

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 Sixth Circuit; United States Court of Appeals for the Tenth Circuit; United States Court of Federal Claims; United States District Court, Eastern District of Michigan; United States District Court for the District of Wyoming; all state courts in Wyoming, and all Michigan state courts (inactive).
- BAR MEMBERSHIP:** State Bar of Michigan, admitted in November, 1988 (inactive); Wyoming State Bar (active).
- FIRM:** **Partner/Shareholder**
BROWN, DREW & MASSEY, LLP
159 North Wolcott, Suite 200
Casper, Wyoming 82601
(307) 234-1000
- AREAS OF PRACTICE:** Concentrating in oil and gas, oil and gas litigation, environmental law and environmental litigation (including environmental insurance coverage), class action defense, right-of-way acquisition, property rights, minerals and property taxation, and complex business litigation.
- CASES:** *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 private right of ownership of coalbed methane 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 (case declaring unconstitutional City of Detroit's minority preference statute in public contracting).
- Bonanza Creek Oil Company v. Coronado Oil Company*, Arbitration

before American Arbitration Association (dispute over the development of heavy oil reserve in the Big Horn Basin, Wyoming).

Morris v. CMS Energy, 6th Judicial District Court, Campbell County, Wyoming (construing the Wyoming Royalty Payment Act with rulings beneficial to Wyoming oil and gas operators).

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

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

Barlow & Haun, Inc. et al v. United States, United States Court of Federal Claims (taking claim related to BLM's declared moratorium on oil and gas development in the Known Trona Survey Area in southwest Wyoming).

LEGAL EXPERIENCE: December 1999 to present. Brown, Drew & Massey, LLP. *See* Areas of Practice, above.

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.

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; and
- Co-counsel for the states of New Mexico, North Dakota, Utah, Montana and Wyoming in 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 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, attorney for the Department of Environmental Quality helping to manage the program seeking cost recovery of the nearly \$1.05 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.

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

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 through 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 oil and gas issues, property rights disputes, right-of-way acquisitions, employment issues, contract disputes, and a host of other legal matters arising in the course of Coastal's natural gas pipeline, trucking, and real estate businesses.

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

Summer and fall, 1986. 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 Fourteenth Annual Leadership Conference, Center for the Study of the Presidency.

**LAW SCHOOL
HONORS:**

Case Note Editor, Land and Water Law Review, University of Wyoming 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 natural 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 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-present).

OTHER:

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

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 Group of the 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 lawyers as well as programs available to the Wyoming bar).

Lecturer, University of Michigan School of Education; Eastern Michigan University School of Education (Desegregation), 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 of paper later published by Rutgers Law Review (above).

CIVIC:

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

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

PERSONAL:

Married, one grown child, 46 years old, excellent health.