

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

CHIEFTAIN ROYALTY COMPANY,)
KELSIE WAGNER TRUSTEE OF THE)
KELSIE WAGNER TRUST, AND)
KELSIE WAGNER SUCCESSOR)
TRUSTEE OF THE WADE)
COSTELLO TRUST)

Plaintiffs,)

v.)

MARATHON OIL COMPANY,)

Defendant.)

Case No. 6:17-cv-00334-SPS

*(Removed from District Court of
LeFlore County, State of
Oklahoma, Case No. CJ-17-146)*

**CLASS REPRESENTATIVES' MOTION FOR
APPROVAL OF CASE CONTRIBUTION AWARD**

Class Representatives, Chieftain Royalty Company, Kelsie Wagner as Trustee of the Kelsie Wagner Trust, and Kelsie Wagner as Successor Trustee of the Wade Costello Trust, on behalf of themselves and on behalf of the Settlement Class preliminarily certified by the Court's Order dated December 17, 2018 (Dkt. No. 74), respectfully file this Motion for Approval of Case Contribution Award, and hereby move this Court for entry of an Order approving Class Representatives' request for a Case Contribution Award.

Class Representatives base this Motion on the Memorandum of Law in Support of this Motion and Exhibits thereto; the Declaration of Robert Abernathy; the Declaration of Kelsie Wagner; Declaration of Geoffrey P. Miller in Support of the Stipulation and Agreement of Settlement, Class Counsel's Application for Attorneys' Fees, Reimbursement of Litigation Expenses, Class Representative's Request for Case Contribution Award, and Notice of Proposed

Settlement (“Miller Decl.”); the Affidavit of Michael J. Weeks (on behalf of class member Pagosa Resources, LLC); the Affidavit of Phil Steffano (on behalf of class member Provident Energy, Ltd.); the Affidavit of Roger K. Brown (on behalf of class member Omega Royalty Co., LLC); the Affidavit of Michael Starcevich; and the applicable law, and all pleadings, declarations, and records on file in this matter, which are respectfully incorporated by reference as if set forth fully herein.

Accordingly, Class Representatives respectfully request the Court enter the proposed Order granting the relief stated above and grant any further relief to which the Court finds Class Representative entitled.

DATED: February 8, 2019

Respectfully submitted,

s/Patrick M. Ryan

Patrick M. Ryan, OBA No. 7864

Phillip G. Whaley, OBA No. 13371

Jason A. Ryan, OBA No. 18824

Paula M. Jantzen, OBA No. 20464

RYAN WHALEY COLDIRON

JANTZEN PETERS & WEBBER PLLC

900 Robinson Renaissance

119 North Robinson

Oklahoma City, OK 73102

Telephone: 405-239-6040

Facsimile: 405-239-6766

pryan@ryanwhaley.com

pwhaley@ryanwhaley.com

jryan@ryanwhaley.com

pjantzen@ryanwhaley.com

Robert N. Barnes, OBA No. 537
Patranell Lewis, OBA No. 12279
Emily Nash Kitch, OBA No. 22244
BARNES & LEWIS, LLP
208 N.W. 60th Street
Oklahoma City, OK 73118
Telephone: (405) 843-0363
Facsimile: (405) 843-0790
rbarnes@barneslewis.com
plewis@barneslewis.com
ekitch@barneslewis.com

Michael Burrage, OBA No. 1350
WHITTEN BURRAGE
512 N Broadway, Suite 300
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
mburrage@whittenburrage.com

Lawrence R. Murphy, Jr., OBA No. 17681
LAWRENCE R. MURPHY, JR., P.C.
624 South Boston, Floor 8
Tulsa, Oklahoma 74119
Telephone: (918) 592-3699
larrymurphypc@icloud.com

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2019, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Guy S. Lipe – glipe@velaw.com
Jay P. Walters – jwalters@gablelaw.com

s/Patrick M. Ryan

Patrick M. Ryan