



Institute for
ENERGY LAW

The Energy Law Advisor

Share this email   

[IEL Home](#) | [Programs Calendar](#) | [Online Forum](#) | [Advisor Archive](#)

Volume 8, No. 5 - November 2014

In This Issue

[Industry News](#)

[IEL News](#)

[Members in the News](#)
[Calendar of Events](#)

Editorial Board

MANAGING EDITOR

Harry W. Sullivan Jr.
ConocoPhillips
Houston, Texas

ASSISTANT EDITOR

Forrest Wynn
Beirne, Maynard,
& Parsons L.L.P.
Houston, Texas

EDITORS

Derek Anchondo
Adams & Reese LLP
Houston, Texas

Scott Deatherage

Gardere Wynne Sewell LLP
Dallas, Texas

Paul Lavelle

Winstead PC
New Orleans, Louisiana

Mike Lennon

Mayer Brown

Industry News

A Practical Examination of the Regulatory Oversight of Energy Marketing & Trading Companies in the United States

By: Deanna Reitman and Claire Hall, DLA Piper LLP

This article contains an overview of the current regulatory oversight in the U.S. of energy marketing and trading companies. [Read more...](#)

Four Years? Capture Your Competitive Advantage Now! – Obtaining a Patent Using USPTO’s Prioritized Examination Process

By: Craig Buschmann, Brinks Gilson & Lione

Protecting a company’s intellectual property rights is a key driver for all companies in the oil and gas industry. This article examines an expedited process for reducing cycle time in obtaining patents. [Read more...](#)

Pennsylvania Revokes Act 13 Ordinance Review Power

By: Jeremy A. Mercer, Norton Rose Fulbright

This article examines the recent interpretation of Act 13 by the Supreme Court of Pennsylvania. [Read more...](#)

Mexico Energy Reform Update – Mexico Announces New

Houston, Texas

Jack Massey
Sutherland Asbill & Brennan
LLP
Houston, Texas

Christina E. Ponig
DLA Piper LLP (US)
Houston, Texas

Matthew J. Salzman
Stinson Leonard Street LLP
Kansas City, Missouri

Russell L. Schetroma
Steptoe & Johnson PLLC
Meadville, Pennsylvania

INSTITUTE FOR ENERGY LAW

Wendy Daboval
Chair, IEL Advisory Board
Chevron North America
Exploration & Production Co.
Houston, Texas

J. Alan B. Dunlop
IEL Director
Plano, Texas

David B. Winn
IEL Co-Director and
CAIL Vice President
Plano, Texas

Submissions

Industry News
Email [Harry Sullivan](#) and
[Lilly Hogarth](#).

Member Announcements
Email [Lilly Hogarth](#). Please
submit photo with
announcement if possible.

© Copyright 2014 - All
Rights Reserved

Timelines in its Fast-Approaching Round One

By: Carlos Solé, Hugh Tucker, Pam Giblin, Hamish
McArdle, Baker Botts L.L.P.

The entire industry anxiously watches as Mexico's Energy Reforms progress. This article examines more recent clues regarding the opening of the upstream oil and gas industry and the first bid round under the Energy Reforms anticipated in 2015. [Read more...](#)

Fracking Contamination Lawsuit Raises Issue of Whether Indemnity Extends to Expense of Enforcing Indemnity Provision

By: Barclay R. Nicholson and James B. Hartle, Norton Rose Fulbright

This article examines a recent ruling in Ohio that expenses incurred in enforcing an indemnity obligation are not recoverable under the indemnity obligation. [Read more...](#)

IEL News

IEL's Third Midstream Oil & Gas Law Conference on December 4

The IEL will be presenting its [3rd Midstream Oil & Gas Law Conference](#) in Houston's JW Marriott Hotel on Thursday, December 4. This year's conference co-chairs are Mark Haskell of Morgan Lewis & Bockius, Susan Miller of Marathon Oil Company and Mike Pearson of Jackson Walker L.L.P. , and they have recruited an outstanding faculty to discuss matters of interest to in-house and private practice counsel working in the midstream space.

Highlights will include a review of environmental challenges in midstream infrastructure development, commercial and regulatory issues concerning LNG and NGL exports, a primer on the regulatory issues about transporting crude oil and liquid hydrocarbons by rail and truck, an ethics presentation on lawyers' relationships with transactional clients and a discussion on current regulatory developments affecting offshore midstream natural gas pipelines. Chairman Christi Craddick of the Railroad Commission of Texas will deliver the lunchtime keynote address. You can find more details and register at [this link](#).

