigation matters and focusing on legal issues that arose in the natural gas industry.

Jessica holds a Juris Doctor degree from the West Virginia University College of Law, and graduated *summa cum laude* with a Bachelor of Arts in English from West Virginia State College.

Jessica Brisendine, Assistant General Counsel, EQT Corporation, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222; 412.385.5577; jbrisendine@eqt.com



Jacqueline Bowman Ponder
Solar Sources Mining, LLC

Jackie Bowman Ponder is Chief Legal Officer for a group of companies located in Indiana. Those companies include Solar Sources Mining, LLC, part of the White Stallion Energy group with coal mines in southwest Indiana; Bowman Family Holdings, Inc., owner of approximately 8,000 contiguous acres making up the Southwest Indiana Megasite for development with I-69 and rail access; and Solar Sources Agribusiness, LLC. She is responsible for all litigation, contracts, MSHA, environmental, employment, human resources, employee benefit plans and all other legal matters for the companies.

Jackie graduated *cum laude* from Southern Methodist University in Dallas, Texas, with a B.A. in Political Science and Russian. She received her J.D., *summa cum laude*, from Indiana University McKinney School of Law, where she was a member of the Indiana Law Review. After clerking for the Hon. Tom Stagg, W.D. Louisiana, Jackie worked at McTurnan & Turner LLP, focusing on complex commercial litigation including security fraud, RICO, attorney malpractice, class actions and large contract disputes. In 2008, M&T became part of what is now Bingham Greenbaum Doll, LLP.

Jackie has four children and is active in the community serving on the Board of School Trustees for Center Grove Community School Corporation (2003-2008) and as President of the Board of Directors of Beacon of Hope Crisis Center (a domestic violence and sexual assault and prevention organization) since May 2013.

Jacqueline Bowman Ponder, Solar Sources Mining, LLC, 6755 Gray Road, Indianapolis, IN 46237; 317.788.0084; jbponder@solarsources.com



Tyson D. Schwerdtfeger
Alliance Resource Partners, L.P.

Tyson Schwerdtfeger serves as Assistant General Counsel for Alliance Resource Partners, L.P. 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.

Tyson D. Schwerdtfeger, Assistant General Counsel, Alliance Resource Partners, L.P., 1717 South Boulder Ave., Ste. 400, Tulsa, OK 74119; 918.295.7610; schwerdtfeger@arlp.com



Joseph A. Tarantelli
Chesapeake Energy Corporation

Joe Tarantelli is the Managing Attorney for Chesapeake's southern Appalachian assets, including its operations and leasehold in Ohio, West Virginia, Kentucky and parts of southwestern Pennsylvania. In addition to managing Chesapeake's litigation within those states, Joe's current practice involves counseling in-house business partners regarding all legal aspects of operations. Prior to joining the Chesapeake Legal Department in 2011, Joe worked at law firms in Kentucky and West Virginia as a litigation attorney, with a primary focus on clients involved in natural resource exploration. He received his B.S. from Xavier University and his J.D. from The George Washington University Law School. Joe is a member of the Kentucky, West Virginia and Oklahoma Bar Associations and a Trustee of the Energy & Mineral Law Foundation.

Joseph A. Tarantelli, Chesapeake Energy Corporation, 6100 N. Western Avenue, Oklahoma City, Oklahoma 73118; 405.935.2423; joe.tarantelli@chk.com



Kathryn S. Wilson
Natural Resource Partners L.P.

Kathryn S. Wilson has served as Vice President, General Counsel and Secretary of Natural Resource Partners L.P. since December 2013. Ms. Wilson served as Associate General Counsel from March 2013 to December 2013. She also serves as General Counsel of several private companies affiliated with Corbin J. Robertson, Jr., NRP's Chairman and Chief Executive

Officer. Ms. Wilson also represents NRP as one of its appointees to the Board of Managers of Ciner Wyoming LLC. Prior to joining NRP, Ms. Wilson was with Vinson & Elkins in Houston and New York for over ten years, where she specialized in capital markets transactions and mergers and acquisitions. Ms. Wilson also served as General Counsel of Antero Resources Corporation from March 2010 to June 2011. Ms. Wilson has a J.D., with Honors, from the University of Texas School of Law, and a B.A. from Wesleyan University.

