

**IN THE DISTRICT COURT OF BLAINE COUNTY  
STATE OF OKLAHOMA**

MARK STEPHEN STRACK, TRUSTEE OF THE )  
PATRICIA ANN STRACK REVOCABLE TRUST )  
DTD 2/15/99 AND THE )  
BILLY JOE STRACK REVOCABLE TRUST )  
DTD 2/15/99, AND )  
DANIELA A. RENNER, SOLE SUCCESSOR )  
TRUSTEE OF THE PAUL ARIOLA LIVING TRUST )  
AND THE HAZEL ARIOLA LIVING TRUST, )  
)  
**FOR THEMSELVES AND ALL OTHERS** )  
**SIMILARLY SITUATED,** )  
)  
PLAINTIFFS, )  
)  
VS. )  
)  
CONTINENTAL RESOURCES, INC., )  
)  
)  
CONTINENTALS. )

CASE No. CJ-10-75

**Report of Putative Class Member Filings  
(Opt-outs & Objections)**

COME NOW Class Counsel and report to the Court on the current status of opt-outs filed or served by Class Members, objections to the Class Action Settlement, objections to the request for an award of attorney’s fees, expenses and Class Representative fees, and “prior owners” who objected to Plan of Allocation and Distribution to the extent it allowed for all proceeds to be paid to the “current owner.”

1. Class Counsel retained KCC Class Action Services, LLC (“KCC”), located at 3301 Kerner Boulevard, San Rafael, CA 94901, as the Notice Administrator for the Settlement. The “Affidavit of Markham Sherwood RE Mailing of Notice and Report on Opt Outs and Objections Received,” (“Sherwood Affidavit”) is being filed simultaneously herewith, and is incorporated

herein by reference.

### **Correspondence From Publicly Traded Exploration Companies**

2. By Class Definition, publicly traded oil and gas exploration companies (“Public O&G Companies”) were excluded from being putative members of the Class. However, a number of Public O&G Companies are Designated Royalty Distributors under the Production Revenue Standards Act in Class Wells that are not operated by Continental (*i.e.*, by statute they are required to distribute all royalty proceeds attributable to the well and as such, may be receiving Net Settlement Proceeds for further distribution to the royalty owners in those wells). Accordingly, those Public O&G Companies were not excluded from the Notice mailing. Even though those Public O&G Companies are not Class Members by definition, several sent correspondence to Class Counsel “opting out” of the Class.<sup>1</sup> Further, Harold Hamm, as Trustee of Harold G Hamm Revocable Intervivos Trust UDO 4/23/84 (“Hamm”) filed an “opt-out”. Harold Hamm is founder and Chairman of the Board of Continental. As a result, Hamm was already excluded from the Class by definition and no opt-out was necessary. Regardless, Hamm’s “opt-out” is included in the statistics set forth below.

### **Opt Outs**

3. While additional investigation regarding the proper classification for a very few class members is ongoing, Class Counsel reviewed the Sherwood Affidavit and compared Exhibit “B” of the Sherwood Affidavit with the records of the Court Clerk of Blaine County to identify Class Members who had timely filed exclusion forms and timely submitted those forms to the Notice Administrator. The results of this comparison are shown on Exhibit “A” attached hereto.

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<sup>1</sup> The receipt of an “opt out” from a Public O&G Company will have no impact on its obligations to distribute Settlement Proceeds as a Designated Royalty Distributor under the Production Revenue Standards Act.

Exhibit “A” reflects 275 putative Class Members (including the Public O&G Companies who sent in Opt-Out requests and Hamm) who completed forms requesting exclusion from the Settlement Class and timely filed those forms with the clerk of the Court.

4. In addition, as reflected on Exhibit A, one (1) putative Class Member, Lessert LLC, is identified as completing a form requesting exclusion from the Settlement Class and sent it to the Notice Administrator but failed to timely file the forms with the clerk of the Court. Class Counsel express no view on whether this putative Class Member effectively opted out of the Settlement Class.

5. In addition, as reflected on Exhibit A, on May 16, 2018, an unsigned list of 172 names with the heading, “Continental Exclusion Form List” was filed with the Court Clerk (presumably sent by Graft & Walraven, but not so indicated on the document). Three names appear on that list (see their identification on Exhibit “A”) but no form requesting exclusion for these three individuals accompanied the list or was otherwise filed with the Court Clerk or received by the Administrator. Class Counsel express no view on whether those putative Class Members effectively opted out of the Settlement Class.

6. Exhibit A also lists 24 names of individuals or entities who appear to have filed opt-outs with the Court Clerk, but no corresponding opt-out form was received by the Notice Administrator. Class Counsel express no view on whether those putative Class Members effectively opted out of the Settlement Class.

7. Exhibit A shows that less than 1% of the putative Class Members requested exclusion from the Settlement Class (approximately 275 opt outs as compared to 33,890 Notices mailed to putative Class Members).

## Objections to the Settlement

8. There were NO objections to the Settlement.

### Objection to Attorneys' and Litigation Expenses

9. As reflected in the Sherwood Affidavit, "three (3) Objections to the Request for Attorneys' Fees and Expenses [were received]. . . . Copies of the three objections received by KCC are attached [to the Sherwood Affidavit] as Exhibit C." Sherwood Affidavit, ¶13.

### Objections and/or Comments to Attorneys' Fees

10. There are only three (3) purported "objections" or "Comments" to the requested award of attorneys' fees that were filed: two (2) of the purported Objectors are putative Class Members in Sub-Class 1 and Sub-Class 2; and one (1) purported Objector is a Class Member of Sub-Class 2 only, and his "objection" appears to be a "comment" rather than an "objection."

11. The Notice sets forth the requirements to submit a valid objection:

"Your Objection must comply with the following:

- (1) A heading referring to "Case No. CJ-2010-75, District Court of Blaine County, Oklahoma;
- (2) A statement as to whether your Objection is related to the fairness of the Settlement or the request for Attorneys' Fees and Expenses;
- (3) A detailed statement of the specific legal and factual basis for each and every objection;
- (4) A list of any witnesses you intend to call at the Fairness Hearing, together with a brief summary of each witness' expected testimony;
- (5) A list of and copies of any exhibits you may seek to use at the Fairness Hearing;
- (6) A list of any legal authority you intend to present at the Fairness Hearing;
- (7) Your name, current address, current telephone number, and all royalty owner identification numbers with Continental;
- (8) Your signature executed before a Notary Public;
- (9) Identification of your interest in Class Wells from which you have received royalty payments by or on behalf of Continental; and
- (10) If you are objecting to any portion of the requested Attorneys' Fees and Expenses on the basis the amounts requested are unreasonably high, you must specifically state the portion of requested Attorneys' Fees and Expenses you believe are fair and reasonable and the portion that is not, and upon what factual and legal basis you base your Objection.

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**Further, in order for the Objection to be valid, you must appear either in-person or through your own counsel at the Fairness Hearing to present the Objection and allow the Court to fully examine the basis, strength and veracity of the Objection. You may retain independent counsel to represent you at the Fairness Hearing; however, failure of a Class Member to submit a proper Objection may result in the Objection being treated as a Written Comment. The Court will review and consider all properly submitted Written Comments and Objections; however, a Class Member who fails to follow the procedure for submitting an Objection to the Settlement and/or requested Attorneys' Fees and Expenses as set forth herein shall not be permitted to pursue an Objection at the Fairness Hearing or on**

appeal, and such failure will constitute a waiver of any Objection to the Settlement and/or award of Attorneys' Fees and Expenses." [Emphasis in Notice.]

See Notice of Proposed Settlement Class, Sherwood Affidavit, Exhibit A.

12. The purported "objections" are summarized as follows:

- a. **Bruce L. McLinn, Trustee of the McLinn Family Revocable Trust dtd 7/31/2008** ("McLinn") (see Exhibit "B" attached hereto):

According to the information provided by Continental, McLinn owns: (1) a very small (0.00017282) royalty interest in the Arleta K 1-20-28XH which began production on 8/7/2017; and (2) a very small (0.00045876) royalty interest in the South Litsch 1-16-21XH which began production on 3/26/2016.<sup>2</sup> Therefore, **McLinn is NOT a Sub-Class 1 Member, but ONLY a Sub-Class 2 Member**; accordingly, his purported objection can only be related to the attorneys' fees requested for the Sub-Class 2 Time Period.

As noted on McLinn's letterhead, he does business as "McLinn Land Services, LLC". McLinn Land Services, LLC's website indicates "*McLinn Land Services, LLC was founded as a full service land company in 1997. The Company has consistently maintained a staff of highly experienced sub-contracting landmen since inception, allowing us to provide exceptional service that is customized to the client's needs.*" <http://mclinnland.com/>. In other words, Mr. McLinn's livelihood is derived directly from oil and gas operators like, and even perhaps including, Continental.

