



PATRICK S. OTTINGER *(page 1 of 7)*

Mr. Ottinger is an experienced arbitrator and mediator in oil and gas matters, having completed formal training through the Straus Institute for Dispute Resolution, Pepperdine University School of Law, presented at Woodstock, Vermont, in September, 2012. Among other matters, he served as the neutral chair of an arbitration panel in Houston, Texas, a case concerning a dispute between parties to a gas processing agreement where the damages were alleged to be in the range of \$250 million. He also served as a co-mediator in a coal bed methane case in Birmingham, Alabama, where damages were alleged to be in the range of \$ 300 million. He is listed on the AAA Energy Panel for the arbitration of complex disputes involving oil and gas, or energy-related matters.

Mr. Ottinger is listed on the Energy Arbitrators List of the Institute for Energy Law, which is a directory of individuals with "substantial experience in the arbitration of energy disputes."

Patrick S. Ottinger graduated from the University of Southwestern Louisiana with a Bachelor of Science degree in 1971.

He attended the Paul M. Hebert Law Center, Louisiana State University, from which he graduated with a Juris Doctorate degree in December, 1973. He was a member of the Moot Court Board.

Ottinger has been in private practice in Lafayette, Louisiana, since December 1973. He is a partner in the firm of Ottinger Hebert, L.L.C. His professional practice has been concentrated in the corporate and commercial area, with emphasis on oil and gas, financial transactions, real estate, eminent domain, mediation and arbitration, corporate and banking matters, as well as litigation in these areas.

From January 2004 through January 2011, he served as City-Parish Attorney for the Lafayette City-Parish Consolidated Government. In that capacity, he was the chief legal advisor to the City-Parish President, the Consolidated Council and all of the departments of government. Having served seven years, he served in this position longer than any other person.

He is admitted to practice in all Federal Courts in Louisiana, and in the United States Court of Appeal, Fifth Circuit. Since 1986, he has been admitted to practice in the State of Texas in which state he also maintains both a transactional and litigation practice.

He has organized and spoken at numerous continuing legal education seminars on oil and gas, banking and real estate topics sponsored by Louisiana State Bar Association, Lafayette Association of Professional Landman, Houston Association of Professional Landman, Houston Bar Association and University of Southwestern Louisiana (now University of Louisiana - Lafayette) -- Continuing Education Department. His publications and presentations include:

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The Enforcement of Real Mortgages by Executory Process, 51 Louisiana Law Review 87 (Fall 1990).

Difference Between Laws of Texas and Louisiana on Selected Issues of Interest to the Oil and Gas Practitioner delivered to Oil and Gas Section of Houston Bar Association, Houston, Texas, on March 27, 1990.

An Overview: Differences Between Texas and Louisiana Laws delivered to 22nd Annual Technical Workshop of Houston Association of Petroleum Landmen, Houston, Texas, on February 21, 1991.

Drilling Contracts delivered to the 38th Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on March 21, 1991. 38 Inst. on Min. Law 99 (1991).

A Primer on Executory Process delivered to Annual Summer School for Lawyers sponsored by Louisiana State Bar Association, Sandestin, Florida, on June 2, 1991.

Recent Developments Under Louisiana Law delivered to the National Association of Lease and Title Analysts in Denver, Colorado, on September 16, 1994.

Selected Issues Arising Under the Joint Operating Agreement delivered at the PLANO Oil and Gas Seminar, Beaver Creek, Colorado, on February 3, 1995. Also delivered to the Mineral Law Section, Louisiana State Bar Association, Sandestin, Florida, on June 9, 1995.

Oil and Gas as Collateral delivered to seminar sponsored by National Business Institute, Baton Rouge, Louisiana, on November 3, 1995.

A Primer on the Mineral Servitude delivered to the 44th Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on March 20, 1997. 44 Inst. on Min. Law 68 (1997). Also delivered to the Annual Oil and Gas Seminar on October 5, 2002, in Dallas, Texas, sponsored by the Oil, Gas and Mineral Law Section of the State Bar of Texas.

Principles of Contractual Interpretation, 60 Louisiana Law Review 765 (Spring 2000). Also presented at a seminar sponsored by Louisiana State Bar Association, New York City, New York, on November 12, 1998.

A Top Ten List: One Lawyer's View of the Most Important Decisions of the Louisiana Supreme Court on Oil and Gas Law delivered to the LAPL Fall Seminar, Lafayette, Louisiana, in October, 2001. Also presented at a seminar sponsored by Louisiana State Bar Association, New York City, New York, on November 20, 2009.

Conventional Unitization in Louisiana, delivered to the 49th Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on April 11, 2002. 49 Inst. on Min. Law 21 (2002). Also published in the Section Report for the Oil, Gas and Mineral Law Section of the State Bar of Texas, Vol. 26, No. 4, p. 56 (June 2002).

Off the Beaten Path: Ten Laws You Should Know Before You Buy That Lease, delivered to the LAPL Fall Seminar, Lafayette, Louisiana, on October 25, 2002.

Unitization in Louisiana, presented at Seminar in Professional Land and Resource Management, University of Louisiana - Lafayette, on April 2, 2003.

A Primer on Executive Rights and Interests, delivered to the LAPL Fall Seminar, Lafayette, Louisiana, on October 24, 2003. Also presented to the Gulf Coast Land Institute, Lafayette, Louisiana, on October 10, 2004.

Production in "Paying Quantities" -A Fresh Look, delivered to the 51st Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on April 1, 2004; also published at 65 Louisiana Law Review 635 (2005). 51 Inst. on Min. Law 24 (2004).

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When Time is Running Out: How to Avoid Extinction of a Mineral Servitude, delivered to the LAPL Spring Seminar, Lafayette, Louisiana, on May 6, 2005.

Common Problem Areas in the Examination of Mineral Titles, delivered to the seminar entitled "Title Examinations in Louisiana," sponsored by the Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on October 27, 2006.

The Top Five Most Misunderstood Mineral Lease Provisions, delivered to the LAPL Spring Seminar, Lafayette, Louisiana, on May 1, 2007. Also presented to the PLANO Seminar at the Ball Park, New Orleans, Louisiana, on April 24, 2008. Also presented to the AAPL Gulf Coast Land Seminar, Lafayette, Louisiana, on October 17, 2008. Also presented to the ArkLaTexAPL Educational Seminar, Shreveport, Louisiana, on February 11, 2011.

After the Lessee Walks Away - The Rights and Obligations of the Unleased Mineral Owner in a Producing Unit, delivered to the 55th Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on March 27, 2008. 55 Inst. on Min. Law 59 (2008).

Neither Fish Nor Fowl: The Louisiana Law of Shut-in Gas Wells, 69 Louisiana Law Review 43 (2008).

What's in a Name? Assignments and Subleases of Mineral Leases Under Louisiana Law, delivered to the 58th Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on March 25, 2011. 58 Inst. on Min. Law 283 (2011).

Recent Developments in Mineral Rights, presented at the LSU Law Center Continuing Legal Education Recent Developments in Legislation & Jurisprudence series of seminars, Fall 2011.

Be Careful What You Ask For: Subsequent Operations Under the Model Form Operating Agreement, in Center for American and International Law, Sixty-third Annual Institute on Oil and Gas Law, Ch. 7 (LexisNexis Matthew Bender 2012).

From the Courts to the Code: The Birth and Development of the Law of Louisiana on Mineral Rights, presented at the Spring Educational Seminar sponsored by the Louisiana Chapter of the National Association of Royalty Owners, in Lafayette, Louisiana, on March 27, 2012.

Oil in the Family -- Obtaining the Requisite Consent to Conduct Operations on Co-Owned Land or Mineral Servitudes, 73 Louisiana Law Review 745 (2013).

From the Courts to the Code: The Origin and Development of the Law of Louisiana on Mineral Rights, 1 LSU JOURNAL OF ENERGY LAW AND RESOURCES 1 (2012).

