

Presented by  
Institute for Energy Law (IEL) of The Center for American and International Law  
and the Energy & Mineral Law Foundation (EMLF)



Institute for  
**ENERGY LAW**



## 7th Law of Shale Plays Conference



### 7th Law of Shale Plays Conference

**September 7 - 8, 2016**

**Sheraton Pittsburgh Hotel at  
Station Square  
Pittsburgh, Pennsylvania**

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Register by August 22 to receive a discount.



*IEL is an Institute of*  
**THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW**

### Highlights Include

- Regulation of the Oil and Gas Industry: A Governmental Perspective
- Regulation, Regulation and More Regulation – The SEC Piles On with New Rules and Guidance Impacting Publicly-Traded Energy Companies
- Five Essential Rules for a Reduction-In-Force
- Energy Today: How It's Shaping the U.S. Economy and Policy with **Senator Kay Bailey Hutchison**
- The Big Reach: What You Need to Know About PHMSA's Mega-Rule for Gas Gathering and Transmission Lines
- Opportunities, Risks and New Developments in the Distressed Oil and Gas Industry
- Litigation Update – Hot Topics and Future Disputes
- Insights and Advice from General Counsel

**MCLE credit will be available**

## Conference Co-Chairs

**Sharon O. Flanery**  
 Steptoe & Johnson PLLC  
 Charleston, West Virginia

**Erin W. McDowell**  
 Range Resources –  
 Appalachia, LLC  
 Canonsburg, Pennsylvania

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### ABOUT THE INSTITUTE FOR ENERGY LAW (IEL)

Part 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 several 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.

### ABOUT THE ENERGY & MINERAL LAW FOUNDATION (EMLF)

EMLF is a national nonprofit educational organization which fosters the study of the laws and regulations related to natural resource development and energy use. The Foundation is an Accredited Provider of Mandatory Continuing Legal Education programs, AAPL and other professional recertification credits, and provides opportunities for professional development through committee participation, program planning, public speaking and publishing of original work.

7:30 REGISTRATION

8:30 WELCOME, OVERVIEW AND INTRODUCTIONS

CONFERENCE CO-CHAIRS

- **Sharon O. Flanery**, Steptoe & Johnson PLLC, Charleston, West Virginia
- **Erin W. McDowell**, Range Resources – Appalachia, LLC, Canonsburg, Pennsylvania

8:45 NAVIGATING MARKET HEADWINDS: HOW WE GOT HERE AND WHERE WE ARE GOING

Mr. Degner will take a look back on the development of the Marcellus Shale play, how the industry has progressed from early development through today, and how that progression, including new technologies and efficiencies, has led to many successes even in a depressed pricing environment. Mr. Degner will focus on the efficiencies that Range has made and continues to make through its operations as well as Range's diversified gas marketing portfolio and discuss current and emerging market trends.

- **Dennis Degner**, Vice-President of Southern Marcellus Shale Division, Range Resources Corporation, Canonsburg, Pennsylvania

9:30 REGULATION OF THE OIL AND GAS INDUSTRY: A GOVERNMENTAL PERSPECTIVE

This panel will focus on environmental regulatory issues that are critical to successful oil and gas development in Ohio, Pennsylvania and West Virginia. In addition, the panel will discuss regulatory issues or approaches that are unique to each jurisdiction.

MODERATOR

- **Katharine Fredriksen**, CONSOL Energy, Inc., Canonsburg, Pennsylvania

PANELISTS

- **Kristin A. Boggs**, General Counsel, West Virginia Department of Environmental Protection, Charleston, West Virginia
- **Richard Watling**, Assistant Counsel, Office of Oil and Gas Management, Pennsylvania Department of Environmental Protection, Pittsburgh, Pennsylvania
- **Michael Williams**, Chief Legal Counsel, Ohio Department of Natural Resources, Columbus, Ohio

10:45 BREAK

11:00 REGULATION, REGULATION AND MORE REGULATION – THE SEC PILES ON WITH NEW RULES AND GUIDANCE IMPACTING PUBLICLY-TRADED ENERGY COMPANIES

The session will address recent developments relating to SEC disclosure and reporting topics impacting energy companies, including reserve reporting, resource extraction, and climate change disclosure issues, as well as SEC responses to shareholder activism relating to environmental matters.

- **Amy I. Pandit**, Morgan, Lewis & Bockius LLP, Pittsburgh, Pennsylvania
- **Celia A. Soehner**, Morgan, Lewis & Bockius LLP, Pittsburgh, Pennsylvania

**11:45 FIVE ESSENTIAL RULES FOR A REDUCTION-IN-FORCE**

With continuing contraction in energy markets, reductions-in-force remain a fact of life in the industry. Making the right choices on employment challenges can be the difference between millions in liability or millions in savings. Rachel Steely and Mark Konkol will discuss five essential considerations that can make the difference, from WARN Act considerations to newly enacted overtime pay regulations.

- **Mark Konkol**, Kelley Drye & Warren LLP, New York, New York
- **Rachel Powitzky Steely**, Gardere Wynne Sewell LLP, Houston, Texas

**12:30 LUNCH**

**1:00 LUNCH PRESENTATION**

**Energy Today: How It's Shaping the U.S. Economy and Policy**

- **Senator Kay Bailey Hutchison**, Bracewell LLP, Dallas, Texas

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**1:45 THE BIG REACH: WHAT YOU NEED TO KNOW ABOUT PHMSA'S MEGA-RULE FOR GAS GATHERING AND TRANSMISSION LINES**

Earlier this year, the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA") published a long-anticipated rulemaking proposal for gas gathering and transmission lines. More than four years in the making, the proposed rules would significantly expand PHMSA's jurisdiction over gas gathering lines and add several new requirements to the gas transmission line regulations in response to recent congressional mandates and National Transportation Safety Board recommendations. A former PHMSA Attorney Advisor and Member of the Pennsylvania Governor's Pipeline Infrastructure Task Force will discuss the implications of PHMSA's rulemaking proposal, which arguably represents the most comprehensive overhaul of the federal gas pipeline safety program in the four decades since its creation.

- **Keith Coyle**, Babst, Calland, Clements and Zomnir, P.C., Washington, D.C.

**2:15 OPPORTUNITIES, RISKS AND NEW DEVELOPMENTS IN THE DISTRESSED OIL AND GAS INDUSTRY**

The oil and gas industry is laboring under historic declines in commodity prices with little certainty for near-term recovery. This global economic trend coupled with maturing debts have led to multiple E&P company bankruptcies, and undoubtedly will continue to impact midstream and related oilfield service companies. With more restructurings anticipated in 2016 and beyond, borrowers, creditors and investors will need to understand the risks of the oil and gas marketplace – and devise creative solutions for the opportunities that present themselves.

MODERATOR

- **Ryan T. Purpura**, McGuireWoods LLP, Pittsburgh, Pennsylvania

PANELISTS

- **Omar J. Alaniz**, Baker Botts L.L.P., Dallas, Texas
- **Becky A. Roof**, AlixPartners, LLP, New York, New York
- **John H. Thompson**, McGuireWoods LLP, Washington, D.C.

**3:15 BREAK**

**3:30 LITIGATION UPDATE – HOT TOPICS AND FUTURE DISPUTES**

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. This panel of seasoned trial attorneys will present and discuss important judicial developments in oil and gas law from multiple jurisdictions, including current litigation trends.

MODERATOR

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

PANELISTS

- **W. Henry Lawrence**, Steptoe & Johnson PLLC, Bridgeport, West Virginia
- **Gregory D. Russell**, Vorys, Sater, Seymour and Pease LLP, Columbus, Ohio
- **Nicolle R. Snyder Bagnell**, Reed Smith LLP, Pittsburgh, Pennsylvania

**5:00 NETWORKING RECEPTION**

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The Institute for Energy Law and  
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**THURSDAY, SEPTEMBER 8**

**8:20 INTRODUCTIONS**

**8:30 INSIGHTS AND ADVICE FROM GENERAL COUNSEL**

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

MODERATOR

– **Erin W. McDowell**, Range Resources – Appalachia, LLC, Canonsburg, Pennsylvania

PANELISTS

– **David Carlson**, Ascent Resources, LLC, Oklahoma City, Oklahoma

- **Jennifer L. McDonough**, Rex Energy Corporation, State College, Pennsylvania
- **David P. Poole**, Range Resources Corporation, Fort Worth, Texas
- **Yvette Karlene Schultz**, Antero Resources, Denver, Colorado

**9:45 PRIVATE EQUITY AND M&A IN A DISTRESSED ENVIRONMENT**

The session will include a discussion of the capital raising environment in a distressed commodity market, including private debt and equity or equity-like arrangements, including interests in oil and gas assets (joint ventures or otherwise), production payments and public capital raise options.

