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**Donald B. Craven**  
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# 6th Annual Energy LITIGATION CONFERENCE

WESTIN GALLERIA HOTEL • HOUSTON, TEXAS

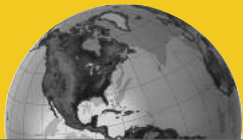


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ABA SECTION OF  
**ENVIRONMENT**  
ENERGY AND RESOURCES

## October 10, 2007

### HIGHLIGHTS

- ▶ **Hosted Luncheon** –  
Special Achievement in Energy Litigation Award  
*Honoring*  
GENE W. LAFITTE  
Liskow & Lewis
- ▶ Impact of Climate Change
- ▶ Climate Change Litigation
- ▶ Energy Legislation in the 110th Congress
- ▶ FERC's Enforcement Authority
- ▶ *Qui Tam* Litigation
- ▶ Accounting for Uncertainty

*"The best single-day CLE  
I have ever attended."*

*"Fabulous panels with tremendous speakers.  
This ought to be televised. I felt lucky to be here."*

- ▶ Register TODAY  
to attend this  
informative program.
- ▶ 6.75 hours of MCLE  
Credit available!

2006 Participants

# 6th Annual ENERGY LITIGATION CONFERENCE

## SCHEDULE OF EVENTS

8:45 WELCOME

9:00 HOW CLIMATE CHANGE WILL AFFECT YOUR CLIENTS' BUSINESSES  
AND YOUR LAW PRACTICE

**Navigating a Carbon-Constrained World:** Ken Mehlman (Akin Gump) and Ken Cohen (Exxon Mobil) present two sides of the impending regulation of greenhouse gas emissions. Using the U.S. Climate Action Partnership proposal as a model, Ken Mehlman outlines the coming legislative battleground, describing challenges and opportunities for your clients' businesses and your law practice. Ken Cohen presents Exxon Mobil's perspective on the legislative initiatives under consideration, identifying the risks and benefits posed by the competing schemes, and the challenges that lie ahead.

**Kenneth B. Mehlman**

Akin Gump Strauss Hauer & Feld LLP  
Washington, D.C.

**Kenneth P. Cohen**

Vice President, Public Affairs, Exxon Mobil Corporation  
Irving, Texas

10:00 CLIMATE CHANGE LITIGATION – A PANEL DISCUSSION

The panel members, representing both private practice and leading environmental groups, will define the nature and breadth of the issues presented, the cost and scope of the potential remedies, and the strategies for prosecuting and defending these cases. The panel's experience on these issues range from the recent Supreme Court decision in *Massachusetts v. EPA*, to the public nuisance case against electric utilities pending in the Second Circuit, to the trial court cases arising out of Hurricane Katrina.

**Donald B. Craven, Moderator**

Akin Gump Strauss Hauer & Feld, LLP  
Washington, D. C.

**David T. Buente, Jr.**

Sidley Austin LLP  
Washington, D.C.

**William M. Bumpers**

Baker Botts L.L.P.  
Washington, D.C.

**David D. Doniger**

Natural Resources Defense Council  
Washington, D.C.

**Matthew F. Pawa**

Law Offices of Matthew F. Pawa  
Newton Centre, Massachusetts

11:00 BREAK



*"Great topic  
and speakers. I  
will be able to use  
what was presented in  
my own practice."*

2006 Participant



## SCHEDULE OF EVENTS

### 11:15 ENERGY LEGISLATION IN THE 110TH CONGRESS

The panel members, representing major U.S. energy firms and experienced legislative advocates on matters of energy and environmental policy in Washington, will review energy legislation in the 110th Congress. They will discuss the new Democratic Leadership's emphasis on "clean energy" and energy independence, and will speculate on legislative outcomes.

**Jonathan M. Weisgall, Moderator**

Vice President – Legislative and Regulatory Affairs  
MidAmerican Energy Holdings Company  
Washington, D.C.

**Lisa Epifani**

Special Assistant to the President for Economic Policy  
National Economic Council  
Washington, D.C.

**Sara Glenn**

Director of Federal Government Relations, Senior Counsel of Upstream  
Shell Oil Company  
Washington, D.C.

**Mark W. Menezes**

Hunton & Williams  
Washington, D.C.

12:15 - 1:15

### HOSTED LUNCHEON

#### SPECIAL ACHIEVEMENT IN ENERGY LITIGATION AWARD

*Honoring*  
**GENE W. LAFITTE**  
Of Counsel  
Liskow & Lewis  
New Orleans, Louisiana

*Co-Sponsored by*  
**BECK, REDDEN & SECRET, L.L.P.**  
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**LISKOW & LEWIS**



### 1:15 FALSE CLAIMS ACT / QUI TAM LITIGATION

The panel members will discuss, from the perspectives of the federal government and the plaintiffs and defense bars, current issues in False Claims Act litigation, with a particular focus on implications for the energy industry. They will discuss, among other topics, the factors influencing the federal government's decision to bring or intervene in a False Claims Act or *Qui Tam* action; cutting edge theories of liability; effective strategies for the defense, including innovative pre-emptive steps to reduce exposure to liability; and emerging trends in the case law. The panel members have had front-line responsibility in some of the most significant False Claims Act and *Qui Tam* actions involving the energy industry.

**Charles D. Tetrault, Moderator**

Vinson & Elkins LLP  
Washington, D.C.

