

Energy & Mineral Law Foundation  
Kentucky Mineral Law Conference 2019  
October 16-17, 2019

## **Speakers' Biographies – by session**

**8:45-9:15 a.m.            *Keynote Session***

**Jeffery Keffer**  
**President and CEO**  
**Longview Power, LLC and Mepco Holdings, LLC**

Jeff Keffer has more than 32 years of experience in the power generation industry with specific emphasis in the development, permitting and financing of various solid fuel and alternative energy projects. Mr. Keffer was a partner at Brown Rudnick, Boston, Massachusetts, for more than 15 years prior to joining Longview Power, LLC in 2007. He became the CEO and President of the Longview Power in 2011 and led the successful bankruptcy restructuring and negotiated comprehensive settlements with its contractors in the Company's 2013-15 Chapter 11 proceeding. Since then he has managed the rehabilitation of the 710 MW Longview Power plant into the most efficient, cleanest, reliable and low-cost coal fired power plant in the United States. Mr. Keffer graduated from Middlebury College with a Bachelor of Arts degree and earned a Juris Doctor from Boston College Law School.

**9:15-9:45 a.m.            *Preparing for an Unpredictable Future: How Joint Employment Will Impact Employers***

**Michael J. Moore**  
**Steptoe & Johnson PLLC**  
**michael.moore@steptoe-johnson.com**

Michael Moore is an attorney in the Bridgeport, West Virginia, office of Steptoe & Johnson PLLC and dedicates his practice exclusively to labor and employment matters. He represents companies in defense of claims involving state and federal employment laws, including claims of discrimination, harassment, wrongful termination, wage and hour issues, reduction in force questions and a litany of other employment-related disputes. Michael frequently presents to clients on "best practices" for their businesses and counsels them to resolve their labor and employment disputes before they become litigation. He has successfully argued before the Supreme Court of Appeals of West Virginia and prevailed on behalf of clients at trial where claims of discrimination have been made.

On the traditional labor front, Michael frequently provides guidance to employers when they are faced with unionization efforts and has experience in the defense of unfair labor practice charges filed with the National Labor Relations Board. Michael has represented clients through union campaigns, representation hearings and union elections. Michael, likewise, participates in arbitration proceedings where unions contend that Michael's clients have violated the terms of a collective bargaining agreement.

A significant focus of Michael's practice involves representing the energy sector in disputes that arise with employees and independent contractors during their employment. Michael represents coal companies throughout West Virginia and has become highly sought after as a go-to lawyer in the energy sector.

Michael serves on the Young Lawyers Committee of EMLF and a member of the Strategic Planning Committee. He is a member of the American Bar Association, Defense Trial Counsel of West Virginia, and has been recognized as a *Rising Star* by Super Lawyers since 2016.

Michael is active within the community, serving as the Chairperson for the Salvation Army of Clarksburg, the Bridgeport Fire Civil Service Board and volunteering as a member of the Campaign Cabinet for the Harrison County United Way. He is also a member of the Alpha Kappa Psi Business Fraternity and Golden Key International Honour Society.

Michael earned his bachelor's degree from West Virginia University graduating summa cum laude with an emphasis in Finance. He received his Juris Doctorate from the West Virginia University College of Law, graduating *Order of the Coif* with membership in the West Virginia College of Law Supreme Court Clinic and the West Virginia Law Review.

**9:45-10:15 a.m.      *Electronic Signatures, Online Notaries, E-Filing: How, When and Where Can They Work for You?***

**Karen J. Greenwell  
Wyatt, Tarrant & Combs LLP  
kgreenwell@wyattfirm.com**

For over 30 years Ms. Greenwell has assisted coal, oil, gas and energy industry clients with all types of transactions, including leases, asset and stock acquisitions and divestitures, corporate mergers, and bankruptcy sales. Her experience in litigating property, contract and business tort disputes gives her an unusual breadth of experience and perspective in dealing with issues affecting mineral and energy industry clients. She is a Trustee of the Energy & Mineral Law Foundation, a member of the Board of Directors of the Kentucky Oil and Gas Association and is the chair of its legal committee. She is an adjunct professor at the University of Kentucky College of Law, teaching courses in energy law and policy. She has been included in Woodward/White's *The Best Lawyers in America*® in Mining and Natural Resources Law from 2007 to the present and has been repeatedly recognized by her peers in *Kentucky Super Lawyers*.® She has been identified as one of the "Leaders in Their Field" by Chambers USA-Americas Leading Lawyers for Business. She is a grateful recipient of McClaugherty Award presented by the EMLF and of the Robert G. Alley Service Award presented by the Kentucky Oil and Gas Association.

