2020
2/20 - 2/21

71st Annual Oil and Gas Law Conference

JW MARRIOTT HOUSTON AT THE GALLERIA
HOUSTON, TEXAS, USA

John Rogers Award Reception and Dinner honoring Lynn Laverty Elsenhans

MCLE and AAPL Credit will be available

Highlights:
• A Bipartisan Conversation About Attorney General Activity Focused on the Energy Industry featuring Hew Pate, Robert McKenna, and Ken Salazar
• National Security Issues Affecting the Energy Sector
• Engaging Outside the Courtroom on Issues Facing the Industry
• Increased Scrutiny on Foreign Investments in U.S. Energy; the New CFIUS Rules
• Fueling the Future? What Transactional Attorneys Need to Know about Legal Trends and Issues Facing Oil & Gas Companies in the Current Climate

REGISTER NOW ➤ cailaw.org/iel
# Schedule at a Glance

**2/20 - 2/21**

**71st Annual Oil and Gas Law Conference**

<table>
<thead>
<tr>
<th>Time</th>
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<tbody>
<tr>
<td>8:25</td>
<td>Welcome and Overview</td>
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<tr>
<td>8:45</td>
<td>Plenary Sessions</td>
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<tr>
<td>8:45</td>
<td>National Security Issues Affecting the Energy Sector (.75 HR)</td>
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<tr>
<td>9:30</td>
<td>Recent Developments in Oil and Gas Law (1 HR)</td>
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<tr>
<td>10:30</td>
<td>Break</td>
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<td>11:00</td>
<td>Ethics in the Oil Patch: Hot Button Issues in Oil &amp; Gas Transactions and Litigation (1 HR Ethics)</td>
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<tr>
<td>12:00</td>
<td>Networking Luncheon</td>
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<td>Concurrent Sessions</td>
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<td>1:30</td>
<td>Rethinking the Battle of the Experts: Strategies to Avoid Expert Fatigue in Oil &amp; Gas Litigation (75 HR)</td>
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**Thursday, February 20**

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<td>4:45</td>
<td>Adjourn</td>
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<tr>
<td>12:35</td>
<td>Deans of Oil and Gas Practice Lecture and Luncheon</td>
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<tr>
<td>12:35</td>
<td>LUNCHEON featuring Mark D. Christiansen, Edinger Leonard &amp; Blakely, PLLC</td>
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<td>A Bipartisan Conversation About Attorney General Activity Focused on the Energy Industry (1 HR)</td>
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THURSDAY, FEBRUARY 20

8:25 Welcome and Overview

8:45 National Security Issues Affecting the Energy Sector (.75 hr)

The energy industry plays a major role in U.S. national security. In this presentation, former Federal Bureau of Investigation Chief of Staff Zack Harmon will discuss important national security issues affecting the energy sector.

- Zachary J. Harmon, King & Spalding LLP, Washington, D.C.

9:30 Recent Developments in Oil and Gas Law (1 hr)

This session will feature a review of important cases and other developments in oil and gas law over the last year.

- Owen L. Anderson, Professor & Distinguished Oil & Gas Scholar, School of Law and Texas Executive Education Faculty, McCombs School of Business, The University of Texas at Austin, Austin, Texas
- Monika U. Ehrman, Professor of Law, Faculty Director – Oil & Gas, Natural Resources, and Energy Center, The University of Oklahoma College of Law, Norman, Oklahoma

10:30 Break

11:00 Ethics in the Oil Patch: Hot Button Issues in Oil & Gas Transactions and Litigation (1 hr ethics)

This session surveys a variety of issues that impact the practice of both in-house and outside counsel in the oil and gas industry. Topics will include an overview of ethical rules governing lawyers, as well as discussion of specific cases and the lessons they teach. Particular emphasis will be placed on ethics in negotiations, attorney-client privilege issues, and recent appellate opinions that impact energy litigation.

- Geoff Gannaway, Beck Redden LLP, Houston, Texas

12:00 Networking Luncheon

U.S. TRANSACTIONAL MODULE

Phyllis Y. Young, Module Chair
McGuireWoods, Houston, Texas

1:30 Getting the Deal Done: A Discussion of Key Negotiation Points in Oil and Gas M&A (.75 hr)

This presentation will focus on current trends and key negotiation points in upstream and midstream oil and gas deals.