**Michael Granston**

Deputy Director, Commercial Litigation Branch, Fraud Section, Civil Division  
U.S. Department of Justice  
Washington, D.C.

**Spencer Hosie**

Hosie McArthur LLP  
San Francisco, California

**Robert S. Salcido**

Akin Gump Strauss Hauer & Feld LLP  
Washington, D.C.

## SCHEDULE OF EVENTS

### 2:15 FERC ENFORCEMENT AUTHORITY INVESTIGATIONS UNDER THE ENERGY POLICY ACT OF 2005

Within the past year, the Federal Energy Regulatory Commission has issued initial enforcement and penalty orders under its Enforcement Policy Statement, adopted after enactment of the Energy Policy Act of 2005. FERC modeled the Enforcement Policy Statement on practices and policies of other federal agencies, including the SEC, DOJ, and CFTC. The panel, which includes two former FERC general counsels and one former CFTC general counsel, will discuss the factors and circumstances that FERC considers, under its latest policy statement, when deciding the nature and scope of the remedies to impose in a particular enforcement action and significant issues raised by such policy.

**Charles A. Moore, Moderator**

LeBoeuf, Lamb, Greene & MacRae LLP  
Houston, Texas

**Robert E. Pease**

Director of Investigations, Office of Enforcement, Federal Energy Regulatory Commission  
Washington, D.C.

**Kenneth M. Raisler**

Sullivan & Cromwell LLP  
New York, New York

**William S. Scherman**

Skadden, Arps, Slate, Meagher & Flom LLP  
Washington, D.C.

### 3:15 BREAK

### 3:30 GLOBAL HOT SPOTS: ACCOUNTING FOR UNCERTAINTY

With overseas exploration and production opportunities increasingly confined to areas of relatively high political and economic risk, questions arise about whether and the extent to which such higher economic risks are reasonably reflected on a company's balance sheet and income statement. Kerry Blair (Baker & McKenzie) will identify some other of these "global hot spots" and discuss the various types of economic and political risks presented and point out how such risks may affect asset valuation. Bill Knull (Mayer Brown) will address the process of accounting for uncertainty in computing damages for injury to or loss of oil and gas properties as reflected in existing international arbitration precedent and applicable economic theory, and suggest recommendations for a more structured analysis.

**Graham Kerin Blair**

Baker & McKenzie LLP  
Houston, Texas

**William H. Knull, III**

Mayer, Brown, Rowe & Maw LLP  
Houston, Texas

### 4:15 CHIEF LITIGATION OFFICERS' POINT OF VIEW: WHAT FACTORS ARE IMPORTANT IN SELECTION OF OUTSIDE COUNSEL?

Competing for the "plum" litigation assignments – high-stakes cases involving issues of industry-wide importance – is a matter of great interest to both outside counsel and in-house attorneys. This panel of experienced "buyers" of legal services will discuss the factors that they consider in making counsel-selection decisions, focusing in particular on what separates the "winners" from the "also rans".

**Carla Powers Herron, Moderator**

Group Counsel - Litigation, The Shell Group  
Houston, Texas

**Blaine D. Edwards**

Associate General Counsel – Litigation, BJ Services Company  
Houston, Texas

**Paula A. Johnson**

Managing Counsel / Litigation, ConocoPhillips  
Houston, Texas

**Martin Loeber**

Vice President and Assistant General Counsel, Valero Energy Corporation  
San Antonio, Texas

### 5:15 CLOSING REMARKS AND ADJOURNMENT

## 5:30 - 6:30 HOSTED RECEPTION

*Co-Sponsored by*  
**AKIN GUMP STRAUSS HAUER & FELD LLP**  
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## GENERAL INFORMATION

### PAYMENT MUST ACCOMPANY REGISTRATION

**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by September 21, 2007. Email cburkel@cailaw.org. After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials.

**HOUSING:** The cost of housing is not included in the tuition. However, rooms (in limited number) have been reserved at the Westin Galleria Hotel, 5060 West Alabama, Houston, TX 77056. Tel (713) 960-8100 or (800) 228-3000, or you can make your room reservation online at www.cailaw.org/iel. A reduced room rate of \$189.00 (+ 17% Occupancy tax) is available if you advise the hotel that you are attending the Energy Litigation Conference. The last day to obtain this special rate is September 9, 2007.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

**MCLE CREDIT:** This course has been approved by the State Bar of Texas for 6.75 hours, including 0 ethics hours. Course ID Number: 900028441. Sign-in sheets and/or certificates of attendance will be available for ALL states.

## REGISTRATION

6th Annual

### ENERGY LITIGATION CONFERENCE

October 10, 2007 • Westin Galleria Hotel, Houston, Texas

Registration includes the program, course materials on CD as well as in the traditional binder, the hosted luncheon and the reception for conference registrants and faculty.

Registration Fee	Received by September 21, 2007	Received after September 21, 2007
Regular Tuition	<input type="checkbox"/> \$495.00	<input type="checkbox"/> \$545.00
IEL/ILS Advisory Board Member	<input type="checkbox"/> \$395.00	<input type="checkbox"/> \$445.00
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THE CENTER FOR AMERICAN  
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*6th Annual*  
**Energy LITIGATION**  
**CONFERENCE**

**WESTIN GALLERIA HOTEL • HOUSTON, TEXAS**

**October 10, 2007**

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2006 Participant

