

# HYDRAULIC FRACTURING

## Environmental Quality & America's Energy Future

June 7-8, 2012 • St. Regis • HOUSTON

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## THURSDAY

**Happy Hour!** and  
Private Networking  
Reception Sponsored by  
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### Dear Colleague:

What is Hydraulic Fracturing, or HF, really? How does it affect you? What do you need to know to effectively advocate for your clients? What is the appropriate balance between investing in America's energy future and protecting our environmental quality?

Get the answers to these questions and more at CLE International's Conference on Hydraulic Fracturing. The **new expanded two-day format** will give you an in-depth understanding of the relevant issues. Experts from the legal, environmental, energy, scientific and governmental communities will engage in lively debate and provide you with the latest information on this important and evolving topic.

What is responsible energy development? Are the concerns around HF founded? Where are the real opportunities to improve groundwater protection?

Come to Houston and find out. We look forward to seeing you in June.

Sincerely,



*Keith B. Hall*

**Keith B. Hall, Esq.**  
Program Co-Chair

Stone Pigman Walther Wittmann, New Orleans, LA



*Barclay*

**Barclay Nicholson, Esq.**  
Program Co-Chair

Fulbright & Jaworski, Houston, TX

Schedule and Information Inside

**REGISTER NOW!** [www.cle.com/responsible](http://www.cle.com/responsible) or (800) 873-7130

**Thursday, June 7**

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome and Introduction**  
Overview of Day One  
**Keith B. Hall, Esq., Program Co-Chair**  
Stone Pigman Walther Wittmann, New Orleans, LA  
**Barclay Nicholson, Esq., Program Co-Chair**  
Fulbright & Jaworski, Houston, TX
- 8:45 **HF 101: Perceptions and Facts**  
What Is Hydraulic Fracturing, Really? Public Perception of Fracking; Organized Opposition; Public Relations; Media Attention; The State of Frac Fluid Disclosure Laws Across the Country  
**Gabrielle A. Sitomer, Esq.**  
Vinson & Elkins, Houston, TX
- 9:45 Networking Break
- 10:00 **Technical Overview**  
Developing Protections for Groundwater Resources in Areas of Hydraulic Fracturing  
**R. Jeffrey Davis, PE, Senior Consultant**  
Cardno ENTRIX, Salt Lake City, UT
- 10:45 **The Role of State Agencies in Hydraulic Fracturing**  
Texas: **Keith Strama, Esq.**  
Beatty, Bangle & Strama, Austin, TX  
Oklahoma: **James W. Collins, PE, Member Representing the Independent Petroleum Association of America**  
STRONGER Board, Tulsa, OK  
Louisiana: **Keith B. Hall, Esq., Program Co-Chair**
- 12:00 **Q&A Panel**  
Members of the Faculty
- 12:15 Lunch Break
- 1:30 **The Intersection of the Endangered Species Act with the Oil and Gas Industry**  
The Sagebrush Lizard and Other Important Considerations  
**David P. Smith, Esq.**  
Graves Dougherty, Austin, TX
- 2:15 **Water Issues Affecting Hydraulic Fracturing**  
A Discussion of the Regulatory Distinctions Between Surface Water and Groundwater; Permitting and Exemption Issues; What Does Your Producers' 99 Get You? Practical Pointers for Landmen and Landowners  
**Edmond R. McCarthy Jr., Esq.**  
Jackson, Sjoberg, McCarthy & Townsend, Austin, TX
- 3:00 Networking Break
- 3:15 **The Availability of Water – Emerging Issues of Water Quantity**  
Regulatory Framework, Potential Lawsuits and Ancillary Topics  
**Adam Orford, Esq.**  
Marten Law Group, Portland, OR
- 4:00 **Ethics**  
10 Steps to Ethical and Effective Negotiation  
**J. Kent Newsome, Esq.**  
Greenberg Traurig, Houston, TX
- 5:00 **Q&A Panel**  
Members of the Faculty
- 5:15 Adjourn to **Happy Hour!** and Private Networking Reception  
Sponsored by Conference Exhibitor:

