

**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.

**CLASS REPRESENTATIVES’
MOTION FOR APPROVAL OF FINAL PLAN OF ALLOCATION
AND ENTRY OF DISTRIBUTION ORDER**

Pursuant to the Settlement Agreement (Doc. 23-1) and the Initial Plan of Allocation Order (Doc. 34), Class Representatives file this Motion for Approval of Final Plan of Allocation and Entry of Distribution Order.¹ In support of this Motion, Class Representatives shows the Court the following:

1. On July 10, 2024, the Court entered several orders (collectively, the “Orders”) related to approval of the Settlement:
 - a. the Order and Judgment Granting Final Approval of Class Action Settlement (Doc. 32);
 - b. the Initial Plan of Allocation Order (Doc. 34); and
 - c. the Order Awarding Plaintiffs’ Attorneys’ Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and Case Contribution Award (Doc. 33) (the “Fee and Expense Order”).

¹ All capitalized terms not otherwise defined in this Motion shall have the same meanings ascribed to them in the Settlement Agreement.

2. Under the Orders and paragraph 6.4 of the Settlement Agreement, Class Representatives are required to file and seek approval of a final plan of allocation and entry of a distribution order to disburse the Net Settlement Fund to Class Members. This Motion seeks that approval.

3. Class Representatives have calculated a Final Plan of Allocation that takes into account the Gross Settlement Fund (\$825,000), plus accrued interest while in the Escrow Account, and subtracts the amounts awarded in the Fee and Expense Order and the amounts attributable to the opt-outs approved by the Court in the Judgment.

4. The result is Class Representatives' proposed Final Plan of Allocation, which is attached to this Motion as **Exhibit 1**.

5. The proposed Final Plan of Allocation shows the proportionate settlement payments to be made to Class Members in accordance with the Allocation Methodology previously approved by the Court.

6. Upon the Court's approval, the distributions set out in the Final Plan of Allocation will be made to Class Members in accordance with the Orders and the Settlement Agreement. To effectuate distribution, the Settlement Administrator will transfer funds to a distribution account for further administration and distribution.

7. Class Representatives respectfully request that the Court enter the proposed Final Plan of Allocation and Distribution Order in the form attached as **Exhibit 2**. Class Representatives will also submit a native version of the proposed order in accordance with the Court's Local Rules.

Respectfully Submitted,

/s/ Reagan E. Bradford

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CLASS COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2024, a true and correct copy of the above and foregoing document was served in accordance with the Local Rules on all counsel of record *via* the Court's electronic filing system.

/s/ Reagan E. Bradford

Reagan E. Bradford