**10:30-11:15 a.m.      *The Last Twelve Months in Energy Law***

**Lucas Liben  
Reed Smith LLP  
lliben@reedsmith.com**

Luke is a partner in the oil & gas team of Reed Smith's Energy and Natural Resources group. Luke has spent nearly a decade representing energy industry clients litigating a variety of cases involving all aspects of the development of the Marcellus and Utica shales. Luke handles complex contractual disputes, including cases involving drilling contracts, joint operating agreements, and other industry specific relationships. Luke has significant experience representing exploration and production companies in royalty litigation, both class action and individual cases, and has defended many of the most common lease forms and provisions found throughout Appalachia. Luke also represents midstream companies in storage field cases, land use disputes, encroachment cases, and condemnations, and industry

contractors on issues including workplace fatalities. Luke routinely argues motions and represents clients at trial in the state and federal courts of both Pennsylvania and West Virginia, and before the American Arbitration Association.

**11:15 a.m.-12:15 p.m. *Lawyer Impairment and Well-Being: Are We Fit to Practice?***

**Yvette Hourigan**  
**Kentucky Lawyer Assistance Program**  
**yhourigan@kylap.org**

Yvette Hourigan grew up in Louisville, Kentucky, and graduated from Murray State University and the University of Kentucky College of Law. After law school she clerked for the Kentucky Supreme Court before entering private practice. Ms. Hourigan focused her law practice on plaintiff's personal injury and civil law. In 2011, she was appointed as Director of the Kentucky Lawyer Assistance Program (KYLAP). She is credentialed as a Certified Employee Assistance Professional and an Adult Peer Support Specialist. She is a member of the ABA Commission on Lawyer Assistance Programs, Chair of the ABA/COLAP Diversity, Equity & Inclusion Committee, and a member of the National Task Force on Lawyer Well-Being. In 2010 she was awarded the KYLAP Trusted Servant Award. In 2014, she was awarded the Dave Nee Foundation's Uncommon Counselor Award which is given to a member of the legal profession who exhibits "extraordinary compassion and concern for co-workers, family, friends, and community and who also actively fights the stigma of depression and other mental illnesses within the legal field." In 2019 Ms. Hourigan was awarded the Kentucky Justice Association and Family Safety Foundation's Consumer Safety Award. This honor goes to an individual who is an outspoken advocate for consumer rights or risked her own well-being for the future health or safety of others. She speaks locally and nationally on topics impacting lawyer well-being, addiction and suicide prevention. KYLAP's work in lawyer mental health, well-being and suicide prevention has been featured nationally on *Legal View with Ashleigh Banfield*, CNN, and The Huffington Post. She is active in her recovery community and co-chairs the Annual Shepherd's House Run for Recovery. She and her husband live in Lexington and have a son in college.

**1:30-2:00 p.m. *Pooling of Oil and Gas Interests***

**Gregory D. Russell**  
**Vorys, Sater, Seymour and Pease LLP**  
**gdrussell@vorys.com**

Greg is a partner in the Columbus office and leads the firm's energy group, one of the largest and most experienced energy practices in the Midwest. For more than 20 years, he has been advising producers and pipeline operators in Ohio on business and regulatory matters, ranging from asset transactions, to unit operations and development, to leasehold and royalty disputes. Greg's practice frequently involves appearing before state and federal regulatory agencies, such as state oil and gas and public utility commissions as well as U.S. EPA and the Federal Energy Regulatory Commission.

Greg is an adjunct professor at The Ohio State University Moritz College of Law, teaching a course on oil and gas law. He is also a frequent speaker on a broad range of topics impacting the natural gas industry, including oil and gas leasing and contract matters, regulatory (e.g., pooling and unitization), environmental and natural gas market issues.

He is a member of the Board of Trustees of the Energy & Mineral Law Foundation, serves as the General Counsel of the Ohio Oil and Gas Association, and is a past-Chair of the Ohio State Bar Association's Natural Resources Law Committee. Mr. Russell received his undergraduate degree, *summa cum laude*, in Mathematics from Washington & Lee University in 1988, and his law degree from Harvard Law School in 1992.

