

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 09-cv-00681-CMA-MEH

ECHO GEOPHYSICAL CORPORATION,

Plaintiff,

v.

ECKARD LAND & ACQUISITION, LTD.,
AMERICAN ENERGY PARTNERS, INC., and
ENERMAX, INC.,

Defendants.

ORDER GRANTING MOTION TO VACATE DEFAULT JUDGMENT

This matter is before the Court on Defendant Enermax, Inc.'s Motion To Set Aside Entry of Default Judgment Against Enermax, Inc. and To Permit Filing of Answer and Jury Demand (Doc. # 34). Upon review of the motion and being fully advised in the premises, the Court hereby GRANTS the motion. It is

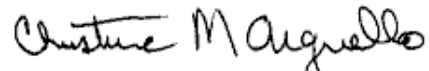
ORDERED that the Clerk's Entry of Default (Doc. # 29) as to Enermax, Inc. is VACATED and the Answer and Jury Demand (Doc. # 32) filed on behalf of Defendant Enermax, Inc. on May 4, 2009 is accepted as filed. It is

FURTHER ORDERED that Plaintiff's Motion for Hearing To Determine Damages (Doc. # 35) and Motion To Strike Answer of Enermax, Inc. as Untimely and Improper (Doc. # 36) are DENIED AS MOOT. It is

FURTHER ORDERED that the Preliminary Injunction Order, effective April 9, 2009, remains in full force and effect.

DATED: May 22, 2009

BY THE COURT:

Handwritten signature of Christine M. Arguello in cursive script.

CHRISTINE M. ARGUELLO
United States District Judge