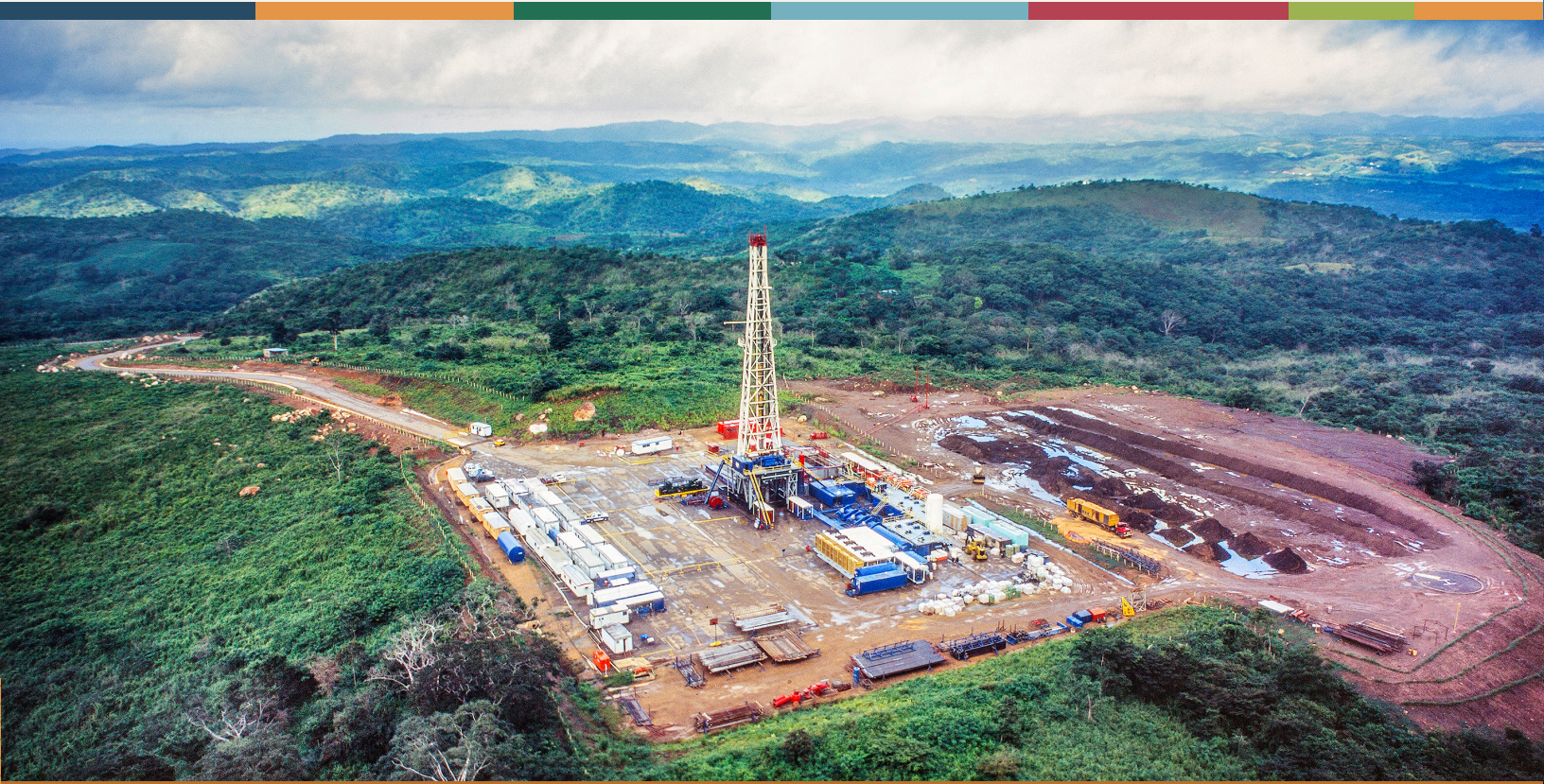
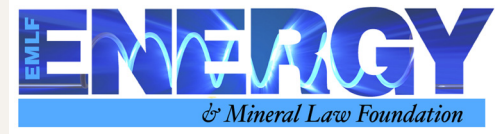


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Institute for  
**ENERGY LAW**



2018

9/5 - 9/6

## 9th Law of Shale Plays Conference

OMNI WILLIAM PENN HOTEL  
PITTSBURGH, PENNSYLVANIA, USA

**Highlight:** Climate Change  
Litigation - Ramifications for Energy  
Development



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### Highlights:

- Litigation Update – Hot Topics and Future Disputes
- Insights and Advice from General Counsel
- Pennsylvania Environmental Rights Amendment
- Title and Landmen – Issues and Best Practices
- FERC Natural Gas Pipeline Projects in a Changing Landscape
- Ethical Hot Spots – Ethical Issues in Litigating Energy Disputes

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## SCHEDULE

9/5 - 9/6

# 9th Law of Shale Plays Conference

## Conference Co-Chairs

Cole T. DeLancey  
Cabot Oil & Gas  
Corporation  
Pittsburgh, Pennsylvania

Bridget D. Furbee  
Steptoe & Johnson PLLC  
Bridgeport, West Virginia

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## WEDNESDAY, SEPTEMBER 5

### 7:30 Registration

### 8:30 Welcome, Overview and Introductions

Conference Co-Chairs:

- **Cole T. DeLancey**, Division Counsel - North Region, Cabot Oil & Gas Corporation, Pittsburgh, Pennsylvania
- **Bridget D. Furbee**, Steptoe & Johnson PLLC, Bridgeport, West Virginia

### 8:45 Value Creation in the Appalachian Basin (.75 hr)

Natural gas development kicked off with a boom in this basin in 2008, changing the energy landscape and outlook for the region significantly. In the 10 years since, the play has naturally evolved, with production growing rapidly, stakeholder expectations increasing, and oil and gas producers constantly innovating to efficiently develop this unprecedented resource. This discussion will explore the elements of value creation, what this means to companies and communities in the Appalachian Basin, and what business/market developments we can expect in the future.

- **Dwight Crabtree**, Manager, Chevron North America Exploration and Production Company, a division of Chevron U.S.A. Inc., Coraopolis, Pennsylvania

### 9:30 Climate Change Litigation – Ramifications for Energy Development (1 hr)

Concerns with climate change, fueled by the present political climate, have resulted in the filing of novel claims by governmental and non-governmental entities against the federal government and private parties. These claims seek various types of relief, and pose particular risks for the fossil-fuel sector of the energy industry. This panel will provide the legal and technical context for these lawsuits as well as their potential ramifications for energy development.

Moderator: **Jeff Civins**, Haynes and Boone, LLP, Austin, Texas

Panelists:

- **Deborah E. Barnard**, Holland & Knight LLP, Boston, Massachusetts
- **Matthew W. Morrison**, Pillsbury Winthrop Shaw Pittman LLP, Washington, D.C.
- **Romany Webb**, Climate Law Fellow, Sabin Center for Climate Change Law, Columbia Law School, New York, New York

### 10:30 Break >

### 10:45 Emerging Issues in Energy Litigation – Briggs and Beyond (.75 hr)

The litigation landscape in the oil and gas space is constantly changing. This presentation will focus on some of the hottest topics in oil and gas litigation throughout the Appalachian Basin, including the state of subsurface trespass claims in the wake of the Pennsylvania Superior Court's recent decision in *Briggs v. Southwestern Energy* and bad faith unitization claims. The discussion is sure to be lively as the presenters explore the legal underpinnings and potential ramifications of these evolving issues.

- **Kara S. Eaton**, Frost Brown Todd LLC, Pittsburgh, Pennsylvania
- **Kenneth J. Witzel**, Frost Brown Todd LLC, Pittsburgh, Pennsylvania

### 11:30 FERC Natural Gas Pipeline Projects in a Changing Landscape (.75 hr)

FERC projects today are subject to significant environmental-group opposition, public comment, and state and federal agency review. Speakers will discuss recent case law and fluctuating agency policies and will propose a potential framework to consider in developing interstate natural gas pipeline projects in today's world.

- **Andrew T. Bockis**, Saul Ewing Arnstein & Lehr LLP, Harrisburg, Pennsylvania
- **John F. Stoviak**, Saul Ewing Arnstein & Lehr LLP, Philadelphia, Pennsylvania

# SCHEDULE

12:15 Lunch > Sponsored by: **Babst Calland**  
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## 1:00 Dominion Energy Cove Point LNG - Shovels to Scissors (0 hr)

- **Michael D. Frederick**, Vice President – LNG Operations, Dominion Energy, Lusby, Maryland

## 1:30 Break >

## 1:45 Update on Regulatory Issues in Ohio, Pennsylvania and West Virginia (1 hr)

This panel will address the latest regulatory (and statutory) changes affecting the oil and gas industry in the Appalachian Basin.