A review of McLinn's "objection" reveals that it does not fully comply with the requirements set forth in the Notice to qualify as an "objection." Rather, it should be treated as a "comment" (McLinn does not even use the word "object"). McLinn states:

**I wish to express my opinion** that the attorneys purportedly representing the class of royalty owners are asking for excessive and unreasonable compensation. I do not plan to have counsel represent me at any hearing, but nevertheless **wish to express this opinion for the record**. I would appreciate your consideration of ordering a reduction of compensation to the attorneys, so that the mineral owners are not being unjustly deprived of what is owed to them.

A review of McLinn's purported "objection" reveals that it does not fully

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<sup>2</sup> McLinn's objection indicates he owns an interest in a third well. It appears that he must own an interest in a newer well in which Class Counsel does not yet have the full ownership data from Continental.

comply with the requirements set forth in the Notice:

- It does not include a “detailed statement of the specific legal and factual basis for each and every objection;”<sup>3</sup>
- It does not include a “list of any witnesses you intend to call at the Fairness Hearing, together with a brief summary of each witness’ expected testimony;”
- It does not include a “list of and copies of any exhibits you may seek to use at the Fairness Hearing;”
- It does not include a “list of any legal authority you intend to present at the Fairness Hearing;”
- McLinn’s signature was not notarized (“Your signature executed before a Notary Public”); and
- McLinn did not provide the required statement as to the amount he contends is a reasonable attorneys’ fee (Ms. Callant did make a statement about having paid “good lawyers” in Enid \$250/hr as the “going rate”). (*“If you are objecting to any portion of the requested Attorneys’ Fees and Expenses on the basis the amounts requested are unreasonably high, you must specifically state the portion of requested Attorneys’ Fees and Expenses you believe are fair and reasonable and the portion that is not, and upon what factual and legal basis you base your Objection.”*)
- There is no indication that McLinn intends to appear in person at the Fairness Hearing, but he does indicate that he does not plan to have counsel present. (*“Further, in order for the Objection to be valid, you must appear either in-person or through your own counsel at the Fairness Hearing to present the Objection and allow the Court to fully examine the basis, strength and veracity of the Objection.”*)

**Pursuant to the terms of the Notice, the Court should therefore consider Mr. McLinn’s filing as “comment” rather than an “objection”;**

- b. **Kelly McClure Callant (“Callant”)** (*see* Exhibit “C” attached hereto):

Ms. Callant appears to be the sister of Objector Daniel McClure (set forth below) and echoes some the positions taken by Mr. McClure.

According to the information provided by Continental, Callant owns a very small (0.00086806) royalty interest in the Lovell-Humphrey #1 well. Based upon the initial allocation of the Net Sub-Class 1 Settlement Payment to the well level recently provided to Class Counsel by the Settlement Administrator, the royalty owners in the Lovell-Humphrey #1 well will be

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<sup>3</sup> Ms. Callant does set out some unsupported factual statements.

allocated an estimated \$103,850 of the Sub-Class 1 Payment, and if the Court awards the requested Attorneys' Fees and Expenses, the Net Sub-Class 1 Payment allocated to the Lovell-Humphrey #1 well will be approximately \$59,300. When further allocating those amounts to Ms. Callant based upon her royalty decimal, divided by the total royalty decimal for the well, **Ms. Callant's Sub-Class 1 Claim, before Attorneys' Fees and Expenses, will be approximately \$721; and if the Court awards Class Counsel the requested Attorneys' Fees and Expenses, Ms. Callant's Net Sub-Class 1 Payment distribution will be approximately \$412. In other words, if the Court awards Class Counsel the requested Attorneys' Fees and Expenses, Ms. Callant will be assessed Attorneys' Fees and Expenses in the amount of \$309.**

A review of Ms. Callant's "objection" reveals that it does not fully comply with the requirements set forth in the Notice:

- It does not include a "detailed statement of the specific legal . . . basis for each and every objection;"<sup>4</sup>
- It does not include a "list of any witnesses you intend to call at the Fairness Hearing, together with a brief summary of each witness' expected testimony;"
- It does not include a "list of and copies of any exhibits you may seek to use at the Fairness Hearing;"
- It does not include a "list of any legal authority you intend to present at the Fairness Hearing;"
- Callant's signature was not notarized ("Your signature executed before a Notary Public"); and
- Callant did not provide the required statement as to the amount she contends is a reasonable attorneys' fee (Ms. Callant did make a statement about having paid "good lawyers" in Enid \$250/hr as the "going rate"). (*"If you are objecting to any portion of the requested Attorneys' Fees and Expenses on the basis the amounts requested are unreasonably high, you must specifically state the portion of requested Attorneys' Fees and Expenses you believe are fair and reasonable and the portion that is not, and upon what factual and legal basis you base your Objection."*)
- There is no indication that Ms. Callant intends to appear in person or through counsel at the Fairness Hearing. (*"Further, in order for the Objection to be valid, you must appear either in-person or through your own counsel at the Fairness Hearing to present the Objection and allow the Court to fully examine the basis, strength and veracity of the*

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<sup>4</sup> Ms. Callant does set out some unsupported factual statements.

*Objection.”)*

**Pursuant to the terms of the Notice, the Court should therefore consider Ms. Callant’s filing as “comment” rather than an “objection”.**

c. **Daniel McClure (“McClure”)** (*see* Exhibit “D” attached hereto):

Mr. McClure is a class action defense attorney representing oil companies defending against these very types of cases.<sup>5</sup>

According to the information provided by Continental, McClure owns a very small (0.00086806) royalty interest in the Lovell-Humphrey #1 well. Based upon the initial allocation of the Net Sub-Class 1 Settlement Payment to the well level recently provided to Class Counsel by the Settlement Administrator, the royalty owners in the Lovell-Humphrey #1 well will be allocated an estimated \$103,850 of the Sub-Class 1 Payment, and if the Court awards the requested Attorneys’ Fees and Expenses, the Net Sub-Class 1 Payment allocated to the Lovell-Humphrey #1 well will be approximately \$59,300. When further allocating those amounts to Mr. McClure based upon his royalty decimal, divided by the total royalty decimal for the well, **Mr. McClure’s Sub-Class 1 Claim, before Attorneys’ Fees and Expenses, will be approximately \$721; and if the Court awards Class Counsel the requested Attorneys’ Fees and Expenses, Mr. McClure’s Net Sub-Class 1 Payment distribution will be approximately \$412. In other words, if the Court awards Class Counsel the requested Attorneys’ Fees and Expenses, Mr. McClure will be assessed Attorneys’ Fees and Expenses in the amount of \$309.**

A review of Mr. McClure’s “objection” reveals that it does not fully comply with the requirements set forth in the Notice:

- It does not include a “list of any witnesses you intend to call at the Fairness Hearing, together with a brief summary of each witness’ expected testimony;”
- It does not include a “list of and copies of any exhibits you may seek to use at the Fairness Hearing;”
- His signature was not notarized (“Your signature executed before a Notary Public”); and
- McClure did not provide the required statement as to the amount he contends is a reasonable attorneys’ fee (McClure did make some general statements as to lower percentages and hourly rates of \$300 to \$400). (*“If you are objecting to any portion of the requested Attorneys’ Fees and Expenses on the basis the amounts requested are unreasonably*

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<sup>5</sup> For additional background information on Mr. McClure, see withdrawn Motion Confirming Daniel M. McClure to be Excluded from the Settlement Class and Motion to Strike “Objection to Motion for Attorneys’ Fees and Class Representatives’ Award” by Non-Class Member, Daniel M. McClure.



*high, you must specifically state the portion of requested Attorneys' Fees and Expenses you believe are fair and reasonable and the portion that is not, and upon what factual and legal basis you base your Objection.”)*

- There is no indication that Mr. McClure intends to appear in person or through counsel at the Fairness Hearing. (“*Further, in order for the Objection to be valid, you must appear either in-person or through your own counsel at the Fairness Hearing to present the Objection and allow the Court to fully examine the basis, strength and veracity of the Objection.*”)

**Pursuant to the terms of the Notice, the Court should therefore consider Ms. Callant’s filing as “comment” rather than an “objection”.**

Thus, less than 0.009%, or 1 out of every 11,297 Class Members, (3 purported “objections” / 33,890 Notices mailed out) purportedly “objected” to the requested Attorneys’ Fees. Put another way, **99.9911% of the Class Members raised NO objection to the requested Attorneys’ Fees and Expenses.**

#### **Objections to Reimbursement of Litigation Expenses**

13. **There were no objections to the reimbursement of litigation expenses.**

#### **Objections to the Award of a Class Representative Fee**

14. Class Counsel have received only **two (2)** purported objections to the request to award the Class Representatives a Case Contribution Award:

- a. Daniel McClure (*see* ¶12(c) above); and
- b. Kelly McClure Callant (*see* ¶12(b) above).

