

David Agerton, P.E., PhD
2825 Albans Rd.
Houston, TX 77005

August 13, 2015

Linda Acevedo, Esq. Chief Counsel
Commission for Lawyer Discipline, State Bar of Texas
P.O. Box 12487
Austin, TX 78711
Linda.acevedo@texasbar.com

RE: Court of Appeals Number: 14-14-00470-CV
Trial Court Case Number: 2013-56866

Style: Robert S. Bennett v. Commission for Lawyer Discipline

Dear Ms. Acevedo,

I have known Bob Bennett and his family since 1981 as a personal friend and fellow church member. Mallory and I have enjoyed Bob's friendship and company through a dinner club, swimming, a hunting lease and mutual friends. From everything I know and read, including supporting testimony from attorneys, Bob is well-qualified to practice law by virtue of his technical skills, demeanor and character. Please carefully consider Bob's petition to dismiss disbarment and to reinstate his license to practice law.

Respectfully,

Sent electronically via e-mail in PDF format

David J. Agerton,
2825 Albans Rd, Houston, TX 77005 713-873-1318
Resume attached

CC, via e-mail:

Stan Serwatka, Esq. Assistant United States Attorney, US DOJ
Chair Grievance Oversight Committee, State Bar of Texas
700 E. San Antonio Avenue, Suite 200, El Paso, Texas
Stanley.serwatka@usdoj.gov

David Whittlesey, Esq. Partner Andrews Kurth LLP
Chair Discipline and Client Attorney Assistance Program, State Bar of Texas
111 Congress Avenue Suite 1700, Austin, TX 78701
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Pipeline Development & integrity Management

Senior Manager experienced in pipeline repair, integrity management, business development, asset and risk management, engineering, construction and operations for E&P and pipeline companies. Combines teamwork and commercial acumen to build relationships and deliver results. Known for effective communication, hands-on project management, sound analysis, strategic thinking, innovative solutions and mentoring.

SELECTED ACCOMPLISHMENTS

- Oversee compliance of operator to a pipeline integrity consent decree with Federal regulators.
- Developed and installed Greenfield FERC-regulated joint-venture transmission pipeline.
- Managed P&L and business development for five gas pipelines.
- Led campaign to repair hurricane-damaged pipelines and platform.
- Tackled operating problems unique to liquid-rich, multi-diameter deepwater pipelines.

PROFESSIONAL EXPERIENCE

Dave Agerton Consulting and Project Consulting Services®, Inc.

2010-Present

- Assemble and manage team of subject matter experts in pipeline corrosion, repair, GIS and leak detection for Independent Monitoring Contractor to oversee how an operator in Alaska complies with terms of a consent decree for pipeline risk assessment and integrity management.
- Develop job plans for hydrotest of existing gas pipelines in Rusk County.
- Expert assessment of issues related to pipeline Right-of-Way appropriation
- Engaged major pipeline operators and shippers in ongoing technical study of practical ways to mitigate risk and consequence of hurricane wave damage at a key offshore pipeline hub platform.
- Strategy and market research on new technologies for a pipeline service company.
- Develop and deliver pipeline lectures and case studies for MBA students at Tulane, NOLA
- Advise Houston Technology Center clients on development strategy for game-changing technologies for compression, high-speed cladding and remote sensing of hydrocarbon leaks.

Enbridge Energy, Houston, TX

2005-2009

Manager, Special Projects and Engineering Specialist

- Led \$26m campaign in constrained market to assess and repair damaged pipelines and platforms by emphasizing safety and teamwork. Recognized for project management best practice.
- Developed strategy and hydraulic models to manage excess pipeline liquids from super rich gas in order to avoid deepwater production shut-ins and establish basis for facility expansion.
- Developed and tested innovative tools (pigs) to clean deepwater export lines while accommodating 70% change in pipe diameter—twice the current practice.
- Assessed technology and investment economics of LNG re-gas and trans-shipment terminals and convinced management to wait for market correction.
- Framed gas export options for Walker Ridge ultra-deepwater fields and analyzed ultimate strength of key hub platform to help win major deepwater project. Managed reserve evaluations.

Shell Gas Transmission, Houston, TX

2001-2004

Director, Business Development

- Managed 5 offshore gas pipelines to create and sustain value (\$24m NIAT/yr) and competitive advantage. Integrated processes with legal, operations, engineering, regulatory and finance. Cultivated successful long-term relationships with partners and customers.
- Developed plan to grow annual revenue \$4m using “Earn-The-Limit” approach, resolving complex liquids issues and shedding liability and facility charges.
- Added \$4m present value to gas connection deal by analysis of competitive options securing \$12m present value in new business. Favorably resolved \$4m dispute with partner.
- Led development of NaKika (*now Okeanos*) gas pipeline project through \$70 million capital approval to serve major hub development in 5400' water.
- Developed novel hind-cast model for Shell Aviation to evaluate ways to mitigate risks of helicopter accidents by 50% and avoid costly fleet upgrade.