Moderator: **David Kurland**, Senior Counsel, Chevron U.S.A. Inc., Coraopolis, Pennsylvania

Panelists:

- **George A. Bibikos**, Cozen O'Connor, Harrisburg, Pennsylvania
- **Joseph L. Jenkins**, Lewis Glasser PLLC, Charleston, West Virginia
- **Gregory D. Russell**, Vorys, Sater, Seymour and Pease LLP, Columbus, Ohio

## 2:45 Considerations for Developing Leased Acreage (.75 hr)

This presentation will cover the mechanisms and methods by which operators can consolidate their acreage for development given the industry's transition from leasing acreage to consolidating and developing core assets in Appalachia. The presenters will discuss options available to operators for jointly developing or consolidating assets, and considerations associated with such options, such as tax considerations, financing considerations, and midstream and marketing considerations. The presenters will also focus on issues that arise in connection with joint development and consolidation, as well as possible solutions.

- **Anthony J. Carna**, McGuireWoods LLP, Pittsburgh, Pennsylvania
- **Christina M. Lepore**, McGuireWoods LLP, Pittsburgh, Pennsylvania

## 3:30 Break >

## 3:45 Litigation Update for the Shale Plays (1.25 hr)

The oil and gas industry's rapid growth over the past decade has required courts across the United States to consistently address novel legal issues impacting oil and gas development.

Moderator: **Michael J. Sweeney**, Senior Counsel, CNX Resources Corporation, Canonsburg, Pennsylvania

Panelists:

- **Rodger L. Puz**, Dickie, McCamey & Chilcote, P.C., Pittsburgh, Pennsylvania
- **Jeremy A. Mercer**, Porter Wright Morris & Arthur LLP, Pittsburgh, Pennsylvania
- **Katrina N. Bowers**, Babst Calland, Charleston, West Virginia

5:00 - 6:30 Networking Reception > Sponsored by:



# SCHEDULE

## THURSDAY, SEPTEMBER 6

### 8:25 Introduction

- **Conference Co-Chairs**

### 8:30 Insights and Advice from General Counsel (1.25 hr)

This panel of senior industry lawyers will address the concerns of general counsel in operating and developing shale plays in the current environment.

Moderator: **Cole T. DeLancey**, Division Counsel – North Region, Cabot Oil & Gas Corporation, Pittsburgh, Pennsylvania

Panelists:

- **Georgia B. Carter**, Vice President and General Counsel, Millennium Pipeline Company, LLC, Richmond, Virginia
- **G. Kevin Cunningham**, Vice President and General Counsel, Cabot Oil & Gas Corporation, Houston, Texas
- **David P. Poole**, Senior Vice President, General Counsel & Corporate Secretary, Range Resources Corporation, Fort Worth, Texas

### 9:45 Pennsylvania Environmental Rights Amendment (.5 hr)

Mr. Holtzman will discuss the history and structure of Article I, Section 27 of the Pennsylvania Constitution (the “Environmental Rights Amendment” or “ERA”). He will also examine the key ERA opinions that courts issued in the years before the Pennsylvania Supreme Court, in 2017, issued its opinion in *Pennsylvania Environmental Defense Foundation v. Commonwealth* (“PEDF”). In addition, Mr. Holtzman will discuss PEDF and explain why it is a transformative decision with regard to ERA jurisprudence. And he will discuss a number of ERA issues that the Pennsylvania Supreme Court has yet to resolve.

- **Anthony R. Holtzman**, K&L Gates LLP, Harrisburg, Pennsylvania

### 10:15 Break >

### 10:30 Title and Landmen – Issues and Best Practices in the Appalachian Basin (1 hr)

This panel presentation will analyze complex title issues from the perspective of outside counsel (tasked with identifying issues and providing legal guidance), company land managers (who must navigate title issues and risks in light of operational needs), and landmen (charged with acquiring rights and executing curative measures). The panel will discuss hypothetical issues related to statutory and case law in title and land development, as well as challenging areas where the law is less developed in certain jurisdictions within the basin. The presentation seeks to dive into the intersection of legal theory, practical needs, and ethical responsibilities faced by title professionals both inside and outside of the E&P company.

