



On January 25, Governor John Kasich announced the selection of Judge Mary DeGenaro to replace Justice William O'Neill on the Ohio Supreme Court. The selection of DeGenaro returns the Ohio Supreme Court to complete Republican control for the first time since 2012.

DeGenaro has served on Ohio's Seventh District Court of Appeals since her election in 2000. The Seventh District includes Belmont, Carroll, Columbiana, Harrison, Jefferson, Mahoning, Monroe, and Noble counties, comprising the heart of the Utica Shale play in Ohio. As a result, DeGenaro has extensive experience in deciding the issues that have helped shape oil and gas law in Ohio over the past decade. In fact, DeGenaro has been involved in deciding over 100 cases involving oil and gas issues while serving on the Seventh District.

Of particular note is DeGenaro's concurring opinion in [Eisenbarth v. Reusser](#) and her majority opinion in [Devitis v. Draper](#). In Eisenbarth, DeGenaro's lengthy concurrence laid out in detail the blueprint for the Ohio Supreme Court's holding in [Corban v. Chesapeake](#), arguably the most impactful decision to come from Ohio's courts since the shale boom began over a decade ago.

In Devitis, DeGenaro weighed in on whether oil and gas royalty severances are subject to Ohio's Dormant Mineral Act (DMA). DeGenaro cited the language of the Marketable Title Act, of which the DMA is a part, to find that the DMA applies to all interests in property, including oil and gas royalties, and can extinguish those interests accordingly. While still an issue ripe for consideration by the Ohio Supreme Court, clarity as to the opinion of one of the justices is certainly welcome.

The Court will derive great benefit from DeGenaro's depth of knowledge on the issues presently facing the energy industry. She has proven to be a thoughtful and engaged jurist on energy issues and will undoubtedly have ample opportunity to render the final word on many of those issues in the future.



WILLIAM BECKLEY

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