**2:00-2:30 p.m.            *Commencement of Operations to Extend a Lease***

**Andrew S. Graham**  
**Steptoe & Johnson PLLC**  
**andrew.graham@steptoe-johnson.com**

Andy Graham has practiced energy and mineral law with Steptoe & Johnson PLLC over the last 15 years in Texas and West Virginia, focusing on mineral title examinations, conducting due diligence for clients buying or selling mineral and midstream assets, and handling surface use issues arising from mineral and midstream development. He also teaches energy land management at West Virginia University and writes about energy law developments for the Rocky Mountain Mineral Law Foundation's Mineral Law Newsletter. He has been included in Woodward/White's *The Best Lawyers in America*® since 2012 and he is a member of the Energy and Mineral Law Foundation, the Rocky Mountain Mineral Law Foundation, and the Institute for Energy Law. He earned his law degree from West Virginia University College of Law, Order of the Coif, and his undergraduate degree from Shepherd College, *summa cum laude*.

**2:30-3:15 p.m.            *Surface Trespass Liability—Bad Faith, Good Faith***

**Keith B. Hall**  
**Louisiana State University Law Center**  
**khall@lsu.edu**

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 the University of Pittsburgh Law School, 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 Editor-in-Chief of the Institute for Energy Law's Oil & Gas E-Report, a member of the Trustees Council for the Rocky Mountain Mineral Law Foundation, and the Executive Committee of 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 Mineral Law and Water Law Committees and is a registered professional engineer.

**3:30-4:15 p.m.      *Preserving the Attorney-Client Privilege: Issues Faced by In-house Energy Counsel***

**Kevin K. Douglass  
Babst Calland  
kdouglass@babstcalland.com**

Kevin Douglass is a shareholder in Babst Calland's Litigation Services and Energy & Natural Resources and Mobility, Transport and Safety groups. Mr. Douglass has more than thirty 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. In addition, Mr. Douglass is a certified mediator.

Mr. Douglass represents natural resources and energy clients in a variety of litigation matters involving lease and title disputes, subsidence issues, zoning matters, pipeline construction, contracts and challenges to municipal ordinances. Mr. Douglass is a Past-President and a former Executive Committee member of the Energy & Mineral Law Foundation and he was the 2018 recipient of the EMLF's John L. McClaugherty Award for extraordinary service to the legal profession and the EMLF.

Mr. Douglass also frequently provides client counseling, mediation and litigation services to closely held businesses, business owners, managers, directors, officers and/or employees when disagreements arise between or among them or with third parties. These disputes typically involve contractual matters including buyout provisions, confidential information and trade secrets, restrictive covenants, employment terminations, compensation and governance issues. Additional allegations can include breach of fiduciary duty, mismanagement, "freeze-out," fraud, misrepresentation, civil conspiracy, usurpation of corporate opportunities and other improprieties. Mr. Douglass often works closely with forensic accounting and business valuation firms.

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*.

Mr. Douglass has been listed in *The Best Lawyers of America*® in the Natural Resources Law Section since 2013. He has also been recognized by his peers as a *Pennsylvania Super Lawyer* in the area of business litigation in 2012-2016 and 2018-19, according to *Philadelphia* magazine.

**4:15-5:00 p.m.      *Environmental Issues Facing the Publicly Traded Energy Company***

**M. Shane Harvey  
Jackson Kelly PLLC  
sharvey@jacksonkelly.com**

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.

**5:00-6:00 p.m. Corporate Counsel Panel**

**Stephen E. Hastings**  
**EQT Corporation**  
shastings@eqt.com

Steve Hastings has served as Sr. Staff Attorney for EQT Corporation since August 2013, managing litigation for EQT in its various operating states. Most recently, his area of responsibility has been Kentucky, Virginia, and West Virginia. Prior to joining EQT, he was with Hendrickson & Long in Charleston, West Virginia, where he focused his practice on litigation. Mr. Hastings graduated from West Virginia University College of Law in 2002 and he holds a B.S. in Economics from West Virginia University. He serves on the In-House Counsel Committee of the Defense Trial Counsel of West Virginia and is a member of the Board of Directors of The Education Alliance.

**Gary D. McCollum**  
**Alliance Coal, LLC**  
gary.mccollum@arlp.com

Gary D. McCollum serves as Assistant General Counsel for Alliance Coal, LLC. Since 2008, Mr. McCollum has managed, litigated and formulated strategies addressing the administrative, regulatory and employment law issues affecting Alliance Coal and its independent operating subsidiaries throughout Northern Appalachia, Central Appalachia, and the Illinois Basin.

