

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

BRYANT LEWIS; HELOISE LEWIS;  
BARRY CARTER, TOR, INC.;  
LEWARK, LLC; TONY ALLEN;  
MARY J. ALLEN; JAMES MODISETTE;  
LINDA WARE BAILEY; KENNETH WARE;  
DOROTHY WARE; MARY FRANCES  
WARE PHILLPS; NORMA SULLIVAN;  
TRINA LOWERY; WILLIAMS LOWERY;  
HARRY KOLB REVOCABLE TRUST; POLLY  
FOOTE; PATRICIA SWANSON; JEROME  
CAMP; PAMELA C. WARREN;  
CASSIE FARRAR; and LABAN WARE

PLAINTIFFS

v.

CASE NO. 12-CV-1067

ENERQUEST OIL AND GAS, LLC  
and BP AMERICA PRODUCTION COMPANY

DEFENDANTS

**ORDER**

Before the Court is a Motion for Summary Judgment filed on behalf of Defendants EnerQuest Oil and Gas, LLC and BP America Production Company. (ECF No. 23). Plaintiffs have responded. (ECF No. 31 & 38). Defendants have replied. (ECF No. 35 & 39). Upon consideration, for the reasons discussed in the Memorandum Opinion of even date, the Court finds that Defendants's Motion for Summary Judgment (ECF No. 23) should be and hereby is **GRANTED**. Accordingly, Plaintiffs's claims are **DISMISSED**. Plaintiffs's Motion for a Jury Trial (ECF No. 18) is now **MOOT**. An order of even date consistent with this Opinion shall issue.

**IT IS SO ORDERED**, this 13th day of January, 2014.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge