

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**KEY ENERGY SERVICES, INC., and
KEY ENERGY SERVICES, LLC.**

Plaintiffs,

v.

**C.C. FORBES, LLC and PETRON
INDUSTRIES INC.**

Defendants.

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CIVIL ACTION NO. 2:08-cv-346

JURY TRIAL DEMANDED

JOINT AND AGREED MOTION TO DISMISS

Plaintiffs, Key Energy Services, Inc. and Key Energy Services, LLC (collectively "Key"), and Defendant Petron Industries, Inc. ("Petron") jointly move for a dismissal with prejudice of all claims and causes of action against one another in this matter, as follows:

Key and Petron have resolved all matters pending in this litigation. Pursuant to the settlement agreement, Key and Petron now request that all claims made by Petron against Key be dismissed with prejudice. Likewise, Key and Petron now request that all claims made by Key against Petron be dismissed with prejudice. This Motion does not apply to any claims between Key and the other defendants in this case, C.C. Forbes, LLC and Forbes Energy Services, Ltd. All costs of suit shall be taxed to the party incurring the same. Key and Petron ask the Court to grant this Motion and dismiss the causes of action with prejudice.

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**ATTORNEYS FOR DEFENDANT
PETRON INDUSTRIES, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record pursuant to the Federal Rules of Civil Procedure on May 9, 2011.

/s/ John F. Luman III _____

John F. Luman III

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**CIVIL ACTION NO. 2:08-cv-346
(DF/CE)**

JURY TRIAL DEMANDED

ORDER GRANTING JOINT AND AGREED MOTION TO DISMISS

CAME ON to be considered Plaintiffs' and Petron Industries, Inc.'s Joint and Agreed Motion to Dismiss. The Court, having considered the Motion and the pleadings on file, finds that the Motion should be GRANTED.

SIGNED this 10th day of May, 2011.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE