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KOLEEN ROSEKABEL
CLERK OF THE DIST. COURT

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STEVENS CO. KS

IN THE DISTRICT COURT OF STEVENS COUNTY, KANSAS

GILBERT H. COULTER and
ELIZABETH S. LEIGNOR, individually
and as representative plaintiffs on
behalf of persons or companies
similarly situated,

Plaintiffs

vs.

Case No. 98-C-40

ANADARKO PETROLEUM CORPORATION,
Defendant

**JOURNAL ENTRY OF DECISION BY THE COURT UPON
THE DEFENDANT'S MOTION FOR AN INTERLOCUTORY APPEAL**

The Court has reviewed the Defendant's Motion to Amend its order of December 4, 2001, denying a trial by jury in this proceeding.

This Court has reviewed the arguments made by both parties and the briefs filed on this issue at the time of the hearing upon the Plaintiffs' Motion for Trial to the Court and this Court has reviewed the authorities cited by both Plaintiff and Defendant during that oral argument.

This Court does not find that there is a controlling question of law in this proceeding as to whether or not the Defendants are entitled to a trial by jury in this proceeding that could or should be resolved by an interlocutory appeal.


The Court finds that Kansas law is quite clear upon this issue and, therefore, the Court finds and orders as follows.

The Defendant's request for an amendment of the Order of December 4, 2001 to allow an interlocutory appeal to be held herein shall be and is hereby denied.

This Court denies oral argument to the parties upon this issue.

IT IS SO ORDERED.

Dated this 20th day of December, 2001.

A handwritten signature in cursive script, reading "Tom R. Smith", written over a horizontal line.

Tom R. Smith, District Court Judge

CERTIFICATE OF SERVICE

I, Renata McCulloch, hereby certify that I mailed a true and correct copy of the above Order by hand delivery or United States mail, postage prepaid and properly addressed on the 20th day of December, 2001 to:

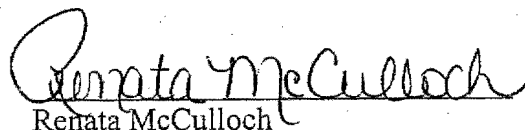
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Renata McCulloch