Thus, less than 0.006%, or 1 out of every 16,945 possible Class Members, (2 purported “objections” / 33,890 Notices mailed out) purportedly “objected” to the requested Case Contribution Award. Put another way, **99.9999% of the possible Class Members raised NO objection to the requested Case Contribution Award.**

**Objections of “Prior Owners” to Plan of Allocation and Distribution  
To the Extent Plan Requires All Payments to “Current Owners”**

15. Notice provided in part:

**15. I SOLD MY MINERAL INTEREST; WILL I RECEIVE A SETTLEMENT**

No. All Current Sub-Class 1 Owners are Eligible Sub-Class 1 Members and entitled to receive a portion of the Net Sub-Class 1 Payment as determined by the procedures set forth in the Plan of Allocation and Distribution (a copy may be obtained at [www.StrackvsContinental.com](http://www.StrackvsContinental.com)). Prior Sub-Class 1 Owners are not Eligible Sub-Class 1 Members absent a determination or stipulation that a Prior Sub-Class 1 Owner is entitled to receive a portion of the Current Sub-Class 1 Owner's Net Sub-Class 1 Payment under the Plan of Allocation and Distribution. **Those Sub-Class 1 Members who are Prior Sub-Class 1 Owners must object to the allocation of the Net Sub-Class 1 Payments to the Current Sub-Class 1 Owners to assert a claim for distribution of a portion of the Net Sub-Class 1 Payment attributable to the time they were an owner.** The procedures for resolution of potential claims between Current Sub-Class 1 Owners and Prior Sub-Class 1 Owners are set forth in the Plan of Allocation and Distribution.

If you are a Prior Sub-Class 1 Owner, you shall have until **May 17, 2018 at 5 p.m. CDT** to submit in writing your intention to dispute allocation of the settlement payment from a particular royalty interest solely to the Current Sub-Class 1 Owner. Your written objection must contain:

- (1) A heading referring to “Case No. CJ-2010-75, District Court of Blaine County, Oklahoma;
- (2) Information sufficient to identify the royalty interest being challenged;
- (3) Information sufficient to identify the legal basis for your objection, including proof that you, as the Prior Sub-Class 1 Owner, did not relinquish your right to recover on claims accruing during your time of ownership when title passed to your successor;
- (4) Your current address;
- (5) Your current telephone number; and
- (6) Your signature executed before a Notary Public.

16. Class Counsel reviewed the Sherwood Affidavit and reconciled Exhibit “D” of the Sherwood Affidavit with the records of the Court Clerk of Blaine County; the results of said reconciliation are reflected on Exhibit “E” attached hereto. Exhibit “E” reflects **36** Class Members who were Prior Owners filed Objections to paying the Current Owners all of the Net Settlement Payment. These Claims will be reviewed and processed in accordance with the Plan of Allocation and Distribution. No action by the Court is necessary on these Objections at this time.

If a proper and timely objection is received from a Prior Sub-Class 1 Owner, the amount of the Net Sub-Class 1 Payment at issue on the royalty interest shall be held in suspense by Continental until the claim is resolved. Unless the Prior Sub-Class 1 Owner and the Current Sub-Class 1 Owner negotiate a mutually-agreed resolution to any such dispute, the Court will resolve allocation of payment and the determination of the Court will be final and non-appealable.

Plan of Allocation and Distribution, ¶23(c).

**Other Putative Class Member Filings**

17. Several putative Class Members made random filings which do not fall within the categories set forth above. Those filings were:

- Mildred McIntosh – Deceased (notification by Aquilla Sorrell);
- Grace M. Smith – returned notice, but no indication of opt out or objections;
- Pickens Financial Group, LLC – Mike Pickens (directing payment to certain address);
- Harlow Royalties, LTD – requesting “Inc.” be paid to “LTD”;
- Diana J. Darflinger – North Dakota owner agreeing to proposed settlement;
- Peggy J. Isbell notification that Lonnie D. Isbell passed away; and
- John Egbert notifying the death of Pauline Egbert.

No action by the Court is necessary on these filings at this time.

Respectfully submitted,



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Terry L. Stowers, OBA No. 17453  
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(405) 928-2019 -- Facsimile

AND

Kerry W. Caywood OBA No. 1580  
Angela Caywood Jones, OBA No. 18742  
**PARK, NELSON, CAYWOOD, JONES, LLP**  
P.O. Box 968  
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(405) 224-0907 – Facsimile

**CLASS COUNSEL**

**CERTIFICATE OF SERVICE**

I hereby certify that on or before the 6th day of June, 2018, a true and correct copy of the foregoing was emailed and/or mailed, postage pre-paid, to:

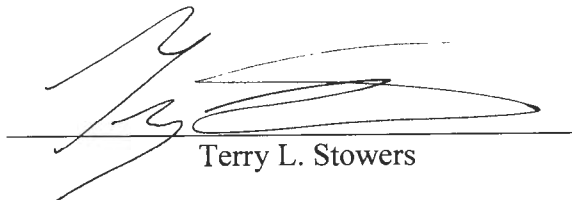
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Eric S. Eissenstat  
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Enid, Oklahoma 73701

  
Terry L. Stowers

# **Exhibit A**

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

<b>KCC CLAIM ID</b>	<b>Class Exclusion Form Filed</b>	<b>CLASS MEMBER</b>	<b>OPT-OUT POSTMARK</b>	<b>Column1</b>
CEK-100092845	X	BEVERLY PERRY CURRIER	4/23/2018	
CEK-100155537	X	JO ANN WYLIE	4/23/2018	
CEK-100074596	X	NORMAN G SLOAN	4/24/2018	
CEK-100239161	NO	LESSERT LLC	4/25/2018	
CEK-100032664	X	MERIT ENERGY PARTNERS DIII LPC/O MERIT ENERGY COMPANY LLC	4/25/2018	PRIVATE OIL COMPANY
CEK-100032672	X	MERIT ENERGY PARTNERS III LPC/O MERIT ENERGY COMPANY LLC	4/25/2018	PRIVATE OIL COMPANY
CEK-100186521	X	MERIT HUGOTON LP	4/25/2018	PRIVATE OIL COMPANY
CEK-100161820	X	MERIT PARTNERS LPC/O MERIT ENERGY COMPANY LLC	4/25/2018	PRIVATE OIL COMPANY
CEK-100209394	X	RICHARD LEE STEPHENS	4/25/2018	
CEK-100074561	X	VIRGINIA SLOAN LESSERT	4/25/2018	
CEK-100063020	X	QEP ENERGY COMPANYATTN REVENUE ACCOUNTNG	4/26/2018	PUBLIC OIL COMPANY
CEK-100243100	X	QEP RESOURCES INCATTN REVENUE ACCOUNTING	4/26/2018	PUBLIC OIL COMPANY
CEK-100255752	X	UNIVERSAL RESOURCES CORPORATIOATTN JOINT INTEREST	4/26/2018	PUBLIC OIL COMPANY
CEK-100245056	X	VICKI BEASLEY	4/26/2018	
CEK-100181635	X	WAYNE E WOODSON LIVING TRUSTWAYNE AND MARIA WOODSON - TRUS	4/26/2018	
CEK-100195954	X	DONALD J RAMEY	4/27/2018	
CEK-100074570	X	SUE S REEVES TRUST DTD 12/20/9ROBERT D REEVES - SUCCESSOR TR	4/27/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100225780	X	TRES C LLC	4/27/2018	
CEK-100315313	X	ALLEN E & RITA F HAYDEN	4/30/2018	
CEK-100016715	X	EILIZABETH ANN LEVINSON	4/30/2018	
CEK-100123830	X	MARILYN SHOOK	4/30/2018	
CEK-100228070	X	SNYDER TRUST UTA DTD 12-28-200WILLIAM D SNYDER & ARTA TRUSTEE	5/1/2018	
CEK-100254071	X	HAROLD G HAMM REVOCABLE INTERVTRUST UDO 4/23/84	5/2/2018	Conflict-Not Class Member
CEK-100042848	X	NEVA MCRAY	5/2/2018	
CEK-100207456	X	WILFRED GAROLD ROBINSON	5/2/2018	
CEK-100062741	X	ADELLE ICE IRREV TRUST DTD 4/1V CAROL ICE & SHANE OWEN ICE TRUSTEE	5/4/2018	
CEK-100235247	X	KATHERINE PATTERSON	5/4/2018	
CEK-100325742	X	DWAYNE E JANZEN ANDGLORIA JANZEN - JOINT TENANTS	5/7/2018	
CEK-100168132	X	L T WEST ANDCATHERINE WEST JOINT TENANTS	5/7/2018	
CEK-100076467	X	LINDA SUE MENZEL	5/7/2018	PRIVATE OIL COMPANY
CEK-100037208	X	SHERIDAN HOLDING COMPANY I LLCC/O SHERIDAN PRODUCTION COMPANY	5/7/2018	PRIVATE OIL COMPANY
CEK-100064604	X	HAL G MCKNIGHT	5/8/2018	
CEK-100201237	X	LARRY NILES & KONEA A JONES RE TRUST DATED 1/4/2016	5/8/2018	
CEK-100130232	X	RONALD EUGENE JONES	5/8/2018	
CEK-100036180	X	PAULINE M LOVE A/K/A PAULA M L	5/9/2018	
CEK-100253113	X	CITATION 2002 INVESREVENUE PAYMENT	5/11/2018	PRIVATE OIL COMPANY

