

2004 Ernest E. Smith Oil, Gas & Mineral Law Institute
March 26, 2004 • InterContinental Hotel • Houston, TX

Friday Morning, Mar. 26, 2004

Presiding Officer:

William B. Burford, Hinkle, Hensley, Shanor & Martin, L.L.P. - Midland, TX

8:30 am 1.00 hr	<p>Case Law Update</p> <p>A review of recent decisions dealing with oil and gas leases, royalties, mineral conveyances, joint operating agreements, state regulation and related topics.</p> <p>Ernest E. Smith III, University Of Texas School Of Law - Campus Mail, D1800, TX</p>
9:30 am 0.50 hr	<p>Dispute Resolution Planning</p> <p>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.</p> <p>John P. Bowman, Fulbright & Jaworski - Houston, TX</p>
10:15 am 0.75 hr	<p>Today's Marketing, Yesterday's Leases, Check Stub Statutes: The Perfect Storm?</p> <p>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.</p> <p>Allen D. Cummings, Law Offices Of Allen D. Cummings - Houston, TX</p>
11:00 am 0.50 hr	<p>Environmental Case Law Update</p> <p>Update of environmental case law impacting the oil, gas and natural resources industries.</p> <p>Daniella D. Landers, Epstein Becker Green Wickliff & Hall PC - Houston, TX</p>
11:30 am 0.50 hr	<p>Revisiting the Doctrine of After Acquired Title</p> <p>A review with emphasis on enforcing and defending the doctrine.</p> <p>Susan A. Stanton, Susan A Stanton PC - Houston, TX</p>

Friday Afternoon, Mar. 26, 2004

Presiding Officer:

William B. Burford, Hinkle, Hensley, Shanor & Martin, L.L.P. - Midland, TX

12:15 pm 0.50 hr	<p>Texas General Land Office: Past & Present</p>
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12:45 pm 0.75 hr	<p>Engineering and Geologic Testimony in Oil and Gas Cases (When the “Science” of Engineering Meets the Long Arm of the Law)</p> <p>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.</p> <p>Edgar R. Norwood, The Norwood Law Firm - Liberty, TX</p>
1:30 pm 0.50 hr	<p>The Aftermath of the <i>Pool</i> Case</p> <p>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.</p> <p>Laura H. Burney, Attorney at Law - San Antonio, TX</p>
2:00 pm 0.50 hr	<p>The Implied Covenant to Protect - Revisited</p> <p>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.</p> <p>Michael D. Jones, Attorney at Law - Houston, TX</p>
2:45 pm 0.50 hr	<p>Contract Notices - More Than a Formality</p> <p>A discussion of the requirements imposed by notice and consent provisions contained in joint operating agreements in Texas.</p> <p>Steven C. Kiser, Lynch Chappell & Alsup - Midland, TX</p>
3:15 pm 0.50 hr	<p>Offshore: Issues Associated with Transfer of Operations to Smaller Operators</p> <p>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.</p> <p>R. Thomas Jorden Jr., Gordon Arata McCollam Duplantis & Eagan - Lafayette, LA</p>
3:45 pm 0.00 hr 0.75 hr ethics	<p>The 11 Commandments of Professional Responsibility</p> <p>A session of informative and entertaining parables covering ethics and professional responsibility.</p> <p>Michael Sean Quinn, Quinn Hayes & Quinn - Austin, TX</p>