




CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

**The following constitutes the ruling of the court and has the force and effect therein described.**

**Signed December 19, 2018**

  
**United States Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re: § Chapter 11  
§  
ROCKIES REGION 2006 LIMITED §  
PARTNERSHIP and ROCKIES REGION § Case No. 18-33513-sgj-11  
2007 LIMITED PARTNERSHIP,<sup>1</sup> § (Jointly Administered)  
§  
Debtors. §

**AGREED ORDER SETTING MEDIATION AND RELATED DEADLINES**

Upon the representations of counsel and for the reasons set forth on the record at the Scheduling Conference on December 17, 2018, it is hereby

**ORDERED** that the (i) the above-captioned debtors and debtors in possession (the “Debtors”); (ii) the Dufresne Family Trust, the Schulein Family Trust, the Michael A. Gaffey and Joanne M. Gaffey Living Trust, March 2000, the Glickman Family Trust dated August 29, 1994, the William J. and Judith A. McDonald Living Trust dated April 16, 1991 (collectively, the

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Rockies Region 2006 Limited Partnership (9573) and Rockies Region 2007 Limited Partnership (8835).

“Plaintiffs”); and (iii) PDC Energy, Inc. (and together with the Debtors and Plaintiffs, the “Parties” or each individually a “Party”) shall conduct non-binding mediation on February 27 and 28, 2019 (the “Mediation”). The Mediation will be held at the Dallas offices of Gray Reed & McGraw LLP, 1601 Elm Street, Suite 4600, Dallas, TX 75201. The Mediation shall be conducted by the Hon. Leif M. Clark, retired United States Bankruptcy Judge for the Western District of Texas (the “Mediator”). The Plaintiffs and PDC shall each pay 1/2 of the costs of the Mediator, and the Parties shall otherwise be responsible for their own respective costs in relation to the Mediation; it is further

**ORDERED** that on or before March 8, 2019, the Parties shall file a joint notice of mediation results (the “Mediation Notice”) stating if the Mediation was successful in resolving the Parties’ disputes. For the avoidance of doubt, the Mediation Notice shall only state whether Mediation was successful or not, and shall not provide any further details about the Mediation; it is further

**ORDERED** that a further status is hereby set for March 20, 2019 at 9:30 a.m. prevailing Central Time (the “Post-Mediation Status Conference”) to discuss post-Mediation matters, as set forth below; it is further

**ORDERED** that if the Mediation is successful, then at the Post-Mediation Status Conference, the Parties shall advise the Court as to the timing for filing and confirmation of an amended chapter 11 plan and accompanying disclosure statement, and related solicitation matters; it is further

**ORDERED** that if the Mediation is unsuccessful, then at the Post-Mediation Status Conference, the Court will take up the scheduling of the following matters, responses and any discovery related thereto:

- Debtors' Application for Order (i) Authorizing the Retention of Harney Management Partners to Provide Responsible Party and Additional Personnel; (ii) Designating Karen Nicolaou as Responsible Party Effective as of the Petition Date; and (iii) Granting Related Relief [Docket No. 12] (the "Retention Application");
- Disclosure Statement for Debtors' Joint Chapter 11 Plan [Docket No. 58] (the "Disclosure Statement");
- Debtors' Motion for Order (i) Approving Disclosure Statement, (ii) Approving Form of Ballots and Solicitation Procedures, (iii) Scheduling certain dates in Connection with Confirmation, and (iv) Granting Related Relief [Docket No. 70] (the "Disclosure Statement Motion");
- Plaintiffs' Motion for Dismissal of Chapter 11 Case [Docket No. 85] (the "Motion to Dismiss"); and
- any other matters deemed appropriate by the Court.

(collectively, the "Pending Matters"); it is further

**ORDERED** that (i) the Pending Matters set for hearing on January 9, 2019 at 9:30 a.m. are hereby continued to the same date and time as the Post-Mediation Status Conference for subsequent scheduling, and (ii) all responses to the Pending Matters and related deadlines are abated and will be set at the Post-Mediation Status Conference; and it is further

**ORDERED** that the case styled *Robert R. Dufresne etc., et al. v. PDC Energy, Inc., et al.*, Civil Action No. 1:17-cv-03079, in the United States District Court for the District of Colorado (the "Colorado Litigation") will be held in abeyance and no action will be undertaken in the Colorado Litigation pending the conclusion of the Mediation.

### END OF ORDER ###

**Agreed to and submitted by:**

**GRAY REED & MCGRAW LLP**

Jason S. Brookner  
Texas Bar No. 24033684  
Lydia R. Webb  
Texas Bar No. 24083758  
Amber M. Carson  
Texas Bar No. 24075610  
1601 Elm Street, Suite 4600  
Dallas, Texas 75201  
Telephone: (214) 954-4135  
Facsimile: (214) 953-1332  
[jbrookner@grayreed.com](mailto:jbrookner@grayreed.com)  
[lwebb@grayreed.com](mailto:lwebb@grayreed.com)  
[acarson@grayreed.com](mailto:acarson@grayreed.com)

**HUNTON ANDREWS KURTH LLP**

Robin Russell  
Texas Bar No. 17424001  
Joseph P. Rovira  
Texas Bar No. 24066008  
600 Travis, Suite 4200  
Houston, Texas 77002  
Telephone: (713) 220-4200  
Facsimile: (713) 220-4285  
[robinrussell@HuntonAK.com](mailto:robinrussell@HuntonAK.com)  
[josephrovira@HuntonAK.com](mailto:josephrovira@HuntonAK.com)

**COUNSEL TO PDC ENERGY, INC.**

**COUNSEL FOR THE DEBTORS**

**THE LAW OFFICE OF MARK A.  
WEISBART**

Mark A. Weisbart  
Texas Bar No. 21102650  
James S. Brouner  
Texas Bar No. 03087285  
12770 Coit Rd., Suite 541  
Dallas, Texas 75251  
Phone: (972) 628-4903  
[mark@weisbartlaw.net](mailto:mark@weisbartlaw.net)  
[jbrouner@weisbartlaw.net](mailto:jbrouner@weisbartlaw.net)

**COUNSEL FOR THE DUFRESNE  
FAMILY TRUST, THE SHCULEIN  
FAMILY TRUST, THE MICHAEL A.  
GAFFEY AND JOANNE M. GAFFEY  
LIVING TRUST, MARCH 2000, AND THE  
GLICKMAN FAMILY TRUST DATED  
AUGUST 29, 1994 THE WILLIAM J. AND  
JUDITH A. MCDONALD LIVING TRUST  
DATED APRIL 16, 1991**