**Strack v. Continental Resources, Inc.  
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CEK-100253091	X	CITATION 2004 INVESTMENT LTD PREVENUE PAYMENT	5/11/2018	PRIVATE OIL COMPANY
CEK-100036171	X	FRANK MORRIS FORD JR	5/11/2018	
CEK-100049079	X	CHARLES EDWARD BURRUSS	5/14/2018	
CEK-100049087	X	JOHN DAVID BURRUSS	5/14/2018	
CEK-100053076	X	LUETTA F MINTON	5/14/2018	
CEK-100050557	X	MERRILL B BURRUSS JR	5/14/2018	
CEK-100267114	X	JAMES M & LULA BENTON	5/15/2018	
CEK-100062202	X	LYLE RESOURCES LLC	5/15/2018	
CEK-100211429	X	AMOS C YODER	5/16/2018	
CEK-100058434	X	ANDRA JO FENDER NEASE	5/16/2018	
CEK-100158382	X	ANGELA KAY GRIBBLE	5/16/2018	
CEK-100244084	X	BEA BOWMAN	5/16/2018	
CEK-100206964	X	BERTHA M NICKEL	5/16/2018	
CEK-100204767	X	BERTHA M NICKEL TR DTD 8 24 06BERTHA M NICKEL TTEE	5/16/2018	
CEK-100199828	X	BETH SWITZER	5/16/2018	
CEK-100196039	X	BETHEL MENNONITE CHURCH	5/16/2018	
CEK-100207537	X	BETTY J WOLDRIDGE	5/16/2018	
	X			
CEK-100196497	X	BILLIE ANN GARDNER HARGROVE	5/16/2018	
CEK-100234844	X	BONNIE A SWINDALL REV TR 11/26BONNIE A SWINDALL TRUSTEE	5/16/2018	



**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100214800	X	BRADLEY L JONES	5/16/2018	
CEK-100065449	X	BRICE NILES SCHOU	5/16/2018	
CEK-100194508	X	BRUCE POTTER	5/16/2018	
CEK-100277721	X	CABCO DEVELOPMENT COMPANY	5/16/2018	
CEK-100336930	X	CARLA LIVINGSTON NOWLASSITER	5/16/2018	
CEK-100247113	X	CASKEY FAMILY TRUST DTD 6-10-0CARL C CASKEY & FAYE CASKEY TR	5/16/2018	
CEK-100051634	X	CHRISTOPHER W & KARI JEAN DIDI	5/16/2018	
CEK-100234852	X	CLIFFORD LEE & KATHY MILLER 20REV TRUST 1/6/2015	5/16/2018	
CEK-100194907	X	CLYDE R CHRISTENSEN	5/16/2018	
CEK-100206581	X	COFFEY LIV TR DTD 7/5/2004JUDY COFFEY TTEE	5/16/2018	
CEK-100200079	X	CONNIE SLAGELL HOLMBERG	5/16/2018	
CEK-100196640	X	CORDELIA J ATTEBERRY AND JOHNNATTEBERRY JT	5/16/2018	
CEK-100129927	X	DANNY RAY MASQUELIER IRREVOCABSPECIAL NEEDS TRUST	5/16/2018	
CEK-100238769	X	DAVID LAVERN MILLER & MARTHA MJOINT TENANTS	5/16/2018	
CEK-100203442	X	DELMAR LEE SHANTZ	5/16/2018	
CEK-100130151	X	DON CHRIS CHRISTENSEN	5/16/2018	
CEK-100116337	X	DREW COMBS	5/16/2018	
CEK-100241271	X	EILEEN AMES 1991 REV LIV TRDATED JULY 30 1991	5/16/2018	
CEK-100227368	X	EL GATO HOLDINGS LLC	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100203086	X	ELDON SHANTZ	5/16/2018	
CEK-100233724	X	ELLA & EUGENE C POWERS JT	5/16/2018	
CEK-100132960	X	EMMA EUGENIA KIRKPATRICK FAMILTRUST DTD 10/13/2014	5/16/2018	
CEK-100248381	X	ETHEL S LLC	5/16/2018	
CEK-100189717	X	EVELYN MINTON LIFE ESTATE HARVEY MINTON RHONDA STINSON &	5/16/2018	
CEK-100050050	X	FAIRVIEW CEMETERY ASSOCIATION	5/16/2018	
CEK-100052347	X	FERRIS JONES	5/16/2018	
CEK-100230539	X	FOSTER FARMS INC	5/16/2018	
CEK-100196659	X	FRANCES EPPERLY HAMILTON REV T9-16-82 FRANCES HAMILTON DIANE	5/16/2018	
CEK-100052584	X	FREIDA M BECK	5/16/2018	
CEK-100216587	X	GARY D SAMPLEY	5/16/2018	
CEK-100251501	X	GARY G JONES LIFE ESTATE	5/16/2018	
CEK-100234810	X	GERALDINE K HUTCHISON	5/16/2018	
CEK-100326897	X	GLENN G SWARTZENDRUBER LIV TST DTD 7/2/86	5/16/2018	
CEK-100051537	X	HAMAR OIL AND GAS LLC	5/16/2018	
CEK-100114814	X	HAROLD SLAGELL TRUST REONNA GOSSEN TTEE	5/16/2018	
CEK-100051324	X	HAZEL SUE EDGEWORTH	5/16/2018	
CEK-100227252	X	HYDRO VOLUNTEER FIRE DEPARTMENT INC	5/16/2018	
CEK-100239293	X	HZM LAND AND MINERALS LLC	5/16/2018	

