

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

STEPHEN HEARN, on behalf of himself
and all others similarly situated;
JESSE and SUSAN FREY, on behalf of themselves
and all others similarly situated;
RANDY and JOYCE PALMER, on behalf of themselves
and all others similarly situated; and
SAM and APRIL LANE, on behalf of themselves
and all others similarly situated

PLAINTIFFS

v.

No. 4:11CV00474 JLH

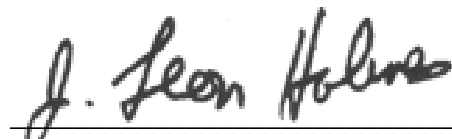
BHP BILLITON PETROLEUM (FAYETTEVILLE)
LLC; and CHESAPEAKE OPERATING, INC.

DEFENDANTS

ORDER

Without objection, plaintiffs' motion to dismiss BHP Billiton Petroleum (Arkansas) Inc., without prejudice is GRANTED. BHP Billiton Petroleum (Arkansas) Inc., is hereby dismissed without prejudice. Document #33. Plaintiffs' motion to extend the time to respond to BHP Petroleum's motion to dismiss is GRANTED. Document #32. The time within which plaintiffs must respond to the motion to dismiss is extended up to and including November 30, 2011.

IT IS SO ORDERED this 1st day of November, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE