

## Goetze, Phillip, EMNRD

---

**From:** Chappelle, Germaine R. <germaine.chappelle@gknet.com>  
**Sent:** Wednesday, July 10, 2013 4:49 PM  
**To:** Ezeanyim, Richard, EMNRD; Brooks, David K., EMNRD; Goetze, Phillip, EMNRD  
**Cc:** jamesbruc@aol.com  
**Subject:** RE: Case 14996/Nearburg  
**Attachments:** Message from KMBT\_C554

Dear Sirs:

OXY USA WTP, LP Requests a continuance of Case 14996 because Oxy's witness is currently unavailable. Nearburg was contacted Tuesday regarding this request. Initially it was conveyed by Nearburg's attorney that continuance of this Case may be acceptable. This morning, however, Nearburg's attorney conveyed that as of yesterday evening his expert was already in transit to the hearing and he indicated that while Nearburg does not want a further continuance, Oxy may move for one at the hearing. The email correspondence regarding these exchanges is attached for your review.

Given the technical issues in this case and the sizeable interests at stake, Oxy requests the hearing for Case 14996 be continued so that Oxy's expert witness may meaningfully participate.

Respectfully,  
Germaine R. Chappelle

**GALLAGHER & KENNEDY**  
P.A.  
LAW OFFICES

**Germaine R. Chappelle**

Of Counsel  
Gallagher & Kennedy, P.A.  
1233 Paseo de Peralta  
Santa Fe, NM 87501

Phone: 505-989-7338

Fax: 505-983-8160

E-mail:

[germaine.chappelle@gknet.com](mailto:germaine.chappelle@gknet.com)

Web site: [www.gknet.com](http://www.gknet.com)



This message and any of the attached documents contain information from the law firm of Gallagher & Kennedy, P.A. that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information, and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message. Thank you.