**Strack v. Continental Resources, Inc.  
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CEK-100189725	X	J & H MINTON PROPERTIES LP	5/16/2018	
CEK-100048790	X	J B RICHARDSON & PATRICIA MAE RICHARDSON - JT	5/16/2018	
CEK-100051758	X	J D AMES 1991 REVOCABLE LIVING J D AMES TRUSTEE	5/16/2018	
CEK-100231438	X	J MICHAEL ENTZ	5/16/2018	
CEK-100236413	X	JACK STACY LANCET & SUE ANN LA	5/16/2018	
CEK-100130240	X	JACQUELINE JONES GRAVES	5/16/2018	
CEK-100201040	X	JANET L CARRE L/E	5/16/2018	
CEK-100194621	X	JANET LEE PARSONS	5/16/2018	
CEK-100200060	X	JANET SLAGELL KAUFFMAN	5/16/2018	
CEK-100211682	X	JANICE LYNN HUBER REV TR DTD 4 JANICE LYNN HUBER TTEE	5/16/2018	
CEK-100207430	X	JANICE ROWLAND HUBER	5/16/2018	
CEK-100198791	X	JASON W LOVE	5/16/2018	
CEK-100052630	X	JEA LLC	5/16/2018	
CEK-100051510	X	JEFFERY LYNN HAMAR	5/16/2018	
CEK-100201067	X	JERRY A BUTTS	5/16/2018	
CEK-100209009	X	JIMMIE ICE AND VICKI ICE TRUST JIMMIE ICE AND VICKI ICE CO-TT	5/16/2018	
CEK-100249345	X	JOHN & LINDA BRUNDAGE LIVING TRUST DATED 11/08/99	5/16/2018	
CEK-100247105	X	JOHN E CASKEY	5/16/2018	
CEK-100230423	X	JOSEPH R FOSTER	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100203450	X	JOY PAYNE DELEON	5/16/2018	
CEK-100330002	X	JUNE MARIE CONKLING LIFE ESTAT	5/16/2018	
CEK-100190154	X	KARI JEAN DIDIER	5/16/2018	
CEK-100193854	X	KARLA E AND DONALD TROYER JT	5/16/2018	
CEK-100200095	X	KENNETH SLAGELL LIV TR DTD 6-3KENNETH SLAGELL TRUSTEE	5/16/2018	
CEK-100199810	X	KENT SWITZER	5/16/2018	
CEK-100193960	X	KEVIN E AND KESIA SLAGELL JT	5/16/2018	
CEK-100208606	X	KIMBERLY KAY LITSCH TYSON	5/16/2018	
CEK-100158374	X	KIMMIE DALETTA CORBIN	5/16/2018	
CEK-100216102	X	LANAE DANFORD ICE REV TRUSTDATED 11 29 1999	5/16/2018	
CEK-100231926	X	LEAL ANNETTE PACE	5/16/2018	
CEK-100194915	X	LESTER P AND DOTTIE M TUCKER LDTD 12-16-94	5/16/2018	
CEK-100207502	X	LEX MAJORS TRUSTLEX MAJORS TTEE	5/16/2018	
CEK-100051340	X	LINDA C GREENING	5/16/2018	
CEK-100083137	X	LINDA SUE BOILEAU	5/16/2018	
CEK-100116558	X	LISA COMBS CROSS	5/16/2018	
CEK-100328326	X	LLOYD R GREEN & BETTY F GREEN	5/16/2018	
CEK-100216595	X	LONA J RATCLIFF	5/16/2018	
CEK-100193943	X	LONNIE D AND SUSAN SLAGELL JT	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100134114	X	LORETTA PROPPS	5/16/2018	
CEK-100198848	X	LOVE FAMILY TRUST 7/5/2016BERT T & DARLA J LOVE CO TTEES	5/16/2018	
CEK-100210961	X	LRM LAND & MINERAL INC	5/16/2018	
CEK-100299725	X	LU ANN ALEXANDER	5/16/2018	
CEK-100199801	X	LYNDALL SWITZER	5/16/2018	
CEK-100203108	X	MARILYN YODER	5/16/2018	
CEK-100207740	X	MARK ROWLAND	5/16/2018	
CEK-100327958	X	MARY J HANCOCK	5/16/2018	
CEK-100206492	X	MARY KATHRYN RALSTON	5/16/2018	
CEK-100114806	X	MAURICE SLAGELL TRUST FBOHAROLD SLAGELL	5/16/2018	
CEK-100236529	X	MCNEILL GRAIN COMPANY	5/16/2018	
CEK-100042600	X	MCNEILL TRADING CORPORATION	5/16/2018	
CEK-100216609	X	MELINDA A POPE	5/16/2018	
CEK-100329306	X	MELISSA D JOHNSON	5/16/2018	
CEK-100232230	X	MERRILL HUIATT	5/16/2018	
CEK-100084974	X	MICHAEL D JONES	5/16/2018	
CEK-100201105	X	MICHAEL L BUTTS	5/16/2018	
CEK-100329314	X	MICHAEL L PHELPS	5/16/2018	
CEK-100200087	X	MICHAEL SLAGELL	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100083250	X	MICHAEL THOMAS CHRISTENSEN	5/16/2018	
CEK-100062245	X	MICHELLE SCHOU FRYAR	5/16/2018	
CEK-100198040	X	MILTON & ELIZABETH K KALSU REVMILTON & ELIZABETH KALSU	5/16/2018	
CEK-100051650	X	MILTON K KIRKPATRICK REVOCABLEMILTON KENT KIRKPATRICK TRUSTE	5/16/2018	
CEK-100207413	X	ODEAN HUIATT AKA BARTON HUIATT	5/16/2018	
CEK-100338151	X	ODEAN HUIATT AND MERRILLHUIATT	5/16/2018	
CEK-100196055	X	ODEAN HUIATT AND MERRILL HUIATLIFE ESTATE	5/16/2018	
CEK-100062288	X	PATRICIA ANN PAYNE 2006REVOC LIVING TRUST DTD 5/15/06	5/16/2018	
CEK-100234860	X	PATSIE MAE GUY L/E	5/16/2018	
CEK-100232329	X	PAUL L & KARLA J BELL REVOCABLPAUL & KARLA BELL TRUSTEES	5/16/2018	
CEK-100232337	X	PAUL LEE BELL	5/16/2018	
CEK-100189695	X	PEGGY F HAJNY	5/16/2018	
CEK-100129919	X	PRESTON WAYNE MASQUELIER	5/16/2018	
CEK-100189962	X	RAVEN RIDGE ROYALTIES SERIES L	5/16/2018	
CEK-100207529	X	RAY LEE BURGMAN	5/16/2018	
CEK-100134408	X	REONNA GOSSEN	5/16/2018	
CEK-100189709	X	RHONDA R STINSON	5/16/2018	
CEK-100232027	X	RICHARD H BELL	5/16/2018	
CEK-100200249	X	RICHARD JOHN WATERS 1995 REV LDTD 1-13-95 RICHARD JOHN WATER	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100329322	X	RICHARD W & MARLENE K RUSSELL DTD 12/14/2012	5/16/2018	
CEK-100211607	X	RITA KAYE WILKINSON	5/16/2018	
CEK-100216579	X	ROBERT R SAMPLEY	5/16/2018	
CEK-100218989	X	ROBYN JEAN ANTWINE	5/16/2018	
CEK-100235158	X	ROGER D ENTZ & EDITH N ENTZ JT	5/16/2018	
CEK-100130143	X	ROGER DEAN CHRISTENSEN	5/16/2018	
CEK-100328768	X	RONALD L PHELPS REV TSTD TD 2/18/2009	5/16/2018	
CEK-100129935	X	RONNIE GENE MASQUELIER	5/16/2018	
CEK-100074103	X	ROSS K PICKENS	5/16/2018	
CEK-100219250	X	ROY D & JUDY A PIEPER LIV TRUSDATED 6/6/2017	5/16/2018	
CEK-100207464	X	ROY DEE BURGMAN	5/16/2018	
CEK-100218970	X	RYAN DEAN PIEPER	5/16/2018	
CEK-100195652	X	RYAN FAM TR DTD 10-12-17GERALDINE RYAN TRUSTEE	5/16/2018	
CEK-100236456	X	SAMUEL J COMBS	5/16/2018	
CEK-100207448	X	SANDRA J WYATT & JOHN L WYATT	5/16/2018	
CEK-100250793	X	SARATOGA INVESTMENTS LP	5/16/2018	
CEK-100203434	X	SHANTZ 4 INC	5/16/2018	
CEK-100189032	X	SHARON BROWN	5/16/2018	
CEK-100207510	X	SHELLY HAMAR IRREV TR DTD 12 2AMY LEWIS TRUSTEE	5/16/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100200931	X	SHIRLEY CAGG	5/16/2018	
CEK-100200044	X	SLAGELL FAMILY FARM REVOCABLE WARREN AND LOLA SLAGELL CO-TTE	5/16/2018	
CEK-100206549	X	STANLEY JAY SCHANTZ	5/16/2018	
CEK-100206557	X	STEVEN B AND CAROL R WICHERT J	5/16/2018	
CEK-100194559	X	STUBBS & PYLE LLC	5/16/2018	
CEK-100036163	X	SUSAN WAGNER	5/16/2018	
CEK-100200109	X	SWITZER FARM PROPERTIES & INVESTMENTS INC	5/16/2018	
CEK-100199771	X	SWITZER FARMS INC	5/16/2018	
CEK-100199917	X	TESS BENTAYOU	5/16/2018	
CEK-100051332	X	THERESA BARNES	5/16/2018	
CEK-100233384	X	TRUMAN SCHROCK	5/16/2018	
CEK-100206867	X	TURKEY TRAX TR DTD 7/7/2000 DANNY BLACK TTEE	5/16/2018	
CEK-100324010	X	VICKI SUE ICE TENANTS IN COMMO	5/16/2018	
CEK-100134165	X	WALTER SLAGELL TRUSTIDA SLAGELL TTEE	5/16/2018	
CEK-100232086	X	WILLIAM DERRILL NIPPERT JR	5/16/2018	
CEK-100338909	X	WILMA M MCKEE	5/16/2018	
CEK-100004580	X	ZELLA K HOOK 1995 REVOCABLE LI JAMES F CONKLING SUCCESSOR TTE	5/16/2018	
CEK-100200524	X	ZELLAK K & GEORGE CONKLING FAMILY INVESTMENTS LLC	5/16/2018	
CEK-100084028	X	KERI DAWN DICKERSON (KDPD Irrevocable Trust dtd 12/22/17, Successor to)	5/16/2018	



**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100083676	X	KIMBERLY KAYE LIEBSCHER (KKPL Irrevocable Trus dtd 12/22/17, Successor to)	5/16/2018	
CEK-900000023	X	CLIFFORD LEE MILLER	5/16/2018	
CEK-100194745	X	DONNA POTTER MOORE	5/16/2018	
CEK-900000031	X	JACOB J PANKRATZ TRUST, WILLIAM ENTZ, TRUSTEE	5/16/2018	
CEK-900000040	X	OKLAHOMA MENNONITE RETREAT, INC.	5/16/2018	
CEK-900000058	X	SERENDIPITY MINERALS, LLC	5/16/2018	
CEK-900000066	X	THOMAS METHODIST CHURCH, BRUST POTTER, CHAIR BRD TTEES	5/16/2018	
CEK-100213154	X	AUBA LANEE BAKER MAHONEY	5/17/2018	
CEK-100051626	X	BLANCHE LUCILLE SWEENEY LIFE T	5/17/2018	
CEK-100213146	X	CALDWELL 2009 REV TR DTD 5/8/0RODNEY L & TRINNA G CALDWELL T	5/17/2018	
CEK-100235050	X	DAMON FRANKS	5/17/2018	
CEK-100084117	X	DICKEY FAMILY LLC	5/17/2018	
CEK-100220428	X	E & LP LLC	5/17/2018	
CEK-100306870	X	HELEN GHOLSTON TRUSTEE OF HELE	5/17/2018	
CEK-100216404	X	JABBOK FAITH MISSIONARY TRAINIHOME & ORPHANAGE	5/17/2018	
CEK-100067050	X	JAMES M TISDALE	5/17/2018	
CEK-100213120	X	JANICE K STINSON	5/17/2018	
CEK-100198899	X	JILL C CARROLL	5/17/2018	
CEK-100193145	X	MARILYN ANN CALDWELL	5/17/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100246788	X	MONCRIEF OIL AND GAS MASTER LLMONCRIEF BUILDING	5/17/2018	
CEK-100213138	X	PHYLLIS R HIGHTOWER	5/17/2018	
CEK-100252958	X	PLAINS PRODUCTION INC	5/17/2018	
CEK-100195920	X	ROUNDROCK OIL & GAS LLC	5/17/2018	
CEK-100013546	X	SUE ELLA KRENGER REVOCABLE TRUSUE ELLA KRENGER - TRUSTEE	5/17/2018	
CEK-100195431	X	SUNSHINE DUO LLC	5/17/2018	
CEK-100255868	X	WESTSTAR OIL AND GAS INC	5/17/2018	
CEK-100066232	X	CLIFFORD & EVELYN BAKER REV TRDTD 2/21/90	5/25/2018	
CEK-100285120	X	COMMISSIONERS OF THE LAND OFFISTATE OF OKLAHOMA	5/25/2018	
CEK-100196829	X	CRAIG ROWLAND NOWKA	5/25/2018	
CEK-100235212	X	DEBORAH DEANNE DUFF	5/25/2018	
CEK-100238289	X	EVELYN HART REVC TRUSTDTD 7/24/1990	5/25/2018	
CEK-100235204	X	JELETA BETH SULLIVAN REV LIVINUTD 2-17-1997	5/25/2018	
CEK-100129390	X	KATHLEEN C WALKER TR DTD 11-18KATHLEEN AND JAMES WALKER	5/25/2018	
CEK-100128971	X	LAURA CORNELL AKALaura MICHELLE CORNELL (Shepherd)	5/25/2018	
CEK-100239285	X	LAZY A BAR RANCH LLC (A&B Minerals - Bertha Miller)	5/25/2018	
CEK-100329748	X	MARK D CONKLING	5/25/2018	
CEK-100128912	X	MICHAEL BRYAN CORNELL JR	5/25/2018	
CEK-100235239	X	MICHAEL TERRY DUFF	5/25/2018	

