



Institute for
ENERGY LAW

The Energy Law Advisor

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In This Issue

[Members in the News](#)

[IEL News](#)

[Industry News](#)

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Member Announcements

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Please submit photo with
announcement if possible.

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Don't forget to scroll down for Industry Update articles from practitioners and students!

We are honored and excited to add the following firms and individuals to IEL's membership roster. Please join us in welcoming them to our organization!

Supporting:

- **Gibson, Dunn & Crutcher, LLP**, Houston, TX with Michael Darden, Hillary Holmes, James Robertson and Justin Stolte as Advisory Board Representatives
- **Latham & Watkins, LLP**, Houston, TX with Christopher Bennett, Jonathan Castelan, Nick Dhesi and Stephen Szalkowski as Advisory Board Representatives

Young Energy Professional Members:

- **Ari Barusch**, Litchfield Cavo LLP, Salt Lake City, UT
- **Sean Berwald**, Toepfich and Associates, Houston, TX
- **Lucas Burns**, Baker Botts L.L.P., Houston, TX
- **Elizabeth M. Byrne**, Liskow & Lewis, Houston, TX
- **Joshua P. Downer**, Thompson & Knight LLP, Houston, TX
- **Paul B. Rorie**, Farnsworth & VonBerg, L.L.P., Houston, TX
- **Charles Shull**, Shell Oil Company, New Orleans, LA
- **Ryan Welsch**, Dickie, McCamey & Chilcote, P.C., Pittsburgh, PA
- **Varant Yegparian**, Schiffer Hicks Johnson PLLC, Houston, TX

2019-2020 Leadership Class

The Institute for Energy Law (IEL) received an astounding seventy-one applications for the 2nd IEL Leadership Class. Forty impressive individuals were selected by a committee to take part in this year's class. The class consists of attorneys, landmen, a professor, and an economic consultant from ten states and the District of Columbia. Their experience in their field ranges from three to fourteen years, with an average of eight years in practice. While many work in oil and gas litigation and transactions, several also have experience in areas such as environmental, toxic tort, construction, intellectual property, maritime, renewables, mining, power, and much more. Class members are dedicated to the communities in which they live and their pro bono efforts. The class includes multiple college athletes (discus, rowing, bodybuilding, football, and more), musicians, gardeners, board game lovers, and even a film festival screener.

The class will meet in September for a mandatory retreat, which includes one and a half days of programming geared specifically towards young energy professionals. The class will continue through spring of 2020 with webinars, networking events, programming at IEL's 71st Annual Oil and Gas Law Conference, and IEL's 4th National Young Energy Professionals' Law Conference in Austin, Texas.

The 2019-2020 IEL Leadership Class consists of the following individuals:

- Andrew Biberstein, Shell Oil Company
- Stefanie Burt, Reed Smith LLP
- Jane Campbell, Chevron
- Andrew L. Carter, Baker Hughes, a GE Company
- Martha Buttry Daniels, White & Case
- Tod Everage, Kean Miller LLP
- Nicholaus Floyd, Morgan Lewis & Bockius LLP
- Christopher Furey, Bricker & Eckler, LLP
- Anna Gryska, Winston & Strawn
- Chelsea Rebecca Heinz, Babst Calland Clements and Zomnir, P.C.
- Kelly Herrera, ConocoPhillips Company
- Miles Indest, McGuireWoods
- Amanda James, King & Jurgens, LLC
- Matthew Jordan, EQT Production Company
- Jennifer Kaiser, Continental Resources, Inc.
- Adam Kowis, Orrick, Herrington & Sutcliffe LLP
- Andrew Martin, Davidson Summers, APLC
- Jessica H. Mendoza, Railroad Commission of Texas
- Adam Morgan, Cabot Oil & Gas Corporation
- Erin Murphy, Encana Oil & Gas
- Ashley Nguyen, Gibson, Dunn & Crutcher
- Abigail (Abby) Noebels, Susman Godfrey LLP

William J. O'Brien Jr., Steptoe & Johnson PLLC

- Laura Olive, NERA Economic Consulting
- Kelly Perrier, Gordon Arata Montgomery Barnett McCollam Duplantis & Eagan, LLC
- Brett Podkanowicz, EnCore Permian
- Roy Prather III, Beveridge & Diamond, P.C.
- Michael Razeeq, Holland & Knight, LLP
- Krystal Scott, Jones Walker
- Ekin Senlet, Barclay Damon LLP
- Matt Sherwood, Brown & Fortunato, PC
- Alma Shields, Liskow & Lewis
- Freddy Sourgens, Washburn University School of Law
- Laura Springer Brown, Liskow & Lewis
- Timothy Sullivan, GableGotwals
- Joseph A. Unis, Jr., Locke Lord LLP
- Elly Austin Vecchio, Hunton Andrews Kurth LLP
- Kenyon Weaver, U.S. Department of Commerce, Commercial Law Development Program
- Steven Williamson, King & Spalding LLP
- Robert Woods, Yetter Coleman LLP

Members in the News



Kenny Grant recently joined global consulting firm Berkeley Research Group (BRG) as a managing director based in Boston. Grant is an energy economist who provides advisory services, privileged consulting and expert witness testimony for energy clients in the oil and gas and electric power sectors. He specializes in matters concerning competition, antitrust, regulatory and marketing design, and valuation.



On May 6, 2019, **Sarah Nealis Bohan** officially opened the doors to her new law practice, The Law Office of Sarah Nealis Bohan PLLC in Bridgeport, West Virginia. Prior to opening her new practice, Ms. Bohan was an associate for Shearman & Sterling LLP in Houston, Texas, where she focused her practice on corporate transactions. With her new venture, Ms. Bohan continues to focus her practice on corporate transactions along with providing a variety of general corporate legal services to help privately-held companies navigate the legal issues they deal with on a daily basis in both Texas and West Virginia.

Liz Klingensmith joined Womble's Energy team in



the firm's new Houston office at the beginning of June. About her move, Liz said, "I wanted to be part of something new. I didn't know what that was until I met Chris Jones, Jeff Whittle, Tony Guerino and many others at Womble. What I discovered through those meetings, is an incredible law firm well-positioned to impact Houston's energy sector with a dynamic and innovative team of lawyers, and I wanted to be part of the team."

IEL News



Interview with Conference Co-Chairs Cole DeLancey, Assistant General Counsel for Cabot Oil & Gas Corporation and Nicolle Snyder Bagnell, Vice Chair of Energy and Natural Resources at Reed Smith about the upcoming 10th Law of Shale Plays Conference.

The [10th Law of Shale Plays Conference](#) will be held September 4 - 5 in Pittsburgh. What makes the Law of Shale Plays Conference unique?

Cole: Its focus and proven history of success. This is the preeminent conference covering the legal aspects of shale play development. For ten years now, it has helped attendees stay current in this ever-changing area of the law. But its appeal and value extends beyond the legal community. It is also a great conference for land professionals and other people working in the industry. After all, legal compliance requires involvement from the entire enterprise and it is important for them to be aware of all recent developments.

Nicolle: I agree. I also believe that the partnership between the Institute for Energy Law and the Energy & Mineral Law Foundation in putting together the conference allows both organizations to draw from their member-experts to provide high level and informative sessions for all attendees.

Considering that the conference is celebrating its 10-year anniversary, why do you think it has been successful?

Cole: To begin with, we listen to our participants and use their

feedback to continuously improve the conference. We also go to great lengths to stay timely and to address cutting edge issues. The law affecting unconventional operators is changing and evolving at a rapid pace. Finally, this conference is unique in that it is a strategic partnership between IEL and EMLF. Not only do these two organizations specialize in energy law, but they are also able to recruit the most successful practitioners, government officials and business people to present at this conference.

Nicolle: In some respects, it's easy to keep this conference informative and engaging because the law continues to evolve with the development of the resources. As Cole mentioned, the law is changing at a rapid pace and the Law of Shale Plays Conference is able to provide a source for practitioners, regulators, and land professionals to keep abreast of those changes while also having the opportunity to connect or re-connect with their friends and colleagues in the industry.

If someone is seeking approval to attend this conference, what are some justifications or selling points they should make?

Cole: I encourage them to look at the [agenda](#). They will see a well-rounded conference addressing diverse aspects of shale play development. For example, this year's conference addresses a wide ranges of topics, such as litigation, contract drafting & litigation, anti-development efforts facing the industry, and eminent domain challenges, just to name a few. Likewise, our presenters include not only attorneys but also industry people, and this year's luncheon speaker is former Pennsylvania Governor Tom Corbett. If that is not enough, this conference is also [competitively priced](#), especially considering the CLE hours [available](#), and Pittsburgh is great place to visit.

Nicolle: Absolutely. Also, Pittsburgh is an oil and gas hub, so you will have the chance to hear from, meet up with and visit participants involved throughout the industry including in-house counsel, outside lawyers, government, business and land professionals during your time here.

Doing Deals: Energy Transactions for Young Energy Professionals – October 9, 2019

Conference Highlight with Co-Chair Brian Anderson, Chevron North America Exploration and Production Company

What motivated the creation of this new conference? *Having seen the success of litigation-based sessions geared for junior lawyers and increased interest in transactional topics generally, a conference aimed at junior lawyers who are still learning the practice of energy transactions seemed like a worthwhile offering.*

Who should attend? *The conference is geared for lawyers with an energy transactions focus with 10 years or less of practice experience. However, anyone with general interest in learning more about energy transactions is welcome to attend. We expect to have both private practice and in-house/public sector lawyers in attendance.*

What do you want your colleagues in other organizations to know as they are considering recommending or approving this conference for attorneys in their firm or their department? *The conference lineup includes multiple in-house and private practice attorneys with specific experience handling a wide range of energy transactions. The participants have been encouraged to share practical tips for more junior lawyers working on energy transactions. We expect the content to be informative and the sessions to be interactive. This is a good way to get specific transactions-based practice pointers (with CLE credit) and to network with others practicing in the energy transactions sector.*

Energy Transactions Conference – October 10, 2019

Conference Highlight with Co-Chair Robert Brannon, Chevron North America Exploration and Production Company

What motivated this new conference? *The oil and gas business is constantly evolving based on changes in technology, laws and the marketplace, and transactional and other lawyers that support this critical aspect of our economy must stay aware of the latest issues and trends to proactively meet client needs. This conference focuses on the unique transactions (and associated legal issues and trends) that facilitate the acquisition of oil and gas interests and the development, production and transportation of oil and gas to market.*

Who should attend? *Anyone directly or indirectly involved in negotiating and drafting transaction documents for the development, purchase, sale or financing of oil and gas interests, or who would like to learn more about these transactions from seasoned legal experts.*

What do you want your colleagues in other organizations to know as they are considering recommending or approving this conferences for attorneys in their firm or their department? *This conference provides an opportunity to hear from legal experts from top law firms and in-house legal departments on the key transactions that facilitate the oil and gas business, with focus on key legal issues that energy lawyers face in the current market, and practical solutions aimed at improving their overall knowledge and day-to-day practice.*



Randall M. Ebner
giving the invocation.



Retired Navy Admiral William
McRaven delivering his lecture.



David J. Beck giving
remarks after receiving
CAIL's Award of
Achievement in the Pursuit
of Justice for All.

Impressive IEL Member Involvement in Higginbotham Lecture Series

More than 200 legal and business leaders, including many IEL member representatives, attended the 2019 Higginbotham Lecture on April 17 in Houston. The annual [Higginbotham Lecture Series](#), presented by The Center for American and International Law (CAIL), provides meaningful commentary on trends pertaining to the rule of law.