Recent Developments in Mineral Rights, presented at the LSU Law Center Continuing Legal Education Recent Developments in Legislation & Jurisprudence series of seminars, Fall 2012.

Closing the Deal in the Bayou State: The Purchase and Sale of Producing Oil and Gas Properties, 76 Louisiana Law Review 691 (2016).

It's a Risky Business, but There's an Act for That: The Louisiana Risk Fee Act, delivered to the 63rd Institute on Mineral Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, Louisiana, on March 31, 2016.

Hot Topics in Mineral Rights, presented at the 2016 Energy and Environmental Law Summit, a seminar sponsored by Louisiana State Bar Association, New Orleans, Louisiana, on October 7, 2016.

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Of Bear Paws, Burning Wells, Burnt Remains, and Bath Forms: An Erratic Journey Through The Evolution of the Law of Louisiana on Mineral Leases, With Just a Few Detours, presented at the Society of Petroleum Land Management, University of Louisiana, Lafayette, on November 14, 2016. Presented to the ArkLaTexAPL Educational Seminar, Shreveport, Louisiana, on February 3, 2017.

Calculating the Lessor's Royalty Payment: Much More Than Mere Math, *6 LSU Journal of Energy Law and Resources* 1 (2017).

Current Issues Under the Louisiana Law of Oil and Gas, presented at the 30th Annual Energy Institute for Attorneys and Landmen, a seminar sponsored by South Texas College of Law Houston, Houston, Texas, on August 30, 2017.

The Top Five Most Misunderstood Mineral Lease Provisions, presented at the 2017 Energy and Environmental Law Summit, a seminar sponsored by Louisiana State Bar Association, New Orleans, Louisiana, on November 14, 2017.

A Dozen (or So) Oil and Gas Issues and Other Tidbits of Interest to the Real Estate Lawyer, presented at the Lafayette Bar Association CLE by the Hour Program on December 15, 2017.

Is There a Future for Wind Energy in the Bayou State? The Answer, My Friend, is Blowin' in the Wind presented at a Symposium on Disruptive Technologies, sponsored by the LSU Journal of Energy Law and Resources, Baton Rouge, Louisiana, on February 23, 2018.

Hot Topics in Mineral Rights presented at the 2018 Summer School for Lawyers and Judges, a seminar sponsored jointly by Louisiana State Bar Association and the Louisiana Judicial College at Destin, Florida, on June 6, 2018.

Current Issues Under the Louisiana Law of Oil and Gas presented at the 31st Annual Energy Institute for Attorneys and Landmen, Harry L. Reed Oil & Gas Law Institute, a seminar sponsored by South Texas College of Law Houston, Houston, Texas, on August 29, 2018.

A Funny Thing Happened at the Wellhead: "Post-production Costs," and Responsibility Therefor presented at the 2018 Energy and Environmental Law Summit, a seminar sponsored by Louisiana State Bar Association, New Orleans, Louisiana, on November 16, 2018. Also presented to the ArkLaTexAPL Educational Seminar, Shreveport, Louisiana, on February 22, 2019.

All's Well That Ends Well: The Gloria's Ranch Decision and its Impact on Credit Documentation, presented at the 2018 LBA Bank Counsel Conference, a seminar sponsored by Louisiana Bankers Association, New Orleans, Louisiana, on December 6, 2018.

The ABC's of PPC's: An Examination of the Law of "Post-production Costs" delivered to the LAPL Spring Education Seminar, Lafayette, Louisiana, on April 25, 2019.

Ottinger serves on the Advisory Council of the Institute on Mineral Law, Baton Rouge, Louisiana. He has also served as Chair of the Section on Mineral Law of the Louisiana State Bar Association.

He is an Adjunct Professor of Law at the Paul M. Hebert Law Center, Louisiana State University, where, since 1996, he has taught the course in Mineral Rights and an Oil and Gas Seminar. He is the author of the course materials entitled Ottinger, A Course Book on Louisiana Mineral Rights (12th Rev. Ed., August 2011).