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

CEK-100099408	X	PAISANO ENERGY FUND I LP	5/25/2018	
CEK-100048501	X	PAISANO ENERGY LLC	5/25/2018	
CEK-100066828	X	PATRICK T CORNELL	5/25/2018	
CEK-100196934	X	PAUL TERRY NOWKA	5/25/2018	
CEK-100235220	X	RAMONA L DUFF TRUST	5/25/2018	
CEK-100338518	X	STEVE A NOWKA	5/25/2018	
CEK-100129277	X	STEVEN AND JULIE CORNELL JT	5/25/2018	
CEK-100235190	X	WALTER COY SULLIVAN REV LIVINGUTD 2-17-1997	5/25/2018	
	NO	Coleen Mannering		Not on KCC Report. Name on Filed list, but with No Exclusion Form
	NO	BILL R ENTZ & KAREN K ENTZ JT		KCC Received List Naming Owners But No Exclusion Form
	X	Christensen Investments, LLC	5/17/2018	Not on KCC Report
	X	Christopher W & Kari Jean Didier JT	5/16/2018	[They're on the Walraven list and opt-out form like this, although Kari is listed above]
	X	Rodney John Waters	5/17/2018	Not on KCC Report
	X	Christy Lynn Waters	5/17/2018	Not on KCC Report
	X	Horace Earl Scott, Jr.	5/17/2018	Not on KCC Report

**Strack v. Continental Resources, Inc.  
Report on Requests for Exclusion Received**

	X	Eloise I. Rice Living Trust, Marilyn Caldwell Trustee	5/21/2018	Not on KCC Report
	X	Eloise Irene Rice Heir, L.P. Rice Estate Heir, Lester Paul Rice Heir	5/21/2018	Not on KCC Report
	X	Steven D. Caldwell and Marilyn Ann Caldwell	5/21/2018	Not on KCC Report
	X	Steven Douglas Caldwell and Marilyn Ann Caldwell	5/21/2018	Not on KCC Report
	X	Doyle Caldwell	5/21/2018	Not on KCC Report
	X	Cleo Caldwell	5/21/2018	Not on KCC Report
	X	Doyle and Cleo Caldwell	5/21/2018	Not on KCC Report
	X	Cleo Caldwell Estate	5/21/2018	Not on KCC Report
	X	Doyle Caldwell Estate	5/21/2018	Not on KCC Report
	X	Gregory Allen Caldwell a/k/a Greg Caldwell	5/21/2018	Not on KCC Report
	X	Amy Kathryn Hunter and Aaron Hunter	5/24/2018	Not on KCC Report
	X	Neal Nowka	5/24/2018	Not on KCC Report
	X	Karen Nippert	5/16/2018	Not on KCC Report
	X	Vernon Frymire	5/21/2018	Not on KCC Report
	X	Brenda Alicia Franks	5/21/2018	Not on KCC Report
	X	Edward Schanta a/k/a Eddie Schantz	5/21/2018	Not on KCC Report
	X	Jabbok Faith Missionary Training Home & Orphanage	5/21/2018	Not on KCC Report
	X	Jill C. Carroll	5/21/2108	Not on KCC Report

# **Exhibit B**



April 25, 2018

BLAINE COUNTY, OKLAHOMA  
FILED

Court Clerk of Blaine County  
212 N. Weigle  
Watonga, OK 73722

MAY - 7 2018

CHRISTY MATLI, CT. CLERK  
BY: *[Signature]*  
DEPUTY

RE: Strack v. Continental  
GH-2020-73  
CS-2010-75

Dear Judge of the District Court:

I received notice of settlement papers filed in the above litigation, as a mineral owner in at least 3 of the wells that are subject to this action.

I wish to express my opinion that the attorneys purportedly representing the class of royalty owners are asking for excessive and unreasonable compensation. I do not plan to have counsel represent me at any hearing, but nevertheless wish to express this opinion for the record.

I would appreciate your consideration of ordering a reduction of compensation to the attorneys, so that the mineral owners are not being unjustly deprived of what is owed to them.

Sincerely,

*Bruce L. McLinn Trustee*

Bruce L. McLinn, Trustee  
McLinn Family Revocable Trust dated 7/31/2008  
6408 Gold Cypress Drive  
Edmond, OK 73025-2796

Cc: Strack V. Continental Administrator  
c/o KCC Class Action Services  
P.O. Box 404041  
Louisville, KY 40233-4041

# **Exhibit C**

MAY 21 2018

CHRISTY MATLICK, CT. CLERK  
BY Kelly McClure  
DEPUTY

RE: Strack v. Continental  
Case #CJ-75  
District Court of Blaine County Oklahoma  
May 15, 2018

Dear Sirs:

I am a class member and received notice of the proposed class settlement in this case. I own a royalty interest in the Lovell-Humphrey #1 well in Garfield County, Oklahoma. I do not object to the settlement and I do not wish to opt out of the settlement. But I do object to the attorney's fees of 40% of the cash settlement sought by the class lawyers, which I understand would result in an attorneys fee of at least \$20 million. I think that is excessive, and that the amount of the fees should much lower.

I have paid good lawyers in Enid for legal work within the past 3 years, and the going rate I was charged was about \$250 per hour. At that rate, the lawyers for the class would have had to work about 50,000 hours to equal \$10 million. The class notice provided no information about the number of hours spent or the hourly rate. I cannot imagine that they spent that much time on this case or needed to spend that much time.

I also object to the proposed award of \$400,000 to the two people who are the class representatives, on top of their share of the settlement funds. If they are entitled to anything, it should be limited to reimbursement for any expenses and time, they spent on the case. The amount sought seems very excessive.

Respectfully,

Kelly McClure Callant





# **Exhibit D**

IN THE DISTRICT COURT OF BLAINE COUNTY  
STATE OF OKLAHOMA

BLAINE COUNTY, OKLAHOMA  
FILED

MARK STEPHEN STRACK, et al. )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
CONTINENTAL RESOURCES, INC., )  
 )  
Defendants. )  
 )  
 )  
 )  
 )  
 )  
 )

MAY 21 2018

CHRISTY MATLICK, CLERK  
BY *Christy Matlick*  
DEPUTY

Case No. CJ-10-75  
(Judge Hladik)

**OBJECTION TO MOTION FOR ATTORNEYS' FEES  
AND CLASS REPRESENTATIVES' AWARD**

Daniel M. McClure, a member of the settlement class, respectfully submits these objections and comments to the Motion for Attorneys' Fees and Class Representatives' Award.

**I. Introduction.**

Daniel M. McClure ("Objector") is a member of the Settlement Class and received the class notice dated April 3, 2018. Objector does not object to the settlement and does not desire to opt out of the Settlement Class. However, Objector does object to the attorneys' fees and expenses sought by Class Counsel (Burns and Stowers, P.C. and Park, Nelson, Caywood, Jones, LLP) and the award sought for the Class Representatives.

I own a small royalty interest in one well in Garfield County that I inherited. While the amount of any settlement proceeds I would receive in this case is small, and the effect of subtracting attorneys' fees even smaller, I am filing this objection as a matter of principle because the attorneys' fee request and the class representatives' award request is excessive, not consistent with Oklahoma law, and creates undesirable incentives that are not good public policy.

