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8 Attorneys for Defendant
9 ATLANTIC RICHFIELD COMPANY
10 (formerly Arco Oil and Gas Company) and
11 BP AMERICA PRODUCTION COMPANY
12 (formerly Amoco Production Company and
13 erroneously sued as Amoco Petroleum
14 Additives Company)

15 UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA

17 RECLAMATION DISTRICT NO.
18 2116, and WILLIAM P. DEPAOLI,

19 Plaintiff,

20 v.

21 ARCADY OIL COMPANY, et al.,

22 Defendants.

23 AND RELATED COUNTERCLAIMS
24 AND CROSS-CLAIMS

Case No. 2:96-cv-01473-JAM-DAD
STIPULATION OF DISMISSAL

25 Plaintiffs and Defendants file this stipulation of dismissal under
26 Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

27 1. Plaintiffs are RECLAMATION DISTRICT NO. 2116 and
28 WILLIAM P. DEPAOLI.

2. Defendants are OCCIDENTAL PETROLEUM
CORPORATION; OXY USA, INC.; HAMILTON BROTHERS CORPORATION;
ATLANTIC OIL COMPANY, CHEVRON U.S.A. INC.; ENCANA

1 CORPORATION (formerly Pan Canadian Petroleum Company); MARATHAON
2 OIL COMPANY (for Texas Oil & Gas Corporation); UNION OIL COMPANY OF
3 CALIFORNIA (erroneously sued as Unocal); WESTERN CONTINENTAL
4 OPERATING COMPANY; HESS CORPORATION (formerly Amerada Hess
5 Corporation); ATLANTIC RICHFIELD COMPANY (formerly Arco Oil and Gas
6 Company); BP AMERICA PRODUCTION COMPANY (formerly Amoco
7 Production Company and erroneously sued as Amoco Petroleum Additives Co.);
8 CONOCOPHILLIPS COMPANY; HEXADYNE ENERGY CORPORATION;
9 HEXADYNE DRILLING CORPORATION (a dissolved California corporation);
10 CMS ENERGY; and CLEVELAND DRILLING, INC. The other defendants
11 originally named in this action have either been dismissed, had a default judgment
12 entered against them or have not been active in this litigation.

13 3. On August 14, 1996 Plaintiffs filed their Complaint against
14 Defendants. On January 17, 1997 Plaintiffs filed their First Amended Complaint
15 against Defendants.

16 4. Plaintiffs move to dismiss the suit, including without limitation,
17 all counts contained in their Complaint and First Amended Complaint, without
18 prejudice.

19 5. Defendants agree and stipulate to Plaintiffs' dismissal without
20 prejudice of their Complaint and First Amended Complaint.

21 6. Counter-Complainant Atlantic Oil Company, filed a
22 counterclaim against Plaintiffs on March 14, 1997, and moves to dismiss its
23 counterclaim without prejudice.

24 7. Counter-Complainant Encana Corporation (formerly Pan
25 Canadian Petrol), filed a counterclaim against Plaintiffs on March 17, 1997, and
26 moves to dismiss its counterclaim without prejudice.

27 8. Counter-Complainant Chevron U.S.A. Inc. filed a counterclaim
28 against Plaintiffs on March 14, 1997, and moves to dismiss its counterclaim without

1 prejudice.

2 9. Counter-Complainant Union Oil Company of California
3 (erroneously sued as Unocal), filed a counterclaim against Plaintiffs on March 14,
4 1997, and moves to dismiss its counterclaim without prejudice.

5 10. Counter-Complainant Texas Oil & Gas Corporation, filed
6 counterclaim against Plaintiffs on March 14, 1997, and Marathon Oil Company (for
7 Texas Oil & Gas Corporation and with the authority to do so) moves to dismiss
8 Texas Oil & Gas Corporation's counterclaim without prejudice.

9 11. Counter-Complainant Western Continental Operating
10 Company, filed a counterclaim against Plaintiffs on December 16, 1996, and moves
11 to dismiss its counterclaim without prejudice.

12 12. Counter-Complainant Hamilton Brothers Corporation filed a
13 counterclaim against Plaintiffs on November 18, 1996, and moves to dismiss its
14 counterclaim without prejudice.

