



# Devan K. Flahive

Devan concentrates her practice in oil and gas, antitrust and litigation. She has defended oil and gas production companies in issues surrounding deductions from royalty checks, liability for plugging and abandonment costs, development of mineral interests acquired at tax sales and partition in lieu of forced pooling. She has served as counsel to a pipeline company in a suit brought by joint venture partners alleging breach of operating agreement, negligence and breach of fiduciary duty. She has experience in predatory pricing and horizontal price fixing claims, as well as antitrust compliance programs, policies and procedures. Further, Devan served as counsel to an oil company in a case implicating the West Virginia Unfair Practices Act that related to retail gasoline pricing.

Prior to joining Porter Wright, Devan worked as a dairy business consultant for an industry-leading animal nutrition entity, advising dairy farm clients in Vermont, New Hampshire and New York on strategies for increased herd productivity and profit maximization. Her analysis of issues included commodity selection and purchasing, crop management, and cow health. She also owned her own Jersey and Holstein cows. Additionally, she served as an adjunct professor at West Virginia University's Davis College of Agriculture, Natural Resources and Design.

## Bar Admissions

Ohio  
West Virginia

## Presentations

- "Oil and Gas Antitrust Concerns," Energy and Mineral Law Foundation Annual Institute, June 14, 2016

## Publications

- "Together is not always better: Understanding the antitrust pitfalls in the oil and gas industry," *West Virginia Executive*, June 20, 2017
- "Waterless fracing," *West Virginia Executive*, Spring 2015

## Honors | Awards

- Leadership Harrison, 2015

## Associate

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Columbus, OH 43215

## SOCIAL MEDIA

### Blogs

[oilandgaslawreport.com](http://oilandgaslawreport.com)

## EDUCATION

Pennsylvania State University  
Dickinson School of Law, J.D., 2014

Cornell University, B.S., *cum laude*,  
2008

## PRACTICE AREAS

### Energy

- Oil and gas
- Utility regulation

### Antitrust & Consumer Protection

### Litigation

- Antitrust litigation
- Construction Litigation

### Environmental

## PROFESSIONAL ASSOCIATIONS

- West Virginia Oil and Natural Gas Association
- Independent Oil and Gas Association
- West Virginia Farm Bureau



- The Center for Computer-Assisted Legal Instruction (CALI), CALI Excellence for the Future Award, Legal Writing, 2011

**Community**

- West Virginia University, Adjunct Professor, 2015, 2017

**PROFESSIONAL  
ASSOCIATIONS  
(CONTINUED)**

- West Virginia Forestry Association
- Defense Trial Counsel of West Virginia
- American Bar Association Section of Environment, Energy and Resources, *Agricultural Management Committee*, Newsletter Vice-Chair