



Sixth Annual  
**Energy and  
Commodities**  
CONFERENCE

Virtual conference  
October 12-15, 2020

# Agenda

## Schedule of events

All times are in Central Standard Time

### Day 1 – Monday, October 12, 2020

10:00am – 11:15am

#### Future of the commodities market across the Americas

**Keynote speaker:** Robert J. Johnston, Managing Director, Energy, Climate and Resources from Eurasia Group

2:00pm – 3:30pm

#### Challenges, risks and new developments in the oil & gas industry

This session will look at the legal challenges, risks and developments impacting the oil & gas industry in the United States and offer in-house counsel guidance on how to manage these impacts.

#### Speakers:

- Boris Bystrov, Investment Director, Mercuria Energy Trading, S.A.
- Jamie Elsen, Vice President – Land, Tilden Resources, LLC, Rockdale Marcellus, LLC
- Rhett Metz, Senior Director – Business Development, Energy Transfer
- Ryan T. Purpura, Partner, Reed Smith

### Day 2 – Tuesday, October 13, 2020

10:00am – 11:30am

#### Chapter 11 transactions in the COVID world and their impact on future distressed asset sales

Complex chapter 11 energy cases are at all-time high, with investor and creditor groups battling for value. This panel will discuss the latest trends and hottest topics in complex energy restructuring transactions and explore where the market is headed post-COVID.

#### Speakers:

- Robert J. White, Managing Director, Jefferies LLC
- Omar Alaniz, Partner, Reed Smith
- Keith Aurzada, Partner, Reed Smith

2:00pm – 3:30pm

#### Current state and the near term outlook for energy transactions in a pandemic world

In this session we'll discuss what 2020 and the pandemic has meant for energy transactions and what we might expect to see going forward into 2021. The wave of energy company bankruptcies leaves available assets for those companies with the appetite to do deals and with the resources. But uncertainty over the pandemic, combined with other unknown variables such as the November elections in the United States, may mean a dampened appetite for some and/or a smaller pool of financial resources for others. We will be discussing the results of a market survey delivered to lenders and energy companies. Our goal with the survey is to take the collective

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temperature of colleagues from across the energy spectrum with the aim to identify any common thoughts or trends in the space. Also, we'll discuss the political landscape and the impact it might have on energy deal work.

**Speakers:**

- Greg Cortez, Lead Risk, Credit and Market Risk, BHP
- Mitch Fowler, Head of Metals Origination & Structuring – EMEA, ICBC Standard Bank
- David Polyansky, President, Clout
- Jorge Gutierrez, Partner, Reed Smith
- Kirsten Polyansky, Partner, Reed Smith

**Day 3 – Wednesday, October 14, 2020**

10:00am – 11:30am

**FSRU deployment - Structuring and optimizing acquisition & operation**

This panel will focus on evolving issues in the development of LNG import projects in gas-hungry jurisdictions where a floating terminal is more practical or more attractive from a cost, permitting, timing, political risk or operational standpoint. Panelists will take a deeper dive into deployment issues relating to the construction and chartering of floating storage and regasification units (FSRUs) and learn how to protect their clients from risks associated with this type of asset, including a discussion of:

- The benefits and risks of employing an FSRU versus using a traditional regasification facility;
- The various ways in which FSRUs can be configured and the risks associated with each variant;
- The benefits and risks of owning the FSRU versus chartering it;
- How to mitigate risks if the equipment doesn't work, especially when the FSRU has already been accepted for delivery;
- How to mitigate ship-to-shore risk that arises when matching onshore and offshore operational interfaces; and
- How to allocate liability in a manner that best protects the owner/charterer of the FSRU and is acceptable to insurance underwriters.

**Speakers:**

- Kevin Keenan, Partner, Reed Smith
- Todd Culwell, Partner, Reed Smith
- Antoine Smiley, Counsel, Reed Smith

2:00pm – 3:00pm

**Round-up of professional ethics issues for in-house counsel**

Tom Allen, Reed Smith's General Counsel, will cover a number of legal ethics issues that are of relevance to in-house counsel, including:

- Remote working risks under the Rules of Professional Conduct;
- The eroding barrier to non-lawyer ownership of law firms; and
- Ethical risks posed by multiple representation (i.e., representation of both a corporation and the corporation's individual employees).

**Speakers:**

- Tom Allen, Partner, Reed Smith

## Day 4 – Thursday, October 15, 2020

10:00am – 11:30am

### **Current and anticipated litigation trends and risks for the oil and gas industry**

The litigation landscape is changing for the oil and gas industry. Join our panel of Reed Smith lawyers and clients as we revisit the trends that have emerged over recent months, and look at how these trends forecast what the future might hold in terms of upstream, midstream and downstream legal litigation developments and risks.

