

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

_____)	
In re:)	Chapter 11
)	
EXTRACTION OIL & GAS, INC., ¹	)	Case No. 20-11548 (CSS)
)	
Reorganized Debtors.	)	(Jointly Administered)
_____)	
ANNETTE LEAZER, <i>et al.</i> ,)	
)	
Plaintiffs,)	
	)	Adversary Proceeding
)	
v.	)	Adv. Proc. No. 20-50963 (CSS)
)	
	)	Hearing Date: September 30, 2021 at
	)	10:00 a.m. ET
EXTRACTION OIL & GAS, INC.,	)	Obj. Deadline: September 7, 2021 at
	)	4:00 p.m. ET
Defendant.)	
_____)	

MOTION TO EXTEND TIME FOR CERTAIN DISCOVERY DEADLINES

The above-captioned plaintiffs (the “*Plaintiffs*”) hereby move (the “*Motion*”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “*Amended Scheduling Order*”), extending certain of the discovery deadlines set forth in this Court’s Scheduling Order entered in the above-captioned adversary proceeding on March 31, 2021 [Adv. Docket No. 45] (the “*Scheduling Order*”), and in support, the Plaintiffs state as follows:

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor’s federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR Midstream, LLC (5624). The location of the Reorganized Debtors’ principal place of business is 370 17th Street, Suite 5200, Denver, Colorado 80202.



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1. On March 31, 2021, this Court entered the Scheduling Order, which provides, amongst other things, certain deadlines (collectively, the “*Outstanding Deadlines*”) for the parties to: (i) provide expert reports for any issue on which they bear the burden of proof by August 27, 2021 (the “*Report Deadline*”); (ii) provide rebuttals any expert report by October 8, 2021 (the “*Rebuttal Deadline*”); (iii) complete fact discovery by November 5, 2021 (the “*Fact Discovery Deadline*”); and (iv) complete expert discovery by November 30, 2021 (the “*Expert Discovery Deadline*”). See Scheduling Order, at ¶ 4.

2. Since the entry of the Scheduling Order, the parties have invested substantial efforts in complying with their discovery obligations, which have been more time-consuming than anticipated, and as a result, the parties have suffered delays that the Plaintiffs believe warrant an extension of the Outstanding Deadlines. Specifically, the parties have been engaged in discussions as to the extent of discovery productions. The parties are currently in the process of resolving these disputes, however, the Plaintiffs anticipate that the parties may need to bring any remaining disputes to the Court’s attention, or, in the event the parties resolve the issues surrounding discovery, the experts will need sufficient time to review such responses before the Report Deadline.

3. On August 20, 2021, Plaintiffs’ counsel met and conferred with counsel to the Defendant on a telephone call, wherein the Defendant consented to the extension of all the Outstanding Deadlines, as represented on the Amended Scheduling Order.

4. A redline of the Amended Scheduling Order over this Court’s current Scheduling Order is attached hereto as **Exhibit B**.

WHEREFORE, for the foregoing reasons, the Plaintiffs respectfully request that this Court enter an order (a) extending the Report Deadline to October 26, 2021; (b) extending the Rebuttal Deadline to December 7, 2021; (c) extending the Fact Discovery Deadline to January 11, 2022; (d) extending the Expert Discovery Deadline to February 2, 2022; and (e) granting such other relief as is deemed just and equitable under the circumstances.

Dated: August 24, 2021
Wilmington, Delaware

Respectfully submitted,

/s/ Maria Aprile Sawczuk

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Counsel for Plaintiffs

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

EXTRACTION OIL & GAS, INC., *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 20-11548 (CSS)

(Jointly Administered)

ANNETTE LEAZER, *et al.*,

Plaintiffs,

V.

Adversary Proceeding

Adv. Proc. No. 20-50963 (CSS)

EXTRACTION OIL & GAS, INC.,

Defendant.

AMENDED SCHEDULING ORDER

To promote the efficient and expeditious disposition of the above-captioned adversary proceeding, the following schedule shall apply to the above-captioned adversary proceeding.

IT IS HEREBY ORDERED that:

1. To the extent not otherwise modified herein, the deadlines in the Scheduling Order dated March 31, 2021 [Adv. Docket No. 45] remain in place.
2. All fact discovery shall be completed by **January 11, 2022**.

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR

3. The parties shall provide expert reports for any issue on which they bear the burden of proof, by **October 26, 2021**. The parties shall provide any expert report intended to rebut any expert report by **December 7, 2021**. All reports shall provide the information required by Fed. R. Civ. P. 26(a)(2)(B).

