

J. Scott Hall

From: J. Scott Hall
Sent: Tuesday, November 09, 2010 4:27 PM
To: 'Thomas Kellahin'
Subject: RE: Request Devon-Cimarex OCD Cases

Tom:

December 2nd doesn't work for us, and we don't concur, but here is a proposed resolution:

I understand that Cimarex will soon be coming forward with an application for its North Young Fed Com 3-H in the W/2 W/2 of Sec. 15, so we will have four conflicting applications. Each party can assert that the other has procedural problems with one or more application. Instead of digressing into a dispute over such matters, we think it makes more sense to have all applications heard simultaneously on December 16th.

Accordingly, proposed terms: (1) Cimarex and Devon will file a stipulated motion to consolidate and continue all three cases (or four, if the Young 3-H is filed in time) for hearing on December 16, 2010. (2) Cimarex withdraws its motion to dismiss in Case 14569 and we won't file one in Case 14573. (3) Both parties will hold in abeyance construction of roads/pads and commencement of drilling of any well on Section 15 until these applications are resolved with finality, including through appeal, or through settlement.

Please discuss with your client and let me know.

Scott

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From: Thomas Kellahin [mailto:tkellahin@comcast.net]
Sent: Monday, November 08, 2010 2:38 PM
To: J. Scott Hall
Cc: Compton.Mark
Subject: Request Devon-Cimarex OCD Cases

Dear Scott,

On behalf of Cimarex, I am requesting your client's, Devon, concurrence to continuing Case 14570 from the November 18th docket to the December 2nd docket to be consolidated for hearing with Cimarex's Case No. 14573 current set on that docket.

EXHIBIT A

Please advise,

Tom