

OIL CONSERVATION COMMISSION

P. O. BOX 871

SANTA FE, NEW MEXICO

July 9, 1958

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The Honorable John R. Brand
District Judge
Los County Court House
Lovington, New Mexico

Re: Cause Nos. 16213 through 16220

Dear Judge Brand:

I have just received a letter dated July 7, 1958, from the attorneys representing the Petitioners in the above-captioned causes now pending in your Court concerning our Motions for Pre-trial Conferences. It is my understanding that you also received a copy of the above-referenced letter.

As you will note, paragraph (3) of our Motions requests the consideration of certain legal matters raised in the Petitions for Review. At the time these Motions were filed it was my understanding that opposing counsel were willing to argue all issues raised therein; however, it now appears that this is not the case.

It is therefore respectfully requested that the Court disregard paragraph (3) of our Motions for Pre-trial Conferences in each of the captioned causes.

Very truly yours,

WILLIAM J. COOLEY,
Attorney for Respondent
Oil Conservation Commission

WJC/ir

cc: Atwood & Malone - Roswell, N.M.
Kellakin & Fox - Santa Fe, N.M.
Harvey, Dow & Hinkle - Roswell, N.M.
Campbell & Russell - Roswell, N.M.
Mr. Robert W. Ward - Lovington, N.M.
Mr. Ray C. Cowan - Hobbs, N.M.
Mr. Manuel A. Sanchez - Santa Fe, N.M.

ATWOOD MAIN OFFICE LOG ONE

LAWYERS

1958 JUL 9 AM 8:38

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TELEPHONE MAIN 2-6221
ROSWELL PETROLEUM BUILDING
ROSWELL, NEW MEXICO

July 7, 1958

Mr. Jack Cooley, Attorney
New Mexico Oil Conservation Commission
Santa Fe, New Mexico

Dear Mr. Cooley:

The undersigned counsel representing the companies who have filed Petitions for Review of the Commission's Orders Nos. R-1092-A and R-1092-C have considered the Motion for Pre-Trial Conference filed by the Commission in each of these cases.

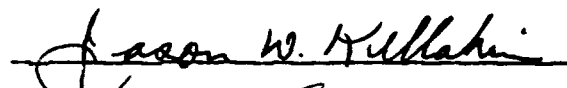


It is our view that a Pre-Trial Conference in the cases will be helpful, and we are glad that the Court has set the cases down for such a conference on August 4, 1958. We have no objection to consolidation of the several review actions.

We assume that in accordance with normal pre-trial procedures the Court's action at the Pre-Trial Conference will be to delineate the legal issues which are to be disposed of at the time of trial, when the record is before the Court. We will be prepared to proceed on that basis at the time of the Pre-Trial Conference.

We also agree that a determination as to the extent of the record to be considered by the Court on trial and the nature and scope of the review afforded by the New Mexico statute should properly be disposed of at the Pre-Trial Conference.

With best wishes, we are,

Very truly yours,

cc: Honorable John R. Brand
Campbell & Russell
Mr. Robert W. Ward
Mr. Ray C. Cowan
Mr. Manuel A. Sanchez