Kathryn S. Wilson, Natural Resource Partners L.P., 1201 Louisiana Street, Suite 3400, Houston, TX 77002; 713.751.7543; kwilson@nrplp.com

Thursday, October 18, 2017 – Breakout Track A

8:00-8:50 a.m. A Year in the Courtroom for Oil and Gas



Travis L. Brannon
K&L Gates LLP

Travis Brannon is an associate in the K&L Gates Pittsburgh office and focuses his practice on energy and environmental matters with an emphasis on energy litigation. Mr. Brannon represents energy production, midstream, and associated companies in multiple areas, including contract disputes, oil and gas leasing, royalty disputes, landowner class actions, real property advising, and environmental compliance. Also, Mr. Brannon has experience counseling energy clients on legislative and regulatory developments at both the state and federal level.

Mr. Brannon's energy experience includes lease analysis and interpretation, royalty class actions, nuisance/trespass, pipeline development, environmental enforcement (e.g. Clean Air Act), eminent domain, and construction. His experience includes factual investigation, complex discovery matters, and a wide array of oral and written advocacy. Mr. Brannon also has trial and arbitration experience and recently served as first chair in a construction dispute, which he successfully settled on the eve of the jury trial.

During law school, he served as a Research Assistant at the WVU College of Law - Center for Energy and Sustainable Development performing energy and environmental public policy work. Mr. Brannon also previously interned with the U.S. Mine Safety and Health Administration and former U.S. Senator from Virginia, Jim Webb.

Mr. Brannon holds a B.A. in Political Science from the University of Virginia's College at Wise and a J.D. from the West Virginia University College of Law.

Travis L. Brannon, K&L Gates LLP, K&L Gates Center, 210 Sixth Avenue, Pittsburgh, PA 15222; 412.355.7443; travis.brannon@klgates.com



Lucas Liben
Reed Smith LLP

Lucas Liben is a member of the Oil & Gas team in Reed Smith's Energy & Natural Resources Group, working from the firm's Pittsburgh office. Lucas is a litigator practicing in all areas of oil and gas, including lease disputes, royalty claims, encroachment issues, and IADC lawsuits. He has dedicated the vast majority of his time since leaving law school in 2010 to energy issues, and practices in the state and federal courts of Pennsylvania and West Virginia in addition to handling arbitrations throughout the region.

Mr. Liben has a J.D. from the Georgetown University Law Center and a B.A. from the University of Pittsburgh in Political Science and Communication & Rhetoric. He is a transplant to Pittsburgh, having grown up in the New York metropolitan area.

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8:50-9:40 a.m. *The Rise of NGO Litigation in Response to the Trump Presidency*



Kevin K. Douglass
Babst Calland

Kevin Douglass is a shareholder in Babst Calland's Litigation Services and Energy & Natural Resources groups. Mr. Douglass has more than twenty-five years of experience litigating complex commercial matters in a variety of forums including federal, state and bankruptcy courts. His trial experience includes multiple jury trials, bench trials and preliminary injunction hearings. Mr. Douglass also has participated in numerous forms of alternative dispute resolution including mediations, mini-trials and arbitrations.

Mr. Douglass represents natural resources and energy clients in a variety of litigation matters involving pipeline construction, lease and title disputes, supply agreements and challenges to municipal ordinances. Mr. Douglass is a member of the Firm's Energy and Natural Resources Group and a Past-President and a former Executive Committee member of the Energy & Mineral Law Foundation (EMLF), a non-profit educational organization focused on legal issues related to the energy and mineral industry. He is also a member of the Marcellus Shale Coalition, an organization committed to the responsible development of natural gas.