Moderators: Patrick M. Knapp, McGuireWoods, Dallas, Texas and Jeffrey S. Muñoz, Latham & Watkins LLP, Houston, Texas

Panelists:
- James Lebeck, Chief Legal Officer, Encino Energy, LLC, Houston, Texas
- Melinda Yee, Partner, Risk & Financial Advisory, Deloitte, Houston, Texas

1:30 Rethinking the Battle of the Experts: Strategies to Avoid Expert Fatigue in Oil & Gas Litigation (.75 hr)

This presentation will focus on the pros and cons of multiple experts in oil and gas litigation and strategies to determine whether you really need an expert witness.

Moderator: Kevin T. Jacobs, Baker Botts L.L.P., Houston, Texas

Panelists:
- David Baggett, Founder & Managing Partner, Opportune LLP, Houston, Texas
- Dan Jacks, Ph.D., EDGE Litigation Consulting LLC, Kingwood, Texas
- Tan Pham, Senior Counsel - Litigation, Total American Services, Inc., Houston, Texas
2:15 Litigation Over “Informal” Oil and Gas Deals and Agreements (.75 hr)

This session will explore the strategies for dealing with disputes that arise from informal oil and gas deals where either the relationship has not been “papered up” or the papers no longer reflect the relationship.

- Megan S. Haines, McGuireWoods, Pittsburgh, Pennsylvania
- Yasser A. Madriz, McGuireWoods, Houston, Texas

2:15 Bull or Bear? The State of Upstream Capital Markets and Finance and Trends in Restructuring Transactions (.75 hr)

Oil and gas companies seem to be doing more with less and CFOs are having to be increasingly creative in response. At the same time, commercial banks are limiting their exposure to oil and gas investments. This session will discuss how oil and gas companies are responding to the current trends in the capital markets and finance, and whether restructuring is an option.

- Nick S. Dhesi, Latham & Watkins LLP, Houston, Texas
- Kraig P. Grahmann, Haynes and Boone, LLP, Houston, Texas
- Demetra L. Liggins, Thompson & Knight LLP, Houston, Texas

3:00 Break > Sponsored by

3:15 New Issues in Royalty Litigation (.75 hr)

This presentation will discuss the latest issues in royalty litigation around the country. The discussion will include treatment of unleased owners in forced pooling units, allocation of costs of infrastructure and capacity reservation among working interest owners and to royalty owners. The session will also review underpayment cases where the lessee allegedly improperly deducted a proportionate share of transportation and fractionation fees from royalties despite an express “no deducts” wording in the lease.

- Daniel T. Donovan, Kirkland & Ellis LLP, Washington, D.C.
- Guy Stanford Lipe, Vinson & Elkins LLP, Houston, Texas

3:15 The State of Play for Representation and Warranty Insurance in Oil and Gas Deals (.75 hr)

The use of transaction-focused insurance capital continues to be a prevalent tool to facilitate cleaner exits for sellers, while providing buyers with protection for post-closing losses related to liabilities associated with a transaction. The panel will discuss the latest trends in the market concerning reps/warrantees insurance, recent developments in the upstream sector and the steps companies should take to navigate the claims process.

Moderator: Phyllis Y. Young, McGuireWoods, Houston, Texas
Panelists:
- Karina Amelang, General Counsel, Solugen, Inc., Houston, Texas
- Jonathan Whalen, Gibson, Dunn & Crutcher LLP, Dallas, Texas
- Matthew Wiener, Senior Vice President, Aon, Houston, Texas

4:00 What to Do When the Other Side Goes Bust? Contingency Planning When Your Opponent Threatens Insolvency (.75 hr)

In the face of the threat of insolvency from a player with whom you have a nascent dispute or an actual litigation, what can you do? In this session, experienced bankruptcy practitioners will talk through the impact of bankruptcy on existing or threatened litigation, the process if bankruptcy is filed, the valuation of claims in bankruptcy court, and determining the financial strength of the debtor.

- Liz Freeman, Jackson Walker LLP, Houston, Texas
- Chad J. Husnick, Kirkland & Ellis LLP, Chicago, Illinois
THURSDAY, FEBRUARY 20

U.S. TRANSACTIONAL MODULE, CONT.