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He is the author of Louisiana Mineral Leases: A Treatise, published by Claitor's Law Books & Publishing Division, Inc., June 2016. As described by Professor Patrick H. Martin, in the Foreword to the Treatise, "[f]or any person, company, law firm or court dealing with Louisiana lease law, this Treatise is the indispensable and authoritative treatment of the subject. I am sure it will remain so for years to come."

He is the author of two chapters included in the Louisiana Mineral Law Treatise, a project of the Institute on Mineral Law, Baton Rouge, Louisiana (Claitor's 2012). The chapters contributed by Mr. Ottinger pertain to mineral servitudes and mineral royalties.

Ottinger is a member of the Mineral Code Committee, the Mineral Law – Unsolicited Offers Committee, the Counterletter Committee, the Prescription Committee, the Tax Sales Committee, and the Louisiana Risk Fee Act Committee of the Louisiana State Law Institute, serving as Reporter of the latter committee. He also serves as Reporter of the Mineral Law Committee of the Louisiana State Law Institute.

He served for fifteen years as a Special Assistant Attorney General, representing the State of Louisiana in waterbottoms litigation.

He has served as a Special Master by appointment of the United States District Court in an oil and gas case.

Ottinger is a Fellow of the Louisiana Bar Foundation and served on its Board of Directors from 2003-07.

He has served as President of the Lafayette Parish Bar Association and as a Member of the Board of Governors of the Louisiana State Bar Association. Mr. Ottinger served as the President of the Louisiana State Bar Association during the years 1998-99.

He served as Chair of the Reading Committee in connection with the publication of the Louisiana Professional Responsibility Law and Practice (Dane S. Ciolino, Editor), a project initiated during Mr. Ottinger's term as President of the Louisiana State Bar Association.

On May 24, 2011, he received the Friend of Pro Bono Award from the Louisiana State Bar Association in an award ceremony at the Louisiana Supreme Court.

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Reported decisions in which Mr. Ottinger served as counsel include the following, to-wit:

- Bernard v. Marathon Oil Company**, 381 So.2d 1286 (La.App. 3rd Cir.), writ denied 384 So.2d 793 (La. 1980)
- Hobbs v. Central Equipment Rentals, Inc.**, 382 So.2d 238 (La.App. 3rd Cir.), writ denied 385 So.2d 785 (La. 1980)
- Guy Scroggins, Inc. v. Emerald Exploration**, 401 So.2d 680 (La.App. 3rd Cir.), writ denied 404 So.2d 1257 (La. 1981)
- Trinidad Petroleum Corporation v. Pioneer Natural Gas Company**, 416 So.2d 290 (La.App. 3rd Cir.), writ denied 422 So.2d 154 (La. 1982)
- The Chitimacha Tribe of Louisiana v. Harry L. Laws Company, Inc.**, 690 F.2d 1157 (5th Cir. 1982)
- Chevron U.S.A., Inc. v. Martin Exploration Co.**, 447 So.2d 469 (La. 1984)
- Bailey v. Franks Petroleum Inc.**, 479 So.2d 563 (La.App. 1st Cir. 1985)
- Jardell v. Hillin Oil Company**, 485 So.2d 919 (La. 1986)
- Pogo Producing Co. v. Sea Robin Pipeline Co.**, 493 So.2d 909 (La.App. 3rd Cir.), writ denied 497 So.2d 310 (La. 1986)
- Justiss Oil Company, Inc. v. Samedan Oil Corporation**, 915 F.2d 693 (Table) (5th Cir. 1990), affirming Civil Action No. CA 88-3193, United States District Court, Eastern District of Louisiana (1989) (unpublished)
- Petrocana, Inc. v. William H. Kenny Consultants, Ltd.**, 595 So.2d 384 (La.App. 3rd Cir. 1992)
- Acadia Holiness Association v. IMC Corporation**, 616 So.2d 855 (La.App. 3rd Cir.), writ denied 620 So.2d 842 (La. 1993)
- Lege v. Lea Exploration, Inc.**, 93-605 (La.App. 3rd Cir. 2/2/94); 631 So.2d 716, writ denied 94-0450 (La. 4/4/94); 635 So.2d 1112
- Eads Operating Company, Inc. v. Thompson, Commissioner of Conservation**, 93-2155 (La.App. 1st Cir. 10/7/94); 646 So.2d 948, writ denied 95-0226 (La. 4/7/95); 652 So.2d 1345
- Holly & Smith Architects, Inc. v. St. Helena Congregate Facility Inc.**, 06-C-05282 (La. 11/29/06); 943 So.2d 1037 (representing Amicus Curiae)
- Elizabeth W. Naquin and Matthew B. Eastin, Each Individually, and on Behalf of All Others Similarly Situated v. Lafayette City-Parish Consolidated Government, the City of Lafayette and Lafayette Public Utilities Authority**, 2006-C-2227 (La. 2/22/07); 950 So.2d 657
- Chevron U.S.A. Inc. v. State of Louisiana**, 2007-2469 (La. 9/8/08); 993 So.2d 187
- Indigo Minerals, LLC v. Pardee Minerals, LLC**, 45,160 (La.App. 2nd Cir. 5/28/10); 37 So.3d 1122, writ denied 2010-1669, 2010-1677 (La. 10/8/10); 46 So.3d 1274
- Walker v. Chesapeake Louisiana, L.P.**, 440 F ed.Appx., 2011 WL 3444162 (5th Cir. 2011)
- Adams v. Chesapeake Operating Inc.**, 11-01504 (W.D. La. 12/20/11); 2011 WL 63705
- Clovelly Oil Co. LLC v. Midstates Petroleum Company LLC**, 2012-2055 (La. 3/19/13); 112 So.3d 187 (representing Louisiana Oil and Gas Association and Louisiana Mid-Continent Oil and Gas Association as *Amici Curiae*)

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Total E&P USA, Inc., v. Kerr-McGee Oil and Gas Corp., 719 F.3d 424 (5th Cir. 2013) (representing *Amici Curiae*)

Gatti v. State of Louisiana, Through the Office of Conservation, and James H. Welsh, Commissioner of Conservation, et al, 2014-0863 (La. 8/25/14); 146 So.3d 196 (representing Louisiana Association of Business and Industry and Louisiana Chemical Association as *Amici Curiae*)

McCarthy v. Evolution Petroleum Corporation, 2014-2607 (La. 10/14/15); 180 So.3d 252 (representing Louisiana Oil and Gas Association and Louisiana Mid-Continent Oil and Gas Association as *Amici Curiae*)

Hayes Fund for the First United Methodist Church of Welsh, LLC v. Kerr-McGee Rocky Mountain, LLC, 2014-2592 (La. 12/8/15); 193 So.3d 1110, reversing 2013-1374 (La.App. 3rd Cir. 10/1/14); 149 So.3d 280 (representing Warren A. Fleet and Philip N. Asprodites, former Com-missioners of Conservation, as *Amici Curiae*)

Middleton v. EP Energy E & P Co., L.P., 50,300 (La.App. 2nd Cir. 2/3/16); 188 So.3d 263, *writ denied* 2016-0778 (La. 6/17/16); 192 So.3d 774

J. Fleet Oil & Gas Corp., L.L.C. v. Chesapeake Louisiana, L.P., 15-2461 (W.D. La. 3/22/18); 2018 WL 1463529

Gloria's Ranch v. Tauren Exploration, Inc., 2017-C-1518 (La. 6/27/18); 252 So.3d 431 (La. 2018), *reversing* 51,077 (La.App. 2nd Cir. 6/2/17); 223 So.3d 1202 (representing American Bankers Association and Texas Bankers Association as *Amici Curiae*)

Citrus Realty, LLC v. Parker, 2019 WL 385194 (La.App. 4th Cir. 1/30/19) (representing Louisiana Landowners Association as *Amicus Curiae*)