

United States District Court,  
W.D. Pennsylvania.

**CNX GAS CORPORATION and CNX Gas Company LLC,**  
Plaintiffs.

v.

**CDX GAS LLC,**  
Defendant.

**Consol Energy, Inc,**  
Counter-Defendant.

**Sept. 19, 2006.**

Charles H. Dougherty, Jr., Jeffrey J. Bresch, Reed Smith, Pittsburgh, PA, for Plaintiffs.

Joshua S. Bish, Frederick H. Colen, Thomas L. Allen, Reed Smith, Pittsburgh, PA, for Plaintiffs/Counter-Defendants.

Carl E. Bruce, Decker A. Cammack, Neil J. McNabney, Thomas B. Walsh, IV, Fish & Richardson, Dallas, TX, Henry M. Sneath, Stephen S. Photopoulos, Picadio, Sneath, Miller & Norton, Pittsburgh, PA, Richard C. Weinblatt, William J. Marsden, Jr., Fish & Richardson, PC, Wilmington, DE, for Defendants.

### **ORDER OF SPECIAL MASTER**

**DONALD E. ZIEGLE, Special Master.**

AND NOW this 16th of September, 2006, after consideration of the letter from counsel for CDX GAS LLC. dated September 11, 2006, which we shall treat as a motion to reconsider the Report and Recommendation,

IT IS ORDERED that the motion shall be and hereby is granted to correct a typographical error.

IT IS FURTHER ORDERED that at pages 18 and 25 of the Report and Recommendation, the word "horizontal" in the definition of "lateral bore[s]" / "lateral well bore[s]" / "laterals" shall be and hereby is deleted.

IT IS FINALLY ORDERED that the proper definition for the claim term is "well bores that extend from the side of a common well bore ."

W.D.Pa.,2006.  
CNX Gas Corp. v. CDX Gas LLC

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