Retired Navy Admiral William McRaven presented this year's Lecture entitled "The Rule of Law in a Troubled World". McRaven, an authority on U.S. foreign policy and defense and former Commander of U.S. Special Forces, spoke about the importance of the U.S. maintaining its traditional leadership role in enforcing the rule of law at home and abroad. McRaven said, "every time we let a heinous terrorist act go unaddressed and unpunished, then the law gets a little less powerful, the terrorists a little bolder, and the threat to the U.S. gets greater."

Prior to McRaven's speech, Randall Ebner, a member of the CAIL Board of Trustees and Vice President and General Counsel of Exxon Mobil Corporation, provided the invocation, making brief comments about the responsibility of legal professionals to uphold the rule of law.

Also at this year's event, CAIL's Award of Achievement in the Pursuit of Justice for All was presented to trial attorney David J. Beck for his leadership and commitment to the rule of law and equality of justice.

IEL members supported this year's Higginbotham Lecture Series as [sponsors](#) at every sponsorship level. In addition, IEL member representatives served as members of the [Host Committee](#).

For information about next year's Higginbotham Lecture, contact Susan Davis, CAIL Vice President of Development sdavis@cailaw.org.

ELA is adding a new series focusing on the IEL Practice Committees and featuring one or more Practice Committees in each issue. The initial focus piece for each PC will relate to the practice in that practice area. The International PC is featured in this issue with a discussion of the International Energy Law Practice.

Discussion of the INTERNATIONAL ENERGY LAW PRACTICE with IEL International Practice Committee members David Shelfer, Senior International Counsel of Noble Energy, Inc. and Steven Otilar, Energy Partner, White & Case.

[Read Interview.](#)

New York's Energy Storage Capacity Development

New York brimming with incentives for development of retail and bulk energy storage as next step in the state's aggressive climate change goals. [Read more.](#)

By Danielle Mettler-LaFeir and Ekin Senlet, Barclay Damon LLP

Regional Reviews of Energy Rights of Way Mean Big Growth Opportunities in the West

In the last year the United States Forest Service, the Department of the Interior, and the Department of Energy have undertaken reviews of the Section 368 Energy Corridors throughout the Western United States. The proposed revisions, in conjunction with particular state-level legislative change and industry infrastructure projects, have created a unique opportunity for new energy projects in the American West. Specific to oil, gas, hydrogen fuel, and electricity infrastructure, this paper reviews proposed changes in Region 1 as well as examples of legislative change friendly to energy development. [Read more.](#)

By Ari Barusch, Litchfield Cavo LLP

Beware the Ides of March – Pa. Appellate Court Allows AG to Pursue UTPCPL Claims Against Oil and Gas Operators

On March 15, 2019, an *en banc* panel of Pennsylvania's Commonwealth Court issued an opinion addressing several questions of first impression concerning oil and gas leasing activities and Pennsylvania's Unfair Trade Practices and Consumer Protection Law. [Read more.](#)

By Christopher W. Rogers and Kenneth J. Witzel, Frost Brown Todd LLC

From 1981 to 2019: West Virginia Court Applies “Reasonable and Necessary Use” to Modern Mineral Development

In Andrews et al., v. Antero Resources Corporation and Hall Drilling LLC residents and/or owners of property in Harrison County, West Virginia, filed suit against Antero Resources Corporation and Hall Drilling, LLC alleging “private temporary continuing abatable nuisance and negligence/recklessness” arising from “natural gas exploration, extraction, transportation and associated activities in close proximity to their properties.” [Read more.](#)

By W. Henry Lawrence and Lauren K. Turner, Steptoe & Johnson PLLC

Featured Student Articles

[**The role of renewables in West Africa’s regional electricity market: How can the regional electricity legal and regulatory framework in West Africa be more effective in respecting and promoting its countries’ renewable energy commitments?**](#)

By Gisela Granada, LLM Energy and Natural Resources Candidate December 2019, Queen Mary University of London

[**Energy Federalism: Weld County, Colorado and SB19 181**](#)

By Wyatt Fraga and Tyler Scholes, J.D. Candidates May 2021, Baylor School of Law



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