



Institute for
ENERGY LAW

The Energy Law Advisor

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Volume 12, No. 3 - October 2018

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Industry News

Email [Becky McGee](#) and
[Vickie Adams](#).

Member Announcements

Email [Vickie Adams](#).
Please submit photo with
announcement if possible.

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Industry News

Fraud Carve-Out Provisions for M&A Agreements

Fraud carve-outs are intended to protect a buyer in the event the seller lies about matters specifically within the seller's knowledge. However, without careful drafting, a fraud carve-out may result in exposing the seller to post-closing liabilities beyond the intent of the provision. [Read more.](#)

By Sarah Nealis and Sarah McLean, Shearman & Sterling LLP,
Houston, TX

Transactional Implications Related to Groundwater Security Concerns in the Permian Basin

Upstream transactions are saturated with challenges related to the commoditization of groundwater in connection with unconventional oil and gas production in Texas and other shale plays. As due diligence for the purchase and sale of mineral assets involves underwriting and verifying the proven reserves, these same due diligence concerns and processes should also ensure that there will be enough freshwater to support future hydraulic fracturing operations and recovery of those proven reserves. [Read more.](#)

By Brett A. Miller, Water Asset Management, LLC, Houston, TX

The Landman's Guide to Dundics v. Eric Petroleum

On September 25, 2018, the Supreme Court of Ohio held that a landman was precluded from bringing suit to recover compensation for negotiating oil and gas lease because an oil and gas lease falls within the statutory definition of real estate; therefore, requiring a real estate broker's license. [Read more](#).

By Kelly O'Bryan de Mota, Cimmaron Land, Inc., Bridgeville, PA

IEL News

Inaugural IEL Leadership Class Kicks Off

Thirty-five young energy professionals from seven states, two countries, and the District of Columbia attended a retreat for the inaugural IEL Leadership Class on September 20-21, 2018. The class heard from outstanding speakers, such as AT&T General Counsel David McAtee, II, and ExxonMobil General Counsel Randall Ebner, over two days, and developed connections and friendships with their fellow class members. [Read More](#).

First Energy Litigation 101 Conference Right Around the Corner

The first Energy Litigation 101 Conference will be held November 7, 2018, in Houston. Co-Chairs Laura Robertson of ConocoPhillips and Louie Layrisson of Baker Botts talk about this outstanding conference. [Read More](#).

Call for Student Papers: Hartrick Scholar Writing Competition

IEL is collecting papers for the 2019 Hartrick Scholar Writing Competition. The winner of the competition receives \$2,500 and will be invited to attend the 70th Annual Oil & Gas Law Conference with expenses paid. Papers must be received by December 7, 2018. Full submission guidelines are located on our website. Questions? Email Jay Ray (jray@cailaw.org).

Oilfield Services and Oil & Gas Practice Committees Joint Networking Happy Hour

On September 27, 2018, the Oil & Gas Practice Committee and the Oilfield Services Committee held a joint networking happy hour at Grotto restaurant in Houston, Texas. It was a great night of cocktails and conversation with in-house and law firm colleagues, new and old.



Pictured are Mike Bennett of Baker Botts, Jeff Golub of Beck Redden, Kevin Corcoran of Mills Shirley and Efren Acosta of Baker Botts. Efren co-chaired the annual **Oilfield Services Conference** on October 23rd in Houston.

Interested in getting more involved in our Practice Committees?

Quarterly calls have been set up for each Practice Committee to discuss programming and other events for the coming year. Below are the dates for the next scheduled calls. If you are on a particular committee, you will receive an email with full details for the call. **Want to make sure you're on a particular committee?** Email iel@cailaw.org and we will ensure you're on that committee's roster.

- **Oil & Gas** - December 13

Watch your email for information about the Litigation & Dispute Resolution Practice Committee's soon-to-be-released webinar on jury selection strategies

Did you know? IEL is on [Twitter](#), [LinkedIn](#) and [Facebook](#) posting pictures and program updates. Connect with us today!

Members in the News



IEL's Immediate Past Chair **Lawrence P. Simon, Jr.**, Liskow & Lewis, has been elected into the Lafayette Bar Association Hall of Fame, an honor recognizing his exemplary career as an attorney, dedicated service to the community, and participation in the Bar.

April L. Rolen-Ogden, Liskow & Lewis, was selected as a Fellow of the Litigation Counsel of America, which is an invitation-only trial lawyer honorary society composed of less than one-half of



one percent of American lawyers. Fellows are selected based upon excellence and accomplishment in litigation, both at the trial and appellate levels, and superior ethical reputation.

Please join us in welcoming IEL's newest members!

Supporting:

- **Bradley Arant Boult Cummings LLP**, Houston TX with James Collura, Jeffrey Davis, Mary Frazier and Peter Scaff.

Associate:

- **Edward W. Moore, Jr.**, Frost Brown Todd LLC, Dallas, TX
- **Kyle Polozola**, Kean Miller LLP, Lafayette, LA

Academic/Non-Profit Members

- **Anna Girard Fletcher**, Energy & Mineral Law Foundation, Lexington, KY
- **Cecilia Flores Rueda**, FloresRueda, Abogados, Mexico City, Mexico
- **Ingeuneal C. Gray**, American Arbitration Association, Houston, TX

Young Energy Professionals:

- **Amy Crawford Cespedes**, Shell Oil Company, Houston, TX
- **David Yaw Danquah**, Legalstone Solicitors LLP, Accra, Ghana
- **Misty Lavender Foy**, Delek US Holdings, Inc., Brentwood, TN
- **Elizabeth Furlow**, Baker Botts L.L.P., Houston, TX
- **Ebenezer Yaw Gyamerah**, Gavel & Cross, Accra, Ghana
- **W. Lake Hearne**, Davidson Summer APLC, Shreveport, LA
- **Michael Hinton**, Tug Hill Operating, Canonsburg, PA
- **Tracey Hoover**, Axiom Law, Houston, TX
- **Nica Hoshijo**, WPX Energy, Inc., Denver, CO
- **Michael D. Lewis**, Delek US Holdings, Inc., Brentwood, TN
- **Amanda Howard Lowe**, Kean Miller LLP, New Orleans, LA
- **Andrew J. Miller**, Shell Oil Company, Houston, TX
- **Brett Miller**, Georgetown, TX
- **Christi Morgan**, Axiom Law, Houston, TX
- **Darya Shirokova**, Queen Mary University of London, London, England
- **Jordan Smith**, Jackson Walker LLP, Dallas, TX
- **Carrie A. Spada**, Range Resources - Appalachia LLC,

Canonsburg, PA

- **Tanner Weil**, FTI Consulting, Inc., Houston, TX

If you know anyone with questions about joining IEL as a member, please refer them to IEL's Associate Director, Vickie Adams (vadams@cailaw.org).

Calendar of Events

[Energy Litigation 101 Conference](#)

Houston, TX
Nov 7, 2018

[Young Energy Professionals Networking Event and Social Gathering](#)

Houston, TX
Nov 7, 2018

[17th Annual Energy Litigation Conference](#)

Houston, TX
Nov 8, 2018

[6th ITA-IEL-ICC Joint Conference on International Energy Arbitration](#)

Houston, TX
Jan 24 - 25,
2019

[70th Annual Oil & Gas Law Conference](#)

Houston, TX
Feb 21 - 22,
2019



**THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW**

Institute for Energy Law
of The Center for American and International Law
5201 Democracy Drive | Plano, Texas USA 75024-3561
+1.972.244.3400 | +1.972.244.3401 (fax)

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