



FILED

IN THE DISTRICT COURT OF CLEVELAND COUNTY  
STATE OF OKLAHOMA

OCT 22 2015

PLAINS PIPELINE, L.P., a Texas limited partnership,  
Plaintiff,  
v.  
GEARY L. CALAWAY and  
JO CALAWAY, TRUSTEES OF THE  
GEARY L. CALAWAY LIVING TRUST,  
Defendant.

In The Office of the  
Court Clerk RHONDA HALL

Case No. CJ-2015-845

**ORDER GRANTING PLAINTIFF'S MOTION FOR TEMPORARY INJUNCTION**

This matter comes before the Court this 22nd day of October upon the Motion for Temporary Injunction ("Motion") filed by Plaintiff, Plains Pipeline, L.P. ("Plains"). Plains appeared by and through its counsel of record, Adam C. Hall, of the law firm of Crowe & Dunlevy, A Professional Corporation. Defendant, Geary L. Calaway and Jo Calaway, as Trustees of the Geary L. Calaway Living Trust (collectively, the "Defendant"), was personally served by a private process server on September 23, 2015, yet Defendant failed to appear and neither filed a response to the Motion nor answered or otherwise responded to the Verified Petition ("Petition") filed by Plains. The Court has reviewed Plains' Petition and Motion and has heard the arguments presented by counsel in open court. WHEREFORE, the Court finds and orders that Plains' Motion should be and is hereby GRANTED, and further finds as follows:

1. On July 23, 2015, Plains filed its Petition against Defendant seeking declaratory and injunctive relief with respect to Plains' statutory right to conduct its survey of certain real property owned by Defendant in Cleveland County, Oklahoma.

2. Plains is a foreign limited partnership registered with the State of Oklahoma and authorized to exercise the power of eminent domain, pursuant to 52 Okla. Stat. §§ 22, 58, and

60-61. Plains is also authorized to enter onto real property for the purpose of examining and surveying the property prior to commencing a condemnation action, pursuant to 66 Okla. Stat. § 51.

3. Plains is currently in the process of building a common carrier crude oil pipeline, to be known as the Red River II - Cushing to Longview Pipeline ("Red River II Pipeline").

4. To construct the Red River II Pipeline, Plains has determined it necessary to acquire a permanent pipeline easement (the "Permanent Easement") and a temporary construction easement adjacent to the Permanent Easement upon, over, under, and across the parcels of real property described in the Petition as the Easement Tract and more properly described as follows:

Tracts #8, 9, 10, 11, 12 and 13, of the recorded survey known as Walnut Hills filed in Cleveland County, Oklahoma, in Book 711, Page 190, being the North 1/2 of the Northwest 1/4 of Section 35, Township 9 North, Range 1 East of the Indian Meridian, containing 12 acres, more or less (the "Easement Tract").

5. Plains has also determined that it is necessary to conduct a survey for a temporary construction easement adjacent to the Permanent Easement (the "Temporary Easement") upon, over, under, and across the Easement Tract.

6. Plains must survey the Easement Tract in order to determine the precise metes and bounds of the easement to which it is entitled by law, and to comply with certain statutory and regulatory requirements regarding the cultural and environmental impact of the proposed pipeline. Survey activity may include soil borings.

7. Plains must complete its survey before it can acquire, whether by agreement or condemnation, the easements necessary to begin construction of the Red River II Pipeline.

WHEREFORE, it is hereby ORDERED that:

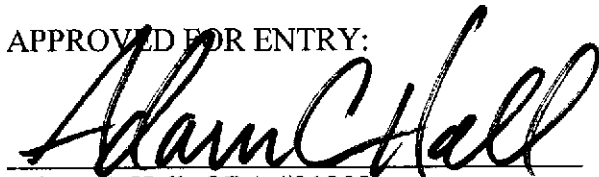
A. Plains is entitled to enter onto the Easement Tract to conduct the survey activity described above, prior to engaging in negotiations or commencing proceedings to acquire an easement across such tract by agreement or condemnation, and that any action taken by Defendant's representatives to interfere with such entry is unlawful.

B. Defendant, along with its agents, representatives, or any other person acting by or under its authority, is enjoined from refusing, demanding payment for, or in any other manner interfering with entry by Plains onto the Easement Tract to conduct the survey activity, prior to Plains' engagement in negotiations or commencement of proceedings to acquire an easement across such tract by agreement or condemnation.



JUDGE OF THE DISTRICT COURT,  
CLEVELAND COUNTY, OKLAHOMA

APPROVED FOR ENTRY:



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