Shell Gas Products and Services, Houston, TX

1997-2000

Staff Project Manager

- Initiated, directed and completed development of \$100m FERC-regulated Garden Banks Gas Pipeline to gather gas and retrograde liquid from deepwater fields for 4 initial customers.
- Implemented innovative NGL quality bank, flex-firm service, 6-year minimum-bill credit bank, sub-sea delivery point take off, and access to multiple markets.
- Negotiated definitive agreements, including operating, interconnect, transmission, and with 25% partner Amerada Hess, an LLC agreement.
- Pled at FERC for non-jurisdictional declaratory order, held an Open Season and obtained timely certificate and tariff approvals.
- Completed construction and contracts on time and budget, as recognized by President's and team recognition awards. Integrated system into pipeline operating and administrative systems.

Early Career Assignments at Shell:

1984-1996

- **Gas Trading.** Screened gas export options and negotiated connections for shelf fields. Provided economic and strategy analysis to support for gas trading, hedging and storage.
- **Oil Products.** Developed model to set tariffs in transportation planning
- **E&P, Project Engineer.**
 - Hooked up two facilities offshore CA. Devised \$14m incentive contract to cut production deferral and hook-up time despite arrival of incomplete facilities from Louisiana.
 - Planned and constructed award-winning “Seal Island” offshore Alaska N. Slope. Developed innovative plan to accelerate work, control risk, and reduce estimated cost by \$20m.
 - Managed production department budget and investment look-backs. Planned offshore exploration activity in environmentally sensitive, seasonal-ice areas offshore Alaska.

Education

- *PhD, Engineering Systems Design: Ocean Engineering and Fluid Dynamics* UNH, Durham, NH
- *MS, Electrical (Systems) Engineering* Rensselaer Polytechnic Institute, Hartford, CT
- *BA, Engineering* Trinity College, Hartford, CT

Professional Affiliations & Activities:

- Registered Professional Engineer, Texas 63080
- National Association of Corrosion Engineers, NACE 445997
- American Society of Mechanical Engineers: Steering Committee for International Offshore Pipeline Forum, 2005-2012: Chair for sessions on pipeline operations and risk management. Developed workshops on project management and flow assurance.
- Society of Petroleum Engineers and Marine Technology Society
- Energy Advisor at Houston Technology Center

Training and Development:

Management:

- Executive Program, Jones Graduate School of Management, Rice University, Houston, TX
- Flippen Relational Leadership Training, Successful People Management and Team Leadership, Constraint Theory, Houston, TX

Technical (since 2009):

- **Onshore Pipeline Engineering:** Tom Miesner, Phil Hopkins & Roger King for Clarion, 1-wk, Houston
- Keys to Deepwater Project Management Success, ASME / Gordon Sterling, Galveston
- Operator and Contractor Perspectives on Managing Offshore Pipeline Projects, ASME
- Pipeline Project Management, Technical Toolboxes
- Pipeline Risk Management, W. Kent Muhlbauer (Clarion)
- **Pipeline Integrity Master Class**, Alan Murray, Pat Vieth, Phil Hopkins (Clarion), May 2012
- **U. S. Oil Pipeline Safety Regulations**, Tom Miesner, July 2012
- **Pipeline Repair Methods & In-Service Welding**, Bill Bruce, Feb. 2013

Financial, Technical and Project (at Shell):

- Negotiation, communication, project management and contracting strategy.
- Financial modeling, project profitability and risk. E&P economics.
- Pipeline Operations, engineering, design and construction; flow assurance;
- Deepwater pipeline design and construction.
- LNG terminal technology; risk management.

Publications

- **OTC**
- **Pipeline Pigging and Integrity Management Conference**

Community Service:

- Member Board, Weekley YMCA, Houston, 2007-present: Helped raise over \$1m for Partner programs at nearby schools and apartments. Facilitated development of new program at low-income apartment.
- West University Place Parks Board, 2007-2009, 1986-1993: Led development of first master plan for parks and trees, developed relationships with home owners leading to City's purchase of 7 lots for conversion to parks. Raised \$150k in foundation grants. Passed \$14m bond issue for new pool facilities.
- Assistant Scout Master, Boy Scout Troop 55, 1996-2008. Coached patrols and mentored scouts and 4 Sr. Patrol Leaders. Counseled merit badges, eagle projects and expeditions to FL, CO, NM & MT.