

**Landman Institute: Legal and Ethical Issues for Landmen and Attorneys  
March 14, 2019**

**Speakers' Biographies – by session**

**8:15 – 9:15 a.m. Ethics: Supreme Court of West Virginia – What Went Wrong?**

**Morgan Palmer Griffith, Esq., CPL  
American Petroleum Partners**

Morgan Griffith has in-house experience in both gas transmission and production. She is currently working at American Petroleum Partners in Canonsburg, Pennsylvania. Prior to working at APP, Griffith was senior counsel with Columbia Pipeline Group/TransCanada, where she worked on Section 7 pipeline projects in the Appalachian basin. Griffith ran large title and due diligence projects as a partner at Steptoe & Johnson. She has also worked as a land attorney for EQT Production Company. Griffith is the education chairperson of the Michael Late Benedum chapter of the AAPL. She is a certified professional landman. Ms. Griffith graduated summa cum laude from Denison University in Granville, Ohio. She graduated from the West Virginia University College of Law in 1998, where she met her husband, Dave. They have four children and a hound dog.

**9:15 – 10:15 a.m. Testifying as an Effective Witness in a Deposition**

**Clay K. Keller  
Jackson Kelly PLLC**

Clay K. Keller is a Member in the Energy and Manufacturing industry groups, focusing primarily on litigation and oil and gas. He practices out of the Firm's office in Akron, Ohio.

Clay has a broad array of experience in counseling and representing individuals and businesses as trial counsel in commercial disputes and tort matters. In addition to representing businesses in a variety of industries, a significant portion of his practice involves representing upstream and midstream companies operating in Ohio for the exploration and development of the Utica-Point Pleasant Shale Play.

From area of mutual interest (AMI) interpretations, to defending exploration and production companies involving Dormant Mineral Act claims, to lease lawsuits, to actions involving access properties, Clay's resume is rich and varied.

He is a frequent speaker on topics related to general litigation and oil and gas law. He's received a peer review rating of AV Preeminent from Martindale-Hubbell. Clay enjoys collaborating with clients, and he's proficient in the industries in which he regularly represents companies. He believes that being able to adapt, being focused on practical solutions, and creativity are critical aspects to successfully practicing law and meeting the needs of clients.

In his spare time, Clay enjoys spending time traveling with his family and attending his daughter's tennis matches and events. Clay is also an avid pilot and holds his commercial certificate with an instrument rating, serves as the Vice President of a local flying club and is a member of several general aviation organizations.

**Lester Zitkus  
Senior Vice President, Land  
Gulfport Energy Corporation**

Mr. Zitkus has served as Senior Vice President of Land effective January 2017 and, prior to such time, as Vice President of Land since March 2014. Prior to joining the Company, Mr. Zitkus served as an independent consultant from October 2013 to March 2014 and as Vice President of Land for Chesapeake Energy Corporation from May 2007 to October 2013. During his 20-year tenure with Equitable Resources Inc. (now EQT Corp.), he held various positions, including Vice President of Operations and Senior Vice President of Land, between 1987 and 2007. He holds a degree in Mineral Land Management from the University of Evansville. Mr. Zitkus is a member of the American Association of Professional Landmen and Past Regional Director of the Independent Producers Association of America.

**10:30 – 11:30 a.m. Dundics – History and Evolution of Landman Licensing in Ohio**

**Michael D. Brewster, Esq.  
Frost Brown Todd, LLC**

Mr. Brewster is a managing associate with Frost Brown Todd, LLC in the Finance and Real Estate Practice Group. He has extensive experience representing oil and gas operators in a host of transactional matters, including financing, acquisitions, acreage trades, joint development agreements, purchase and sale agreements, large scale due diligence projects. Mr. Brewster has negotiated and drafted documents for a wide variety of commercial transactions, including asset acquisitions, divestitures, membership interest purchase agreements, asset financing, leases, and purchase and sale agreements. He has led and managed due diligence projects in the Utica and Marcellus shale ranging from 1,000 acres to over 40,000 acres. In addition, Mr. Brewster regularly counsels clients on leasing, curative issues, post-production costs, regulatory compliance, well permitting, and various other energy matters. Before joining Frost Brown Todd, Mike practiced at a national oil and gas boutique law firm, serving as counsel to clients in both the Marcellus and Utica shale plays. He received his J.D. from the University of Akron School of Law, his MBA from the University of Akron, and his B.S. in Business Management from Grove City College. Mr. Brewster has been selected for inclusion in Pennsylvania's Rising Stars® from 2013 through 2017 and has also been named among Who's Who in Energy for Pittsburgh-region Lawyers by the Pittsburgh Business Times from 2014 through 2017.

