

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HENRY SEELIGSON, JOHN M.
SEELIGSON, SUZANNE
SEELIGSON NASH, and SHERRI
PILCHER, Individually And On Behalf
Of All Others Similarly Situated,

Plaintiffs,

vs.

DEVON ENERGY PRODUCTION
COMPANY, L.P.,

Defendant.

Case No. 3:16-cv-00082-K

ORDER APPROVING DISTRIBUTION OF NET SETTLEMENT FUND

WHEREAS, by its Judgment Approving Class Action Settlement & Plan of Allocation dated June 16, 2021 (Doc. No. 267), this Court approved the terms of the settlement of the above-captioned action (“Action”) set forth in the Stipulation and Agreement of Settlement entered on December 30, 2020 (Doc. No. 249) (“Settlement” or “Settlement Agreement”) and the proposed plan for allocating the net settlement proceeds to the Class (“Plan of Allocation”);

WHEREAS, this Court had directed the parties to consummate the terms of the Settlement and Plan of Allocation;

WHEREAS, the Settlement provided for consideration of \$28,000,000 in cash (“Settlement Amount”) and, pursuant to the terms of the Settlement Agreement, the

Settlement Amount was deposited into an escrow account established by Class Counsel;

WHEREAS, as set forth in the notices to the Class, Class Members did not need to take any action to remain part of the Class and, if eligible, receive a payment from the Settlement; only those who owned a royalty interest in wells producing natural gas processed at the Bridgeport Gas Processing Plant and transferred that interest needed to potentially provide additional information;

WHEREAS, using data provided by DEPCO, Plaintiffs' expert calculated payment amounts pursuant to the Court-approved Plan of Allocation;

WHEREAS, payment amounts were made available on the Settlement Website for Class Member to review;

WHEREAS, Plaintiffs, through Class Counsel, now seek authorization to distribute the proceeds of the Settlement Fund to eligible Class Members, after deduction of any taxes, fees, and expenses previously approved by the Court or approved by this Order ("Net Settlement Fund"); and

WHEREAS, this Court retained jurisdiction over the Action, the Parties and each of the Class Members for all matters relating to the Action (Doc. No. 267, ¶ 18).

NOW, THEREFORE, upon careful consideration of: (i) the Declaration of James Prutsman in Support of Distribution of Net Settlement Fund ("Prutsman Declaration") submitted on behalf of the Settlement Administrator, Kroll Settlement Administration, LLC ("Kroll"); (ii) the Memorandum of Law in Support of Plaintiffs'

Unopposed Motion for Distribution of Net Settlement Fund; and (iii) the other submissions and papers on file with the Court; and upon all prior proceedings heretofore and herein, and after due deliberation, it is hereby

ORDERED, that all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Settlement Agreement; and it is further

ORDERED, that the Class Member payment amounts listed on Exhibit 1 (under seal) and Exhibit 2 to the Prutsman Declaration, as calculated by Plaintiffs' expert pursuant to the Court-approved Plan of Allocation and confirmed by Kroll, are hereby approved; and it is further

ORDERED, that the Opt Out Request allocation amounts listed on Exhibit 3 (under seal) and Exhibit 4 to the Prutsman Declaration, as calculated by Plaintiffs' expert pursuant to the Court-approved Plan of Allocation and confirmed by Kroll, are hereby approved; and it is further

ORDERED, that Kroll be paid the sum of \$73,542.00 from the Net Settlement Fund as payment for its additional fees and expenses that will be incurred in connection with the distribution of the Net Settlement Fund; and it is further

ORDERED, that the Net Settlement Fund shall be distributed to Class Members in the amounts set forth on Exhibits 1 and 2 to the Prutsman Declaration; and it is further

ORDERED, that the amounts allocated to the Opt Out Requests as set forth on Exhibits 3 and 4 to the Prutsman Declaration shall be returned to Defendants in accordance with the Settlement Agreement; and it is further

ORDERED, that the check layout attached as Exhibit 5 to the Prutsman Declaration, including the language that Class Members have ninety (90) days from the date the checks are issued to cash or deposit their check, is approved. Class Counsel and Kroll are authorized to take appropriate actions to locate and/or contact any Class Member who has not cashed or deposited his, her, or its check within said time; and it is further

ORDERED, that Class Members who do not cash their checks within the time allotted will irrevocably forfeit all recovery from the Settlement; and it is further

ORDERED, that the Court finds that the administration of the Settlement and the proposed distribution of the Net Settlement Fund comply with the terms of the Settlement Agreement and the Plan of Allocation and that all persons and entities involved in the review, verification, calculation, tabulation, or any other aspect of determining distribution/allocation amounts in connection with the Settlement of the Action, or who are otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund are released and discharged from any and all claims arising out of such involvement, and all Class Members are barred from making any further claims against the Net Settlement Fund or the parties released

pursuant to the Settlement beyond the amount allocated to them pursuant to this Order; and it is further

ORDERED, that this Court retain jurisdiction over any further application or matter which may arise in connection with this Action.

SO ORDERED

Signed November 3rd, 2021.



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UNITED STATES DISTRICT JUDGE