Before joining Alliance Coal, Mr. McCollum served as Corporate Litigation Counsel for the Family Dollar Stores, Inc., a Fortune 500 retailer. Mr. McCollum was responsible for managing Family Dollar's litigation for all administrative, commercial, intellectual property and real estate matters throughout Family Dollar's forty-four state operating footprint. Prior to working in-house, Mr. McCollum's legal practice focused primarily on construction, public utility, and healthcare company defense.

In 2000, Mr. McCollum graduated *summa cum laude* from the University of Kentucky with a B.B.A. in Marketing, with a second major in Political Science. In 2003, he obtained a J.D. from The George

Washington University Law School, where he served as a member of *The George Washington University International Law Review*.

Mr. McCollum is licensed to practice law in North Carolina and Kentucky and admitted to practice in the United States Courts of Appeal for the Fourth, Sixth and Seventh Circuits, as well as the United States District Courts for the Western Districts of North Carolina and Kentucky.

**Benjamin M. Sullivan**  
**Diversified Gas & Oil PLC**  
**bsullivan@dgoc.com**

Mr. Sullivan joined Diversified in 2019 with oversight of the company's legal, land/real estate, and governmental affairs functions and works with the CEO and board on governance matters. Prior to joining Diversified, Ben worked with Greylock Energy (an ArcLight Capital Partners portfolio company with extensive national holdings) and its predecessor (Energy Corporation of America) as Executive Vice President, General Counsel and Corporate Secretary with supervision of many business units. Prior to Ben's tenure at Greylock Energy, he worked as counsel for EQT Corporation as well as with a private law firm. He is a member of the leadership and Board of Directors of several commerce, legal, and industry groups, and has considerable experience in corporate governance and reporting / ESG, complex commercial transactions, land/real estate, acquisitions & divestitures, financing, government investigations, and corporate workouts and restructurings. Mr. Sullivan graduated from the University of Kentucky with a B.A degree in History and received a J.D. degree from the West Virginia University College of Law. He holds licenses to practice law in several States, including Pennsylvania and West Virginia.

**John Kevin West, Moderator**  
**Steptoe & Johnson PLLC**  
**kevin.west@steptoe-johnson.com**

John Kevin West is Managing Member of the Columbus, Ohio office of Steptoe & Johnson PLLC. Mr. West's practice is primarily devoted to oil and gas litigation, lease and easement transactions, and legal due diligence for acquisitions. Prior to becoming a Member at Steptoe & Johnson PLLC, Mr. West was Managing Director of External Affairs with EQT Corporation and also served as EQT's Vice President of Legislative & Regulatory Affairs and Vice President and General Counsel of EQT Production. Mr. West was partner with McCoy & West in Lexington, Kentucky before his employment with EQT.

Mr. West is a graduate of Centre College of Kentucky and received his law degree from the University of Kentucky.

**Kathryn S. Wilson**  
**Natural Resource Partners L.P.**  
**kwilson@nrplp.com**

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 has also represented 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. She is a Trustee of the Energy & Mineral Law Foundation and a member of the Leaders Circle of the Center for Women in Law.

**Thursday, October 17**

**Track 1 – Corporate and Land Counsel**

**8:30-9:15 a.m.      *ESOP's Fables – Employee Benefits in the Energy and Mineral Industries***

**Gregory J. Ossi**  
**Drinker Biddle & Reath LLP**  
**greg.ossi@dbr.com**

Gregory Ossi helps employers address human resource issues with practical solutions by focusing on all aspects of labor and employee benefits law. Mr. Ossi has arbitrated and litigated labor and employee benefits cases across the U.S. He has extensive experience in bargaining for and drafting retirement and healthcare plans pursuant to collective bargaining agreements. He has represented companies as special labor counsel and as special benefits counsel in addressing collectively bargained obligations, multiemployer pension liability, and retiree health benefits under Sections 1113 and 1114 of the Bankruptcy Code. Mr. Ossi also has particular experience with and understanding of multiemployer pension and health plan issues.

Mr. Ossi received his law degree in 1997 from Catholic University of America, Columbus School of Law, where he was the Executive Editor for the *Journal of Contemporary Health Law and Policy*. Mr. Ossi received a Masters in Accounting in 1991 from the University of Virginia, and a Bachelor of Science in Business Administration and Accounting in 1990 from Washington and Lee University.

**9:15-10:00 a.m.      *Regulatory Changes Following Advancements in Technology***

**William G. Barr III**  
**BlackRidge Resource Partners LLC**  
**wbarr@blackridgeusa.com**

William G. Barr III is a co-founder and has served as a Managing Partner of BlackRidge Resource Partners LLC since its formation in April 2011. Prior to co-founding BlackRidge, he served as a Vice President of NGAS Resources, a public company trading on NASDAQ, from 2004 until his appointment as an Executive Vice President in 2010 and as a Vice President of NGAS Production, Inc. (formerly named Daugherty Petroleum, Inc.) from 1993 until being appointed its Chief Executive Officer in 2005. Mr. Barr has more than 40 years of experience in the corporate and legal sectors of the oil and gas industry. Before joining NGAS Production, he served in senior management positions in a major Illinois Basin independent exploration and production company and built a significant natural resource law practice.

Mr. Barr currently serves as a member of the Board of Directors of the Independent Petroleum Association of America and is a former Governing Member Trustee for the Energy & Mineral

Law Foundation. He is a past president of the Kentucky Oil and Gas Association (“KOGA”) and serves as a member of its Board of Directors and as Chairman of its Governmental Affairs Committee. He is also a member of the Kentucky Chamber of Commerce’s Energy and Environment Policy Council. Mr. Barr is also actively involved in community affairs, having served as Chairman of the Saints Peter and Paul School Council, as Chair of LexArts, Lexington’s catalyst for creating a progressive and innovative community inspired by the arts and as a board member and coach in the Northern Cal Ripken Babe Ruth League.

Bill is also a co-founder and a Managing Partner of BlackRidge Stables LLC, a thoroughbred racing and breeding venture that includes ownership interests in more than twenty horses, including California Chrome, winner of the 2014 Kentucky Derby and the 2016 Dubai World Cup.

He received a Juris Doctor from the University of Kentucky, Lexington, Kentucky.

**10:15-11:00 a.m.      *The Ohio Dormant Mineral Act: Living in a Post-Corban Era***

**Michael L. Rush**  
**EQT Corporation**  
**Mike.Rush@eqt.com**

Mike Rush was recently named Director of Title at EQT Corporation in Pittsburgh. Prior to moving to EQT, he was a senior attorney at Buchanan Ingersoll & Rooney PC. Mike’s practice covered all facets of mergers and acquisitions, due diligence and title curative needs for oil and gas companies--upstream and midstream--operating in the Appalachian basin. At Buchanan, he worked on a variety of matters, including real estate due diligence and related closings of multi-disciplinary energy and non-energy transactions, 1031 exchanges, acquisitions and divestures of oil and gas upstream and midstream assets, bankruptcy-related due diligence and research, the drafting of certified title opinions, and the analyzing and drafting of various agreements related to oil and gas upstream and midstream operations. He regularly assisted in various matters involving Ohio’s Dormant Mineral Act (ODMA) as well as Pennsylvania’s Dormant Oil and Gas Act (DOGA). Mike’s specialty was oil and gas title and title-related matters, including, but not limited to, the generation of Division Order Title Opinions, whether the client had an existing Division of Interest or not. Before joining Buchanan Ingersoll & Rooney, Mike was a Senior Title Manager at Rice Energy where he directed the efforts of the Upstream Title Team, covering all facets of due diligence and title curative needs in both Pennsylvania and Ohio for clear-to-pay and clear-to-drill functions.

Mike earned his J.D. from Duquesne University School of Law and his B.A. from Washington and Jefferson College.

**11:00-11:30 a.m.      *A Checklist for Minimizing Counterparty Bankruptcy Risk***

**Mitchell E. Ayer**  
**Thompson & Knight LLP**  
**Mitchell.Ayer@tklaw.com**

Mitchell E. Ayer is an attorney in Thompson & Knight’s Oil and Gas Practice Group in the firm’s Houston office. Mr. Ayer represents creditors, trustees, debtors, and creditor committees in various bankruptcy matters. His oil and gas litigation practice is concentrated in state and bankruptcy courts, and he has several reported cases.

Mr. Ayer is Board Certified in Oil, Gas, and Mineral Law by the Texas Board of Legal Specialization. He is also Certified in Business Bankruptcy Law by the American Board of Certification. Mr. Ayer received his J.D., *magna cum laude*, from the University of Houston Law Center, his M.B.A. from Cleveland State University, and his B.A. from Wittenberg University. He is actively involved in several professional organizations, including the Houston Bar Association, Houston Energy Finance Group, Inns of Court, and American Bankruptcy Institute. Mr. Ayer has been named to *Texas Super Lawyers*<sup>®</sup> for multiple years. He served on the legendary Coast Guard Cutter Bibb from 1972 to 1974.