Mr. Douglass also has extensive experience handling a wide range of commercial litigation matters that frequently require a deep understanding and analysis of company financial information. He works closely with forensic accounting firms in matters involving allegations of financial improprieties, as well as business valuations and damage calculations. For example, Mr. Douglass manages and litigates ownership disputes on behalf of majority, minority and equal business owners, director/officer liability issues,

fraud and negligent misrepresentation claims, restrictive covenant and trade secret violations and construction matters.

Mr. Douglass graduated *magna cum laude* from Mount Union College in 1983 with a B.A. in History. He earned his J.D. at Duquesne University School of Law in 1986 where he was a member of the *Duquesne Law Review* and served as an intern with Judge David W. Craig in Pennsylvania's Commonwealth Court.

Mr. Douglass has been listed in *The Best Lawyers of America*® in the Natural Resources Law Section since 2013. He has also been recognized as one of Pennsylvania's top business litigation lawyers since 2012, according to an annual survey published in *Philadelphia* magazine.

Kevin K. Douglass, Babst Calland, Two Gateway Center, 6th Floor, 603 Stanwix Street, Pittsburgh, PA 15222; 412.394.6562; kdouglass@babstcalland.com

10:00-11:00 a.m. *From Fracking to FERC to Finland: A Case Study Of The Rover Pipeline And An Analysis Of Federal Regulations And Market Factors Impacting Interstate Transportation and Export LNG*



Jenna R. DiFrancesco
Burns White, LLC

Jenna R. DiFrancesco is a partner with the Energy Group at Burns White in Pittsburgh, Pennsylvania where she primarily focuses her practice on transactional matters in the oil and gas industry. She has significant experience in due diligence review, title curative measures, and drafting certified title opinions for clients operating in the Marcellus and Utica Shale, as well as in abstracting, reviewing and certifying coal titles. Prior to joining Burns White, Ms. DiFrancesco was the title department manager at Rice Energy, and was instrumental in developing its title department and orchestrating the company's expansion in the Pennsylvania and Ohio energy markets.

Ms. DiFrancesco has a J.D. from the Louis D. Brandeis School of Law at the University of Louisville, where she was a member of the Women's Law Caucus and a contributor to the Journal of Law and Education. She received a B.A. in Government and Political Affairs from Millersville University.

Jenna R. DiFrancesco, Burns White, LLC, 48 26th Street, Pittsburgh, Pennsylvania 15222; 412.995.3112; jrdifrancesco@burnswhite.com



Jennifer L. Beresky
Burns White LLC

Jennifer L. Beresky is an associate attorney in the energy, business, and real estate practice groups in the Pittsburgh office of Burns White LLC. She defends energy companies in a wide range of oil and gas litigation, including quiet title claims, contract disputes, and personal injury claims. She has also handled due diligence projects, title curative measures, and certified title opinions. She manages closings for purchasers of oil and gas rights and also handles residential and commercial real estate closings.

Prior to joining Burns White, Ms. Beresky was a title abstractor at a land lease acquisition, project management, and title firm. Ms. Beresky received her J.D. from the University of Pittsburgh's School of Law, her M.A. from the University of Pittsburgh's Graduate School of Public and International Affairs, and her B.A. from the University of Pittsburgh. While in law school, she interned at the U.S. Commercial Service, part of the U.S. Department of Commerce's International Trade Administration, helping businesses navigate export control regulations, and served as a law clerk for The Honorable Arnold I. Klein of the Allegheny County Court of Common Pleas.

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11:00 a.m.-Noon ***Common Purchase and Sale Agreement Terms as Seen Through the Eyes of a Title Attorney***



Angela C. Ramsey
Lewis Glasser Casey & Rollins PLLC

Angela is Senior Associate with Lewis Glasser and her practice is focused in the oil and gas title department. As Senior Associate, her services include title examinations of mineral interests, leasehold and fee; Drilling title opinions, including identification of title irregularities, interpretation of lease provisions, reservations and grants of coal, oil and gas, type of mineral ownership, determination of necessity for curative documents and the preparation thereof; Preparation of division order title opinions; and preparation of unit title opinions. Angela has drafted Title opinions in all coal, oil and gas producing counties of West Virginia and Ohio.