**4:00 Fueling the Future: What Transactional Attorneys Need to Know About Legal Trends and Issues Facing Oil and Gas Companies in the Current Climate (.75 hr)**

As the climate change discussion continues, and companies look for ways to reduce carbon emissions, is renewable natural gas the answer? This panel will discuss current legal trends facing upstream and midstream companies, the changing dynamics facing the oil and gas industry around environmental sustainability, and the reduction of carbon emissions. This session will also include a discussion of issues that transactional attorneys should focus on in anticipation of climate change issues.

**Moderator:** Daniella D. Landers, Reed Smith LLP, Houston, Texas

**Panelists:**
- Gregory V. Brown, General Counsel and Secretary, Evolution Well Services, The Woodlands, Texas
- Jason M. Ryan, Senior Vice President and General Counsel, CenterPoint Energy, Houston, Texas

**4:45 Adjourn 1st Day >**

**THE JOHN ROGERS AWARD RECEPTION AND DINNER**

6:15 p.m. Reception
7:15 p.m. Dinner and Award Ceremony at the Petroleum Club of Houston
1201 Louisiana Street
Houston, Texas 77002

The John Rogers Award is presented annually by the Institute for Energy Law of The Center for American and International Law (CAIL) to a person associated with the energy industry in recognition of extraordinary professional and civic achievement. The Award was established in 1969 in honor of John Rogers of Tulsa, Oklahoma, and in recognition of Mr. Rogers’ exemplary life, his great interest in legal education, and his invaluable services to CAIL.

**Honoring**

LYNN LAVERY ELSENHANS
Former Chairman and CEO
Sunoco and Sunoco Logistics
Houston, Texas

**Sponsored by**

Bracewell
ConocoPhillips
Eversheds Sutherland
EY
FTI Consulting
Latham & Watkins
Mayer Brown
Steptoe & Johnson
Sidley
Norton Rose Fulbright
White & Case
Willkie Farr & Gallagher
FRIDAY, FEBRUARY 21

8:00 A Look Inside the Energy Company Legal Department (1 hr)

This panel of senior industry lawyers will address the concerns of general counsel in operating legal departments in the energy industry and provide advice and guidance regarding new and reliable legal strategies, and the professional challenges they face.

Moderator: Nora T. Brooks, Associate General Counsel – Upstream Unconventionals, Shell Oil Company, Houston, Texas

Panelists:
- Michael P. Donaldson, Executive Vice President, General Counsel and Corporate Secretary, EOG Resources, Inc., Houston, Texas
- Paul R. Owen, Vice President Legal, Equinor US, Houston, Texas
- Kelly B. Rose, Senior Vice President-Legal, General Counsel & Corporate Secretary, ConocoPhillips Company, Houston, Texas
- Natara Williams, General Counsel, Trace Midstream, Houston, Texas

9:00 Break >

9:20 Engaging Outside the Courtroom on Legal Issues Facing the Industry (1.5 hr)

Some of the significant legal issues today are being debated, discussed, and addressed outside the courtroom. This session will discuss the interaction between what is happening in the courtroom, in the media, in the investor space, and around the dinner table.

Moderator: Caitlin Sickles, Director, Government Affairs, Bracewell LLP, Washington, D.C.

Panelists:
- Theodore J. Boutrous, Jr., Gibson, Dunn & Crutcher LLP, Los Angeles, California
- Christopher M. Matthews, Reporter, The Wall Street Journal, Houston, Texas
- Michael J. Rubio, General Manager of ESG Engagement, Chevron Corporation, San Ramon, California

9:20 Trump Administration Trade Policy and Impact on the Energy Industry (.75 hr)

Expanding economic sanctions, re-negotiated trade deals, stepped-up enforcement of U.S. trade laws, tariffs, and beyond, this panel will discuss the Trump Administration’s trade and economic sanctions and their impact on the U.S. energy industry.

- David J. Bertoch, Executive Counsel, Exxon Mobil Corporation, Spring, Texas
- Terra M. Cothran, Senior Counsel, Bechtel Oil, Gas and Chemicals, Houston, Texas
- Greta Lichtenbaum, O’Melveny & Myers LLP, Washington, D.C.