**Friday, June 8**

- 8:00 Continental Breakfast
- 8:30 **Welcome Back**  
Overview of Day Two  
**Keith B. Hall, Esq., Program Co-Chair**  
**Barclay Nicholson, Esq., Program Co-Chair**
- 8:45 **Update on the Range Production Company Cases**  
EPA Issues: **John A. Riley, Esq.**  
Bracewell & Giuliani, Austin, TX  
Railroad Commission Issues and Litigation: **David Jackson, Esq.**  
Jackson, Sjoberg, McCarthy & Townsend, Austin, TX  
Texas State Court Litigation: **Andrew D. Sims, Esq.**  
Harris, Finley & Bogle, Fort Worth, TX
- 10:15 Networking Break
- 10:30 **Federal and State Update**  
Overview and Recap of Important Regulations, Studies and Cases  
**Barclay Nicholson, Esq., Program Co-Chair**
- 11:30 **Air Quality**  
Emissions of Hazardous Air Pollutants from HF Operations; Methane Emissions from HF E&P; Use of Remote Sensing to Improve Estimates of Emissions (VOCs, HAPs, GHGs)  
**Steven H. Ramsey, PE, BCEE, Principal Consultant**  
ENVIRON, Houston, TX
- 12:15 **Q&A Panel**  
Members of the Faculty
- 12:30 Lunch Break
- 1:45 **Representing the Environmental Interest**  
Insights from a Plaintiff's Attorney  
**Marc J. Bern, Esq.**  
Napoli Bern Ripka Shkolnik, New York, NY
- 2:30 **Hydraulic Fracturing from a Geologic Perspective**  
Selected Issues from the Eagle Ford Play  
**Robert Traylor, PG, CPG**  
Groundwater Advisory Unit, Railroad Commission of Texas  
Austin, TX
- 3:15 Networking Break
- 3:30 **SEC Implications for Hydraulic Fracturing**  
Responses to Increased Enforcement and Disclosure Scrutiny  
**Gerard G. Pecht, Esq.**  
Fulbright & Jaworski, Houston, TX
- 4:15 **Fracking in Court**  
Litigation Trends Spawned by Hydraulic Fracturing  
**Megan Bibb, Esq.**  
**Elizabeth E. Klingensmith, Esq.**  
**Michael J. Mazzone, Esq.**  
Haynes and Boone, Houston, TX
- 5:00 **Q&A Panel**  
Members of the Faculty
- 5:15 Evaluations and Adjourn

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# MEET YOUR DISTINGUISHED FACULTY

## PROGRAM CO-CHAIRS

**Keith B. Hall** practices oil and gas law, environmental law, toxic tort litigation, and complex commercial litigation. He is Chair of the New Orleans Bar Association's Oil and Gas Section, a member of the Louisiana Mineral Law Institute's Advisory Council, a member of the Advisory Council for the Louisiana State Bar Association's Environmental Law Section, and teaches at Loyola University School of Law in New Orleans. He writes "Recent Developments in Mineral Law" for the bimonthly *Louisiana Bar Journal*, is the co-author of a chapter in a forthcoming treatise on Louisiana mineral law, and is the author of *Oil & Gas Law Brief*, a blog that discusses news and legal developments relating to the oil and gas industry.

**Barclay Nicholson** focuses his practice on energy and business disputes. He has significant experience in handling energy-related litigation and has represented a broad range of clients, including some of the world's major oil and gas producing and refining companies, as well as some of the nation's biggest drilling and E&P companies. He serves on his firm's Shale and Hydraulic Fracturing Task Force, has authored numerous articles and given speeches across the nation on this topic, and he also serves as the editor of a blog devoted to hydraulic fracturing.

## FACULTY

**Marc J. Bern, Esq.**  
Napoli Bern Ripka Shkolnik, New York, NY

**Megan Bibb, Esq.**  
Haynes and Boone, Houston, TX

**James W. Collins, PE, Member  
Representing the Independent Petroleum  
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Graves Dougherty, Austin, TX

**Keith Strama, Esq.**  
Beatty, Bangle & Strama, Austin, TX

**Robert Traylor, PG, CPG**  
Groundwater Advisory Unit  
Railroad Commission of Texas, Austin, TX

**CLE INTERNATIONAL PROGRAM ATTORNEY:**  
Kerry Mason, kerry@cle.com

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### Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

### Tuition

- \$695 per person
- \$595 each for two or more
- \$595 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$495 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

### Course materials available in:

- CD  Binder  Both (Extra cost: \$50/set)

### Home Study

- Audio transcript and course materials
- \$695 plus \$10 shipping and handling

### Course Materials Only

- \$150 plus \$10 shipping and handling

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Litigation Trends Spawned by Fracking

SEC Implications for Hydraulic Fracturing

Emerging Issues of Water Quantity

Update on the Range Production Company Cases

...and more!

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