

DISTRICT COURT, LA PLATA COUNTY, COLORADO

Court Address: 1060 E. Second Ave., Durango, CO 81301

Phone Number: (970) 247-2304

Plaintiff(s):

RICHARD PARRY, LINDA PARRY, EVELYN L. PAYNE, and
DAVID G. GROBLEBE, individually and as representative
Plaintiffs on behalf of persons similarly situated, (94 CV 111)

(Consolidated with other cases as 94 CV 105)

v.

Defendant(s):

AMOCO PRODUCTION COMPANY, a
Delaware corporation, n/k/a BP America Production Company.

Attorney or Party Without Attorney:

Thomas P. Dugan, Esq.

DUGAN & ASSOCIATES, P.C.

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Case No.: 94 CV 105

Div: Ctrm:

**UNOPPOSED MOTION TO CLARIFY OR RECONSIDER
ORDER ON ADMISSION OF RECORDS PRODUCED BY AMOCO,
AND ALTERNATIVE C.R.C.P. 59 MOTION TO AMEND FINDINGS**

Defendant Amoco Production Company, n/k/a BP America Production Company, respectfully moves the Court for clarification or in the alternative reconsideration of the Order on Admission of Records Produced by Amoco ("Admission Order"), which the Court entered on October 6, 2003. Amoco has conferred in good faith with Counsel for plaintiffs who have indicated that Plaintiffs do not oppose this motion.

The primary purpose of this motion is to clarify that the Admission Order does not change any of the rulings the Court made during the liability trial in August 2002, concerning admissibility of records produced by Amoco. The grounds for this motion are more fully set forth in an accompanying memorandum brief.

WHEREFORE, Amoco requests an order clarifying that the Admission Order does not render admissible exhibits which plaintiffs offered into evidence during trial and which the Court ruled were inadmissible; and further, that it does not render admissible exhibits which plaintiffs did not offer into evidence at trial.

Alternatively, in the event the Admission Order is a final order subject to appeal, Amoco files this motion in the alternative as a C.R.C.P. 59(a) motion to amend findings.

RESPECTFULLY SUBMITTED this 5th day of December, 2003.

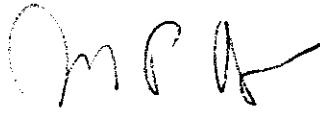
BP AMERICA INC.
Michael L. Homeyer, Esq.
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-and-

MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.
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-and-

DUGAN & ASSOCIATES, P.C.

By 

Thomas P. Dugan, Reg. No. 13576
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(970) 259-1770

ATTORNEYS FOR AMOCO PRODUCTION COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that I have served a true and correct copy of the above and foregoing **UNOPPOSED MOTION TO CLARIFY OR RECONSIDER ORDER ON ADMISSION OF RECORDS PRODUCED BY AMOCO, AND ALTERNATIVE C.R.C.P. 59 MOTION TO AMEND FINDINGS** on the following parties this 5th day of December, 2003, by (*) hand delivery; (**) delivery of same to their respective Court pick-up box; (***) depositing the same in the United States mail, postage prepaid, or (****) via facsimile transmission to the number listed below:

G. R. Miller, Esq.***
McDaniel, Baty, Miller & Agro
P. O. Box 1157
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