

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICANT:	MEWBOURNE OIL COMPANY)	
)	
RELIEF	POOLING)	CAUSE CD NO. 200604826
SOUGHT:)	
)	
LEGAL	SECTION 1, TOWNSHIP 20)	
DESCRIPTION:	NORTH, RANGE 24 WEST,)	
	ELLIS COUNTY, OKLAHOMA)	



MOTION FOR ORAL ARGUMENT BEFORE THE COMMISSION EN BANC

COME NOW Mewbourne Oil Company (MOC), and moves the Commission *en banc* to hear oral argument. In support thereof, MOC gives the following reasons:

1. The Administrative Law Judge ("ALJ") issued her report on Mewbourn's Amended Motion to Dismiss Optima's Motion to Reopen and Optima's Response filed herein, on August 12, 2021, and recommending Optima's Motion to Reopen to Determine Sanctions and Restitution be granted and recommending Mewbourne's Motion to Dismiss Optima's Motion to Reopen to Determine Sanctions and Restitution be denied.

2. On August 16, 2021, Mewbourne filed written exceptions to the ALJ's August 12, 2021 report, which were heard by the Referee on September 17, 2021.

3. On October 6, 2021, the Referee issued her Report and Recommendation of the Oil and Gas Appellate Referee on the exceptions of Applicant Mewbourne Oil Company to the Administrative Law Judge's recommendations to grant Protestant Optima Oil & Gas Company, LLC's Motion to Reopen and Determine Sanctions and Restitution, and to deny Mewbourne's Motion to Dismiss Optima's Motion to Reopen and Determine Sanctions and Restitution ("Report") affirming the ALJ's recommendation to grant Optima's Motion to Reopen and Determine Sanctions and Restitution and to deny Mewbourne's Motion to Dismiss Optima's Motion to Reopen and Determine Sanctions and Restitution.

4. 'The Oklahoma Constitution does not recognize the OCC as a court of record in this proceeding.

5. The OCC is a creature of statute in oil and gas matters, including this matter.

6. The OCC has no statutory authority to issue an award of damages, attorney fees or sanctions.

7. The OCC is an agency under the Oklahoma Administrative Procedure Act.

8. Agencies of government do not have jurisdiction to award money damages, attorney fees or sanctions.

9. Proceeding with this matter deprives MOC of due process.

10. The OCC has no rules regarding sanctions that have been followed in this case.
11. OCC has no jurisdiction to issue an award of money damages, attorney fees or sanctions.
12. The underlying pooling order has expired and/or been undone and therefore the relief obtainable by Optima has already occurred.
13. Optima's application in this matter is moot.
14. The Appellate Courts have not found that MOC has conducted any fraud on the OCC.
15. The remedy for intrinsic fraud must be made by direct attack in the same case in which the alleged fraud occurred, which cannot be achieved in this matter as the underlying pooling order has expired and/or has been undone and the underlying leases have expired.
16. The federal courts orders in the jurisdictionally deficient federal case brought by Optima have no value here since those courts lacked jurisdiction to determine anything other than their own lack of jurisdiction and specifically lacked jurisdiction to determine the OCC's jurisdiction.

WHEREFORE, Mewbourne Oil Company respectfully requests the Commission grant its motion for oral argument and requests this argument be set before the Commission *en banc*.

Respectfully submitted,



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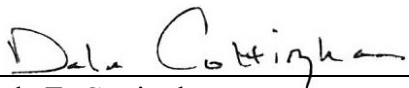
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CERTIFICATE OF MAILING

This certifies that a true and correct copy of the foregoing was mailed this 11th day of October 2021, to:

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