4. All expert discovery shall be completed, and discovery shall close, by **February 2, 2022**.

5. Deadlines contained in this Amended Scheduling Order may be extended by order of the Court.

6. Counsel for the Plaintiffs shall serve this Amended Scheduling Order on the Defendant within five (5) business days after the entry of this Order.

Midstream, LLC (5624). The location of the Reorganized Debtors' principal place of business is 370 17th Street, Suite 5200, Denver, Colorado 80202.

EXHIBIT B

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Chapter 11

EXTRACTION OIL & GAS, INC., *et al.*,¹

Case No. 20-11548 (CSS)

Reorganized Debtors.

(Jointly Administered)

ANNETTE LEAZER, *et al.*,

Plaintiffs.

V.

Adversary Proceeding

Adv. Proc. No. 20-50963 (CSS)

EXTRACTION OIL & GAS, INC.,

Defendant.

AMENDED SCHEDULING ORDER

To promote the efficient and expeditious disposition of the above-captioned adversary proceeding, the following schedule shall apply to the above-captioned adversary proceeding.

IT IS HEREBY ORDERED that:

~~1. The discovery planning conference described in Fed. R. Civ. P. 26(f), made applicable by Fed. R. Bankr. P. 7026, shall take place no later than **April 16, 2021**.~~

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR Midstream, LLC (5624). The location of the Reorganized Debtors' principal place of business is 370 17th Street, Suite ~~5300~~**5200**, Denver, Colorado 80202.

~~2. The parties shall provide the initial disclosures under Fed. R. Civ. P. 26(a)(1) no later than April 30, 2021. Any extension of the deadline to provide initial disclosures must be by Order of the Court and will only be granted for good cause shown.~~

1. To the extent not otherwise modified herein, the deadlines in the Scheduling Order dated March 31, 2021 [Adv. Docket No. 45] remain in place.

~~3.2.~~ All fact discovery shall be completed by ~~November 5, 2021~~ January 11, 2022.

~~4.3.~~ The parties shall provide expert reports for any issue on which they bear the burden of proof, by ~~August 27~~ October 26, 2021. The parties shall provide any expert report intended to rebut any expert report by ~~October 8~~ December 7, 2021. All reports shall provide the information required by Fed. R. Civ. P. 26(a)(2)(B).

~~5.4.~~ All expert discovery shall be completed, and discovery shall close, by ~~November 30, 2021~~ February 2, 2022.

~~6.5.~~ Deadlines contained in this Amended Scheduling Order may be extended ~~only~~ by order of the Court, ~~and only upon written motion for good cause shown.~~

~~7.6.~~ Counsel for the Plaintiffs shall serve this Amended Scheduling Order on the Defendant within five (5) business days after the entry of this Order.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
EXTRACTION OIL & GAS, INC., <i>et al.</i> , ¹)	Case No. 20-11548 (CSS)
Reorganized Debtors.)	(Jointly Administered)
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ANNETTE LEAZER, <i>et al.</i> ,)	
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)	Hearing Date: September 30, 2021 at
)	10:00 a.m. ET
EXTRACTION OIL & GAS, INC.,)	Obj. Deadline: September 7, 2021 at
Defendant.	)	4:00 p.m. ET

NOTICE OF HEARING

PLEASE TAKE NOTICE that on August 24, 2021, the above-captioned plaintiffs (the “*Plaintiffs*”) filed the *Motion to Extend Time for Certain Discovery Deadlines* (the “*Motion*”), with the United States Bankruptcy Court for the District of Delaware (the “*Bankruptcy Court*”).

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR Midstream, LLC (5624). The location of the Reorganized Debtors' principal place of business is 370 17th Street, Suite 5200, Denver, Colorado 80202.

PLEASE TAKE FURTHER NOTICE that the Motion shall be considered at the hearing scheduled in the above-captioned cases for **September 30, 2021 at 10:00 a.m. (Eastern Time)** at the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th Floor, Courtroom 6, Wilmington, Delaware 19801 before the Honorable Christopher S. Sontchi.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be filed in writing with the Bankruptcy Court, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801, and served upon and received by counsel for the Trustee on or before **September 7, 2021 at 4:00 p.m. (Eastern Time)**.

PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE MOTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: August 24, 2021

GOLDSTEIN & MCCLINTOCK, LLP

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