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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 06-81080-CIV-JOHNSON

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MERCER CAPITAL, INC., et al.,

Defendants.

**ORDER ON RECEIVER'S UNOPPOSED MOTION TO REJECT EXECUTORY
CONTRACT WITH EXXONMOBIL FOR PURCHASE OF OIL WELLS**

THIS CAUSE is before the court on the Receiver's Unopposed Motion to Reject Executory Contract with ExxonMobil for Purchase of Oil Wells (DE 79). The court having reviewed the Motion and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED:

1. The Motion is **GRANTED**;
2. The Receiver is hereby allowed to reject what the Receiver alleges is an executory contract for the purchase of interest in the Eva McDaniel 1 Well;
3. ExxonMobil shall immediately return to Tri-State Energy Group, LLC the sum of \$253,537.50 currently held in escrow by ExxonMobil in connection with the purchase of interest in the aforesaid Eva McDaniel 1 Well.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 3rd day of
April, 2007.



LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

Copies to: All Counsel of Record