This objection is based on the very limited information provided in the class notice and the case documents filed on the website maintained by class counsel, [www.strackvscontinental.com](http://www.strackvscontinental.com). I spoke by phone with class counsel Terry Stowers and emailed him asking for additional complete information on the request for attorneys' fees and class representatives' award (Exhibit A hereto), and his response contained only a summary of the hours that the attorneys claimed to work and no other information about the attorneys' fees and class representatives' request (Exhibit B hereto). The Motion for Attorneys' Fees, Litigation Costs, and a Class Representatives' Award (filed April 3, 2018) ("Motion") consists of three pages and provides no explanation or support for the attorneys' fee award or the class representatives' award. On its face, however, the request for 40% of the gross settlement payments resulting in an attorneys' fee of \$22,920,000 approximately is a grossly excessive amount. The Motion also requests a total award of \$400,000 as a "Case Contribution Award" to Mark Strack and Deniela A. Renner, also an inappropriate and excessive amount.

**II. The 40% Attorneys' Fee Request is Improper and Excessive.**

**A. Class Counsel's Request for a Percentage of Attorneys' Fees is Not Supported by Oklahoma Law.**

The Motion asks that class counsel be awarded "an attorneys' fee of 40% of the Gross Settlement Payments." The settlement amount for the Claim Period 1 is \$49.8 million and for Claim Period 2 is estimated at \$7.5 million. Therefore, it appears that Class Counsel is requesting 40% of those amounts, equal to approximately \$23 million. The Oklahoma Supreme Court has never approved awarding attorneys' fees in a common fund case or a class action based on the "percentage method" or the "contingency fee method." Instead, Oklahoma has traditionally allowed attorneys' fees to be based on the "lodestar method." *See ex rel. Burk v. City of Oklahoma City*, 598 P.2d 659 (Okla. 1979); *Hess v. Volkswagen of Am., Inc.*, 341 P.3d

662, 667 (Okla. 2014). Use of the lodestar with enhancement factors set forth in *Burk* is now codified in an Oklahoma statute for class action attorneys' fees. See 12 O.S. Supp. 2013 § 2023(G)(4)(e). The statute provides that "the court shall act in a fiduciary capacity on behalf of the class in making such determination." *Id.* at (b). Therefore, this Court should not apply the percentage-of-the-fund attorneys' fee requested in the Motion. The Tenth Circuit recently applied Oklahoma law to reach this same conclusion in the royalty class action case, *Chieftain Royalty Co. v. Enervest Energy Institutional Fund*, 888 F.3d 455 (10<sup>th</sup> Cir. 2017).

**B. Even if a Percentage Method Were Permissible, 40% is Excessive.**

Federal courts in certain circuits have approved use of the percentage method, often accompanied by the lodestone cross-check. But even in federal courts that have adopted the percentage method, 40% recoveries are an outlier. The Ninth Circuit has approved a 25% benchmark *In re Bluetooth Headset Products Liability Litigation*, 654 F.3d 935 (9<sup>th</sup> Cir. 2011) (district courts in the circuit "typically calculate 25% of the fund as the 'benchmark' for a reasonable fee award.") The Eleventh Circuit stated that "district courts are beginning to view the median of this 20% to 30% range, i.e., 25%, as a 'benchmark' percentage fee award which may be adjusted in accordance with the individual circumstances of each case . . . ." *Camden I Condominium Ass'n, Inc. v. Dunkle*, 946 F.2d 768, 775 (11<sup>th</sup> Cir. 1991); *Faught v. American Home Shield Corp.*, 668 F.3d 1233, 1242 ("this court has often stated that the majority of fees in these cases are reasonable where they fall between 20-25% of the claims.") Even such a benchmark may be adjusted downward depending upon all relevant factors.

To the extent some courts in Oklahoma may have awarded 40% contingency fees method in class action cases, it is likely because no objection was submitted and the defendant took no position on the attorneys' fee issue. However, knowledgeable courts in Oklahoma or anywhere

in the United States would be unlikely to award any contingency approaching 40% in the face of any objections.

**III. Under the Lodestar Method Approved in Oklahoma, Class Counsel's Fee Request is Excessive.**

According to class counsel's only disclosure regarding hours worked on this case, they claim that 7,961.83 hours were worked by six persons, with Mr. Burns and Mr. Stowers accounting for over 6,780 of those alleged hours. *See* Exhibit B hereto. However, no other supporting documentation or any detailed time records have been filed with the court or shared with any class members. Whether that number of hours was reasonable or appropriate in this case has not been demonstrated by class counsel. In the *Chieftain* case, the Tenth Circuit vacated the attorney fee award in its entirety because of the failure of class counsel to provide "detailed time records" and "evidence as to the reasonable value for the services performed" as required by the *Burk* case. The Tenth Circuit ruled that "contemporaneous time records" should be required, but were not part of the record. 888 F.3d at 464.

Class counsel has declined to disclose to me in response to my request any information regarding the customary and usual fees charged by class counsel in non-contingency fee cases. However, on information and belief, a reasonable hourly rate for lawyers in Blaine County, Oklahoma is in the range of \$300-\$350. Customary maximum rates in Blaine County and Garfield County are approximately \$400 per hour, on information and belief. Over the time period of this case since 2010, hourly rates would have been lower in the past. But even if all of the 8,000 hours claimed by class counsel are accredited at \$400 per hour, the lodestar would not exceed \$3.2 million.

Class counsel has not demonstrated entitlement to any enhancement beyond a basic lodestar amount based on the thirteen factors in the Oklahoma statute. They have declined to

provide me with information prior to the due date for this objection that would support any of those factors.

In the *Hess* case, the Oklahoma Supreme Court reversed a 1.9 enhancement multiplier as an abuse of discretion. In the *Burk* case, the Oklahoma Supreme Court held that a 1.4 multiplier of the lodestar was all that would be appropriate in that case (the lodestar plus 40% incentive fee). In this case, no evidence has been presented that would justify any multiplier of the lodestar.

**IV. The Class Representatives Award Should be Disallowed or Reduced.**

The Motion requests a Case Contribution Award of \$100,000 to each of four trusts, effectively \$200,000 to each of the two trustees, Mr. Strack and Ms. Renner. These should be disallowed or reduced.

**A. Incentive Awards Should Not Be Permitted.**

While some courts have allowed incentive awards, there appears to be no clear guidance from the Oklahoma Supreme Court about their propriety. Two U.S. Supreme Court decisions hold that a litigant may recover expenses reasonably incurred but not incentive awards for services rendered as a representative of a common fund. *Cent. R.R. & Banking Co. v. Pettus*, 113 U.S. 116, 5 S.Ct. 387, 28 L.Ed. 915 (1885), and *Trustees v. Greenough*, 105 U.S. 527, 26 L.Ed. 1157 (1881). The Tenth Circuit identified this issue but did not rule on it in the *Chieftain* case. 888 F.3d at 466.

**B. If an Incentive Award is Proper, the \$400,000 Sought Here is Excessive.**

The Motion provides no explanation or justification for these incentive awards. Those courts that have allowed incentive awards have typically awarded much smaller amounts than \$100,000 for each representative. Often, the amount is limited to actual expenses incurred by a

class representative. Awards of \$5,000 - \$10,000 for a class representative might be more typical. See *Chieftain*, 888 F.3d at 464 (\$5,250 median award, according to a study). For instance, in a nationwide royalty class action with over two million class members involving over twenty oil company defendants, the Court awarded between \$750 and \$10,000 to each of the named class representatives. *In re Lease Oil Antitrust Litigation*, 186 F.R.D. 403, 449 (S.D. Tex. 1999). Here, the request is even more extreme because each of the two trustees is essentially seeking a double recovery of incentive awards for each of the two trusts they represent. The Tenth Circuit vacated incentive awards in the *Chieftain Royalty* case based on Oklahoma law because the record was "devoid of evidence from which a computation could be made." 888 F.3d at 468-69.

**V. Objector Objects to Lack of Sufficient Notice and Lack of Full Disclosure Regarding Fee Request Prior to Class Objection Deadline.**

Because the class notice and the three-page Motion for attorneys' fees and class representatives' award provided virtually no information to support the fee request and the award request, and because class counsel has declined to provide anything more than a summary of hours, Objector and others members of the class have been provided insufficient information with which to make full and appropriate objections. This was probably intended by class counsel and certainly had the effect of suppressing objections and giving class counsel the opportunity to file full briefing and supporting documents only after objections were made. Further, the requirement for an in-person appearance at the fairness hearing to preserve objections is unreasonable, if such objections have been adequately stated by written submission. Further, appeal rights of any objector should not be constrained by any requirement to file an appellate bond, and objections should not be allowed to be circumvented by allowing for a severance of one objector's objections from the remainder of the attorneys' fee award.

WHEREFORE, Objector Daniel M. McClure respectfully requests that the Motion for Attorneys' Fees and Award to Class Representatives be DENIED, or alternatively that the attorneys' fees and Class Representatives' award be reduced, and for such other relief to which Objector and the Class may be entitled.