- **David Cecere**, Tailwater Capital LLC, Dallas, Texas
- **Greg Matlock**, EY, Houston, Texas
- **Bill Swanstrom**, Locke Lord LLP, Houston, Texas

**10:30 BREAK**

**10:45 CYBERSECURITY RISKS AND THE SHALE INDUSTRY: WHAT IS YOUR EXPOSURE?**

This panel will first identify the specific cybersecurity threats facing the shale industry, the potential consequences of a data security incident, the laws and regulations that should be considered and preparing for and responding to regulatory cybersecurity incidents. Specific topics to be covered include insuring cybersecurity risks, cybersecurity and law enforcement, challenges for compliance officers, and board oversight of cybersecurity risk management.

- **Gerald Ferguson**, Baker & Hostetler LLP, New York, New York
- **Samuel Rosenthal**, Squire Patton Boggs, Washington, D.C.

**11:45 MULTIJURISDICTIONAL PRACTICE: THE ETHICS OF PRACTICING HERE, THERE AND ANYWHERE**

Practice of law for most attorneys in the U.S. today is truly multijurisdictional, with legal services and their impacts in multiple states - including physical or virtual presence in states in which the lawyer is not admitted to practice. Unauthorized practice can result in disciplinary action and even criminal prosecution. This session will explore current and anticipated developments in this evolving area.

- **David G. Ries**, Clark Hill PLC, Pittsburgh, Pennsylvania

**12:45 ADJOURN**

# REGISTRATION

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Pittsburgh, Pennsylvania

Registration includes the conference, one luncheon, a reception and the course material provided online, which may be printed or saved. **Printed course material may be obtained for an additional \$75 fee** (check additional option below).

Check applicable box:	Received by 8/22/16	Received after 8/22/16
Regular registration fee	<input type="checkbox"/> \$625	<input type="checkbox"/> \$675
IEL Advisory Board Member	<input type="checkbox"/> \$485	<input type="checkbox"/> \$535
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EMLF Member	<input type="checkbox"/> \$485	<input type="checkbox"/> \$535
Law Student	<input type="checkbox"/> \$125	<input type="checkbox"/> \$125
Materials Only (Not attending)	<input type="checkbox"/> \$125	<input type="checkbox"/> \$125

Add **\$75** to receive the course material in a printed binder at the conference. **Otherwise, the material will only be provided to you electronically via email. You are welcome to print the online material yourself.**

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8:30am-5:00pm CT

PAYMENT MUST ACCOMPANY REGISTRATION

## GENERAL INFORMATION

**CANCELLATION POLICY:** Tuition, less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by August 22, 2016. E-mail cancellation notice to [lgaspar@cailaw.org](mailto: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 Sheraton Pittsburgh Hotel at Station Square, 300 W. Station Square Drive, Pittsburgh, PA 15219. Registrants should call 1.888.625.4988 and advise that they are attending the "IEL Law of Shale Plays Conference" to receive a reduced rate of \$169 + tax/night. Reservations may also be made online at [cailaw.org/iel](http://cailaw.org/iel). The last day to obtain this special rate is August 22, 2016.

**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:** IEL as registrar for the conference will directly apply for course accreditation in the following states: IL, IN, KY, MO, NM, OH, OK, PA, TN, TX, VA and WV. 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.

This program consists of approximately 9.75 hours of continuing education, including up to 1 hour of ethics. Approved credit hours will vary by jurisdiction and are subject to each jurisdiction's approval and credit rounding rules.

The program is approved by the State Bar of Texas for 9.75 hours, including 1 hour of ethics. Course ID Number: 901356990.



**7TH LAW OF SHALE PLAYS CONFERENCE**  
Institute for Energy Law  
The Center for American and International Law  
5201 Democracy Drive  
Plano, TX USA 75024

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