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ENERGY LAW

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13th Annual Energy Litigation Conference



13th Annual Energy Litigation Conference

November 6, 2014

JW Marriott Hotel • Houston, Texas

Lifetime Achievement in Energy Litigation Award

Patton G. Lochridge

McGinnis Lochridge & Kilgore LLP
Austin, Texas

Highlights

- Judicial Panel
- General Counsel Panel
- Injection Wells and Induced Seismicity
- Recent Developments in Oil and Gas Law
- Presentation of this year's Lifetime Achievement in Energy Litigation Award to **Patton (Pat) G. Lochridge**

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**THE CENTER FOR AMERICAN
AND INTERNATIONAL LAW**



13th Annual Energy Litigation Conference

SCHEDULE

November 6

Conference Co-Chairs

Jack Lewis
Managing Counsel, Litigation,
Chevron Upstream and Gas
Law, Houston, Texas

Charles J. (Tim) Engel
King & Spalding,
Washington, D.C.

"I enjoyed the wide scope of this conference. Always good to hear from judges."

"Excellent location, speakers and substance."

— 2013 Participants



2013 Energy Litigation Conference

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7:30 REGISTRATION AND CONTINENTAL BREAKFAST

8:30 WELCOME AND INTRODUCTION TO THE CONFERENCE

- **Jack Lewis**, Managing Counsel, Litigation, Chevron Upstream and Gas Law, Houston, Texas
- **Charles J. (Tim) Engel**, King & Spalding, Washington, D.C.

8:40 RECENT DEVELOPMENTS IN OIL AND GAS LAW

- A comprehensive round up of the year's developments of particular interest to the energy litigator.
- **Mark D. Christiansen**, McAfee & Taft, Oklahoma City, Oklahoma

9:40 THE VIEW FROM THE BENCH

Judges from around the country give their perspectives on trends in energy litigation, its management, and how litigators can be more effective.

PANEL MODERATOR:

- **Jack Lewis**, Managing Counsel, Litigation, Chevron Upstream and Gas Law, Houston, Texas

PANELISTS:

- **The Hon. Christine A. Ward**, 5th Judicial District of Pennsylvania, Pittsburgh, Pennsylvania
- **The Hon. Nancy D. Freudenthal**, United States District Court for the District of Wyoming, Cheyenne, Wyoming
- **The Hon. Lee H. Rosenthal**, United States District Court for the Southern District of Texas, Houston, Texas

10:40 BREAK

10:55 LITIGATION "STRATEGY" OR CRIMINAL ENTERPRISE? A RICO GUIDE FOR ENERGY LITIGATORS

Our speaker, one of the lead attorneys representing Chevron in *Chevron Corporation v. Steven R. Donziger, et al.*, a RICO case in the Southern District of New York, will discuss the essentials of RICO litigation and strategic considerations for civil RICO prosecution and defense.

- **Andrea E. Neuman**, Gibson, Dunn & Crutcher, New York, New York

11:40 INJECTION WELLS AND INDUCED SEISMICITY

Our panel of technical experts will discuss whether it is reasonable to assume a correlation between injection well activities and seismic events.

PANEL MODERATOR:

- **Barclay Nicholson**, Norton Rose Fulbright, Houston, Texas

PANELISTS:

- **Julie Shemeta**, President and Founder, MEQ Geo Inc., Highlands Ranch, Colorado
- **Dr. Mark Zoback**, Professor of Geophysics, Stanford University, Stanford, California

12:15 HOSTED LUNCHEON

Lifetime Achievement in Energy Litigation Award

Honoring

Patton G. Lochridge
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2:00 THE SUPREME COURT'S 2014-2015 TERM

Our speaker will review recent United States Supreme Court cases and new cases coming before the Court during its upcoming term. He will also discuss those of particular relevance to energy litigators.

- Ashley C. Parrish, King & Spalding, Washington, D.C.

2:45 WHAT GENERAL COUNSEL REALLY WANT

What do corporate general counsel expect from litigators in the law firms they employ? Are they getting it?

PANEL MODERATOR:

- **Charles J. (Tim) Engel**, King & Spalding, Washington, D.C.

