

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ANGELO R. RESCIGNO, SR.,
Executor of the Estate of CHERYL B.
CANFIELD,

Plaintiff,

vs.

STATOIL USA ONSHORE
PROPERTIES INC., STATOIL
NATURAL GAS LLC and STATOIL
ASA,

Defendants.

) Case No. 3:16-cv-00085-MEM

)
) DECLARATION OF DOUGLAS A.
) CLARK FILED ON BEHALF OF THE
) CLARK LAW FIRM, PC IN
) SUPPORT OF APPLICATION FOR
) AWARD OF ATTORNEYS' FEES
) AND EXPENSES

I, Douglas A. Clark, Esquire, declare as follows:

1. I am a sole practitioner at The Clark Law Firm, PC. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses/charges ("expenses") in connection with services rendered in the above-entitled action.

2. This firm is Co-Lead, Douglas A. Clark, counsel of record for plaintiff, Angelo Rescigno, Sr., Executor of the Estate of Cheryl Canfield.

3. The information in this declaration regarding the firm's time and expenses is taken from time and expense printouts and supporting documentation prepared and/or maintained by the firm in the ordinary course of business. I am the attorney who oversaw and/or conducted the day-to-day activities in the litigation, and I reviewed these printouts (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. As a result of this review and the adjustments made, I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought as set forth in this declaration are reasonable in amount and were necessary for the effective and efficient prosecution and

resolution of the litigation. In addition, I believe that the expenses are all a type that would normally be charged to a fee-paying client in the private legal marketplace.

4. After the reductions referred to above, the number of hours spent on this litigation by my firm is 590. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney time based on the firm's current rates is \$177,000. The hourly rates shown in Exhibit A are the usual and customary rates set by the firm for each individual.

5. My firm seeks an award of \$1,480.75 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Transportation, Hotels & Meals: \$1,480.75. In connection with the prosecution of this case, the firm has paid for travel expenses to, among other things, meet with co-counsel, opposing counsel and experts. The date, destination and purpose of each trip is set forth in Exhibit C.

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

8. The identification and background of my firm is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9 day of September 2020, at Peckville, Pennsylvania.



DOUGLAS A. CLARK, ESQUIRE

CERTIFICATE OF SERVICE

The undersigned counsel does hereby certify that he has this day caused to be served a true and correct copy of the above and foregoing via electronic mail on all counsel of record registered to receive filings via ECF.

/s/ Francis P. Karam

FRANCIS P. KARAM
Pennsylvania Bar # 77910

EXHIBIT A

EXHIBIT A

Rescigno v. Statoil USA Onshore Properties Inc., et al., Case No. 3:16-CV-00085-MEM
 The Clark Law Firm, PC
 Inception through September 9, 2020

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Douglas A. Clark	(A)	590	\$300	\$177,000
<i>TOTAL</i>		<i>590</i>	<i>\$300</i>	<i>\$177,000</i>

(A) Attorney

EXHIBIT B

EXHIBIT B

Rescigno v. Statoil USA Onshore Properties Inc., et al., Case No. 3:16-CV-00085-MEM
The Clark Law Firm, PC
Inception through September 9, 2020

<i>CATEGORY</i>	<i>AMOUNT</i>
Transportation, Hotels & Meals	\$1,480.75
<i>TOTAL</i>	<i>\$1,480.75</i>

EXHIBIT C

EXHIBIT C

Rescigno v. Statoil USA Onshore Properties Inc., et al., Case No. 3:16-CV-00085-MEM
The Clark Law Firm, PC

Transportation, Hotels & Meals: \$1,480.75

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Douglas A. Clark	3/3/2017	New York, NY	Meeting with Co-Counsel
Douglas A. Clark	6/21/2017	Washington, DC	Meeting with Co-Counsel and Opposing Counsel
Douglas A. Clark	12/12/2017	Stanford, CT	Meeting with Co-Counsel and Experts

EXHIBIT D

EXHIBIT D

FIRM RESUME

THE CLARK LAW FIRM, PC

doug@pagasleaseattorney.com

Douglas A. Clark, Esquire

1563 Main Street

Peckville, PA 18452

T: 570-307-0702 F: 570-307-0277

Overview

Attorney Douglas Clark is the principal of The Clark Law Firm, P.C., located in Peckville, Pennsylvania. Attorney Clark's practice is devoted to the representation of Pennsylvania oil and gas royalty owners and landowners with respect to oil and gas royalty, development and related production issues, including but not limited to oil and lease negotiations and consultations, lease validity challenges, royalty payment issues and challenges regarding improper royalty payments, oil and gas contract issues and all matters regarding oil and gas extraction and development across Pennsylvania.

Oil and Gas Related Experience

- Represented over 1,000 Pennsylvania landowners and royalty owners in oil and gas related matters since 2007.
- Personally negotiated, reviewed or consulted on over 750 oil and gas leases with hundreds of landowners and royalty owners across Pennsylvania.
- Routinely reviews royalty statements for improper royalty payments and challenges thereto.
- Successfully challenged multiple companies and recouped compensation for improper royalty payments to Pennsylvania royalty owners.
- Routinely negotiates complex oil and gas lease and addendum royalty provisions.
- Negotiates and drafts complex royalty provisions addressing royalty calculation methods, including addressing the impact of various gas sales points, affiliated gas sales, alternative pricing mechanisms, and a myriad of post-production costs and enhancement issues.
- Co-lead counsel on behalf of the Burkett Plaintiff-Intervenors in the Demchak v. Chesapeake Appalachia, LLC, Case No. 3:13-cv-2289, class action royalty case pending in the Middle District of Pennsylvania.

- Co-counsel in trial of oil and gas matter in PVR NEPA Gas Gathering LLC v. Andrejko, 882-CV-2013, Court of Common Pleas of Wyoming County, PA.
- Lead counsel for Defendants in oil and gas lease matter of SWEPI, LP, v. Wood, 59-CV-2011, Court of Common Pleas Tioga County, PA.
- Represented landowners in arbitration, mediations and court proceedings and hearings relative to royalty issues and oil and gas related matters.
- Since 2010, managed and supplied content for two websites, www.pagasleaseattorney.com and www.pipelineattorney.com, which assist in generally educating Pennsylvania landowners regarding relevant oil and gas legal issues, royalty payment issues, natural gas development, and the complexities of oil and gas and pipeline contracts. www.pagasleaseattorney.com features approximately 100 testimonials written by Pennsylvania landowners commending Attorney Clark's work on their behalf.
- Since 2010, Attorney Clark has hosted a weekly radio program, "All Things Marcellus," designed to generally educate and inform landowners about issues concerning natural gas development in Pennsylvania.
- To date, Attorney Clark has recorded well over 250 hours of informational programming, many of which are indexed by topic and archived on The Clark Law Firm, PC's websites.
- In 2012 Attorney Clark was featured on WVIA-TV's Northeast Business Journal highlighting his oil and gas related law practice and The Clark Law Firm, PC's commitment to representing Pennsylvania landowners.
- In May 2010, Attorney Clark was featured on the cover of the National Law Journal for his work relating to landowner representation.

Practice Areas

Landowner and Royalty Owner Oil and Gas Related Representation

Education

The University of Akron – J.D. 1995

Indiana University of Pennsylvania – B.A., Political Science, 1992

Bar Admissions

- Pennsylvania
- United States Supreme Court
- Third Circuit Court of Appeals
- United States District Court for the Middle District of Pennsylvania