

Practice Contact

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Utica/Marcellus Shales

With decades of experience representing clients in oil and gas exploration, Vorys is well-positioned to provide legal counsel to those clients pursuing development of the Utica and Marcellus shales. Vorys has represented key players in the ongoing exploration of the Utica and Marcellus, including producers, pipeline companies, and drilling and services companies. Our attorneys are also leaders in the field; case in point, five of our partners have served as chair of the Ohio State Bar Association's Natural Resources Law Committee.

Our attorneys understand the complexities associated with horizontal drilling and hydraulic fracturing because they have counseled clients in each stage of the exploration process. With offices in Columbus, Cleveland, and Akron, Vorys is located in the heart of the shale, which spans eastern Ohio, West Virginia, Pennsylvania and New York. The Utica Shale, in particular, is believed to have significant natural gas and natural gas liquids resources stored thousands of feet under the surface. These abundant resources will help to power the nation and employ thousands of people.

Vorys advises its clients on all types of transactional work, from simple leasing and well-field service contracts to sophisticated joint venture and asset transactions, financing agreements and hedging programs. Our firm frequently represents clients in energy disputes before state and federal courts and arbitration panels, including those involving gas purchase and sales contracts, lease and joint operating agreements, bankruptcies and class-action royalty litigation. Additionally, our energy lawyers regularly represent clients before state permitting agencies and public utilities commissions, the Federal Energy Regulatory Commission, the U.S. Department of Transportation, and the Ohio and U.S. Environmental Protection Agencies.

Other relevant experience includes:

- Representing numerous clients in state and federal regulatory proceedings in connection with gas market agreements and disputes

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- Reaching a successful settlement on behalf of a major Marcellus Shale producer making uniform the leases of more than 25,000 landowners
- A Vorys attorney serving as official observer of the review done by STRONGER, Inc. a non-profit organization that reviewed Ohio's regulatory program that monitors hydraulic fracturing
- Vorys lawyers serving the industry in various capacities for energy trade associations and legal foundations, including past and present officers and Board of Trustee members of the Ohio Oil and Gas Association, the Independent Petroleum Association of America, the Rocky Mountain Mineral Law Foundation, the Energy & Mineral Law Foundation and the Ohio State Bar Association's Natural Resources Law Committee

Jonathan Airey, a partner in the Vorys Columbus office, serves as the legal committee chair for the Ohio Oil and Gas Association. He was the only attorney to testify about recent changes to the Ohio oil and gas regulatory code and played an integral role in the formation of the new policies that are regulating the Utica exploration. The law, which was adopted in 2010, modernized Ohio's oil and gas regulations and ensures the proper protections for Ohio as it continues to explore the Utica.

John Keller has successfully litigated cases involving all types of oil and gas issues in Ohio, including an arbitration award of over \$100 million against a Fortune 100 company. At the time, it was the largest award ever received in the Midwest Region of the American Arbitration Association. In addition, Mr. Keller has represented borrowers and lenders in significant oil and gas loan transactions. For nearly 35 years, he has advised clients on oil and gas leasing matters and other real estate and contract issues.

With nearly 20 years of experience advising producers and pipeline operators in Ohio, Gregory Russell serves as the chair of the Ohio Oil and Gas Association's Environmental Committee and recently stepped down as the chair of the Ohio State Bar Association's Natural Resources Law Committee. A frequent speaker on natural gas industry topics, including environmental, regulatory and natural

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gas market issues, Mr. Russell was also part of the stakeholder workgroup that developed hydraulic fracturing guidelines used by STRONGER, Inc., and its stakeholder review teams in evaluating state oil and gas environmental regulatory programs.

Howard Petricoff, with over 20 years in the industry, currently serves as a commissioner on the Ohio Oil and Gas Commission where he hears appeals from decisions of the chief of the Ohio Division of Oil and Gas Resources Management on matters of drilling, spacing and pooling. In addition, Mr. Petricoff's experience is sought for assistance in connection with required infrastructure for storage, pipeline and gas distribution facilities, including obtaining permits from and handling hearings before the Ohio Power Siting Board.