**Amanda Finn  
Government Relations Manager  
Ascent Resources, LLC**

As Government Relations Manager for Ascent Resources, Ms. Finn is the liaison to local, state, and federal officials on issues affecting not only Ascent but the industry as a whole. Assisting with legislative initiatives and bill creation, Ms. Finn is a registered lobbyist in Ohio and West Virginia.

Ms. Finn also handles all landowner relations for Ohio which is part of creating a

corporate/local relationship structure within their operating counties.

Previously Ms. Finn worked as Government Relations Manager for Magnum Hunter Resources, Eureka Midstream, and GreenHunter Resources, where she also handled all local, state, and federal issues affecting all three companies. After years of working closely with a Congressman on the Energy and Commerce Committee, Ms. Finn brings with her the experience and exposure that is necessary to be an effective advocate to the oil and gas industry. Counterpoint to her government relations reach is her community relations experience. An Ohio native, an active volunteer for local political campaigns, Chair of the Government Affairs Committee for OOGA, active member in several OOGA committees and a member of local volunteer organizations in Washington County, Ms. Finn's community involvement plays a critical role in the relevancy of her understanding of the issues for the industry.

Ms. Finn has a background in Marketing and Business Development and graduated with a Bachelor of Arts in Marketing from Lindenwood University in St. Charles, Missouri.

**Brad Secrist  
Supervisor – Land  
Ascent Resources, LLC**

Brad Secrist serves as Supervisor – Land for Ascent Resources, a leading independent energy company focused on acquiring, developing, and producing natural gas and oil in the prolific Appalachian Basin. He has spent the last seven years working Ohio in various roles of increasing responsibility, the last five years at Ascent. His current duties include coordinating drill schedule readiness, managing acquisition and divestment negotiations such as leasehold swaps and leasehold purchase agreements, directing on-the-ground lease acquisition, and maintaining joint venture obligations. He currently supervises eleven in-house direct report landmen and land technicians and has approximately 80 contract field landmen working on various leasing and title projects. Mr. Secrist earned a Juris Doctor with Honors in 2012 from the University of Oklahoma. His note "Not all 'Units' Are Create Equal: How *Hebble v. Shell Western E & P, Inc.* Missed an Opportunity to Curb the Expansion of Fiduciary Obligations in Oklahoma Oil and Gas Law" was published in the Fall 2012 issue of the Oklahoma Law Review. He received a Bachelor of Science in Business Administration in accounting and financial management/investment, magna cum laude, in 2009 from the University of Arkansas.

**11:30 – 12:30 p.m. West Virginia Cotenancy Modernization and Majority  
Protection Act: Practical Application Going Forward**

**Katrina N. Bowers, Esq.  
Babst Calland**

Katrina Bowers is an associate in Babst Calland's Energy and Natural Resources and Litigation groups. Ms. Bowers' practice focuses primarily on representing oil and gas companies in litigation concerning a variety of matters including trespass, negligence, property damage, royalty payments, toxic torts, title disputes, breach of contract, and fraud. Additionally, she advises oil and gas companies regarding proposed, pending, and enacted safety, health, and environmental regulations. Ms. Bowers is admitted to the West Virginia Bar and the U.S. District Court for the Southern and Northern Districts of West Virginia. She is actively involved in the Defense Research Institute and the

Defense Trial Counsel of West Virginia, where she has chaired the Safety and Health Committee, and participated in the Energy and Safety and Health committees. In 2016, Ms. Bowers was named the Defense Trial Counsel of West Virginia Young Lawyer of the Year. She is an active member of the Independent Oil and Gas Association of West Virginia (IOGAWV), West Virginia Oil and Natural Gas Association (WVONGA), the Energy and Mineral Law Foundation (EMLF), Women's Energy Network (WEN) and Leadership West Virginia. Ms. Bowers earned her B.A., *cum laude*, from Marshall University in 2010 and her J.D. from the West Virginia University College of Law in 2013.