Substantial Gift for Tulane Law School

One of the IEL's law school members, Tulane Law School, reports the receipt of a \$2 million gift to create an endowed chair in energy law at the university. The law school will be using the

gift to kick off an ambitious campaign to create an endowed Center in Energy Law at Tulane.

The gift comes from Jim McCulloch, senior vice president and general counsel for Houston-based Forum Energy Technologies, and his wife, Susan. He graduated from Tulane Law School in 1977 after receiving a Tulane undergraduate degree. The McCullochs' daughter, Lauren, is a 2011 magna cum laude Tulane Law graduate and an associate in IEL member Morgan Lewis' litigation practice in Houston.



In Memoriam: Tom Hutcheson (1948-2014)

Thomas Taliaferro Hutcheson, partner in the firm of Winstead PC, died on August 29th, 2014 after a battle with lymphoma. Tom was a long-serving member of the IEL's advisory board and executive committee, and had held various offices including vice chair of the advisory board, chair of the membership committee and vice chair of the litigation and dispute resolution committee. Tom was also a member of the institute's strategic planning committee.

A Houston native, Tom was a Lamar High School graduate before earning his BA at the University of Virginia and his JD from the University of Texas. He was a litigator for his entire career, first with Hutcheson & Grundy, then Locke Liddell (Locke Lord), and finally Winstead. Tom had the greatest respect for the law, the justice system, other lawyers and both his and opposing clients, and was universally liked as a gentleman of the old school. Among IEL executive committee members and staff, Tom will be remembered for his courtesy, even when he disagreed, and for his humor (Me: "A correction to the minutes: I think that they should read 'succession in Texas', not 'secession in Texas'". Tom: "Don't rule it out.")

As well as being one of the city's leading lawyers, Tom was also involved in many community activities, including the Boy Scouts, Family Services of Greater Houston and the International Seafarers Center. He was an active member of St. John the Divine Episcopal Church. He was a keen hunter, fisherman and sailor.

Tom was survived by his wife, Chaillie, and three children.

Tom was a good friend to the IEL and to many

members of its committees and staff over many years, and he will be much missed.

JABD

Members in the News

IEL Member **John McArthur** has written *Oil and Gas Implied Covenants for the 21st Century*.

A highly praised publication, John's book is the first book in 75 years to be devoted to the implied covenants that courts apply to oil and gas and other natural resource leases.

Implied covenants, which apply to all oil-and-gas and other natural-resource leases that use a royalty structure, are hugely important. The United States has reclaimed its position as the world's largest natural-gas producer, it may soon again become the largest oil producer, and the oil-and-gas industry is rapidly growing. All U.S. production comes from leased land and royalties and implied covenants are a critical part of the related law.

Mr. McArthur's book will be reviewed in a future *Energy Law Advisor*.

Please help us welcome IEL's newest **Associate Members** and representatives on the Advisory Board:

- **Gary McGowan** (McGowan Arbitration & Dispute Resolution, Houston)

Our newest **Young Energy Professional Members** are:

- **Adam Diamond** (Johnson DeLuca Kurisky & Gould, Houston)
- **Sean Fulton** (Rutgers University School of Law - Camden, Mount Laurel)
- **Rya Gatt** (Camilleri Preziosi, Valletta - Malta)
- **Michael Leman** (Tesco Corp., Humble)
- **Taciana Peão Lopes** (TPLA, Maputo - Mozambique)
- **Kyle C. Reeb** (Porter Hedges LLP, Houston)
- **Jeanine Turell** (Weatherford International, Ltd., Houston)
- **Shen Wang** (University of Houston Law Center, Houston)

Calendar of Events

[3rd Midstream Oil & Gas Law Conference](#)

[2nd ITA-IEL Joint Conference on](#)

[66th Annual Oil & Gas Law Conference](#)

Houston, TX
Dec 4, 2014

[International
Energy
Arbitration](#)

Houston, TX
Jan 15-16, 2015

Houston, TX
Feb 19-20, 2015

[Career Paths
for Young
Energy
Attorneys](#)

Houston, TX
Mar 27-28, 2015

[Mergers &
Acquisitions /
Acquisitions &
Disposals
Conference](#)

Houston, TX
Apr 2015

[2nd Mineral Title
Course](#)

Houston, TX
May 2015



**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)

Connect with IEL



[Opt-Out](#) | [Email IEL](#)

Powered by [Informz](#)