

CAUSE NO. 4222-A

FILED

COUNTY / DISTRICT COURT

IN THE ESTATE OF

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IN THE DISTRICT COURT OF

2008 JUL 14 P 3:05

IDA BALDWIN DENISON,

STONEWALL COUNTY, TEXAS

STONEWALL CO., TEXAS
BELINDA PAGE, CLERK

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39TH JUDICIAL DISTRICT

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ORDER OF SEVERANCE AND ABATEMENT

BE IT REMEMBERED that on June 30, 2008, on its own motion and over objection by counsel for Boone Pickens, Donald and Judy Craddock, Philip and Lianne Pearson, and 4848 Aspermont, Ltd. (collectively, "Intervenors"), the Court announced it was (i) granting Bob Denison's First Amended Motion for Severance and for Abatement and (ii) severing and abating all claims being asserted by Intervenors. Pending before the Court is Intervenors' Motion for Reconsideration of Severance and Abatement. Having considered Intervenors' motion, the filings, if any, of the parties related thereto, and any argument of counsel, the Court is of the opinion that Intervenors' motion should be denied.

It is accordingly ORDERED, ADJUDGED, and DECREED as follows:

1. Bob Denisons' First Amended Motion for Severance and for Abatement is GRANTED.
2. Intervenors' Motion for Reconsideration of Severance and Abatement is DENIED.
3. The claims asserted by Intervenors in their Plea in Intervention are hereby SEVERED from this proceeding and shall be docketed under Cause No. 4222-B. The claims asserted by John Denison and Bob Denison are not severed and shall remain pending in this proceeding.
4. Cause No. 4222-B is hereby ABATED until the final resolution of the claims asserted by John Denison and Bob Denison in this proceeding. Upon the final resolution of such claims, the parties shall submit to the Court an appropriate form of Order establishing a schedule for the disposition of Cause No. 4222-B.
5. Intervenors shall prepare and deliver to the Clerk of the Court copies of the following documents, which shall be filed and constitute the record in Cause No. 4222-B:

- (1) Plea in Intervention of Boone Pickens, Donald and Judy Cradduck, Philip and Lianne Pearson, and 4848 Aspermont, Ltd. (filed October 31, 2007);
 - (2) Motion for Partial Summary Judgment of Boone Pickens, Donald and Judy Cradduck, Philip and Lianne Pearson, and 4848 Aspermont, Ltd. (filed January 30, 2008);
 - (3) Proposed Order on Motion for Partial Summary Judgment (filed January 30, 2008);
 - (4) Notice of Hearing (filed January 30, 2008);
 - (5) Intervenors' Motion for Entry of Scheduling Order (filed March 11, 2008);
 - (6) Proposed Scheduling Order (filed March 11, 2008);
 - (7) Notice of Hearing (filed March 11, 2008);
 - (8) Notice of Appearance of Additional Counsel for 4848 Aspermont, Ltd. (filed June 19, 2008);
 - (9) Intervenors' First Request for Admissions to Bob Marshall Denison (filed July 7, 2008);
 - (10) Intervenors' First Set of Interrogatories to Bob Marshall Denison (filed July 7, 2008);
 - (11) Intervenors' First Request for Production of Documents and Tangible Things to Bob Marshall Denison (filed July 7, 2008);
 - (12) Bob Denison's Responses to Intervenors' Request for Disclosure (filed July 7, 2008);
 - (13) Letter dated July 5, 2008, from Mr. Lamar Treadwell (filed July 7, 2008);
and
 - (14) This Order of Severance and Abatement.
6. Nothing herein is intended to prevent Intervenors from seeking relief with respect to the claims asserted and issues raised in their Plea in Intervention, and nothing herein shall prejudice Intervenors with respect to the prosecution of such claims and issues.

SIGNED this 14TH day of July, 2008.


JUDGE PRESIDING

Approved as to form only:

By: 

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