10:05 Increased Scrutiny on Foreign Investments in U.S. Energy; the New CFIUS Rules (.75 hr)

This presentation will address the proposed new CFIUS regulations, recently released and set to become effective no later than February 2020, with expansive definitions of “critical” technology, real estate, and infrastructure that will subject a broad array of energy deals to CFIUS scrutiny. The proposed new regulations and the practical aspects of conducting ongoing operations and negotiating transactions impacted by CFIUS will be discussed.

- Christine E. Savage, King & Spalding LLP, Washington, D.C.
- Jennifer Brand Stockel, Lead Legal Counsel, Equinor US, Houston, Texas
SCHEDULE

FRIDAY, FEBRUARY 21

10:50 Break >

LICENSE TO OPERATE MODULE, CONT.

11:05 Working Together on Legal Challenges to Collectively Preserve the Rule of Law and Support the Industry (1.5 hr)

From collaborating on amicus briefs to supporting legal reform efforts, important legal opportunities exist for the energy industry to work with other industries to preserve the rule of law while supporting the industry. This session will review the most significant recent cases and legal reform efforts related to the energy industry.

Moderator: Elbert Lin, Hunton Andrews Kurth LLP, Richmond, Virginia

Panelists:

- Page C. Faulk, Senior Vice President, Legal Reform Initiatives, U.S. Chamber Institute for Legal Reform, Washington, D.C.
- David E. Slovensky, Senior Vice President, General Counsel and Chief Ethics and Compliance Officer, Southern Company Gas, Atlanta, Georgia
- Peter Tolsdorf, Vice President of Litigation and Deputy General Counsel, National Association of Manufacturers, Washington, D.C.

INTERNATIONAL/LNG MODULE

Vera De Brito de Gyarfas, Module Co-Chair
Mayer Brown LLP, Houston, Texas

11:05 Recent E&P Developments in Brazil and Mexico - Can They Compete with U.S. Shale? (.75 hr)

This session will focus on recent developments and legal issues affecting E&P projects in Brazil and Mexico, and whether the countries can promote development of new international E&P projects given the strong competition and short-term profitability of U.S. shale projects.

Moderator: Vera De Brito de Gyarfas, Mayer Brown LLP, Houston, Texas

Panelists:

- Giovani Loss, Mattos Filho, Rio de Janeiro, Brazil
- Diana Pineda, Gonzalez Calvillo, S.C., Mexico City, Mexico

11:50 U.S. LNG Projects and the Creation of Demand in New Markets (.75 hr)

This session will consider how U.S. LNG export projects are investing/developing new markets to create demand for U.S. LNG.

Moderator: Vera De Brito de Gyarfas, Mayer Brown LLP, Houston, Texas

Panelists:

- Yuliya D. Marcer, Senior Counsel, BP p.l.c., Houston, Texas
- Nate Thomas, Counsel, Mitsui & Co. (U.S.A.), Inc., Houston, Texas

12:35 Deans of Oil and Gas Practice Lecture and Luncheon

- Mark D. Christiansen, Edinger Leonard & Blakley, PLLC, Oklahoma City, Oklahoma

Sponsored by

Baker McKenzie
BakerHostetler
Chevron
Exponent
McGinnis Lochridge
Mills Shirley LLP
Liskow & Lewis
Locke Lord
ExxonMobil
McGuireWoods
FRIDAY, FEBRUARY 21

2:05 A Bipartisan Conversation About Attorney General Activity Focused on the Energy Industry (1 hr)

Numerous state Attorneys General seek to either fill the void left by the Trump administration or to increase their role in putting pressure on the industry through legal actions. We will explore these legal issues in a bipartisan conversation lead by an industry general counsel with two former attorney generals.