Moderator: **Joel E. Symonds**, Vice President of Land, Arsenal Resources LLC, Wexford, Pennsylvania

Panelists:

- **Britt Freund**, Steptoe & Johnson PLLC, Canonsburg, Pennsylvania
- **Julia A. Saintz, RPL**, Landman II, EQT Production Company, Canonsburg, Pennsylvania
- **Martin T. Shepherd**, Land Director, Title, EQT Production Company, Pittsburgh, Pennsylvania

### 11:30 Ethical Hot Spots – Ethical Issues in Litigating Energy Disputes (1 hr ethics)

This presentation will cover ethical issues encountered by attorneys when litigating disputes in the energy sector. Topics to be covered will include an attorney’s professional responsibilities and ethical considerations in litigating class action oil and gas royalty disputes, as well as cases involving the unauthorized practice of law, spoliation issues, and attorney’s professional responsibilities with respect to leasing.

- **Kevin C. Abbott**, Reed Smith LLP, Pittsburgh, Pennsylvania

### 12:30 Adjourn >

# REGISTRATION

## 9th Law of Shale Plays Conference

September 5 - 6, 2018

Omni William Penn Hotel • Pittsburgh, Pennsylvania

Registration includes the one and a half day conference, one luncheon and the course material provided online, which may be printed or saved by registrant.

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**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by August 17, 2018. Email [kjohnson@cailaw.org](mailto:kjohnson@cailaw.org). After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the online course materials.

**HOUSING:** The cost of housing is not included in tuition. However, rooms (in limited number) have been reserved at the Omni William Penn Hotel, 530 William Penn Place, Pittsburgh, PA 15219. Registrants should call 1.888.444.OMNI (6664) and advise that they are attending the "Shale Plays Law Conference" to receive a reduced rate of \$165 + tax/night. The last day to obtain this special rate is August 15, 2018.

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The program is approved by the State Bar of Texas for 10 hours, including 1 hour of ethics. Course ID Number: 174022662. Approved credit hours will vary by jurisdiction and are subject to each jurisdiction's approval and credit rounding rules.

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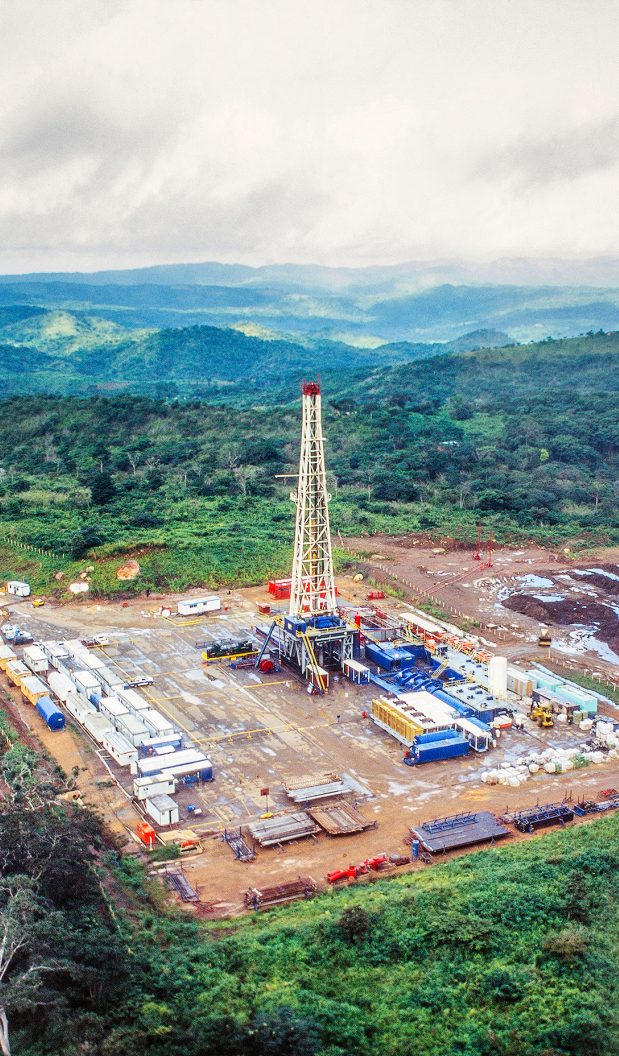
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