



Institute for
ENERGY LAW

The Energy Law Advisor

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Industry News

Induced Earthquakes Shake Up Regulatory and Litigation Landscape

By: Barclay Nicholson and Emery Gullickson Richards, Norton Rose Fulbright US LLP

This Article examines the hot-topic issue of induced seismology as it impacts the shale industry. At the IEL headquarters in Plano, many people have personal experience with induced seismology, which is a relatively recent phenomena in Texas and Oklahoma.

[Read more...](#)

Are Modern "Compensatory" Royalty Clauses Unenforceable Penalty Clauses? Some Factors to Guide the Analysis

By: Robert D. Woods, Yetter Coleman LLP

This article examines the distinction between liquidated damages and an unenforceable penalty in the context of a compensatory royalty for drainage. [Read more...](#)

Contractual Interpretation: Supremacy of the Natural and Ordinary Meaning

By: Guy Pendall, Phillip Ashley and Kushal Gandhi, CMS Cameron McKenna LLP

This Article examines a recent English law case that reminds us

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Submissions

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

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

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that the words we use matter when a contract is interpreted. [Read more...](#)

Acquiring Upstream Assets via Joint Ventures, An In-Depth Study of Deal Structures, Key Negotiating Points, Drafting Tips, and Relevant Law

By: Michael J. Byrd, Cody R. Carper, Rahul D. Vashi, and Gonzalo D. Castro, Akin Gump Strauss Hauer and Feld LLP

This Article, originally published in the materials for the IEL's 2nd Mergers & Acquisitions / Acquisitions & Disposals Conference in April 2015, examines the main jointure venture routes to acquiring and disposing of oil and gas assets. [Read more...](#)

IEL News

IEL'S 6th Law of Shale Plays Conference on September 10-11

The IEL will be back in Pittsburgh this year for the 6th Law of Shale Plays Conference!

The program will be presented by the Institute for Energy Law and the Energy & Mineral Law Foundation with the sponsorship of the Energy Litigation Committee of the ABA Section of Litigation at the Omni William Penn Hotel on September 10-11, 2015.

Program Highlights include:

- The Outlook for Energy: A View to 2040
- Seismicity and Unconventional Oil and Gas Activity
- Regional Update - Hot and Anticipated Litigation in the Shale Plays
- Federal Air Regulation & Its Impact on Upstream and Midstream Operations
- Private and Public Capital Raises and Exit Transactions in Today's Shale Plays
- Employment Issues in the Shale Plays
- General Counsel Concerns In Operating and Developing Shale Plays
- Pipeline Infrastructure and Midstream Update
- Ethics of Downsizing: A Lawyer's Professional Obligations in a Reduction-in-Force
- Energy Production 2015-2020 – What Do The Next Five Years Hold?
- Environmental Issues in the Shale Plays
- Recent Developments in Royalty Litigation in the Shale Plays

You can find more details and register at [this link](#)

2015 Deans of Oil and Gas Practice Lecture

The Deans of Oil and Gas Practice Lecture series honors one legal practitioner or academic each year for their exceptional contribution to the field of oil and gas law. The lecture is an opportunity for the honoree to reflect and comment on their career in oil and gas law. The 2015 lecturer, Professor John S. Lowe, discussed his career in the oil and gas industry and a phenomena he has witnessed in the industry, which he calls The Balkanization of Oil and Gas Law. [Read Professor Lowe's Remarks](#)

Professor Lowe is the George W. Hutchison Professor of Energy Law and has taught courses on oil and gas law and oil and gas contracts at SMU's Dedman School of Law since 1987. He served as Senior Associate Dean for Academic Affairs from 2009-2014. A Maxwell Fellow in Malawi from 1966-69, he practiced law privately in Columbus, Ohio, 1970-75. He was a member of the faculty at the University of Toledo, with the rank of assistant and associate professor from 1975-78. He joined the faculty of the University of Tulsa in 1978, where he served as professor and associate director of the National Energy Law and Policy Institute. Professor Lowe has been a visiting professor at the University of Texas, a Distinguished Visiting Professor of Natural Resources Law at the University of Denver, the Visiting Judge Leon Karelitz Chair of Oil and Gas Law at the University of New Mexico, and the Visiting Borden Ladner Gervais LLP Chair of Energy Law and Policy at the University of Alberta, Canada. He presently holds appointments as an Honorary Lecturer and Principal Researcher of the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee, Scotland, as a Senior Fellow of the Faculty of Law at the University of Melbourne, Australia, and as a Visiting Professor at the University of Sydney, Australia. He is also currently an International Legal Advisor for petroleum issues in the Commercial Law Development Program of the U. S. Department of Commerce, and has lectured at universities and advised governments around the world. Lowe is a former Chair of the Section of Environment, Energy, and Resources Law of the American Bar Association and a former President of the Rocky Mountain Mineral Law Foundation. He is a member of the commercial arbitration panels of the American Arbitration Association, the CPR Institute of Dispute Resolution, and the International Chamber of Commerce, as well as an editor or author of many articles and books, including *Cases & Materials on Oil & Gas Law*, *Oil & Gas Law in a Nutshell*, *Hemingway on Oil & Gas Taxation*, *International Petroleum Transactions*, and *Kuntz's Law of Oil & Gas*.

Members in the News

The IEL is proud to welcome 1 new **Sponsoring Member**:

- **Jackson Kelly PLLC**, Charleston with Elizabeth Lord as

their Advisory Board Member Representative

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

- **Jerry M. Young** (Coats Rose, Houston)

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

- **Keith Gee** (GE Oil & Gas, Houston)
- **Rocío González Alcántara** (De Salvidea Y González Alcántara SC, Mexico City)
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Calendar of Events

6th Law of Shale Plays Conference

Pittsburgh, PA
Sept 10-11,
2015

8th Annual YEP General Counsel Forum

Houston, TX
Oct 6, 2015

5th Oilfield Services Law Conference

Houston, TX
Oct 8, 2015

14th Annual Energy Litigation Conference

Houston, TX
Nov 5, 2015

4th Midstream Oil and Gas Law Conference

Houston, TX
Dec 3, 2015

3rd Annual ITA-IEL-ICC Joint Conference on International Energy Arbitration

Houston, TX
Jan 14-15, 2016



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