

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

COOK CHILDREN’S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

vs.

DIAMONDBACK E&P LLC,

Defendant.

Case No. CIV-21-359-D

**CLASS REPRESENTATIVE’S MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT & BRIEF IN SUPPORT**

Class Representative Cook Children’s Health Foundation a/k/a W.I. Cook Foundation, Inc. (“Class Representative”) moves the Court for final approval of the:

1. Proposed class action Settlement;
2. Notice of Settlement and Plan of Notice; and
3. Proposed Preliminary Distribution Order.

Class Representative’s proposed Judgment is attached as **Exhibit 1**, and Class Representative’s Proposed Preliminary Distribution Order is attached as **Exhibit 2**.¹ With no objections filed to date and with only eight of the 5,553 potential class members purporting to opt-out as of this filing, Class Representative submits that the Settlement is fair, reasonable, and adequate and should be finally approved. **Exhibit. 3**, Declaration of Joseph M. Gallagher (“Class Rep. Decl.”).²

¹ The proposed judgment was attached as Exhibit 2 to the Settlement Agreement (“SA”), Doc. 50-1. Class Counsel will also submit native versions of the proposed orders to the Court in advance of the Final Fairness Hearing and after the exclusion and objection deadline (March 6, 2024) has expired.

² Capitalized terms not otherwise defined shall have the meaning ascribed to them in the SA.

BACKGROUND

In the interest of brevity, Class Representative will not recite the entire background of this Litigation, which has spanned nearly three years. Rather, Class Representative refers the Court to the Motion for Preliminary Approval (Doc. 52), the Declaration of Class Counsel (“Class Counsel Decl.”) (**Exhibit 4**), the pleadings on file, and any other matters of which the Court may take judicial notice, all of which are incorporated as if fully set out in this memorandum.

On January 2, 2024, the Court issued an order preliminarily approving the Settlement, approving the Form and Manner of Notice, and setting a date of March 27, 2024, for the Final Fairness Hearing. Doc. 52 at 10, ¶ 13 (“Preliminary Approval Order”). The Court also approved the Notices of Proposed Settlement of Class Action (“Class Notices”), for mailing and publication. *Id.* at 7-9, ¶ 8-9. The Court ordered that Notice be given to the Class Members in accordance with the Form and Manner of Notice as outlined in the Settlement Agreement and found that the Notices being provided “are the best notice practicable under the circumstances, constitute due and sufficient notice to all persons and entities entitled to receive such notice, and fully satisfy the requirements of applicable laws, including due process and FED. R. CIV. P. 23.” *Id.* at 7, ¶ 8. Since preliminary approval, Notice was mailed, by first-class mail, as ordered by the Court, to 5,547 potential members of the Settlement Class between January 19, 2024, and the present. **Ex. 5**, Declaration of Jennifer Keough Regarding Notice of Settlement (“Keough Decl.”) ¶¶ 6-8. Notice was also published on the settlement website and, on January 19, 2024, in *The Oklahoman*, *The Dallas Morning News*, and *The Houston Chronicle*, as directed in the Preliminary Approval Order. *Id.* ¶ 9.

The facts regarding certification haven’t changed since the Court entered the Preliminary Approval Order—class certification remains proper. A general plan of

allocation was described in the Notice, along with the other material terms of the Settlement Agreement. *See Ex. 5*, Keough Decl. at Exs. A, C; SA, Doc. 50-1. Consistent with the Notice and the Allocation Methodology described in the Settlement Agreement, the Preliminary Distribution Schedule shows the proposed distributions to each member of the Settlement Class and a calculated amount of distribution. The Preliminary Distribution Schedule assumes the Court approves the requests for reimbursement of Litigation Expenses and Administration, Notice, and Distribution Costs, and the requests for Plaintiff's Attorneys' Fees and an Incentive Award. The Settlement Agreement contemplates that Class Representative will move the Court for a Distribution Order based upon the Final Distribution Schedule within sixty (60) days after the Effective Date, with the benefit of the Court's ruling on those requests. *See* Doc. 50-1 at 17, ¶ 3.10.

