



extensive Findings of Facts and Conclusions of Law and, thereafter, presented their oral arguments. During those arguments, and in their written submissions, the parties set forth what each believes to be the applicable legal standards and the facts which are relevant to a decision in this case. Re-urging those arguments and facts will serve no purpose now other than to consume even more of the Court's time and resources while imposing significant and unnecessary financial burdens on the parties as a consequence of preparation, for a second time, for oral argument based on the testimony and evidence admitted at trial.

**CONCLUSION**

Based on the foregoing, OXY respectfully requests that Plaintiffs' Motion for Re-Argument be denied.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT**

CERTIFICATE OF SERVICE

I, Kerry McQueen, hereby certify that I mailed a true and correct copy of the above and foregoing Defendant's Response In Opposition To Plaintiffs' Motion For Re-Argument, by depositing same in the United States Mail this 3<sup>rd</sup> day of March, 2006, postage prepaid and properly addressed, to:

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with a Chamber copy, hand-delivered on March 3, 2006, to:

Honorable Tom R. Smith  
District Court – Seward County Courthouse  
Liberal, Kansas

  
\_\_\_\_\_  
Kerry McQueen