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
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
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
<table>
<thead>
<tr>
<th>Event Description</th>
<th>Date</th>
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<tbody>
<tr>
<td>Houston, TX Dec 4, 2014</td>
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<tr>
<td>International Energy Arbitration</td>
<td>Houston, TX</td>
<td>Jan 15-16, 2015</td>
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<td>Houston, TX</td>
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<td>Career Paths for Young Energy Attorneys</td>
<td>Houston, TX</td>
<td>Mar 27-28, 2015</td>
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<tr>
<td>Mergers &amp; Acquisitions / Acquistions &amp; Disposals</td>
<td>Houston, TX</td>
<td>Apr 2015</td>
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<td>Conference</td>
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<td>2nd Mineral Title Course</td>
<td>Houston, TX</td>
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