## **Track 2 – Policy and Decision-Making**

**8:30-9:15 a.m.            *Significant Department of the Interior Oil, Gas, and Coal Rulemakings and Orders***

**Lauren A. Bachtel**  
**Hunton Andrews Kurth LLP**  
**lbachtel@HuntonAK.com**

Lauren Bachtel is a Senior Attorney on the environmental team in the Washington, D.C. office of Hunton Andrews Kurth LLP. She assists clients in navigating complex permitting and compliance issues that arise under the National Environmental Policy Act, Endangered Species Act, Clean Water Act, and a host of other environmental statutes. She is also an Adjunct Professor at Pace University School of Law.

Before coming to Hunton Andrews Kurth, Lauren was an Associate Counsel with the American Wind Energy Association where she represented the wind industry on various regulatory and administrative matters before the Bureau of Ocean Energy Management (BOEM), the Bureau of Land Management (BLM), the US Fish and Wildlife Service (FWS), and the Federal Regulatory Energy Commission (FERC). Prior to that, she was an Attorney-Advisor in the Solicitor's Office, Division of Mineral Resources of the U.S. Department of the Interior in Washington, D.C. She worked primarily with the BLM and FWS on oil and gas permitting, rulemakings, administrative actions, and litigation. She started with the Solicitor's Office as an Honors Program Attorney.

Lauren earned her J.D. at Pace University School of Law and her B.A. from Smith College.

**9:15-10:00 a.m.            *Who has the Final Say: Overview of Recent Cases Involving Conflict Among Local, State, and Federal Approaches to Environmental Protection***

**Roger G. Hanshaw**  
**Bowles Rice LLP**  
**rhanshaw@bowlesrice.com**

Roger G. Hanshaw concentrates his legal practice on the environmental and technical issues that arise in business transactions, as well as regulatory compliance matters and litigation for a diverse client base.

He holds a Ph.D. in chemistry from the University of Notre Dame. This advanced science degree is critical in representing clients in the science driven field of environmental law. Roger is a certified professional parliamentarian and regularly counsels government bodies and nonprofit organizations throughout the state and nation on meeting procedures, parliamentary

law, bylaws construction and convention management. He is also a certified magistrate court mediator and board of directors member for the West Virginia Farm Bureau.

Roger earned his J.D. from West Virginia University College of Law, his Ph.D. From the University of Notre dame and his B.S. from West Virginia University. He is admitted to practice in West Virginia and Pennsylvania.

**10:15-11:00 a.m.      *Chipping Away at the Stone: Agency Deference after Kisor v. Wilkie***

**John M. Williams  
Williams Kilpatrick, PLLC  
williams@wktlaw.com**

John M. Williams is a native of Loyall in Harlan County, Kentucky, and a partner in Williams Kilpatrick, PLLC, in Lexington, Kentucky. John graduated from the University of Kentucky College of Business & Economics with a Bachelors of Business Administration (Finance) in 1984 and received his Juris Doctor from the University of Kentucky College of Law in 1987. He is a member of the Kentucky, Fayette County (Kentucky), American and Federal Bar Associations.

John has represented mine operators throughout the country in mine safety matters and regularly practices before the Federal Mine Safety and Health Review Commission. John has also extensive civil litigation experience in federal and state courts throughout Kentucky. He is AV® Rated—Preeminent by Martindale Hubbell and a Super Lawyer® by Thompson Reuters. He is also listed in Best Lawyers® for Energy Law.

John is a longtime volunteer counselor for the Kentucky Bar Association Lawyers Assistance Program where he also serves as a Trustee for the Kentucky Lawyers Assistance Program Foundation. He was the Kentucky Lawyers Assistance Program's Volunteer of the Year for 2015. John was also awarded the University College of Law's Community Service Distinguished Alumni Award for 2015. He also received the Fayette County (Kentucky) Bar Association's 2017 Citizen Lawyer Award for his public service.

John is a frequent speaker on mine safety topics and also speaks to various groups on issues related to attorney impairment and addiction.

**11:00-11:30 a.m.      *The Use of Renewable Portfolio Standards, Net-Zero Carbon Goals, and Zero Emissions Credits in Reshaping the U.S. Power Industry***

**James M. (Jamie) Van Nostrand  
Center for Energy and Sustainable Development  
West Virginia University College of Law  
james.vannostrand@mail.wvu.edu**

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.