




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 May 30, 2019


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 § Case No. 18-33513-sgj-11
PARTNERSHIP and ROCKIES REGION §
2007 LIMITED PARTNERSHIP,¹ § (Jointly Administered)
§
Debtors. §

ORDER GRANTING DEBTORS' EMERGENCY MOTION TO (i) EXCLUDE EXPERT REPORT AND TESTIMONY OF EDWIN C. MORITZ, (ii) EXCLUDE PORTIONS OF EXPERT REPORT AND TESTIMONY OF GREGORY E. SCHEIG, AND (iii) LIMIT SCOPE OF EVIDENCE FOR HEARING ON MOTION TO DISMISS

Upon the Emergency Motion to (i) Exclude Expert Report and Testimony of Edwin C. Mortiz, (ii) Exclude Portions of Expert Report and Testimony of Gregory E. Scheig and (iii) Limit Scope of Evidence for Hearing on Motion to Dismiss (the "Motion") filed by the above-captioned debtors and debtors in possession (collectively, the "Debtors");² and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this matter being

¹ 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).

² Capitalized terms used but not defined herein have the meanings set forth in the Motion.

a core proceeding pursuant to 28 U.S.C. § 157(b); and venue before this Court being proper pursuant to 28 U.S.C. § 1408 and 1409; and the Court being satisfied that the relief requested in the Motion is appropriate; and it appearing that sufficient notice of the Motion has been given, and that no other or further notice is required; and upon the arguments and representations of counsel at the hearing on the Motion conducted on May 17, 2019 (the “Hearing”); and after due deliberation and good cause appearing therefor, it is

ORDERED AS FOLLOWS:

1. The Motion is granted for the reasons stated on the record at the Hearing.
2. The expert report and testimony of Edwin C. Mortiz is excluded in its entirety for purposes of the hearing on the Motion to Dismiss and the Harney Retention.
3. The expert report and testimony of Gregory E. Scheig, as it relates to the Profitability Opinions, is excluded for purposes of the hearing on the Motion to Dismiss and the Harney Retention by agreement of the parties.

END OF ORDER

Submitted by:

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