**Charles Saffer, Esq.  
Babst Calland**

Charles Saffer is senior counsel in the Energy and Natural Resources and Corporate and Commercial groups of Babst Calland. His practice is focused on real estate and mineral title matters for corporate clients within the commercial and oil and gas industries. He has experience in examining and certifying mineral titles in counties throughout West Virginia. Mr. Saffer has also represented property owners in commercial real estate transactions including leasing, acquisitions and financing matters with a focus on retail and industrial real estate. He is a member and Trustee at Large of the Energy and Mineral Law Foundation and an Associate Member and Education Committee Member of the Michael Late Benedum Chapter (MLBC) of the American Association of Professional Landmen (AAPL). Mr. Saffer has been listed as a Notable Practitioner by Chambers USA's America's Leading Business Lawyers and has been recognized by *Best Lawyers in America*®. Mr. Saffer earned his B.A., *cum laude*, from West Virginia University in 1995 and his J.D. from the West Virginia University College of Law in 1998.

**TRACK 1**

**2:00 – 3:00 p.m.      Fundamentals of Natural Gas Marketing**

**Justin Edmiston  
Director Gas Marketing  
Arsenal Resources, LLC**

As Director of Gas Marketing and Trading at Arsenal Resources, Justin is responsible for the monetization and maximization of market value of Arsenal's produced gas within the dry gas region of the Marcellus in West Virginia. His duties include transport asset optimization, market access, flow assurance, gas sales management, and commercial development of downstream market optionality for the organization. Previously, as a director at Vulture Energy Partners, Justin was responsible for fundraising, origination, and execution of midstream asset developments across the Americas. Projects included commercial contracting and construction of gas transportation infrastructure within the Vaca Muerta, Argentina and aging O&G infrastructure rehabilitation in the Caribbean. Prior to Vulture, Justin was a management consultant at Schlumberger Business Consulting where he focused on strategy and operations excellence for unconventional operators. Justin began his career in midstream asset acquisition and optimization at BP's Integrated Supply and Trading division. He holds an MBA from Harvard Business School and degrees in Finance, Human Resource Management, and Entrepreneurship

and Venture Capital Management from the University of Oklahoma.

**Andrew N. Kleit, Ph.D.**  
**The Pennsylvania State University**

Dr. Kleit is a professor of energy and environmental economics, holding a joint appointment in the Meteorology and Energy and Mineral Engineering Departments in the College of Earth and Mineral Sciences at Penn State. He teaches classes in environmental economics, energy markets, corporate finance, and financial risk management, and engages in research on environmental, energy, health care, and antitrust issues, as well as weather economics. He was named as one of the top competition economists in the world by Global Competition Review (London) in 1998, 2000, and 2002.

Dr. Kleit earned his Ph.D. at Yale University and his B.A., cum laude, at Middlebury College.

**David Thomas**  
**Sr. Director of Marketing, Appalachia**  
**ARM Energy Management**

Mr. Thomas has over 25 years of experience in the energy industry. Prior to joining Asset Risk Management, Mr. Thomas worked for CONSOL Energy where he was responsible for developing the long-range market strategy for production in the Marcellus/Utica regions. Mr. Thomas led the negotiations for large-scale gathering systems, processing plants and gas liquids fractionation plants. Mr. Thomas was also responsible for working with the Joint Venture partners developing transportation strategies for Ohio & West Virginia production. From 2002 to 2010 Mr. Thomas worked at Virginia Power Energy Marketing developing a portfolio of assets to supply the generation fleet and help market production to retail aggregator outlets. Prior to 2002, Mr. Thomas worked in various energy roles for Mirant and Williams, primarily responsible for trading and marketing gas in the Midwest. Mr. Thomas holds a Bachelor of Science degree in Accounting from Oklahoma State University.

**Ryan Warner, P.E.**  
**Vice President, Business Development**  
**Infinity Natural Resources, LLC**

Ryan Warner is a founding executive of Infinity Natural Resources, a privately funded Appalachian exploration company, and serves as Vice President of Business Development. Mr. Warner comes with an operational background having served in multiple engineering roles at Chesapeake Energy as well as Northeast Natural Energy, primarily focused on facility design and production. Since helping start Infinity Natural Resources in 2017, his focus has shifted predominantly to asset valuation, midstream, and marketing. Recent activities include evaluating regional acreage and asset package opportunities, planning Infinity's upcoming asset and midstream development in southwestern Pennsylvania, as well as handling current day-to-day marketing responsibilities. His current emphasis is assessing regional gathering systems and transportation outlets to ensure Infinity Natural Resources can maximize its return on initial production growth. He is a member of the north central West Virginia chapter of

Society of Petroleum Engineers, Appalachian basin chapter of American Association of Drilling Engineers, as well as West Virginia Independent Oil and Gas Association.

