

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING

MARION STONE and  
BRIAN CORWIN,

Plaintiffs,

v.

Civil Action No. 5:12-CV-102  
(BAILEY)

CHESAPEAKE APPALACHIA, LLC,  
STATOIL USA ONSHORE PROPERTIES,  
INC., and JAMESTOWN RESOURCES, LLC,

Defendants.

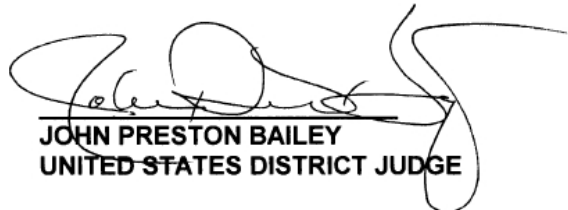
**ORDER GRANTING JOINT MOTION**

Pending before this Court is the parties' Joint Motion to Vacate the Court's Order of April 10, 2013, Denying Defendants' Motion for Summary Judgment [Doc. 68], which was filed July 30, 2013. Insofar as the parties have informed this Court that all matters in controversy have been settled, this Court will **GRANT** the Motion [**Doc. 68**]. Accordingly, this Court's Order Denying Defendants' Motion for Summary Judgment [**Doc. 41**] is hereby **ORDERED VACATED**. As a final matter, the July 31, 2013, *Daubert* hearing set by Paperless Order dated June 10, 2013 [**Doc. 59**] is hereby **VACATED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** July 30, 2013.

  
JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE

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Defendants.

**JOINT MOTION TO VACATE THE COURT'S ORDER OF APRIL 10, 2013 DENYING  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

All parties to this action jointly move the Court to vacate its Order of April 10, 2013

Denying Defendants' Motion for Summary Judgment.

A proposed Order agreed to by all parties is attached.

/s/ Eric M. Gordon

Eric M. Gordon  
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*Counsel for Plaintiffs*

/s/ Kevin C. Abbott

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy foregoing has been served  
via the Court's ECF system on the following counsel of record:

Eric M. Gordon  
Berry, Kessler, Crutchfield, Taylor & Gordon  
514 Seventh Street  
Moundsville, West Virginia 26041

Dated: July 30, 2013

s/ Kevin C. Abbott