Dated: May 17, 2018

Respectfully submitted,



Daniel M. McClure, OBA #20414  
(Pro Se)  
2 Long Timbers Lane  
Houston, Texas 77024  
Email: dmccclure52@gmail.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of May, 2018, a true copy of the foregoing was mailed to the following addresses.

Court Clerk of Blaine County  
212 N. Weigle  
Watonga, OK 73772

Strack v. Continental Notice Administrator  
c/o KCC Class Action Services  
P.O. Box 404041  
Louisville, KY 40233-4041



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Daniel M. McClure

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**Strack v. Continental Resources settlement; Case No. CJ-10-75**

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Daniel McClure &lt;dmcclure52@gmail.com&gt;

Sat, May 12, 6:52 PM

To: kcaywood@pncj.com &lt;kcaywood@pncj.com&gt;, tstowers@burnsstowers.com &lt;tstowers@burnsstowers.com&gt;

Terry, this is to follow up on our phone conversation today about the settlement notice I received as a member of the class in this case. I am also copying your co-counsel, Kerry Caywood. As I told you, I am considering whether to file an objection or submit written comments with regard to class counsel's request for attorney's fees. As I understand the notice, your firm and the Park Nelson firm is seeking about \$20 million in fees out of a cash settlement of \$49.8 million. The Case Documents on the web site you have made public include a 3-page motion for attorney's fees, litigation costs, and a class representatives award. But that motion merely recites the total 40% fees sought, without any support or explanation. In order to fully assess the reasonableness of that motion and fee request and make a more fully informed decision about objecting, a lot more information would be helpful to me and other class members. Class members are required to file objections and comments by May 17, yet as of today, May 12, no additional information about the fee request has been posted on the website, or filed with the court, from what you told me. Therefore, I request that you and your co-counsel send me by email the following information by Monday, May 14, 2018, which information I think should also be made available to all class members by posting it on the website:

1. Your brief in support of the motion, and all supporting documentation. The motion indicated that would be filed, but it has not yet been filed.
2. A summary of the number of hours by lawyer by month and year for each lawyer seeking fees in this case. You told me in our phone conversation today that you would send me on May 14 a summary of the hours that class counsel have charged to this case.
3. The usual and customary hourly rates charged by those lawyers in non-contingency fee cases during each of the years for which fees are sought in this case.
4. What class counsel contend is a reasonable hourly rate for this case by lawyer by year.
5. The amount in controversy in this suit.
6. To assess the amount in controversy in relation to the results obtained, any report and estimate by your experts, including Barbara Ley, of the past damages of the class for all time periods since July 1993 through November 2015 and later, and any computation of statutory interest or pre-judgment interest.
7. An explanation of the basis for class counsel's calculation of the value of the settlement in class period 2 and the future period, including any report or estimate by your experts.
8. A summary of any hours devoted by the class representatives to this case, by year, and what hourly rate they are claiming for that time, if any.

Dan McClure  
2 Long Timbers Lane  
Houston, Texas 77024  
713-651-5159

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**Strack class action**

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Terry Stowers <tstowers@burnsstowers.com>  
To: Daniel McClure <dmccclure52@gmail.com>

Wed, May 16, 9:14 AM

Dan,

My accounting expert is still working on the allocation of the settlement to the approximate 2000 Class Wells. The summary of hours as of a week ago (or so) was as follows:

Douglas E. Burns	2,751.85
Terry L. Stowers	4,029.28
Kerry Caywood	212.50
Angela Caywood Jones	19.30
Pamela Moulton	652.50
Tammie Wheeler	<u>296.40</u>
	<b>7,961.83</b>

As to the other information requested in your email, as stated in the Motion, "Class Counsel will file an extensive brief, with supporting documentation, supplementing and supporting this Motion prior to the Fairness Hearing, and will post that brief and supporting documentation on the website [www.StrackvsContinental.com](http://www.StrackvsContinental.com)."

[Quoted text hidden]

# **Exhibit E**

**Strack v. Continental Resources, Inc.**  
**Report on Objections by Prior Owners to Distribution to Current Owners**

Claim ID	Objector	Current Owner Claim ID	Current Owner	Rec. Date	Verified by Court Clerk Filing
CEK-100233449	Susan Leigh Falkestein Miags	CEK-100233260	Trust A of the William Allen Falkenstein and Mary Lou McElreath Falkenstein DTD 5/29/92	4/21/2018	No
CEK-100233244	Matthew Allen Falkenstein	CEK-100233260	Trust A of the William Allen Falkenstein and Mary Lou McElreath Falkenstein DTD 5/29/92	4/21/2018	No
CEK-100032052	Stephany Wilson	CEK-100172059	Ron Wilson and Stephany Wilson - Joint Tenant	4/26/2018	No
CEK-100161316	Gregg Heath	CEK-100165583	Echo-Warwick Minerals, LLC	5/4/2018	X
CEK-100038638	Julius Lee Matli & Doris R Matli	CEK-100038646	Mabel Matli Life Estate c/o Bonnie Cox POA	5/7/2018	
CEK-100203345	Richard T. Cox & Bonnie Matli Cox	CEK-100038646	Mabel Matli Life Estate c/o Bonnie Cox POA	5/7/2018	
CEK-100254071	David H. Cole	CEK-100037038	Advocate Oil and Gas	5/7/2018	X
CEK-100159303	Virgina L Wyers Akins	CEK-100239536	The Mineral Resources Company	5/8/2018	X
CEK-100093370	Premium Petroleum LLC & j Cole Ream and Nelda Ream	CEK-100163742	Fairmount Land & Mineral LLC	5/10/2018	X
CEK-100086586	Howard J. Cole, Jr.	CEK-100037038	Advocate Oil and Gas	5/10/2018	X
CEK-100046320	Norma J McCord	CEK-100004261	McCord Foundation Inc.	5/11/2018	
CEK-100212816	Melinda Wood	CEK-100239536	The Mineral Resources Company	5/4/2018	X
CEK-100065961	J O Wood Family Limited Partnership	CEK-100239536	The Mineral Resources Company	5/4/2018	X
CEK-100319246	Hill Revocable Living Trust DTD 120188, Bonnie J Anderson Trustee	CEK-100228615	Bonnie J Anderson	5/18/2018	X
N/A	Vickey R Scott	CEK-100335799	Erma Jean Scott and Horace Scott Jr.	5/18/2018	No
N/A	Reginald L Scott	CEK-100335799	Erma Jean Scott and Horace Scott Jr.	5/18/2018	No
N/A	Tammy Hill	CEK-100335799	Erma Jean Scott and Horace Scott Jr.	5/18/2018	No
CEK-100139965	Cynthia A Sullivan	CEK-100037194	Echo Energy LLC	5/17/2018	X
CEK-100112293	Danny L Scheffler	CEK-100037194	Echo Energy LLC	5/17/2018	X
CEK-100112412	Leo Scheffler	CEK-100037194	Echo Energy LLC	5/17/2018	No
CEK-100112439	Leo & Elressa Scheffler Living Trust	CEK-100037194	Echo Energy LLC	5/17/2018	No
CEK-100077420	Lynn Colbert Charitable Foundation	CEK-100050581	Lefco Energy LLC	5/22/2018	X
CEK-100006671	Peggy Mullenau Trustee of Winters Family Trust	CEK-100239536	The Mineral Resources Company	5/14/2018	X
CEK-100226566	Cathy Gail West Bristo Trust	CEK-100210902	Black Mesa Production, LLC	5/14/2018	X
CEK-100069207	Harvey A Olson Revocable Trust	N/A	Unknown	5/15/2018	No
CEK-100066208	Janes Living Trust DTD 8/29/19	CEK-100217567	Canyon Creek Royalty, LLC	5/17/2018	X
CEK-100066216	Joanna Collayar	CEK-100217567	Canyon Creek Royalty, LLC	5/17/2018	X
CEK-100216820	John W Peavy, III	CEK-100217567	Canyon Creek Royalty, LLC	5/17/2018	X
CEK-100216811	Pamela K Brandt	CEK-100217567	Canyon Creek Royalty, LLC	5/17/2018	X
CEK-100159168	Marsha Rosella Wyers Hamilton	CEK-100239536	The Mineral Resources Company	5/17/2018	X
CEK-100216838	Bernadette Lee	CEK-100217567	Canyon Creek Royalty, LLC	5/18/2018	X
CEK-100310982	Groenkyke Oil & Gas Properties, LP	CEK-100207197	Sooner Mineral Investments LLC	5/23/2018	X
CEK-100128734	Debra Ann Banta	CEK-100115411	Rose Mary Grieshammer	5/23/2018	X
	Mark Stephen Strack			5/16/2018	X
	Mark Stephen Strack, Successor Trustee of The Patricia Ann Strack Revocable Trust			5/16/2018	X
	Mark P. Durham, Successor Trustee Mary Durham-Nelson (Thomas D. Durham, deceased and Jacqueline, deceased)			5/17/2018	X