Mr. Warner is a registered Professional Engineer and holds a degree in Petroleum and Natural Gas Engineering from West Virginia University. He currently resides in Morgantown, WV with his wife and two sons.

**3:15 – 4:15 p.m.      Natural Gas Liquids 101**

**Marc A. Halbritter**  
**Senior Vice President, Business Development**  
**Blue Racer Midstream**

Marc Halbritter joined Blue Racer in March 2013 as a seconded employee from Dominion and served as Chief Marketing Officer and General Counsel. In August 2014, he joined Caiman Energy as Senior Vice President—Business Development and holds the same position at Blue Racer. Prior to joining Blue Racer, he worked for several Dominion companies in a number of different capacities. Mr. Halbritter holds a Bachelor of Science degree and a Juris Doctor from West Virginia University and has been conferred with a Doctorate of Humane Letters by West Virginia Wesleyan College. Mr. Halbritter is also a certified public accountant.

**4:15 – 5:15 p.m.      “Shoot to Drill” – Structuring Deals that Target Upstream**  
**Oil and Gas Assets**

**Britt A. Freund**  
**Step toe & Johnson PLLC**

Britt Freund concentrates his practice in mineral and energy law. He represents coal and oil and gas producers, financial institutions, and mineral owners with regard to all aspects of real property development, mineral production and sales, and finance transactions.

Britt enjoys working with clients to achieve exceptional results in resolving disputes, both in and out of court, and assists with transactions of all sizes.

Britt earned his law degree from the Duquesne University School of Law in Pittsburgh, *cum laude*. He earned a Bachelor of Fine Arts degree in musical theater from Ithaca College.

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

## **TRACK 2**

### **2:00 – 3:00 p.m.      Boundaries and Property Descriptions – Where Do You Draw the Line?**

**Sean Cassidy**  
**Sean Cassidy and Associates, P.C.**

Sean Cassidy is an attorney in Greensburg, Pennsylvania. He received his Bachelor of Science degree in Mathematics from Carnegie Mellon University, and his Juris Doctorate degree from the University of Pittsburgh School of Law, where he served as Note Editor for the University of Pittsburgh Law Review.

Mr. Cassidy is the author of *“Title Defects and Their Cure”*, Eastern Min. L. Inst., ch. 2 (1981), *“Preparation and Use of Title Opinions”*, Eastern Min. L. Inst., ch. 6 (1985), *“Title Failure”*, Eastern Min. L. Inst., ch. 11 (1990), *“Horizontal Division of Oil and Gas Leaseholds”*, Eastern Min. L. Inst., ch. 20 (1994), *“Division of Royalties - Who Gets What?”*, Energy & Mineral Law Institute, ch. 12 (2009), *Old Right of Way, New Pipe: The Right to Enlarge Pipelines and Related Equipment*, Energy & Mineral Law Institute, ch. 14 (2013), *When Does “Surface” Mean Only Surface*, Energy & Mineral Law Institute, ch. 8 (2014), *Title Traps*, Energy & Mineral Law Institute, ch. 21 (2015), and *Liability of Abstractors and/or Attorneys for Title Claims*, Energy & Mineral Law Institute (2017). He is the author of *Oil and Gas Lease Negotiations*, published as part of the Audioline Series of the Pennsylvania Bar Institute and has presented seminars on oil and gas leasing and oil and gas titles for the Pennsylvania Bar Institute. Mr. Cassidy was a contributing author for *The American Law of Mining*, Second Edition, published by Matthew Bender & Co., Inc., and was also a contributing author for the treatise, *The Law of Oil and Gas in Pennsylvania*, First Edition, published by the Pennsylvania Bar Institute.

Mr. Cassidy is a Trustee of the Energy and Mineral Law Foundation, formerly known as the Eastern Mineral Law Foundation, and previously served as President of the Eastern Mineral Law Foundation from 1990 to 1991. In 2015, the Energy and Mineral Law Foundation named Sean Cassidy as the annual John L. McLaugherty Award recipient for outstanding contributions to the EMLF, the energy industry and the energy bar.

