

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

STEPHEN HEARN,  
PEGGY FREEMAN,  
TONY and KAREN DAVIS, and  
JASON SPILLER

PLAINTIFFS

v.

Lead Case No. 4:11-cv-00474-JLH

Consolidated Cases 4:11-cv-00475-JLH  
4:11-cv-00477-JLH

CHESAPEAKE OPERATING, INC.  
and BHP BILLITON PETROLEUM  
(FAYETTEVILLE) LLC

DEFENDANTS

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**JOINT MOTION FOR DISMISSAL WITH PREJUDICE**

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Plaintiffs Stephen Hearn, Peggy Freeman, Tony and Karen Davis, and Jason Spiller and Defendants Chesapeake Operating, Inc., and BHP Billiton Petroleum (Fayetteville) LLC jointly move for dismissal of all claims with prejudice.

The parties respectfully request to be relieved from the Local Rule 7.1(a) requirement that a brief be filed in support of motions.

WHEREFORE, the parties jointly and respectfully move the Court for an Order dismissing all claims with prejudice.

DATED: August 28, 2013

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**CERTIFICATE OF SERVICE**

On August 28, 2013, the foregoing was filed with the Clerk of Court using the CM/ECF service which will serve the same upon all counsel of record.

/s/ Scott E. Poynter

