

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS MANAGEMENT**

In Re: The Matter of the Application of)
 Hilcorp Energy Company for)
 Well Spacing Units) Docket No. 2013-01
)

MOTION FOR STAY OF PROCEEDINGS

Martin and Suzanne Matteo, husband and wife, Robert and Carole Valentine, husband and wife, and Steve Emery (hereinafter collectively referred to as the “Property Owners”), by and through their counsel, Omar K. Abuhejleh, Esq., hereby move for a stay in the above-captioned matter and in support thereof aver the following:

- 1) Suzanne and Martin Matteo are the owners of property located at 1230 New Bedford-Sharon Road, West Middlesex, Pennsylvania 16159.
- 2) Bob and Carole Valentine are the owners of property located at 1251 Deer Creek Road, West Middlesex, Pennsylvania 16159.
- 3) Steve Emery is the owner of property located at 745 Sharon Bedford Road, West Middlesex, Pennsylvania 16159.
- 4) On May 2, 2014, Property Owners filed a Petition for Review in the Nature of a Complaint for Declaratory Judgment and Injunctive Relief in the Commonwealth Court of Pennsylvania (the “Petition”) under the court’s original jurisdiction.
- 5) The Petition seeks a declaration that the Oil and Gas Conservation Law, 58 P.S. §§ 401-419 (the “Conservation Law”) is unconstitutional as applied to the facts of the above-

captioned case and that Hilcorp's attempt to avail itself of the Conservation Law for horizontal drilling for natural gas into a shale formation is improper and without basis in law.

6) The Commonwealth Court's decision will be controlling of the outcome in the instant matter, and therefore, Property Owners respectfully request a stay in the proceedings pending a final ruling by the Commonwealth Court on the Petition.

Respectfully submitted,



Omar K. Abuhejleh, Esquire
PA I.D. No. 84048
429 Forbes Ave., Ste. 450
Pittsburgh, PA 15219

(412) 281-4959
(412) 927-4741 (f)
ohjleh@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion for Stay of Proceedings was sent May 5, 2014 by electronic mail to the following parties:

Donna Duffy, Esquire
Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335

Elizabeth Nolan, Esquire
Department of Environmental Protection
400 Market Street, 9th Floor
Harrisburg, PA 17105

Michael Braymer, Esquire
Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335

Kevin L. Colosimo, Esquire
Burlison LLP
Southpointe Center
501 Corporate Drive, Suite 105
Canonsburg, PA 15317

Michael L. Bangs, Esquire
Bangs Law Office, LLC
429 South 18th Street
Camp Hill, PA 17011



Omar K. Abuhejleh