Angela has also performed multiple due diligence projects, as an advocate for both Buyer and the Seller, and has acted as a consultant for arbitration proceedings.

Prior to joining Lewis Glasser, Angela previously worked as an attorney in the Wood County Prosecuting Attorney's Office as the Domestic Violence and Sexual Assault Prosecutor where she conducted hundreds of trials in both Magistrate Court and Circuit Court.

Angela is a member of the Energy & Mineral Law Foundation and is also a member of the American Association of Professional Landmen. In 2000, she received a scholarship from the AAPL, Michael Benedum Chapter and in 2001, scholarship from the EMLF.

Angela earned her Doctorate of Jurisprudence from the West Virginia University College of Law in 2002. She joined the Firm in January of 2012.

Angela is active in the United Way of Southern West Virginia and is the Vice President of the Briarcliff Garden Club of Beckley, WV.

Angela C. Ramsey, Lewis Glasser Casey & Rollins PLLC, 300 Summers Street, Suite 700, Charleston, WV 25301; 304.345.2000; aramsey@lgcr.com

Breakout Track B

8:00-8:50 a.m. Hot Topics in Employment Law



Ashley C. Pack
Dinsmore & Shohl LLP

Ashley Pack is a partner in the labor and employment practice group in the Charleston, West Virginia, office of Dinsmore & Shohl LLP. She is licensed in both West Virginia and Kentucky.

Ashley has significant experience representing employers in a variety of labor and employment matters, including employment litigation, sexual harassment investigations, unfair labor practice and union representation cases. Ashley leverages a thorough knowledge of employment law to help steer clients through a myriad of challenges, having represented clients in the banking, healthcare, retail, and energy and natural resources industries. Understanding that labor and employment cases often take unique twists and turns, she works closely with business owners, human resource managers and in-house counsel to learn each client's operations and objectives before tailoring an approach to fit the circumstance. She has teamed with her clients to offer counseling on an array of employment law matters, including employee discipline, termination, and employee policies and procedures. She also handles Title VII and West Virginia Human Rights issues for clients, including all manners of discrimination claims and litigation. She has successfully represented clients in mediations and arbitrations, as well as before state and federal courts and administrative agencies. She litigated several Section 10(j) injunctive relief cases and recently obtained a defense verdict in an employment contract dispute.

Ms. Pack has a J.D. from the University of Kentucky College of Law and a B.A. from University of Kentucky graduating summa cum laude, Phi Beta Kappa.

Ashley C. Pack, Dinsmore & Shohl LLP, 707 Virginia Street, E., Charleston, WV 25301; 304.357.9937; ashley.pack@dinsmore.com

8:50-9:40 a.m.

Workplace Safety and Health: An Overview of Where We Have Been and Where We May Be Heading



Laura E. Beverage
Jackson Kelly PLLC

Laura E. Beverage is Counsel with Jackson Kelly PLLC based in the Denver, Colorado, office. She practices in the Firm's Occupational Safety and Health Practice Group. She joined the Firm in 1980 after graduating from West Virginia University College of Law where she was elected to the Order of the Barristers. Ms. Beverage managed the Denver, Colorado, office from 1993-2001 and 2008-2014. Ms. Beverage transferred from the Firm's Charleston office to establish its westernmost office in Denver. She practiced in the Firm's Charleston office from 1980 until 1993. Ms. Beverage represents general industry, construction and mining clients in compliance issues, policy, legislative and regulatory matters, and civil and criminal enforcement issues, accident investigation and whistleblower claims on both state and federal levels. She has extensive experience involving issues under the Occupational Safety and Health Act, the Federal Mine Safety and Health Act and other state and federal safety and health statutes, including the Safe Explosives Act and the Surface Transportation Assistance Act. Ms. Beverage has served as lead counsel in numerous serious and catastrophic accident investigations through conclusion of the investigation and subsequent litigation.