Following mailing of the Notices and publication, Members of the Settlement Class had forty-seven (47) days to request exclusion or file an objection. Only eight requests for exclusion and no objections have been received as of the time of this filing.³ *See Ex. 5*, Keough Decl. ¶¶ 14-17. The small number of opt-outs from and no objections to the Settlement thus far support the conclusion that the Settlement and Allocation Methodology are fair, adequate, reasonable, and in the best interests of the Settlement Class such that final approval should be granted.

ARGUMENT & AUTHORITY

The Court should grant final approval of the Settlement. The procedure for reviewing a proposed class action settlement is a well-established two-step process. First, the Court conducts a preliminary analysis to determine if the settlement should be preliminarily approved such that the class should be notified of the pendency of a

³ Because this Motion is due before the exclusion and objection deadline (March 6, 2024), Class Representative will submit a supplement detailing the requests for exclusion and objections, if any, received and indicate those that were properly submitted.

proposed settlement. Manual for Complex Litigation § 21.632 (4th ed. 2004). Second, the class is notified and provided an opportunity to be heard at a fairness hearing before the settlement is finally approved. Alba Conte & Herbert B. Newberg, *Newberg on Class Actions* § 13.1 (6th ed. 2002). The Court already carried out the first step with its Preliminary Approval Order, and notice was effectuated pursuant to the terms of the Settlement Agreement and in the form and manner approved by the Court. *See Ex. 5*, Keough Decl. ¶¶ 6-13. As to the final step, courts in the Tenth Circuit consider four factors when deciding whether to finally approve a class action settlement:

- a. Whether the proposed settlement was fairly and honestly negotiated;
- b. Whether serious questions of law and fact exist, placing the ultimate outcome of the litigation in doubt;
- c. Whether the value of an immediate recovery outweighs the mere possibility of future relief after protracted and expensive litigation; and
- d. Whether, in the parties' judgment, the settlement is fair and reasonable.

See Rutter & Wilbanks Corp. v. Shell Oil Co., 314 F.3d 1180, 1188 (10th Cir. 2002); *Jones v. Nuclear Pharmacy, Inc.*, 741 F.2d 322, 324 (10th Cir. 1984); *see also* Fed. R. Civ. P. 23(e)(2). Each factor supports final approval of the Settlement here.

1. The Court Properly Certified the Settlement Class for Settlement Purposes and Should Confirm this Finding by Finally Certifying the Settlement Class Under Rule 23

Before addressing the four factors, the Court must find class certification remains appropriate for settlement purposes. The Court already certified the following Settlement Class:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011 to July 31, 2023 under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free

use clause, or both, and in which Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates are lessees or successors-in-interest under such agreements (collectively, the "Diamondback Entities").

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by the Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

Doc. 52 at 2-3, ¶ 3. Class certification remains proper under Rule 23(a) and (b)(3) for settlement purposes for the reasons set forth in the Preliminary Approval Motion (*see* Doc. 50). And Defendant consents to certification of the Settlement Class for the purpose of settlement. The prerequisites for class certification under Rule 23(a) and (b)(3) are satisfied. First, Rule 23(a)(1)'s numerosity requirement is satisfied because the Settlement Class consists of over 5,000 owners, whose joinder would be impracticable. **Ex. 5**, Keough Decl. ¶ 4; *see also Trevizo v. Adams*, 455 F.3d 1155, 1161-62 (10th Cir. 2006). Second, Rule 23(a)(2)'s commonality requirement is met because many questions of law and fact exist that could be answered uniformly for the Settlement Class using common evidence. *Tyson Foods, Inc. v. Bouaphakeo*, 577 U.S. 442, 454 (2016); *see also Menocal v. GEO Grp., Inc.*, 882 F.3d 905, 914 (10th Cir. 2018) ("A finding of commonality requires only a single question of law or fact common to the entire class" (internal citations omitted)). Each of these common issues stems from a common body of law—the law of the State of Texas on royalty payment obligations. The real property interests at issue are property located in the State of Texas, and the payments at issue are governed by Texas

