

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

Marvin B. Dinsmore, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

Case No. 22-CV-352-GLJ

Scissortail Energy, LLC,

Defendant.

**SUPPLEMENT TO
CLASS REPRESENTATIVES' MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Class Representatives submit this Supplement to their Motion for Final Approval of Class Action Settlement ("Final Approval Motion," Doc. 28). As is common, Class Representatives' Final Approval Motion was due prior to the request for exclusion and objection deadline of June 19, 2024. *Id.* at 1 n.1. As a result, Class Representatives submit this supplement to address the objections (none) and requests for exclusions (three).

1. Objections

Class Representatives are pleased to report that there have been no objections to the Settlement, Settlement Agreement, or the requests for Plaintiffs' Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, or Case Contribution Award.

2. Requests for Exclusion

Only three (3) requests for exclusion were submitted. *See Ex. 1*, JND Summary of Requests for Exclusion. The amounts attributable to these three requests represent 0.0029% of the Net Settlement Fund under the Initial Plan of Allocation (Doc. 28-6). *Id.* Accordingly, the Class

Member claims that have chosen to participate in and support the Settlement represent 99.997% of the Net Settlement Fund. With respect to approving a class action settlement, the Tenth Circuit has held that a district court did not abuse its discretion in approving a class settlement from which an “extremely small percentage of class members opted out.” *Rutter & Wilbanks Corp. v. Shell Oil Co.*, 314 F.3d 1180, 1188 (10th Cir. 2002).

Class Representatives recommend approving the three (3) requests for exclusion at the Final Fairness Hearing on July 10, 2024.

Conclusion

In short, the information necessary for Class Members to consider their options under the Settlement has been provided in accordance with the Court’s Preliminary Approval Order (Doc. 26) and the Notices. There have been no objections and only three (3) requests for exclusion. Class Representatives respectfully request that the Court approve the Settlement and grant the final approval motions (Docs. 28–29). Class Counsel submitted native proposed orders to the Court’s intake email on Friday, June 28, 2024, and those proposed orders take into account the requests for exclusion detailed herein. Put differently, the native proposed orders submitted on June 28, 2024, remain accurate.

Respectfully Submitted,

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CLASS COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that, on July 9, 2024, I caused to be electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Ryan K. Wilson
Ryan K. Wilson



Dinsmore, et al. v. Scissortail Energy, LLC
Case No. 6:22-cv-00352-GLJ (E.D. Okla.)
Requests for Exclusion Received

JND ID	Owner Name	Owner #	Received	Amount
NGTXSM3FJK	CITATION 2004 INVESTMENT LP	014156	6/17/2024	\$11.94
NRX8K7NG5U	CITATION 2002 INVESTMENT LP	701254	6/17/2024	De minimis
NLX3MN7V2H	KAISER FRANCIS OIL CO	038020	6/14/2024	De minimis