Mr. Cassidy’s practice is concentrated primarily on all title aspects of coal, oil and gas and minerals. During the period of 2011 through 2015, Mr. Cassidy rendered over 1,200 title certificates per year on coal, oil and gas and mineral properties. Due to the downturn in the oil and gas industry, approximately 400 title certificates were rendered in 2016 and 575 title certificates were rendered in 2017.

Mr. Cassidy is a member of the Pennsylvania Bar Association and the Westmoreland County Bar Association. Mr. Cassidy has been the recipient of a Pro Bono Award from the Pennsylvania Bar Association and in 2003 was named the Westmoreland County Bar Association “Pro Bono Lawyer of the Year”.

Mr. Cassidy is also active civically in the Westmoreland County community. For three years, he served as President of the Laurel Ballet Performing Company. He currently serves on the board of the Westmoreland Symphony Orchestra and is a board member

of the Westmoreland Cultural Trust. In addition, Mr. Cassidy also serves on the boards of the Pittsburgh Ballet Theatre, the Westmoreland Museum of American Art, and Animal Friends of Westmoreland County.

**3:15 – 4:15 p.m. Contracting with People Treated Differently Under the Law**

**Renee V. Anderson, Esq.**  
**Sean Cassidy and Associates, P.C.**

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

Prior to joining Sean Cassidy and Associates, she was a shareholder at Tucker Arensberg, P.C. While there, she served on the Board of Directors, led the Energy Practice Group and served on the Risk Management and Succession Planning Committees.

While at Chevron Appalachia, LLC (previously Atlas Energy, Inc.), she was Director of Title Administration and while there, she earned Chevron's "Winning Together Award" for outstanding contributions in the acquisition of Marcellus assets from Chief Oil and Gas, LLC, and other companies. She was also awarded Chevron's "Way to Go Award" for hard work and support during all acquisition and integration activities in the Appalachian and Michigan Business Units. During her tenure there, she worked on acquisitions totaling more than \$3 billion and covering more than 600,000 acres in Pennsylvania, Ohio and West Virginia.

Renee started her legal career at Sean Cassidy and Associates in 2005 and is happy to return with the industry experience she has acquired since.

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

She is a member of the Energy & Mineral Law Foundation, where she is on the Executive Committee, the Board of Trustees and serves on the Strategic Planning Committee. She is also a member of the American Association of Professional Landmen, the Michael Late Benedum Chapter of AAPL, the Northern Appalachian Landman's Association (NALA) and the Pennsylvania Bar Association.

**4:15 – 5:15 p.m. Ethical Pitfalls for Landmen: Licensing, Regulation and the Unauthorized Practice of Law**

**Christopher T. Furey**  
**Bricker & Eckler LLP**

Chris Furey's practice incorporates two key areas — energy and real estate.

Specializing in upstream and midstream oil and gas transactions, Chris works extensively with individuals and businesses in title curative issues relating to the Ohio

Dormant Minerals Act and the Marketable Title Act. He takes care to provide a high level of personal attention to Bricker's landowner clients. Chris has been instrumental in the facilitation and negotiation of significant renewable energy transactions.

Chris is well-versed in the practices and procedures of the Ohio Department of Natural Resources and is involved in the process of monitoring statewide policy initiatives to ensure an appropriate balance is achieved.

He also represents several school districts in Northeast Ohio in connection with the acquisition and disposition of real property. This includes purchase and sale transactions, as well as easements and various other land use agreements.

**Kara H. Herrnstein**  
**Bricker & Eckler LLP**

Kara Herrnstein meets the litigation and appellate needs of a wide range of clients, including producers, pipeline companies and industry groups. Throughout her career, she has assisted her clients in their efforts to build Ohio into a major mineral-producing state. She regularly litigates a variety of energy issues, including oil and gas disputes, mineral rights disputes and pipeline infrastructure disputes.

Kara also has a robust general commercial litigation practice, including in the areas of insurance and financial products. She represents clients nationwide in complex commercial litigation at both the trial and appellate level.

Prior to joining the firm, Kara served as a law clerk to the Hon. Alan E. Norris on the United States Sixth Circuit Court of Appeals and as a staff attorney at the Eleventh Circuit Court of Appeals in Atlanta, Georgia. She also served as a law clerk to the Hon. Michael H. Watson on the United States District Court for the Southern District of Ohio.