substantive law. Thus, any choice of law analysis would result in the application of Texas law to the legal claims and, as such, there are no other states' laws implicated by this action, nor any other choice of law issues that could affect the Court's commonality analysis here. *See id.* Third, Rule 23(a)(3)'s typicality requirement is satisfied because Defendant treated all owners the same for purposes of royalty payments, the same legal theories and fact issues underlie each Class Member's claims, and all Class Members suffered the same type of injury arising out of the same facts that can be proven by the same, common evidence. *DG ex rel. Stricklin v. Devaughn*, 594 F.3d 1188, 1198-99 (10th Cir. 2010). Finally, Rule 23(a)(4)'s adequacy of representation requirement is satisfied because there are no conflicts—minor or otherwise—between Class Representative and the other Class Members. **Ex. 3**, Class Rep. Decl.; *see Tennille v. Western Union Co.*, 785 F.3d 422, 430 (10th Cir. 2015) (“Only a conflict that goes to the very subject matter of the litigation will defeat a party’s claim of representative status.”) (internal citation omitted). Class Representative and Class Counsel have prosecuted the Litigation vigorously and Class Counsel is unquestionably qualified to represent the Class here. *See Ex. 4*, Class Counsel Decl. ¶¶ 1-30.

Additionally, Rule 23(b)(3)'s predominance and superiority requirements are satisfied here. *Tyson Foods*, 577 U.S. at 453; *Menocal*, 882 F.3d 905, 914-15 (“[T]he predominance prong asks whether the common, aggregation-enabling, issues in the case are more prevalent or important than the non-common, aggregation-defeating, individual issues” (citations omitted)); *In re Urethane Antitrust Litig.*, 768 F.3d 1245, 1255 (10th Cir. 2014); *CGC Holding Co., LLC v. Broad & Cassel*, 773 F.3d 1076, 1087 (10th Cir. 2014). The predominance requirement is met because the substantive claims are all common as are the aggregation-enabling issues of fact (chiefly, Defendant's common course of royalty underpayments to Class Members). The common questions under the

shared law predominate over and are more important than any potential individual issues that theoretically could arise in the Litigation. And the superiority requirement is satisfied because resolving the Litigation through the classwide Settlement is far superior to any other method for fairly and efficiently adjudicating these claims.

The Court properly certified the Settlement Class and, because Class Representative has proven that each of the requirements for certification under Rule 23(a) and (b)(3) remain satisfied, this finding should be confirmed with the final certification of the Settlement Class under Rule 23.

2. The Court Should Grant Final Approval of the Settlement

The Court should finally approve the Settlement as fair and reasonable. The Court has broad discretion in deciding whether to grant approval of a class action settlement. *Jones*, 741 F.2d at 324. “As a general policy matter, federal courts favor settlement, especially in complex and large-scale disputes, so as to encourage compromise and conserve judicial and private resources.” *In re Global Crossing Sec. & ERISA Litig.*, 225 F.R.D. 436, 455 (S.D.N.Y. 2004); *see also In re Warfarin Sodium Antitrust Litig.*, 391 F.3d 516, 535 (3d Cir. 2004) (“[T]here is an overriding public interest in settling class action litigation, and it should therefore be encouraged.”). As demonstrated below, each of the four factors identified by the Tenth Circuit weighs in favor of final approval.

A. The Settlement is the product of extensive arm’s-length negotiations between experienced counsel

The fact that the Settlement was fairly and honestly negotiated by qualified, experienced counsel supports final approval. *See Reed v. GM Corp.*, 703 F.2d 170, 175 (5th Cir. 1983) (“[T]he value of the assessment of able counsel negotiating at arm’s length cannot be gainsaid.”). The fairness of the negotiation process is to be examined with reference to the experience of counsel, the vigor with which the case was prosecuted, and any coercion or collusion that may have affected the negotiations.

