

Davidson, Florene, EMNRD

From: Leach, Carol [CLeach@bwenergylaw.com]
Sent: Friday, June 24, 2011 5:08 PM
To: Bailey, Jami, EMNRD; Davidson, Florene, EMNRD; Bada, Cheryl, EMNRD
Cc: Michael Campbell
Subject: FW: Agreement for a continuance 6-24-2011

We have an agreement for a continuance in Case Nos. 14558 and 14577. Please see below. Florene thank you for your patience.

Carol

From: Michael Campbell [mailto:mcampbell@campbelltriallaw.com]
Sent: Friday, June 24, 2011 5:04 PM
To: Leach, Carol
Subject: Re: Agreement for a continuance 6-24-2011

This is ok Carol.

On Jun 24, 2011, at 4:59 PM, "Leach, Carol" <CLeach@bwenergylaw.com> wrote:

Michael,

COG Operating LLC agrees to a continuance of Case Nos. 14558 and 14577 that were set to be heard by the Oil Conservation Commission on June 28, 2011. COG does not agree with the reasons asserted in the Motion for a Postponement filed by you.

You and I agree on behalf of Conoco Phillips Company and COG Operating LLC, respectively, that the cases are continued until the next regular meeting of the OCC which is July 28, 2011. During that time the parties will attempt to reach a settlement.

The parties further agree to a standstill in the current cases. The standstill includes the following:

1. No new or amended pre-hearing statements, witness lists, or exhibits except as is provided by OCD Rules for rebuttal witnesses and exhibits.
2. No new substantive motions, but responses or replies may be filed to pending motions.

3. No discovery.
4. No subpoenas to COG witnesses identified in this case to testify in cases involving ConocoPhillips. Further, COP counsel in this case will not participate in the issuance of subpoenas to, or the questioning of, such witnesses in any other cases for other clients on the topics of the Burch Keely Unit, the Grayburg Jackson pool or hydraulic fracturing. Term No. 4 will expire on July 28, 2011, unless the continuance is extended.

And the parties request that this agreement be made a part of the record of both cases identified above.

If you can indicate your agreement by return email I will forward this to the OCD Director, the OCC clerk and the OCC counsel and explain that we are somewhat informal with this agreement because you are at the hospital with a family member.

Carol Leach

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