#### **Speakers:**

- Stefanie Lepore Burt, Assistant General Counsel - Litigation at EQT Corporation
- Stephan Selinidis, Senior Counsel, Exterran Corporation
- Nicolle R. Snyder Bagnell, Partner, Reed Smith
- Mike Bernick, Partner, Reed Smith

2:00pm – 3:30pm

### **2020 at the CFTC and FERC: What a year!**

2020 has been a whirlwind. In this session, a panel of in-house counsel and Reed Smith regulatory lawyers will analyze the impact of FERC and CFTC developments against this backdrop on the energy and commodities sector. This will be followed by an interactive discussion on what lies ahead. Topics that will be covered include:

- FERC developments in 2020, including landmark Order 841 regarding energy storage and other orders of note, an update on rulemakings, relevant appellate decisions. This presentation will also cover gas-related issues such as the past year's major issuances from FERC and the courts regarding certification and project evaluation, rulemakings that impact infrastructure projects, as well as other trending issues.
- The potential impacts of a new administration on the agency and an update on FERC nominees.
- CFTC developments over what has been a very active year given the negative oil prices in April, market volatility, rulemakings and other topics.
- How the NFA (as the primary SRO for CFTC-regulated entities) functioned during COVID-19 and lessons learned.

#### **Speakers:**

- Steven Hatridge, VP and Assistant General Counsel, The Williams Companies
- David Robertson, Assistant Vice President, Assistant General Counsel and Assistant Secretary, Cargill
- Colette Honorable, Partner, Reed Smith
- Christine Parker, Partner, Reed Smith

# Registration and conference overview

Our Energy and Commodities Conference is complimentary and open to in-house counsel and executives active in the energy and commodities sector.

**Join the conversation, follow us #rsEnergy2020**

[You can register here](#) for the entire series or select the sessions of most interest. Details on how to join each session will be emailed to registrants (please do save the calendar invite at the bottom of these emails)

Alternatively, please contact Alma Rosas [arosas@reedsmith.com](mailto:arosas@reedsmith.com)

## Conference overview

While this year's conference cannot be in person, we are excited to be offering a series of virtual events, spread over four days – with 60-90 minute CLE sessions each day. We are presenting a series of thought-provoking analysis, spread over four days – with interactive sessions each day – delivered to your desk virtually.

Our speakers will gaze beyond 2020 in their sessions: they will explain and clarify up-to-the-minute legal, regulatory, and policy developments in the energy and commodities sector, with an eye towards future risks and opportunities. In keeping with this theme, **Robert J. Johnston**, Managing Director, Energy, Climate and Resources from Eurasia Group will be our keynote speaker. RJ will share his insights on the future of the commodities market across the Americas.

## CLE credit

This complimentary conference has applied for CLE credits in:

- Texas\*
- Alabama
- Arkansas
- California\*
- Colorado
- Delaware\*
- Florida
- Georgia
- Illinois\*
- Indiana
- Iowa
- Kansas
- Maine
- Minnesota
- Nebraska
- New Jersey\*
- New York\*
- North Carolina
- North Dakota
- Ohio
- Oklahoma
- Pennsylvania\*
- Virginia
- Washington
- Wisconsin

\* denotes where CLE has been approved

# Our Global Energy & Natural Resources Group

Reed Smith is a dynamic international law firm, dedicated to helping clients move their businesses forward. Our multidisciplinary Energy & Natural Resources Group has served the industry for over 130 years. With experience that spans the spectrum of energy and commodities-related practice areas, from state and federal energy regulation to M&A, commercial contracts to litigation, environmental to workplace safety, and project lifecycle services, we combine extensive local experience with global coverage to strategically support your business and projects wherever and whenever you need us.

## Conference chairs



**Craig Enochs**  
Houston, Partner  
[cenochs@reedsmith.com](mailto:cenochs@reedsmith.com)



**Mike Bernick**  
Houston, Partner  
[mbernick@reedsmith.com](mailto:mbernick@reedsmith.com)

## Questions?

If you have any questions related to this conference, please contact Alma Rosas at [arosas@reedsmith.com](mailto:arosas@reedsmith.com) or Clare Seabourne at [cseabourne@reedsmith.com](mailto:cseabourne@reedsmith.com).

**Reed Smith is a dynamic international law firm, dedicated to helping clients move their businesses forward.**

Our long-standing relationships, international outlook, and collaborative structure make us the go-to partner for speedy resolution of complex disputes, transactions, and regulatory matters.



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