



**Nicolle R. Snyder Bagnell, Partner**

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Nicolle is a member of the firm's Environmental team within the Global Regulatory Enforcement Group. She represents energy clients in various matters, including natural gas condemnations, encroachment cases, and various contract disputes. Nicolle specializes in litigation and regulatory issues regarding natural gas production in the Marcellus Shale in Appalachia, counsels clients on permitting and permit disputes, represents oil and gas industry groups and natural gas producers in Minimum Royalty Act litigation, performs due diligence and provides advice on Marcellus Shale transactions. In addition, Nicolle counsels clients in a variety of environmental matters, such as due diligence for real estate transactions, representing clients on environmental claims in bankruptcy and advising clients on compliance with environmental regulations.

### **Representative Matters**

- Successfully represented a local gas distribution company in an appeal to the Pennsylvania Supreme Court over whether gas companies are liable for economic damages under the One Call Act.
- Led team performing due diligence for large oil and natural gas transactions, including the sale of Marcellus Shale rights.
- Represented oil and gas industry groups and natural gas producers in numerous cases involving the Pennsylvania Minimum Royalty Act.
- Brought and successfully resolved condemnation claims under Natural Gas Act and state laws for pipeline companies and utilities for large pipeline and storage field projects.
- Successfully settled cases which allowed natural gas pipeline company to recover costs incurred due to subsidence.
- Won action before PUC and Pennsylvania Commonwealth Court holding no jurisdiction over natural gas pipeline company or utility.
- Represented interstate natural gas companies in court and regulatory agencies in disputes with coal mining operations.



- Won or settled numerous actions for natural gas utilities and pipeline companies to stop landowners and developers from encroaching on pipeline right-of-ways, well sites and storage fields.
- Represented a national leading producer and transporter of energy in a dispute regarding ownership of gas. Plaintiff took top leases from hundreds of owners on properties where the gas rights were already held by client's storage and production leases. The lower courts agreed that the client's leases were valid for both production and storage even if production had not taken place for more than 50 years. This decision was affirmed by the federal Court of Appeals for the Third Circuit.

## Publications

- "Eastern Shale Plays – A Game Plan for Success," *55 Rocky Mountain Mineral Law Institute*, Chapter 32 (2009)
- "Two Important Cases Which Impacted the State of Pennsylvania Oil and Gas Law in 2007: *Excavation Technologies v. Columbia Gas of Pennsylvania* and *Penneco v. Dominion Transmission and Dominion Exploration and Production*," *29 Energy & Mineral Law Institute*, Chapter 12 (2008)
- "Gas Pipeline Relocation Issues," *26 Energy & Mineral Law Institute*, Chapter 8 (2005)
- Co-author, "Protecting Pipelines, Storage Fields, Wells and Other Facilities from Encroachments," *Society of Petroleum Engineers*, SPE 91458 (September 2004)

## Experience

2001 Reed Smith

1998 Harvard Center for International Affairs – Intern

1997 Environmental Testing Laboratory of the Harbor Branch of Oceanographic Institute (Ft. Pierce, Florida) – Intern

## Legal Education

2001 J.D., Duke University School of Law  
Named a Fellow of Environmental Law for the Cummings Environmental Law Colloquium, 2000  
Business & Executive Editor of the *Duke Environmental Law and Policy Forum*

## Graduate Education

2001 M.A., Nicholas School of the Environment at Duke University, Environmental Science  
Governing Board of the National Association of Environmental Law Societies



## **Undergraduate Education**

1998 A.B., cum laude, Harvard University, Environmental Science and Public Policy  
Henry Rosovsky Scholar  
Received a Commendation from the Governor of Florida for her research on beach erosion  
Thesis was titled "Setting the Standards for Beach Erosion Control: Is Any Solution Acceptable?"

## **Professional Admissions / Qualifications**

- Pennsylvania
- West Virginia

## **Awards, Honors and Recognitions**

- Included on *Law360's* 2010 list of 10 energy attorneys under 40 to watch
- Selected as a "Pennsylvania Rising Star" by *Pennsylvania Super Lawyers* each year since 2005