CAUSE NO.: 067-241920-09

EASTERN EXPRESS, L.P.,	§	**IN THE DISTRICT COURT OF**
	§	
Plaintiff,	§	
v.	§	
	§	
XTO ENERGY INC., PERMIAN LAND COMPANY, a Division of DEVONIAN ENTERPRISES, INC., and FRED W. JONES, individually and/or d/b/a DEVONIAN ENTERPRISES, INC.,	§	**TARRANT COUNTY, TEXAS**
	§	
	§	
	§	
	§	
	§	
Defendants.	§	**67TH JUDICIAL DISTRICT**

ORDER ON XTO ENERGY INC'S MOTIONS FOR SUMMARY JUDGMENT

On September 16, 2010 the Court considered XTO's Motions for Summary Judgment Motion for Summary Judgment pursuant to Rule 166a and Rule 166a(i) of the Texas Rules of Civil Procedure ("Motions"), as supplemented. The Court, after considering the Motions, the response thereto, the other pleadings, the competent evidence, applicable law, and arguments of counsel, and being fully advised in the premises, has determined that the Motions should be **GRANTED** in all respects.

IT IS THEREFORE ORDERED that Plaintiff's claims are hereby dismissed with prejudice.

SIGNED this 29th day of September, 2010.

JUDGE PRESIDING
67th Judicial District Court