

- She has to stay at BOG long enough to train someone to be able to use the database (no one has been identified yet).
- She cannot take her contacts list with her.
- She cannot work with BAP on acquiring any companies BOG has considered for acquisition.
- She cannot use BOG's "approach" to acquiring fields for BAP.

Which (if any) of these requirements is Lisa ethically obligated to do? Should she sign an agreement? What should BAP do?.

Top Employee Starts Consulting Firm

- Technology Bob worked for a major oil company in the R&D department where he helped develop an intelligent well system that was subsequently licensed to a service company, IntelliWellGroup. He joined IWG and built the consulting arm of the service company that was instrumental in helping them sell more tools. The software he developed allows operators to optimize how intelligent wells are developed. IWG management allowed him a lot of time to write papers and attend conferences where he became well known in the intelligent well community. Bob has decided to start an independent consulting company along with two of his employees, effectively gutting IWG's consulting arm.
- Bob knows he cannot take any trade secrets with him including the software he developed at IWG. He does think he can recreate similar software and maybe even better software that can handle IWG's as well as competitor's tools. Bob knows he learned this capability on IWG's dime and wonders about his ethical obligations.
- Bob is a little concerned about hiring his co-workers. He had planned not to do so but to hire some people from other companies. However, when he hinted about his plans to the guys working for him at IWG, they were enthusiastic about joining him. Bob realizes

that IWG will not only lose some consulting revenue but may lose market share.

- Bob knows IWG's strategies for getting the most money from oil companies and expects he will be hired to help get "better deals" from IWG and its competitors.
- In the past, Bob's team has always recommended IWG. Now he plans on being agnostic as to vendor and being able to recommend any vendor without bias. He realizes that his past association with IWG may mean that he will have to bend over backwards to give other vendors a fair chance in his recommendations.
- Bob plans on contacting the other industry experts he has met at SPE ATWs, forums, and other meetings to market his consulting services.

What ethical concerns should Bob consider? Which of these are likely to lead to ethical breaches? What limits to Bob's plans would you suggest?

9.5.3 Whose Witness Anyway?

Maria Hotshot is the acknowledged world expert in shale gas wells from an engineering perspective. She has designed and evaluated every aspect of horizontal wells and hydraulic fracturing and has spent the last decade of her 30 years in the industry working on shale gas projects around the world. While she is highly sought after as a consultant, it is her expertise and demeanor as an expert witness that has enabled her to testify at several high-profile lawsuits. After one case, her testimony was so effective that the opposing (losing) side immediately asked to retain her on another matter. After lunch, Maria returns to her office to find telephone messages and e-mails. The first are from a local plaintiff's attorney. His e-mail text was as follows:

Dr. Hotshot,
My name is Mark Cheatham and I represent Shale Guys, Inc (SGI). We have a great deal of acreage in the Marcellus and