

UNITED STATES COURT OF APPEALS December 4, 2008

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

MOBIL OIL CORPORATION,

Petitioner,

v.

WILLIE JEAN FARRAR and KEITH FARRAR, as Co-Trustees of the Keith Farrar Revocable Trust, dated October 22, 1999; JOHN ELDON GREGG and KEITH THOMAS GREGG, as Co-Trustees of the Marie Gregg Trust, dated April 26, 1979, as amended; THOMAS L. LAHEY and PATRICIA A. LAHEY, individually and jointly,

Respondents.

No. 08-603
(D.C. No. 6:08-CV-01214-WEB)
(D. of Kansas)

ORDER

Before **LUCERO, HARTZ, and HOLMES**, Circuit Judges.

This matter is before the court on the Petition for Permission to Appeal Remand Order filed by Defendant Mobil Oil Corporation. Defendant seeks review of the district court order remanding a class action to state court. See 28 U.S.C. § 1453(c)(1). A response was filed. Defendant also filed a motion to file a reply brief with a proposed brief attached, to which Plaintiffs filed a response in opposition.

EXHIBIT 9

Defendant's motion to file a reply brief is GRANTED. The reply brief shall be deemed filed as of the day it was received by the court.

But upon consideration of the pleadings, as well as the applicable law, the petition itself is DENIED.

Entered for the Court,
ELISABETH A. SHUMAKER, Clerk



by: Lara Smith
Counsel to the Clerk