PANELISTS:

- **Jack Balagia**, Vice President and General Counsel, Exxon Mobil Corporation, Irving, Texas
- **Rachel G. Clingman**, General Counsel, Petroleum & Potash, BHP Billiton, Houston, Texas
- **William D. Marsh**, Vice President and General Counsel, Baker Hughes Incorporated, Houston, Texas

3:45 BREAK

4:00 ETHICS PRESENTATION: THREE DILEMMAS FOR ENERGY LITIGATORS

Professor Hazard will focus on three ethical dilemmas for energy litigators:

- Issue conflicts – ethical considerations where the same lawyers represent plaintiffs in one case and defendants in another when issues and arguments closely overlap.

- Advance conflict waivers – ethical limits to the effectiveness of conflict waivers.
 - Joint defense agreements – when a party exits a joint defense agreement and its interests later become adverse, how does knowledge gained as part of the group ethically constrain that party?
- **Professor Geoffrey C. Hazard, Jr.**, Emeritus Professor of Law, University of California, Hastings College of The Law, San Francisco, California, and University of Pennsylvania School of Law, Philadelphia, Pennsylvania

5:00 ADJOURN

5:00 NETWORKING RECEPTION

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ABOUT THE INSTITUTE FOR ENERGY LAW (IEL)



Institute for
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An institute of The Center for American and International Law, IEL provides superior educational and professional opportunities for lawyers and other professionals in the energy industry through educational courses, conferences, scholarly publications and membership activities. IEL presents numerous educational conferences and seminars each year, publishes papers, periodicals and the *Oil and Gas Reporter*, and provides an important forum in which contemporary issues affecting the energy industries can be discussed.

For more information, visit cailaw.org/iel

ABOUT THE AMERICAN BAR ASSOCIATION (ABA)



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 is committed to providing members with opportunities to enhance professional skills, stay on top of current developments, and continue the dialogue in these substantive areas through its substantive committees, educational programming, and quality publications including books, newsletters, magazines, and digests.

For more information, visit www.abanet.org/enviro/



The Energy Litigation Committee of the ABA Section of Litigation aims to provide its membership with up-to-date litigation-focused information on the production, transportation and marketing of oil, natural gas and electricity, as well as federal regulation of those industries. The Committee reports to members on significant case law, law review articles and seminars, and produces informative programs on topics of interest to the lawyer who litigates energy-related cases.

For more information, visit www.abanet.org/litigation/committees/energy/home.html

REGISTRATION

13th Annual Energy Litigation Conference

November 6, 2014

JW Marriott Hotel • Houston, Texas

Registration includes the Conference, course materials on USB and online, and all meals.

Check applicable box:	Received by 10/24/14	Received after 10/24/14
Regular registration fee	<input type="checkbox"/> \$435	<input type="checkbox"/> \$495
IEL Advisory Board Member	<input type="checkbox"/> \$345	<input type="checkbox"/> \$395
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Students/Full-Time Professors	<input type="checkbox"/> \$125	<input type="checkbox"/> \$175
Materials Only (not attending)	<input type="checkbox"/> \$215	<input type="checkbox"/> \$215

Add \$200 if you would like to receive the full course materials in printed binder at the conference (in addition to USB and online).* (*If not checked, limited handouts -- PowerPoint presentations & rosters -- will be distributed)

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PAYMENT MUST ACCOMPANY REGISTRATION

GENERAL INFORMATION

CANCELLATION POLICY: Tuition, less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by October 24, 2014. E-mail cancellation notice to lgaspar@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 JW Marriott Hotel, 5150 Westheimer Road, Houston, TX 77056. Registrants should call 1.800.228.9290 and advise that they are attending the "Energy Litigation Conference" to receive a reduced room rate of \$209 + occupancy tax. Reservations may also be made at cailaw.org/iel. The last day to obtain this special rate is October 22, 2014.

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.

PRESS POLICY: All IEL conferences are held under the Chatham House Rule. Participants, including journalists, are free to use any information received, but comments may not be attributed to any speaker identified by name or affiliation.

MCLE CREDIT: This program is approved by the State Bar of Texas for 6 hours, including 1 hour of ethics. Course ID Number: 901300706. Credit hours for other states will vary and are subject to each state's approval and credit rounding rules. IEL as registrar for this conference will directly apply for course accreditation in the following states: CA, MN, NM, OH, OK, PA, TX and VA. Some of these states may not approve a program for credit hours before the program occurs. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. IEL conferences are typically accredited by all mandatory CLE states.



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The Center for American and International Law
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