



## David R. Overstreet

### AREAS OF PRACTICE

Mr. Overstreet has been with K&L Gates since 1993 and has an administrative law and litigation practice spanning several substantive disciplines with an emphasis on energy and environmental matters. He assists clients in a variety of business sectors with permit applications and enforcement matters before state and federal regulatory agencies, including the Pennsylvania Department of Environmental Protection and the United States Environmental Protection Agency. Mr. Overstreet appears regularly before the Pennsylvania Environmental Hearing Board as well as state and federal courts in Pennsylvania and, in addition to being a member of the Pennsylvania bar, is admitted to practice before the United States Supreme Court and the United States Court of Appeals for the Third, Fifth and D.C. Circuits.

Mr. Overstreet also represents state and national trade associations in connection with administrative agency rulemakings and adjudications and judicial review of such actions. On behalf of national clients, he has appeared before, and litigated against, federal and state agencies throughout the United States and has successfully prosecuted civil actions brought against local and state government officials in federal courts in several states.

Mr. Overstreet is actively involved on behalf of a number of different clients in permitting, enforcement and litigation matters associated with the development of shale gas facilities in Pennsylvania. He represents natural gas development, collection and distribution companies with respect to gas well, air emission and water use permits, leasing and property rights disputes, administrative enforcement actions and related consent orders as well as third-party permit appeals. He also defends clients against civil actions alleging groundwater and surface contamination and personal injury allegedly associated with gas well development and, as part of his shale gas development practice, Mr. Overstreet has worked with leading experts in a variety of technical disciplines.

In addition to his work with natural gas development and distribution companies, Mr. Overstreet represents clients in the waste management, refining and power generation sectors. For more than fifteen years, he has advised clients with permitting, enforcement and litigation matters arising in connection with the development and operation of landfills, oil refineries, surface mines and natural gas power plants.

Mr. Overstreet also has a commercial litigation practice, as a complement to his regulatory and administrative litigation practice, and has served as lead counsel in jury and non-jury trials in state and federal courts. Mr. Overstreet has also represented witnesses and targets in grand jury proceedings and, on behalf of national clients, has lead confidential, internal investigations into allegations of alleged fraud and related statutory and regulatory violations.

For several years prior to attending law school, Mr. Overstreet developed and managed a franchise and independent restaurant group that grew to include several restaurants with approximately one hundred and fifty employees.

### PITTSBURGH

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### HARRISBURG

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### PRIMARY PRACTICE

- Energy

### SECONDARY PRACTICES

- Betting & Gaming
- Environmental, Land and Natural Resources
- Oil & Gas
- Real Estate Land Use, Planning and Zoning

### PUBLICATIONS

- Pennsylvania's new Oil and Gas Act requires 'uniformity' of municipal ordinances, Westlaw Journal Environmental Newsletter. Volume 31, Issue 23, June 6, 2012
- K&L Gates' Fifth Annual Appalachian Basin Oil & Gas Seminar Materials, K&L Gates Seminar, Pittsburgh, PA, April 27, 2012
- K&L Gates Represents Oil and Gas Producers in Major Pennsylvania Supreme Court Victory, Oil & Gas Alert, April 4, 2012
- Pennsylvania's Oil and Gas Act Amended to Require "Uniformity" with Respect to Municipal Ordinances Regulating Oil and Gas Operations, Oil & Gas Alert, February 9, 2012
- PaDEP Issues Interim Guidance on Air Aggregation, Moves Away From "Functional Interdependence" Test, Oil & Gas Alert, November 11, 2011
- Ohio EPA Releases Draft General Permit for Oil and Gas Well-Site Production Operations, Oil and Gas Alert, November 3, 2011
- Global Government Solutions 2011: Mid-Year Outlook, K&L Gates Publication, July 2011

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- EPA Focuses its Enforcement Lens on the Oil and Gas Industry, Global Government Solutions® 2011: Mid-Year Outlook, July 2011
- OnStream, K&L Gates Oil & Gas Publication, Summer 2011
- Regulated Wagering on Events Markets: Analysis, World Online Gambling Law Report, August 2008
- In a Lockbox or a Goldfish Bowl? Confidential Proprietary Information and Trade Secrets in Government Records under Pennsylvania's New "Right-To-Know" Law, Appellate, Constitutional and Governmental Litigation Alert, March 25, 2008
- Pa. Supreme Court upholds most substantive provisions of gaming law, Special Daily Gaming Update, June 22, 2005
- Pennsylvania's Gaming Control Board Will License Non-Gaming Vendors, Special Daily Gaming Update, May 5, 2005
- Georgia Appellate Court Holds That a State Board of Pharmacy Regulation Mandating Patient Counseling Does Not Create a Duty to Warn Patients of Potential Adverse Effects of Prescription Medication, Retail Pharmacy Alert, April 2005
- Pennsylvania Gaming Control Board Continues to Build Its Infrastructure, Special Daily Gaming Update, February 8, 2005
- License Application Hearings Before Pennsylvania's Gaming Board, Pennsylvania Gaming Update, November 2004
- Gaming Law Under Attack: What's Next?, Pennsylvania Gaming Update, October 2004

## ADMISSIONS

- Bar of Pennsylvania
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

## EDUCATION

- J.D., Villanova University School of Law, 1993, (*magna cum laude*; Order of the Coif; Managing Editor, *Villanova Law Review*)
- B.S., Pennsylvania State University, 1982, (Business Administration)