

**2003 Ernest E. Smith Oil, Gas & Mineral Law Institute**  
**March 21, 2003 • Westin Oaks Hotel • Houston, TX**  
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**Friday Morning, Mar. 21, 2003**

8:30 am In Houston Only 1.00 hr	<b>Case Law Update</b>  A review of recent decisions dealing with oil and gas leases, royalties, mineral conveyances, joint operating agreements, state regulation and related topics.  Ernest E. Smith III, University Of Texas School Of Law - Campus Mail, D1800, TX
9:30 am In Houston Only 0.75 hr	<b>Operator Liability, Marketing Obligations, Tension Points, and Royalty Calculations under Joint Operating Agreements</b>  Obligations and liabilities under AAPL operating agreements, including exculpatory clauses and issues that arise between large company operators and independent non-operators.  Robert C Grable, Kelly, Hart & Hallman, L.L.P. - Fort Worth, TX
10:30 am In Houston Only 0.75 hr	<b>Prosecuting and Defending Failure to Develop Cases: Learning the 3 E's</b>  In addition to reviewing case law on all aspects of implied and express covenant to develop claims, this presentation will also discuss the substantive background needed to prosecute and defend such claims, as well as how such claims can and should be tried to juries.  W. Mark Cotham, Cotham, Harwell & Evans - Houston, TX
11:15 am In Houston Only 0.75 hr	<b>Liability for Surface Damages</b>  This article discusses surface damage liability to oil field operators and oil field service companies under a variety of legal theories.  Geoffrey H. Bracken, Gardere Wynne Sewell LLP - Houston, TX

**Friday Afternoon, Mar. 21, 2003**

12:15 pm In Houston Only 0.50 hr	<b>Box Lunch Presentation: Legislative Update</b>  What's happening under the pink dome, bills filed thus far, and what to expect from the legislature affecting the oil & gas industry.  Benjamin Ward Sebree, Austin, TX
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1:30 pm In Houston Only 0.50 hr	<p><b>Cutting Corners in Title Opinions: What to Do When Your Client Asks for Less</b></p> <p>This paper examines limitations on the scope of title examination, particularly the legal, ethical, and practical implications of a title examiner's reliance on prior opinions, run sheets, abstracters' and clerks' indexes, and other materials short of certified abstracts from sovereignty. It includes suggestions for exculpatory clauses that may limit the attorney's opinion and exposure.</p> <p>William B. Burford, Hinkle, Hensley, Shanor &amp; Martin, L.L.P. - Midland, TX</p>
2:00 pm In Houston Only 0.50 hr	<p><b>Saying What You Mean: Describing Depth and Formation Limitations in Oil and Gas Documents</b></p> <p>Words, phrases, and tools for mineral ownership that changes with depth.</p> <p>William T. George, McGinnis, Lochridge &amp; Kilgore, L.L.P. - Austin, TX</p>
2:30 pm In Houston Only 0.50 hr	<p><b>International Oil &amp; Gas: Domestic Influences</b></p> <p>A discussion of certain domestic issues that influence how U.S. companies negotiate and operate under host country contracts.</p> <p>Michael P. Darden, Baker Botts LLP - Houston, TX</p>
3:15 pm In Houston Only 0.75 hr	<p><b>Representing the Operator or Purchaser When Bankruptcy Looms: A Practical Guide to What the Advice Should Be Today</b></p> <p>A practical guide for the oil and gas attorney in resolving bankruptcy issues arising in connection with oil and gas leases and operating agreements with emphasis on the enforcement of creditor remedies including lien enforcement. This session will also deal with the defense of trustee preference actions under 11 USC Section 547 and regulatory compliance.</p> <p>Michael A. McConnell, Kelly Hart &amp; Hallman - Fort Worth, TX</p>
4:00 pm In Houston Only 0.50 hr	<p><b>Securities Law Issues Every Oil and Gas Lawyer Should Know About</b></p> <p>Since the sale of an undivided interest in oil and gas is considered the sale of a security and since Texas leads the nation in sales of those interests, this presentation will provide Texas lawyers with a practical primer on how securities laws affect their oil and gas clients.</p> <p>David Michael Patton, Locke Liddell &amp; Sapp LLP - Houston, TX</p>
4:30 pm In Houston Only 0.75 hr	<p><b>Termination of Oil &amp; Gas Leases: Including NGPL vs. Pool and Coverage of Affirmative Defenses, Savings Clauses, and Adverse Possession</b></p> <p>Refresher on lease termination issues, including savings clauses, marginal production, temporary cessation, and revivor. In depth analysis of NGPL v. Pool, especially adverse possession and temporary cessation.</p> <p>Calhoun Bobbitt, Drought, Drought &amp; Bobbitt, L.L.P. - San Antonio, TX</p>