

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: MARK POWELL and POWELL :
DEVELOPMENT COMPANY, INC., : Chapter 12
: 5:10-BK-06255-JJT
Debtors. :

CHESAPEAKE APPALACHIA, LLC :
and STATOIL USA ONSHORE :
PROPERTIES, INC., :
: 3:13-CV-00035
Appellants, : (JUDGE MARIANI)
: (APPEAL FROM BANKRUPTCY COURT)

v. :

MARK POWELL and POWELL :
DEVELOPMENT COMPANY INC., :
: :
Appellees. :

ORDER

AND NOW, THIS 10th DAY OF NOVEMBER, 2015, upon consideration of the
above-captioned creditors' appeal from the Bankruptcy Court's decision of September 18,
2012, **IT IS HEREBY ORDERED THAT:**

1. The Bankruptcy Court's decision is **VACATED** insofar as it holds that the parties' oil
and gas lease is either an executory contract or an unexpired lease subject to
rejection under 11 U.S.C. § 365.
2. The case is **REMANDED** to the Bankruptcy Court for any further proceedings
consistent with this Order and its accompanying Opinion.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge