

FILED

2019 FEB 28 PM 3:39

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA
BUSINESS COURT

KRP MARCELLUS I, LLC,
RIVERCREST ROYALTIES II, LLC,
DIVERSIFIED ROX MINERALS, LLC,
BRD ROYALTY HOLDINGS, LLC and
AMON G. CARTER FOUNDATION,
collectively known as the KIMBELL GROUP,

Plaintiffs,

Vs.

CHEVRON U.S.A. INC.,
a Pennsylvania Corporation

Defendant,

TH EXPLORATION, LLC
a Texas Limited Liability Company

Defendant,

DOE CORPORATION 1-20,

Defendants.

Civil Action No.: 18-C-215
Presiding: Judge Michael D. Lorensen
Resolution: Judge Christopher C. Wilkes

AGREED ORDER

On a previous date came the Plaintiffs, KRP Marcellus I, LLC, Rivercrest Royalties II, LLC Diversified Rox Minerals, LLC, BRD Royalty Holdings, LLC and Amon G. Carter Foundation, collectively known as the Kimbell Group, by and through counsel, Joseph G. Nogay, and as well came defendant Chevron U.S.A. Inc., by and through counsel, Matthew Burger, Esq. and as well came defendant TH Exploration, LLC by and through counsel, Katherine Gafner, to advise the Court that by agreement, Plaintiffs are permitted to file an Amended Complaint, in the form attached to this Motion as "Exhibit A". However, the attached Amended Complaint does not include the exhibits to the Amended Complaint.

Based upon the agreement between the parties, the Court does **ORDER, ADJUDGE** and **DECREE** as follows:

1. Plaintiffs' Amended Complaint is hereby **ORDERED** filed.
2. Plaintiffs' are Ordered to serve, via hand delivery, Defendant Chevron U.S.A. Inc. and Defendant TH Exploration, LLC with the Amended Complaint, including all exhibits, within three (3) days of the entry of this Order.
3. Defendants Chevron U.S.A. Inc. and TH Exploration, LLC are hereby Ordered to respond to the Amended Complaint within 20 days of service.
4. The Briefing Order on Defendant Chevron U.S.A. Inc.'s Motion to Stay Discovery Pending Adjudication of Motion to Dismiss Complaint; the Briefing Order on Plaintiffs' Motion to Compel Defendant Chevron U.S.A. Inc. to Answer Plaintiffs' Discovery Requests to Defendant Chevron U.S.A. Inc. (First Set); the Briefing Order on Defendant TH Exploration, LLC's Motion to Dismiss Plaintiffs' Complaint; and the Briefing Order on Defendant Chevron U.S.A. Inc.'s Motion to Dismiss Plaintiffs' Complaint, all entered on February 13, 2019, are hereby suspended, pending the Responses of the Defendants to the Amended Complaint. After those Responses are filed, the Court will issue other Briefing Orders on the various motions pending before the Court at that time.
5. It is further **ORDERED** that the Plaintiffs are not required to re-serve their discovery requests to Defendant Chevron U.S.A. Inc. (First Set) or discovery requests to Defendant TH Exploration, LLC (First Set), nor are the Plaintiffs required to re-file their pending Motion to Compel Defendant Chevron U.S.A. Inc. to Answer Plaintiffs discovery request to Defendant Chevron U.S.A. Inc. (First Set).

6. It is further ORDERED that Defendant Chevron U.S.A. Inc. is not required to re-file its pending Motion to Stay Discovery, but it shall be permitted to Amend said Motion subject to its review of the as-filed Amended Complaint and all exhibits thereto.


ENTERED THIS 28 DAY OF February, 2019.

BY THE COURT



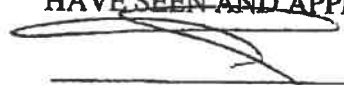
The Honorable Michael D. Lorensen
PRESIDING JUDGE

PREPARED BY:



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HAVE SEEN AND APPROVED:



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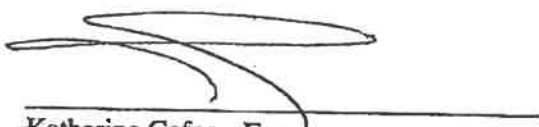
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Copy Teste:

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By Dorina Crow Deputy

for:



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