Ms. Beverage is a member of the Board of the Colorado Mining Association and served as the Board's 2008 Chair. She is the Board's Vice Chair of Safety. Ms. Beverage co-chaired the Colorado Mining Association's Safety and Health Committee from 2000 to 2005. She is active in a number of other organizations including the American Society of Safety Engineers, National Safety Council, Colorado Safety Association, Colorado Stone, Sand & Gravel Association, National Stone, Sand & Gravel Association and the National Mining Association. She is a member of the Rocky Mountain Mineral Law Foundation and serves on the Board of Trustees of the Energy & Mineral Law Foundation. She is listed in Woodward/White's *The Best Lawyers in America*[®].

Ms. Beverage has authored several published materials, is a frequent speaker on safety and health topics and has developed innovative training for supervisory employees under the Occupational Safety and Health Act and the Federal Mine Safety and Health Act.

Ms. Beverage has been admitted to practice in Colorado, West Virginia, the D.C. Circuit and the Fourth, Sixth and Tenth Circuit Courts of Appeals.

Laura E. Beverage, Jackson Kelly PLLC, 1099 18th Street, Suite 2150, Denver, CO 80202; 303.390.0004; lbeverage@jacksonkelly.com

10:00-11:00 a.m. Trump's "War on Clean Energy"



**Mark "Buzz" L. Belleville
Appalachian School of Law**

Professor Belleville has played a central role in the development of ASL's natural resources law emphasis. He coaches moot court teams at major competitions in environmental law and energy law, and has served as faculty advisor for ASL's Natural Resources Law Journal, the Environmental Law Society, and the Energy and Mineral Law Society. Professor Belleville represented ASL in a successful Solar Pathways grant application made by a consortium of Virginia colleges to the Department of Energy seeking to facilitate the deployment of solar installations at non-profit entities. He developed and supervised a live client clinic focused on legal and regulatory work associated with solar energy deployment for colleges, communities and non-profit organizations. Professor Belleville represents ASL with the Energy and Mineral Law Foundation, serving on EMLF's scholarship and law school committees, and regularly presenting at EMLF's annual conferences.

Professor Belleville spent the 2015-2016 academic year as the Energy Law and Policy Teaching Fellow at the University of California Berkeley School of Law, teaching Energy Law and Policy and the Law of Renewables. He has also taught Natural Resources Law and Policy at Virginia Tech University as part of its Masters in Natural Resources program.

Before coming to ASL, Professor Belleville practiced for 10 years as a business litigator and counselor with Woods Rogers PLC in Blacksburg, Va., and Calfee, Halter & Griswold LLP in Cleveland and Columbus. His litigation practice focused on commercial contract disputes, environmental litigation, business torts, labor litigation, and premises liability. On behalf of a utility client, Professor Belleville obtained the first summary judgment in Ohio in defense of a premises liability asbestos claim, and helped draft significant asbestos reform legislation. He has also successfully defended multi-million dollar enforcement actions under both the Clean Air Act and the Clean Water Act on behalf of municipal and industrial clients. He is licensed to practice in Pennsylvania, Ohio, and Virginia.

Professor Belleville has written and given significant presentations on topics that include renewable energy law, the science of climate change for lawyers, fracking regulations, state solar energy regulation, wind energy, carbon regulation, incentives for renewable energy and efficiencies, careers in energy and mineral law, the law of climate change, protecting agribusinesses from liability, and liability issues associated with hiking trails.

Mark "Buzz" L. Belleville, Appalachian School of Law, 1169 Edgewater Drive, Grundy, VA 24614; 540.449.1139; mbelleville@asl.edu

11:00 a.m.-Noon SMCRA At 40 (Surface Mining Control & Reclamation Act)



**M. Shane Harvey
Jackson Kelly PLLC**

M. Shane Harvey is a Member in Jackson Kelly's Charleston, West Virginia, office where he is Leader of the Environmental Practice Group and also Leader of the Coal Industry Group. Mr. Harvey has more than a decade of experience as in-house counsel and general counsel for energy companies including working closely with operations and providing guidance on personal injury litigation, environmental compliance, public affairs and health and safety compliance. He has represented energy clients 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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