

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

WHITE FAMILY MINERALS, LLC,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 19-cv-409-KEW
)	
EOG RESOURCES, INC.,)	
)	
Defendant.)	

**CLASS REPRESENTATIVE’S MOTION FOR APPROVAL OF FINAL
PLAN OF ALLOCATION ORDER**

Pursuant to the Stipulation and Agreement of Settlement (the “Settlement Agreement”) (Doc. No. 36-1) and the Initial Plan of Allocation Order (Doc. No. 62), Class Representative White Family Minerals, LLC (“Class Representative”),¹ on behalf of itself and all others similarly situated, files this Motion for Approval of Final Plan of Allocation Order and would respectfully show the Court as follows:

1. Defendant deposited \$4,000,000.00, the Gross Settlement Fund, into the Escrow Account pursuant to the terms of the Settlement Agreement.

2. On November 12, 2021, the Court issued Orders Awarding Attorneys’ Fees, Reimbursement of Litigation Expenses, and a Case Contribution Award which approved the following:

- a. Case Contribution Award of \$35,000.00 to Class Representative (Doc. No. 61);

¹ All capitalized terms not otherwise defined herein shall have the meaning given to them in the June 29, 2021 Stipulation and Agreement of Settlement, a copy of which is attached as Exhibit 1 to Plaintiff’s Memorandum of Law in Support of Plaintiff’s Motion to Certify the Settlement Class for Settlement Purposes, Preliminarily Approve Class Action Settlement, Approve Form and Manner of Notice and Set Date for Final Approval Hearing. Doc. No. 36-1.

- b. Reimbursement of past Litigation Expenses to Class Counsel in the amount of \$75,418.38 (Doc. No. 60); and
- c. Reimbursement of future Litigation Expenses Class Counsel incur above \$75,418.38, but not exceeding the total noticed amount of \$100,000.00 upon 14 days written notice to the Court (Doc. No. 60); and
- d. Attorneys' Fees to Class Counsel of \$1,600,00.00 (Doc. No. 59).

3. In accordance with the Settlement Agreement and the above Orders, the foregoing amounts were distributed to Class Representative and Class Counsel.

4. Following the foregoing Court-approved distributions and reserving \$150,000.00 in the Escrow Account for Settlement Administration, Notice, and Distribution Costs consistent with ¶1.1 of the Parties' Settlement Agreement, the Net Settlement Fund available for distribution to Class Members currently equals \$2,115,114.88.

5. The Final Plan of Allocation Order was prepared on behalf of the Class pursuant to the terms of the Initial Plan of Allocation Order (Doc. No. 62) and shows the proportionate settlement payments to be made to the Class in accordance with the Allocation Methodology previously approved. *See* Affidavit of Barbara A. Ley (attached hereto as Exhibit 1) and Allocation Spreadsheet (attached hereto as Exhibit 2).

6. As evidenced by the Final Plan of Allocation Order, the parties and/or their agents have worked diligently to locate as many Class Members as possible, to update their information as necessary, and to calculate their interests consistent with the Settlement Agreement.

7. Upon the Court's approval, the distributions set out in the Final Allocation Order shall be made in accordance with the Initial Plan of Allocation Order (Doc. No. 62). If payment cannot be made to 100% of the Class, any undistributed Net Settlement Funds will be handled as set forth in the Initial Plan of Allocation Order and the Settlement Agreement.

DATED: February 10, 2022

Respectfully submitted,

/s/ Patrick M. Ryan

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CLASS COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2022, I electronically transmitted the attached document to the clerk of this Court using the ECF system for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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/s/ Patrick M. Ryan

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