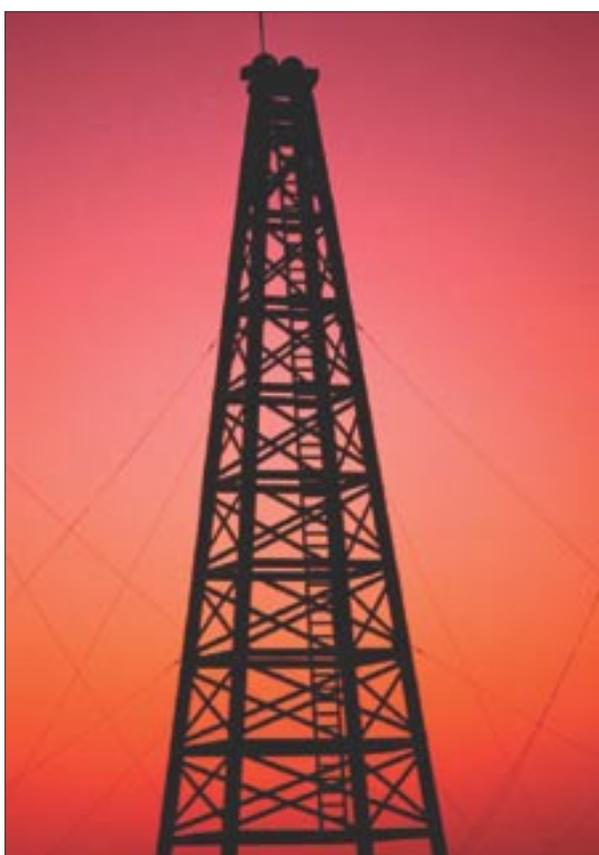


30th Annual  
ERNEST E. SMITH  
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Specialization approved for: Oil, Gas & Mineral Law



March 26, 2004  
InterContinental Hotel  
Houston, Texas

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**FRIDAY MORNING, MARCH 26**

**Presiding Officer:**  
**William B. Burford, Midland**

**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:20 a.m. Welcoming Remarks**

**8:30 a.m. (1.00 hour)**

**Case Law Update**

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, Austin

**9:30 a.m. (0.50 hour)**

**Dispute Resolution Planning**

Dispute resolution choices: Forum, Arbitrators, Site, Arbitral Rules, with emphasis on drafting issues and solutions for multi-step dispute resolution with multiple contracts and parties.

John P. Bowman, Houston

**10:00 a.m. Break**

**10:15 a.m. (0.75 hour)**

**Today's Marketing, Yesterday's Leases, Check Stub Statutes: The Perfect Storm?**

An examination of the issues confronting producers in the proper payment and reporting of royalty arising from the disconnect between traditional lease royalty clauses, modern marketing practices and statutory requirements for reporting the calculation of royalty.

Allen D. Cummings, Houston

**11:00 a.m. (0.50 hour)**

**Environmental Case Law Update**

Update of environmental case law impacting the oil, gas and natural resources industries.

Daniella D. Landers, Houston

**11:30 a.m. (0.50 hour)**

**Revisiting the Doctrine of After Acquired Title**

A review with emphasis on enforcing and defending the doctrine.

Susan A. Stanton, Houston  
 Paper by Susan A. Stanton and Donald G. Sinex

**12:00 p.m. Pick Up Box Lunch**

**12:15 p.m. (0.50 hour)**

**Luncheon Presentation: Texas General Land Office: Past & Present**

Jerry Patterson, Commissioner  
 Texas General Land Office, Austin

Sponsored Luncheon: Please select Luncheon option on registration form to attend.

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**FRIDAY AFTERNOON**

**Presiding Officer:**  
**William B. Burford, Midland**

**12:45 p.m. (0.75 hour)**

**Engineering and Geologic Testimony in Oil and Gas Cases (When the "Science" of Engineering Meets the Long Arm of the Law)**

A primer on engineering and geologic testimony, and exhibits, in drainage, development, and pooling, cases and disputes under JOA's — including *Daubert/Robinson* challenges to such testimony.