**Moderator:** R. Hewitt Pate, Vice President and General Counsel, Chevron Corporation, San Ramon, California

**Panelists:**
- Robert M. McKenna, Orrick, Herrington & Sutcliffe LLP, Former Washington State Attorney General and Former President of the National Association of Attorneys General, Seattle, Washington
- Ken Salazar, WilmerHale, Former US Secretary of the Interior, Former United States Senator from Colorado, and Former Colorado Attorney General, Denver, Colorado

3:05 Ethical Minefields for In-House Counsel: Privilege, Conflicts, and Internal Investigations (1 hr ethics)

This session explores the rules in-house counsel must follow to avoid conflicts of interest and protect the attorney-client privilege when they are called upon to conduct or oversee an internal investigation. The combination of competing legal rules and a fast-moving and high profile investigation can increase the pressure on in-house lawyers to navigate the traps safely both for themselves and their companies. We will study the case of Penn State University and the actions of its General Counsel during the investigation of a highly publicized scandal in its athletic department to draw out the lessons in-house lawyers must learn – or risk becoming the next ethics CLE case study!

- Alison R. Bost, Deputy General Counsel, Womble Bond Dickinson (US) LLP, Charlotte, North Carolina
- Elizabeth L. Riley, Womble Bond Dickinson (US) LLP, Houston, Texas

4:05 Adjourn >
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 numerous educational conferences and seminars each year, publishes papers, periodicals, and provides an important forum in which contemporary issues affecting the energy industries can be discussed. For more information, visit cailaw.org/iel.

2020 COURSE SCHEDULE

ABOUT THE INSTITUTE FOR ENERGY LAW

PROGRAMS at a glance

8th ITA-IEL-ICC Joint Conference on International Energy Arbitration
HILTON HOUSTON POST OAK • HOUSTON, TEXAS

FEB 20-21
71st Annual Oil and Gas Law Conference
JW MARRIOTT HOUSTON - GALLERIA • HOUSTON, TEXAS
Conference Co-Chairs: Kristi McCarthy (Chevron North America Exploration and Production Company, Houston) and Tracie J. Renfroe (King & Spalding LLP, Houston)

MAR 25-27
4th National Young Energy Professionals’ Law Conference
OMNI AUSTIN HOTEL DOWNTOWN • AUSTIN, TEXAS
Conference Co-Chairs: Jonathan Ayre (Orrick, Herrington & Sutcliffe LLP, Houston), Lucas Liben (Reed Smith LLP, Pittsburgh), Juliana Ong (Exxon Mobil Corporation, Spring) and Bryan Rohm (Total American Services, Houston)

APRIL
7th Appalachia Young Energy Professionals’ In-House Counsel Forum
PITTSBURGH AREA, PENNSYLVANIA

MAY 13-14
Environmental and Energy Law Conference
NORRIS CONFERENCE CENTER – HOUSTON CITYCENTRE • HOUSTON, TEXAS
Conference Co-Chairs: Stephen G. Ellison (ConocoPhillips Company, Houston), Margaret Anne Hill (Blank Rome LLP, Philadelphia) and Kirsten L. Nathanson (Crowell & Moring LLP, Washington, D.C.)

SPONSORSHIP OPPORTUNITIES

If your firm or company would like more information about becoming a sponsor, please contact Lilly Hogarth at lhogarth@cailaw.org.
MEMBERSHIP APPLICATION
I wish to join the Institute for Energy Law in the following category:

Membership Category
☐ Associate Membership $650  ☐ Sponsoring Membership $1,000
☐ Supporting Membership $3,500  ☐ Sustaining Membership $6,000
☐ Academic/Government/Non-Profit Membership $395

Member Name ________________________________________________

Payment
☐ Check enclosed payable to: The Center for American and International Law

Credit Card: ☐ Mastercard ☐ Visa ☐ AMEX ☐ Discover

Card number ___________________________ Exp date _____________

Name on card ________________________________________________

Billing address _______________________________________________

Signature ___________________________________________________

Person(s) who will serve on advisory board
1– Name _____________________________________________

Firm/Company/Organization __________________________________

City, State, Postal Code, Country _______________________________

Phone __________________________ Fax _________________________

Email _____________________________________________________

2– Name _____________________________________________

Firm/Company/Organization __________________________________

City, State, Postal Code, Country _______________________________

Phone __________________________ Fax _________________________

Email _____________________________________________________

3– Name _____________________________________________

Firm/Company/Organization __________________________________

City, State, Postal Code, Country _______________________________

Phone __________________________ Fax _________________________

Email _____________________________________________________

(Please make a copy of this page if you will be designating more than three Advisory Board Representatives)