15 13. Counter-Complainant Occidental Petroleum Corporation filed a
16 counterclaim against Plaintiffs on November 18, 1996, and moves to dismiss its
17 counterclaim without prejudice.

18 14. Counter-Complainant OXY USA, Inc. filed a counterclaim
19 against Plaintiffs on November 18, 1996, and moves to dismiss its counterclaim
20 without prejudice.

21 15. Plaintiffs agree to the Defendants' dismissal without prejudice of
22 their respective counterclaims and cross-claims.

23 16. This case is not a class action under Federal Rule of Civil
24 Procedure 23, a derivative action under Rule 23.1, or an action related to an
25 unincorporated association under Rule 23.2.

26 17. A receiver has not been appointed in this case.

27 18. This case is not governed by any federal statute that requires a
28

1 court order for dismissal of the case.

2 19. Plaintiffs have not previously dismissed any federal- or state-
3 court suit based on or including the same claims as those presented in this case.

4 20. This dismissal is without prejudice as to all claims,
5 counterclaims and cross-claims and, therefore, resolves all matters pending before
6 this Court.

7 THEREFORE, IT IS HEREBY STIPULATED by and between the
8 Parties hereto that all remaining claims, counterclaims, cross-claims and/or third-
9 party claims that have been made by each of Plaintiffs and/or Defendants are
10 dismissed without prejudice.

11
12 DATED: April 23, 2015

ISOLA LAW GROUP, LLP

13
14 /s/ David R. Isola

15 David R. Isola
Paul Hagen

16 Attorneys for Plaintiffs RECLAMATION
17 DISTRICT NO. 2116 and WILLIAM P.
DEPAOLI

18
19 DATED: April 23, 2015

**GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP**

20
21 /s/ Peter A. Nyquist

22 Peter A. Nyquist
Christopher W. Smith

23 Attorneys for Defendant HESS CORPORATION
24 (formerly Amerada Hess Corporation and
25 erroneously sued as Amerada Hess)
26
27
28

1 DATED: April 23, 2015
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BARG COFFIN LEWIS & TRAPP LLP

4 /s/ Donald E. Sobelman
5 Donald E. Sobelman

6 Attorneys for Defendants Hamilton Brothers
7 Corporation, Occidental Petroleum Corporation
8 and OXY USA, Inc.

9 DATED: April 23, 2015
10

BRIGHT AND BROWN

11 /s/ Kristin Taylor
12 Kristin Taylor

13 Attorneys for Defendants Atlantic Oil Company,
14 Chevron U.S.A. Inc., EnCana Corporation
15 (formerly Pan Canadian Petroleum Company),
16 Marathon Oil Company (for Texas Oil & Gas
17 Corporation), Union Oil Company of California
18 (erroneously sued as Unocal), and Western
19 Continental Operating Company

20 DATED: April 23, 2015
21

THE COSTA LAW FIRM

22 /s/ Daniel P. Costa
23 Daniel P. Costa

24 Attorneys for Defendants Hexadyne Energy
25 Corporation and Hexadyne Drilling Exploration

26 DATED: April 23, 2015
27

ORRICK HERRINGTON & SUTCLIFFE

28 /s/ Michael Weed
Michael Weed

Attorneys for Defendant CMS Energy.

1 DATED: April 23, 2015

NORIEGA & OLDAKER

2
3 /s/ Robert J. Noriega
4 Robert J. Noriega

5 Attorneys for Defendant Cleveland Drilling Co.

6 DATED: April 23, 2015

GLYNN & FINLEY LLP

7
8 /s/ Andrew T. Mortl
9 Andrew T. Mortl

10 Attorneys for Defendant ConocoPhillips
Company, successor by merger to Conoco, Inc.,
and sued as Conoco, Inc.

11 DATED: April 23, 2015

MILLER NASH GRAHAM & DUNN LLP

12
13 By: /s/ Phillip Allan Trajan Perez

14 Phillip Allan Trajan Perez
15 Attorneys for Defendant ATLANTIC
16 RICHFIELD COMPANY (formerly Arco Oil
and Gas Company) and BP AMERICA
17 PRODUCTION COMPANY (formerly Amoco
Production Company and erroneously sued as
Amoco Petroleum Additives Company)

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19 SO ORDERED:

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21 DATED: April 24, 2015

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23 /s/ John A. Mendez

United States District Court Judge