



CURRICULUM VITAE

DRAKE D. HILL

EDUCATION: B.S. With Honor, Political Science, University of Wyoming, May, 1985. J.D., University of Wyoming, May, 1988.

ADMISSIONS: United States Supreme Court; United States Court of Appeals for the Tenth Circuit; United States Court of Appeals for the Sixth Circuit; United States Court of Appeals for the Federal Circuit; United States Court of Federal Claims; United States District Court for the Eastern District of Michigan; United States District Court for the District of Wyoming; All state courts in Wyoming; all Michigan state courts (inactive).

BAR MEMBERSHIP: State Bar of Michigan, admitted in November of 1988 (inactive); Wyoming State Bar (active).

FIRM: Hill Law Firm (Est. Jan. 1, 2015)
2616 Carey Avenue
Cheyenne, Wyoming 82001
(307) 638-9334

AREAS OF PRACTICE: *Energy law:* concentrating in oil and gas; oil and gas royalty litigation, title litigation, right-of-way acquisition and condemnation (including all regulatory); and other oil and gas litigation; alternative energy source development; environmental law and environmental litigation; class action defense; minerals and property taxation. *Other:* substantial experience in complex business litigation (including intellectual property litigation).

RATING: AV rating by Martindale-Hubble—the highest (preeminent) rating among peers in the practice areas of oil and gas, oil and gas litigation, and business litigation.

Testimonials of those in the legal community:

“Drake is a great trial lawyer, he is committed to his clients and works tirelessly for them.”

“Mr. Hill is a well-recognized expert in Oil and Gas matters within the community and has a tremendous experience base upon which to draw.”



CASES & PROJECTS:

Trial counsel for Royalty Payment Act class actions establishing much of the law in Wyoming on the Royalty Payment Act. *See e.g., Morris v. CMS Energy.*

Royalty Payment Act litigation and title dispute litigation, including class action defense of royalty claims.

Lead lawyer in Wyoming for interstate crude oil pipeline; lead lawyer for intrastate natural gas pipelines. Each pipeline has been completed. Recently completed a FERC regulated pipeline for Kaiser-Frontier Midstream, LLC.

Southern Ute Indian Tribe v. Amoco Production Co., United States Supreme Court (represented five western states before the United States Supreme Court in successful effort to overturn the decision of the Tenth Circuit Court of Appeals and establish right of ownership of coalbed natural gas under the 1909 and 1910 Coal Lands Acts).

Arrow Office Supply Co. v. City of Detroit, United States District Court, Eastern District of Michigan (representing Arrow Office Supply in case declaring unconstitutional the City of Detroit's minority preference ordinance in public contracting).

Bonanza Creek Oil Company v. Coronado Oil Company, Arbitration before the American Arbitration Association (representing Bonanza Creek in dispute over the development of heavy oil reserve in the Big Horn Basin of Wyoming).

Morris v. CMS Energy, Wyoming Supreme Court (representing CMS Energy in breakthrough rulings on Wyoming Royalty Payment Act).

Eleutian Technology v. Brigham Young University Hawaii et al, United States District Court for the District of Wyoming (representing Eleutian Technology in intellectual property dispute).

J.P. Oil Company v. Miller, United States District Court for the District of Wyoming (representing J.P. Oil in test case on interpretation of newly enacted Wyoming Split Estate Act).

Barlow & Haun et al v. United States, United States Court of Federal Claims (representing Barlow & Haun in \$50,000,000 taking and breach of contract claims related to BLM's declared



ban on oil and gas development in the Known Trona Survey Area in Southwest Wyoming).

LEGAL EXPERIENCE: January 1, 2015 to present. Hill Law Firm

June, 2009 to December 31, 2014. Beatty, Wozniak & Reese (Established Cheyenne office).

December, 1999 to June 2009. Partner, Brown, Drew & Massey, LLP. (Established Cheyenne office).

April, 1999 to December, 1999. Wyoming Attorney General's Office. Chief Tax Counsel and Supervising Attorney for the Department of Audit, Department of Revenue, and Banking Commission.

Recipient of the "Hugo Award" for distinguished service to the Wyoming Attorney General's Office.

Other contributions, including:

- Assisted with the State of Wyoming's tobacco settlement.
- Represented the Wyoming Department of Health and acted as legislative liaison with the Governor's Office in working with legislators on Wyoming's child immunization controversy (religious objections to mandatory immunizations) as well as acting as trial counsel on challenge to statute.
- Co-counsel for the states of New Mexico, North Dakota, Utah, Montana and Wyoming in the amicus effort before the United States Supreme Court in *Amoco Production Company et al v. Southern Ute Indian Tribe*, No. 98-830 in successful effort to overturn the decision of the Tenth Circuit Court of Appeals relating to the ownership of coalbed methane gas. (Brief submitted by the Wyoming Attorney General to the National Association of Attorneys General for consideration as the October 1998 Term best Supreme Court brief).

May, 1996 to April, 1999. Wyoming Attorney General's Office, Senior Assistant Attorney General. In addition to general representation of the Department of Environmental Quality, served as the attorney for the Department of Environmental Quality helping to manage the program seeking cost recovery of the nearly \$1.5 billion expected to be spent on



state funded clean-up of leaking fuel storage tank sites. Trial counsel on Wyoming's first case seeking cost recovery from insurance carriers.

July, 1993 to May, 1996. Bassey and Selesko, P.C., Southfield, Michigan. Trial lawyer for commercial litigation. Lead trial counsel in *Arrow Office Supply v. City of Detroit*, the case declaring unconstitutional the City of Detroit's minority set aside (affirmative action) program in public contracting.

May, 1988 to July, 1993. The Coastal Corporation and ANR Pipeline Company, Detroit, Michigan. Litigation attorney and Assistant Corporate Secretary. Member of in-house litigation staff defending "take-or-pay" claims by natural gas producers. Litigated ad valorem and mineral tax cases on behalf of Coastal subsidiaries. Litigated and counseled on a wide range of other oil and gas issues, property rights disputes, right-of-way acquisitions, personal injuries, employment issues, contract disputes, and other issues arising in the course of Coastal's natural gas pipeline, oil and gas production, gas storage, trucking, and real estate businesses.

Summer and fall, 1987. Law Clerk, Hirst & Applegate, P.C., Cheyenne, Wyoming. Primarily personal injury defense.

Summer and fall, 1986. Law Clerk, Second Judicial District Court 2A, Rawlins, Wyoming.

UNDERGRADUATE

HONORS:

Phi Beta Kappa Scholastic Honorary; Phi Kappa Phi Scholastic Honorary; Tidball Book Award, Department of Political Science; Representative to the Fourteenth Annual Leadership Conference, Center for the Study of the Presidency.

LAW SCHOOL

HONORS:

Case Note Editor and Senior Staff, Land and Water Law Review, University of Wyoming College of Law Review; American Jurisprudence Book Award, Federal Courts.

PUBLICATIONS:

Hill and Rippley, *The Split Estates: Communication and Education Versus Legislation*, 4 Wyo. L. Rev. 585 (2004), Symposium issue on coalbed methane gas development.

Article Cited In: 37 Loyola University Chicago Law Journal 215, 224 (2005).

Hill and Reese, *Wyoming's Powder River Basin: A Study In Federal Royalty Valuation*, 4 Wyo. L. Rev. 629 (2004). Symposium issue on



coalbed methane gas development. (Also presented at the Special Institute on Federal & Indian Oil and Gas Royalty Valuation & Management, Houston, Texas, Sponsored by the Minerals Management Service and the Rocky Mountain Mineral Law Foundation (February 11-13, 2004).

Hill, *Afrocentric Movements In Education: Examining Equity, Culture and Power Relations In The Public Schools*, 20 Hastings Constitutional Law Review, University of California 681 (1993). Symposium issue marking the 40th anniversary of *Brown v. Board of Education*, dedicated to Justice Thurgood Marshall.

Article Cited In: 21 N.Y.U. Rev. L. & Soc. Change 669, 682 (1994-95).
36 Washburn L. J. 23, 32 (1996).
23 Capital U. L. Rev. 23, 62 (1997).
20 Ohio N. U. L. Rev. 847 (1994).

Article Used As Course Material:

University of Michigan School of Education.

Eastern Michigan University School of Education; and

Denver University.

Hill, *Balancing The Interests of Lawyers and Non-Lawyers In Regulating Lawyer Conduct*, 43 Rutgers Law Review 245 (1991).

Article Cited In: 19 Wm. Mitchell L. Rev. 211, 214 (1993).

Hill, *Deconstructing The Prophylactic Ban On Lawyer Solicitation*, 62 Temple Law Review 875 (1989).

Article Cited In: 35 St. Mary's L. J. 1015 (2004)
30 Hofstra L. Rev. 1015 (2002)



Comment, *Judicial Activism and the Destruction of Evidence: Reconsidering Traditional Responses to Evidence Destruction In Civil Proceedings*, 23 Land and Water Law Review 209 (1987).

Article Cited In: 30 Idaho L. Rev. 37, 41 (1993-94).

Note, *Wyoming Recognizes a Substantive Right to Bail Pending Appeal of Conviction: State v. District Court*, 22 Land and Water Law Review 616 (1986).

Columnist, Rocky Mountain Energy Reporter (2003-2006).

SELECTED OTHER:

Adjunct Professor, Oil and Gas Law, University of Wyoming College of Law, Spring, 2006.

Presentation, Rocky Mountain Mineral Law Foundation, Short Course On Federal Oil and Gas Leasing, 2011, 2013, 2015 (surface rights, right-of-way acquisition).

Presentation via web conference, Electric Utility Consultants, Inc. (EUCI), Minimizing Surface and Mineral Right Conflicts for Wind Development, September 29, 2010.

Program Chair, CLE International, Coalbed Natural Gas Law, Cheyenne, Wyoming, August 28, 2005.

Program Co-Chair and Presentation, CLE International, Coalbed Natural Gas Law, Casper, Wyoming (August 26-27, 2004).

Presentation and Paper, Special Institute, Federal & Indian Oil and Gas Royalty Valuation & Management, Houston, Texas, Sponsored by the Minerals Management Service and the Rocky Mountain Mineral Law Foundation (February 11-13, 2004).

Presentation and Paper, Taking and Defending Effective Depositions In Wyoming, Lorman Educational Services (November 20, 2003).

Speaker, The Collapse of Enron and Implications for Wyoming Producers, Wyoming Association of Professional Landmen, Fourth Annual Land Institute (April 8, 2002).

Speaker, Environmental Reporting Obligations, Wyoming Association of Professional Landmen, Third Annual Land Institute (April 3, 2001).



Chairman, Lawyer Mentoring Committee, Wyoming State Bar (term expired September 30, 2004); Member, Lawyer Mentoring Committee, Wyoming State Bar (1997-1999).

Chair, Core Training Committee of Wyoming Attorney General's Office (1997-2000)(continuing legal education arm of the Wyoming Attorney General's Office providing CLE for the Wyoming Attorney General's Office as well as programs available to the Wyoming bar).

Lecturer, University of Michigan School of Education; Eastern Michigan University School of Education (topic, desegregation and implications for public education), 1994, 1995, 1996, 1998.

Speaker, Deposition Practice Tips, Wyoming Attorney General's Office Sponsored Seminar (September 24, 1998).

Speaker, Michigan Employment Law, Bassey and Selesko, P.C. Sponsored Seminar, Southfield, Michigan (February 22, 1995).

Testimony before the American Bar Association Commission on the Evaluation of Disciplinary Enforcement, Chicago, IL, August 4, 1990. Presentation and paper later published by Rutgers Law Review (above).

CIVIC:

Member, Wyoming Advisory Committee to the U.S. Civil Rights Commission (2010-present).

Vice President, Board of Trustees, Centennial Foundation of St. Mark's Episcopal Church, Cheyenne, Wyoming (Foundation managing the assets of St. Mark's Episcopal Church, 1997- 2000).

Chairman of the Wyoming Republican Party (2005-2007); Republican National Committee (2005-2007).

PERSONAL:

Married, one grown child, 53 years old.