ANNUAL MEMBERSHIP DUES AND BENEFITS

All members with the exception of the entry-level membership for young professionals receive these benefits:

- One or more Advisory Board representatives
- Free attendance for each Advisory Board representative at the Annual Oil & Gas Law Conference
- Free attendance for each Advisory Board representative and a guest at the reception and dinner on the eve of the Annual Oil & Gas Law Conference
- Member discount (~20%) at other IEL programs
- Receipt of IEL publications

Associate Membership – $650  
(open to individuals only)

- Member is Advisory Board representative
- Appears in membership lists under member’s name
- Recognition as an Associate Member

Supporting Membership – $3,500  
(open to corporations, firms, and other organizations)

- One Advisory Board representative
- Choice of appearing in membership lists by firm name or individual name
- Recognition as a Supporting Member

Sustaining Membership – $6,000  
(open to corporations, firms, and other organizations)

- Eight Advisory Board representatives (two under 40)
- The right to designate up to four additional Advisory Board members under 40 for $300 each
- All employees entitled to member discount at IEL programs
- Recognition as a Sustaining Member

Academic/Government/Non-Profit Membership – $395  
(open to universities, government agencies, judicial and arbitral institutions, non-profit corporations and full time employees of such organizations)

- One Advisory Board representative
- Recognition as an Academic/Government/Non-Profit Member

For a complete calendar of IEL programs and further membership information, visit our website at cailaw.org/iel.
REGISTRATION

71st Annual Oil and Gas Law Conference
February 20-21, 2020 • JW Marriott Galleria • Houston, Texas

Advisory Board members attend this conference free of charge and should register using the special link sent to them by email. If you believe you are an Advisory Board member and have not received the special link, call 972.244.3421 or email vadams@cailaw.org.

Registration includes the Conference, the John Rogers Award Reception and Dinner, meals and the course material provided online, which may be printed or saved by customer. Printed course material may be obtained for an additional $150 fee (check additional option below).

Check applicable box:

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<tr>
<td>Non-Member Registration Fee</td>
<td>$745</td>
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<tr>
<td>IEL Supporting or Sustaining Member Employee</td>
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<tr>
<td>IEL Young Energy Professional Member</td>
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<td>CAIL Member or Member Employee</td>
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<td>Government Employee</td>
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<tr>
<td>Full-Time Law Professor</td>
<td>$150</td>
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<tr>
<td>Full-Time Law Student</td>
<td>$150</td>
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<td>Materials Only - Not Attending</td>
<td>$225</td>
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☐ Add $150 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.

☐ $0.00 - I plan to attend the John Rogers Award Reception and Dinner on 2/20 (included in registration).

☐ $150 - I wish to bring a guest to the John Rogers Award Reception and Dinner.**

REGISTRATION ROSTER: Your name & contact information will be included on the Registration Roster, unless you indicate otherwise below.

☐ Include only my name & employer/company’s name on the roster.

☐ Do not include my name & contact information on the roster

Name__________________________________________

Title__________________________________________

Firm/Company/Organization__________________________________________

Address__________________________________________

City, State, Postal Code, Country__________________________________________

Phone__________________________________________Fax__________________________________________

Email__________________________________________

**Please complete the following guest information (if applicable)

Guest Name (name, title, company, city, state)__________________________________________

PAYMENT INFORMATION

☐ Check enclosed payable to: The Center for American and International Law

Credit Card: ☐ Mastercard ☐ Visa ☐ AMEX ☐ Discover

Card number_______________________Exp date_______________________CSC______

Name on card__________________________________________

Billing address (if different than above address)__________________________________________

Signature__________________________________________

GENERAL INFORMATION

CANCELLATION POLICY: Tuition less a $50 cancellation fee will be refunded upon receipt of written cancellation received by January 30, 2020. Email kjohnson@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 online course materials.

HOUSING: The cost of housing is not included in tuition. However, rooms (in limited number) have been reserved at the JW Marriott Houston by the Galleria, 5150 Westheimer Road, Houston, TX 77056. Registrants should call 1.713.961.1600 and advise them they are attending the “IEL – Annual Oil & Gas Law Conference” to receive a reduced room rate of $209 ++ per night. The last day to obtain this special rate is January 29, 2020. Room block available from February 18–21, 2020.

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