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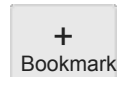


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## EQT Asks 2 WV Judges be Removed from Royalty Cases re Conflicts

January 19, 2021 | Energy Companies, EQT Corp, Industrywide Issues, Lease & Royalty Payments, Litigation, Statewide WV, West Virginia



EQT Corporation, the largest natural gas producer in the United States, is asking West Virginia officials to remove two judges from hearing cases brought by landowners against the EQT relating to royalty disputes for alleged improper deductions. EQT wants Judges Timothy Sweeney and David W. Hummel Jr. to be disqualified from at least three cases (that we know of).

Timothy L. Sweeney is a judge for the Third Judicial Circuit Court,

which presides over Ritchie, Doddridge, and Pleasants counties in WV. David W. Hummel Jr. is a judge of the Second Circuit Court, which presides over Marshall, Tyler, and Wetzel counties in WV.

We're trying to piece the news together the best we can. We spotted the following brief blurb on the *Law360* website:

EQT accused two West Virginia state court judges Friday of not disclosing financial and personal interests in the outcome of royalty disputes they hear, claiming both judges own oil and gas interests in a significant amount of land in the counties they preside over.

EQT Corp. has requested that Judges Timothy Sweeney and David W. Hummel Jr. be disqualified from hearing royalty disputes currently before them, in which oil and gas owners allege the company has shorted them on royalty payments through improper deductions under their lease agreements.

The company argues the judges can't be impartial in oil and gas royalty... (1)

EQT says Sweeney and Hummel are both large landowners and therefore cannot be impartial in their judgment. They have a conflict of interest, according to EQT.

As part of their blurb, *Law360* indicates there are three motions (in three cases), made by EQT to remove the two judges:

Goff Motion

Huey Motion

Williams Motion

We could not find the court documents for any of the cases, but we did find the following names of the cases:

Carl L. Goff vs. EQT Production Company

Marcus Huey vs. EQT Production Company

Phillip K. Williams v. EQT Production Company

We found the following description of the Huey case:

Wetzel County property owners are suing oil and gas production companies, alleging fraud, breach of duty and unjust enrichment.

Marcus Huey, Jean Gould, West-Grubb LLC, Stoney Meadows LLC, Sarabeth Lamm, et al filed a complaint June 12 in Wetzel Circuit Court against EQT Production Company, EQT Gathering LLC, EQT midstream Services LLC, et al, alleging they violated the implied covenant of good faith and fair dealing.

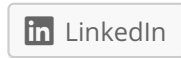
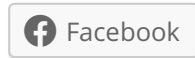
According to the complaint, the plaintiffs have suffered and will continue to suffer monetary loss, damage and injury and are being deprived of the fair market value of the rents and royalties they should receive. The plaintiffs allege the defendants have failed and refused to pay the plaintiffs' royalty interest and have wrongfully withheld more than \$5 million in royalties due the plaintiffs.

The plaintiffs seek trial by jury, award for all monies deducted from the plaintiffs' royalties, compensatory and punitive damages, pre- and post-judgment interest, legal fees and court costs and all other just and proper relief. They are represented by attorneys John F. McCuskey, Brian Warner and Marc F.

(1) *Law360* (Jan 15, 2021) – EQT Wants W.Va. Judges DQ'd From Royalty Fights [↗](#)

(2) *West Virginia Record* (Jul 4, 2017) – Lessors accuse energy producing companies of fraud [↗](#)

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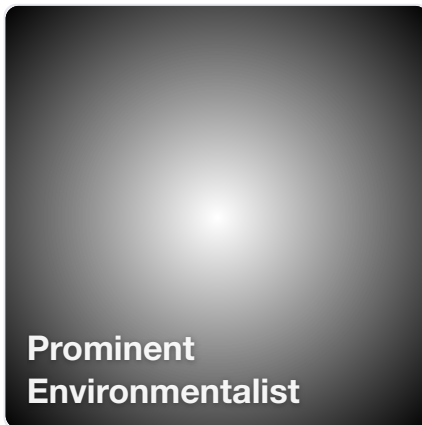
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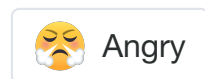
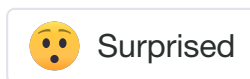
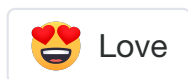
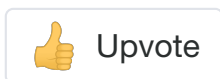
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