

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

FROST FAMILY, L.P., Respondent v. NCL APPALACHIAN PARTNERS, L.P. AND ANADARKO E&P COMPANY, LP AND ULTRA RESOURCES, INC., Petitioners	: No. 748 MAL 2012 : : : Petition for Allowance of Appeal from the : Unpublished Memorandum and Order of : the Superior Court at No. 1585 MDA 2011 : filed June 6, 2012, reversing and : remanding the Judgment of the Centre : County Court of Common Pleas at No. : 2009-2923, filed October 12, 2011 : : :
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ORDER

PER CURIAM

DECIDED: May 30, 2013

AND NOW, this 30th day of May 2013, the Petition for Allowance of Appeal is **GRANTED** and the Order of the Superior Court is **REVERSED** pursuant to T.W. Phillips Gas and Oil Co. v. Jedlicka, 42 A.3d 261, 267 (Pa. 2012) (providing that oil and gas leases are contracts and "must be construed in accordance with the terms of the agreement as manifestly expressed, and the accepted and plain meaning of the language used, rather than the silent intentions of the contracting parties, determines the construction to be given the agreement.") (internal quotations omitted); and Hutchison v. Sunbeam Coal Corp., 519 A.2d 385, 388 (Pa. 1986) ("The law will not imply a different contract than that which the parties have expressly adopted. To imply covenants on matters specifically addressed in the contract itself would violate this doctrine.").

The Petitioners' Joint Motion for Leave to File a Response to Respondent's Answer to PAA is **DENIED**.