

INSTITUTE FOR ENERGY LAW



THE CENTER FOR AMERICAN
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Institute for Energy Law
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Section of Environment,
Energy, and Resources

*"Speakers are real experts
in areas of litigation"*

-- 2008 Participant

8th Annual Energy Litigation Conference

October 23, 2009

Hilton Post Oak Hotel
Houston, Texas

Hosted Luncheon

Special Achievement in Energy Litigation Award

Honoring

JOHN M. McCOLLAM

Gordon, Arata, McCollam, Duplantis & Eagan LLP

Highlights:

- Current Trends in Oil & Gas Litigation
- A Forward Look – Policy Perspectives
- Enforcement Actions
- Ethics and the Noble Lawyer - Are You a Patriot?
- Acquiring Assets from a Bankruptcy Debtor
- Does Market Volatility in the Oil Patch Breed New Litigation?
- Transparency Issues in E-Discovery and Opportunities to Control Costs
- Integrated Operations Contracts and Enterprise Risk Management
- Post Production Environmental Issues: Louisiana Legacy Litigation and the Texas Approach
- What Lies Ahead for Employers in the Energy Sector

6 hours of MCLE credit available including .5 hours of ethics.

CONFERENCE
CO-CHAIRS

Debra Broussard
Associate General Counsel
- Litigation
Anadarko Petroleum
Corporation
Houston, Texas

J. Lanier Yeates
Managing Partner,
Houston Office
Gordon, Arata, McCollam,
Duplantis & Eagan LLP
Houston, Texas

*“Excellent content &
presentations”*

*“I liked best... [the]
quality of speakers”*

-- 2008 Participants

8th ANNUAL ENERGY LITIGATION
CONFERENCE

Schedule

8:15 REGISTRATION

8:45 WELCOME

9:00 A LOOK FORWARD - POLICY PERSPECTIVES

A discussion of what issues the energy community can expect the new Administration to focus on over the next year. What, if any, surprises might be in store? How well has the industry fared so far?

Sheila S. Hollis, *Duane Morris LLP, Washington, D.C.*

9:30 THE NOBLE LAWYER AND THE ETHICS OF STRIKING BACK

Lawyers are ethically obligated to defend the profession, the litigation system, and the rule of law from attacks in the form of sick jokes, apocryphal lawsuit abuse stories, or downright disrespect. The current economic downturn provides opportunities to do so effectively, but only if lawyers and other patriots understand the true nature and origins of these attacks. And any rehabilitation of the profession in the public mind will generate significant payoffs for everyone in terms of better lawyering and better service to the public.

William J. Chriss, *Law Office of William J. Chriss, P.C.*
Of Counsel to Gravelly & Pearson, L.L.P., Austin, Texas

10:00 ACQUIRING ASSETS FROM A BANKRUPTCY DEBTOR

The presentation will cover the benefits, the risks, the mechanics and strategic considerations of purchasing oil and gas assets from financially distressed sellers.

D. Bobbitt Noel, Jr., *Vinson & Elkins LLP, Houston, Texas*

Harry A. Perrin, *Vinson & Elkins LLP, Houston, Texas*

John E. West, *Vinson & Elkins LLP, Houston, Texas*

10:30 BREAK

10:45 CURRENT TRENDS IN OIL & GAS LITIGATION

Discussion of recent significant decisions regarding oil and gas law, including areas of litigation spawned by current economic changes and new areas of controversy.

Jesse R. Pierce, *Jesse R. Pierce & Associates, P.C., Houston, Texas*

11:15 DOES MARKET VOLATILITY IN THE OIL PATCH BREED NEW LITIGATION?

The recent price fluctuation in the crude oil markets is not the first period of price volatility. This discussion focuses on past experiences with price volatility and explains how that volatility led to litigation. It also offers thoughts on how current price uncertainty and changing markets can lead to new litigation.

Cheryl Mollere Kornick, *Liskow & Lewis, New Orleans, Louisiana*

“Experienced speakers... Good Content”

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SPECIAL ACHIEVEMENT IN ENERGY LITIGATION AWARD

Honoring

JOHN M. McCOLLAM

*Gordon, Arata, McCollam, Duplantis & Eagan LLP
New Orleans, Louisiana*

The Institute for Energy Law gratefully acknowledges

Baker Botts L.L.P.

ExxonMobil Corporation

FTI Consulting Energy Practice

Jesse R. Pierce & Associates, P.C.

Jones Walker

Kilburn Law Firm

for their generous sponsorship support.

1:00 PANEL DISCUSSION: CONTROLLING DISCOVERY COSTS THROUGH IMPROVED TRANSPARENCY WITH CLIENTS, VENDORS AND COUNSEL - IT'S NOT JUST FOR THE WHITE HOUSE

The exploding volume of data being maintained by companies, coupled with the sheer number of alternative technologies, services and cost models, creates a complex array of choices for the energy litigator. Through greater transparency in the discovery process, you can better clarify and evaluate discovery options that will put you back in control of your case and better manage your client's costs.

Greg Buckles, *Owner, Reason-eD, LLC, Houston, Texas*

Michael Ferro, *Sr. Corporate Counsel - Litigation & E-Discovery
Lyondell Chemical Company, Houston, Texas*

Gail Foster, *Baker Botts L.L.P., Houston, Texas*

2:00 WHAT TO DO WHEN THE AUTHORITIES COME KNOCKING AND HOW TO KEEP THEM AWAY FROM YOUR DOOR

What are the issues when law enforcement is conducting an enforcement action? What do they expect from the company and how might you better prepare to keep them working on issues that do not concern you?

Don J. DeGabrielle, *Fulbright & Jaworski, L.L.P., Houston, Texas*

2:30 THE EXPANDING USE OF INTEGRATED OPERATIONS CONTRACTS, RESULTING RISK ALLOCATION AMONG PARTIES, AND THE ROLE OF INSURANCE AND ENTERPRISE RISK MANAGEMENT

Operators continue to push service companies to offer integrated services contracts. Integrated services contracts present unique risks that services companies must evaluate in considering where integrated service offerings will be provided. This discussion will consider how service companies may evaluate these risks as part of their overall enterprise risk management program as well as on a project by project basis and how those risks may be allocated. The discussion will also look at how insurance products can be used to mitigate risks.

Mike Csizmadia, *Head of Legal Contracts - Western Hemisphere, Baker Hughes Inc., Houston, Texas*

William D. Marsh, *Vice President Legal, Western Hemisphere Operations and Director of Enterprise Risk Management
Baker Hughes Inc., Houston, Texas*

3:00 BREAK

3:15 POST PRODUCTION ENVIRONMENTAL ISSUES: LOUISIANA LEGACY LITIGATION AND THE TEXAS APPROACH

A discussion of the Texas approach to property restoration after oil and gas operations have concluded, with a comparison to the Louisiana experience, including recent Louisiana legacy cases. It will address practical strategies to avoid excessive awards and "second generation" legacy litigation. The presentation will also discuss some observations from the initial Act 312 restoration plan hearing before the Louisiana Commissioner of Conservation.

Marjorie A. McKeithen, *Jones Walker, New Orleans, Louisiana*

Carl D. Rosenblum, *Jones Walker, New Orleans, Louisiana*



2008 Energy Litigation Conference

3:45 CORPORATE LIFE AFTER ARTHUR ANDERSEN

A look at corporate prosecutions after a gentle reminder, 9-0.

Rusty Hardin, *Rusty Hardin & Associates, P.C., Houston, Texas*

4:15 WHAT LIES AHEAD FOR EMPLOYERS IN THE ENERGY SECTOR

From the explosion of class wage and hour cases, increased governmental enforcement activities and legislation, to employees who help themselves to your trade secrets -- the challenges facing all employers, especially those in the energy sector, are becoming more complex and more difficult to predict. This presentation identifies issues that energy companies should review in anticipation of these challenges and provides steps designed to decrease and avoid claims and litigation.

Holly Williamson, *Hunton & Williams LLP, Houston, Texas*

4:45 ADJOURN

4:45 RECEPTION

The Institute for Energy Law gratefully acknowledges

Beck, Redden & Secrest, L.L.P.

Cornerstone Research

Kean Miller Hawthorne D'Armond McCowan & Jarman LLP

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ABOUT THE INSTITUTE FOR ENERGY LAW

The Center for American and International Law (CAIL) is a non-profit organization which since 1947 has served lawyers and law enforcement officials from all 50 U.S. States and over 131 countries. The Institute for Energy Law (IEL) is one of 8 divisions of the Center.

Founded in 1959, the Institute for Energy Law provides advanced, continuing legal education for lawyers and other professionals concerned with the energy industry. The Institute through its programs, scholarly publications and membership activities offers an important forum on contemporary issues affecting the industry. The Institute's record of educational achievements has been aided by the support of many of the world's leading companies, lawyers, and energy professionals.

Why Become a Member?

Members are entitled to serve or to appoint one or more persons to serve on the Institute's Advisory Board, depending on the membership level. Advisory Board members are entitled to tuition-free attendance at the Annual Oil and Gas Law Conference or the Annual Power and Alternative Energy Conference, and discounted attendance at all other Institute programs. Advisory Board members also receive the Institute's quarterly e-newsletter, *The Energy Law Advisor*, discounts on all other Institute publications and the opportunity to participate in the Institute's practice committees and online forums.

For more information, visit IEL online at www.cailaw.org/iel.

ABOUT THE AMERICAN BAR ASSOCIATION

With more than 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

The ABA Section of Environment, Energy, and Resources is the premier forum for strategies and information for environmental, energy and resource professionals. It represents more than 10,000 members with a wide range of professional interests. The Section keeps its members abreast of important trends, current court decisions, legislative initiatives and statutes concerning environmental, natural resources, and energy law. For up-to-date information on environmental, energy, and resources law, the Section has a proven history of developing over 500 quality, substantive CLE programs and numerous publications including books, newsletters, magazines and digests.

Additionally, the Section is proud of its outreach activities that engage the legal community as well as the public, including, programs such as the ABA Award for Excellence in Environmental, Energy, and Resources Stewardship, ABA Diversity Fellowships in Environmental Law, and the ABA-EPA Law Office Climate Challenge.

For more information about the ABA Section of Environment, Energy, and Resources, visit www.abanet.org/environ/.



Section of Environment,
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8:30am-5:00pm CST

PAYMENT MUST ACCOMPANY REGISTRATION

REGISTRATION

8th Annual

ENERGY LITIGATION CONFERENCE

October 23, 2009

Hilton Post Oak Hotel • Houston, Texas

Registration includes the program, course materials on CD and online, continental breakfast, the hosted luncheon and the reception for conference registrants and faculty.

Check applicable box:	Received by 10/9/09	Received after 10/9/09
Regular registration fee	<input type="checkbox"/> \$395	<input type="checkbox"/> \$445
IEL Members:		
Advisory Board Member	<input type="checkbox"/> \$295	<input type="checkbox"/> \$345
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Add \$25 if you would like to receive printed course materials.

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GENERAL INFORMATION

CANCELLATION POLICY: Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by October 9, 2009. Email cburkel@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 course materials.

HOUSING: The cost of housing is not included in tuition. However, rooms (in limited number) have been reserved at the Hilton Post Oak Hotel, 2001 Post Oak Blvd., Houston, TX 77056. Registrants should call (713) 961-9300 or 1-800-HILTONS and advise them you are attending the Energy Litigation Conference to receive a reduced room rate of \$169 + 17% occupancy tax. The last day to obtain this special rate is Oct. 1, 2009. Reservations may also be made online through the conference details page at http://www.cailaw.org/iel/ELit_09details.html.

NONDISCRIMINATION POLICY: The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

MCLE CREDIT: This program has been approved by the State Bar of Texas for 6 hours, including .5 hours of ethics. Course ID Number: 901185628. Sign-in sheets and/or certificates of attendance will be available for ALL states.

To learn more about the Institute for Energy Law or the American Bar Association Section of Environment, Energy, and Resources (SEER), please visit the IEL website at www.cailaw.org/iel/join.html and the ABA-SEER website at www.abanet.org/enviro/.



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