E.R. "Ed" Norwood, Houston



**1:30 p.m. (0.50 hour)**

**The Aftermath of the Pool Case**

Discussion of the Texas Supreme Court's recent decision in *NGPL vs. Pool* and analysis of the court's application of the doctrines of adverse possession and temporary cessation of production and the possible effects of that decision on future lease termination cases and other causes of action.

Laura H. Burney, San Antonio

**2:00 p.m. (0.50 hour)**

**The Implied Covenant to Protect - Revisited**

A review of the doctrinal underpinnings of this implied covenant, the situations in which it applies in Texas, and the measure of damages for breach of the covenant.

Michael D. Jones, Houston

**2:30 p.m. Break**

**2:45 p.m. (0.50 hour)**

**Contract Notices - More than a Formality**

A discussion of the requirements imposed by notice and consent provisions contained in joint operating agreements in Texas.

Steven C. Kiser, Midland

**3:15 p.m. (0.50 hour)**

**Offshore: Issues Associated with Transfer of Operations to Smaller Operators**

An examination of various issues typically addressed in Purchase and Sale Agreements of particular significance in sales of offshore producing properties to smaller operators, including security for plugging and abandonment liability by bonds or escrow arrangements and the interplay between such security and MMS bonding requirement issues.

R. Thomas Jorden, Jr., Lafayette, LA

**3:45 p.m. (0.75 hour ethics/PR topic)**

**The 11 Commandments of Professional Responsibility**

A session of informative and entertaining parables covering ethics and professional responsibility.

Michael Sean Quinn, Austin

**4:30 p.m. Adjourn**

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## Upcoming UTCLE Conferences

### March 2004

**VALCON: The Conference on Bankruptcy Valuation**  
March 4 - 5, 2004 - Austin - The Four Seasons Hotel

**Land Use Planning Law Conference**  
March 4 - 5, 2004 - Austin - Renaissance Hotel

**Telecommunications Law Conference**  
March 11 - 12, 2004 - Austin - Hyatt Hotel

**Corporate Counsel Institute**  
March 25 - 26, 2004 - Houston - InterContinental Hotel

**Oil, Gas & Mineral Law Institute**  
March 26, 2004 - Houston - InterContinental Hotel

### April 2004

**The Leasing Institute**  
April 1 - 2, 2004 - Houston - InterContinental Hotel

**Immigration Fundamentals: Removal, Relief, and Adjustment**  
April 1 - 2, 2004 - Houston - InterContinental Hotel

**Health Law Conference**  
April 15 - 16, 2004 - Houston - Four Seasons Hotel

**Corporate Counsel Institute**  
April 22 - 23, 2004 - Dallas - Adolphus Hotel

**The Leasing Institute**  
April 29 - 30, 2004 - Dallas - Cityplace

**Immigration Fundamentals: Removal, Relief, and Adjustment**  
April 29 - 30, 2004 - Dallas - Cityplace

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### REGISTRATION - Includes printed materials in course binder.

- Early Registration Fee due by Wed., March 17, 2004 ..... \$245.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*
- Registration Fee after Wed., March 17, 2004 ..... \$295.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*
- Sponsored Luncheon Presentation with Jerry Patterson ..... Included

### ALSO AVAILABLE - Allow 2-3 weeks from conference date for delivery.

- Printed materials in course binder \* ..... \$120.00  
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## About the Hotel



**InterContinental Houston**  
2222 West Loop South  
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(713) 627-7600

\$129 single or double special group rate good through **February 24, 2004**

Parking: \$5.00 self-parking; \$9.00 valet

### Key dates:

Cancellations & last-minute registrations

**March 17, 2004, 5 p.m.**

- last day for early registration add \$50 for registrations received after this time

**March 19, 2004, 5 p.m.**

- last day for full refund

**March 22, 2004, 5 p.m.**

- (Monday before conference)
- last day for partial refunds (\$50 processing fee applied)

**March 26, 2004, 8:30 a.m.**

- conference begins

**M  
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E**

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.25 hours, of which 0.75 credit hours will apply to legal ethics/professional responsibility credit.

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