Here, the Settlement is the product of extensive arm's-length negotiations between the Parties' experienced counsel at mediation presided over by Robert H. Gum. *See Ex. 4*, Class Counsel Decl. ¶ 24. The use of a formal settlement process supports the conclusion that the Settlement was fairly and honestly negotiated. *See Ashley v. Reg'l Transp. Dist.*, No. 05-CV- 01567-WYD-BNB, 2008 WL 384579, at *6 (D. Colo. Feb. 11, 2008) (finding settlement fairly and honestly negotiated where the parties engaged in formal settlement mediation conference and negotiations over four months). And the assistance of an experienced mediator "in the settlement negotiations strongly supports a finding that they were conducted at arm's-length and without collusion." *In re Telik, Inc. Sec. Litig.*, 576 F. Supp. 2d 570, 576 (S.D.N.Y. 2008). Here the Parties engaged an experienced mediator whose experience and involvement moved them closer to settlement.

Additionally, Class Counsel has unique experience with oil-and-gas royalty underpayment class actions. Sharp Law LLP regularly represents plaintiffs in oil-and-gas class actions, as well as other complex commercial and consumer class action litigation, and have obtained settlements in numerous underpayment class actions in Oklahoma state and federal courts.⁴ Class Counsel are experienced and qualified counsel and represented the Settlement Class honestly and fairly during settlement negotiations. *See Ex. 4*, Class Counsel Decl. ¶¶ 1-29.

⁴ *See, e.g., Hoog v. Trinity Operating (USG), LLC*, No. 16-CV-463-RAW (E.D. Okla. 2023) (Plaintiff's Counsel appointed lead class counsel); *Kunneman v. Marathon Oil Co.*, No. 22-CV-274-KEW (E.D. Okla. 2023) (same); *Cecil v. BP Am. Prod. Co.*, No. 16-CV-410-KEW (E.D. Okla. 2018) (Plaintiff's Counsel appointed co-lead class counsel); *Harris v. Chevron U.S.A., Inc.*, No. 19-CV-355-SPS (E.D. Okla. 2019) (same); *Bollenbach v. Okla. Energy Acquisitions LP*, No. 17-CV-134-HE (W.D. Okla. 2018) (same); *McKnight Realty Co. v. Bravo Arkoma*, No. 17-CV-308-KEW (E.D. Okla. 2018) (same); *Pauper Petroleum, LLC v. Kaiser-Francis Oil Co.*, No. 19-CV-514-JFH-JFJ (N.D. Okla.) (same); *McKnight Realty Co v. Bravo Arkoma, LLC*, No. 20-CV-428-KEW (E.D. Okla.) (same).

Class Counsel's experience positioned them well to comprehensively examine the massive amount of information and data produced in the Litigation, enabling the Parties to make informed decisions about the strengths and weaknesses of their respective cases. *See, e.g., Id.* ¶¶ 5-29; *Childs v. Unified Life Ins. Co.*, No. 10-CV-23-PJC, 2011 WL 6016486, at *12 (N.D. Okla. Dec. 2, 2011). Further, Class Representative was involved in the negotiations and believes the settlement process resulted in an excellent recovery for the Settlement Class. *See Ex. 3*, Class Rep. Decl. Class Representative expended time and resources prosecuting the Litigation, including communicating regularly with Class Counsel, providing documents and information, and participating in the negotiations that led to the Settlement. *Id.* The Parties and their lawyers were well prepared for the serious and intelligent negotiations that ultimately led to the Settlement.

These facts demonstrate the Settlement resulted from serious, informed, and non-collusive negotiations between skilled and dedicated attorneys. The first factor supports final approval.

B. Serious questions of law and fact exist, placing the ultimate outcome in doubt

The existence of serious questions of law and fact place the ultimate outcome of this Litigation in doubt, and such doubt "tips the balance in favor of settlement because settlement creates a certainty of some recovery and eliminates doubt, meaning the possibility of no recovery after long and expensive litigation." *McNeely v. Nat'l Mobile Health Care, LLC*, No. 07- CV-933-M, 2008 WL 4816510, at *13 (W.D. Okla. Oct. 27, 2008) (internal citations omitted).

There are numerous factual and legal issues about which the Parties disagree, issues that would ultimately be decided by a court or a jury. Despite Class Representative's optimism regarding its chances at class certification and trial, the Parties vehemently disagree on numerous factual and legal issues, and Defendant denies any wrongdoing

giving rise to liability for royalty underpayment on gas royalties. Settlement renders the resolution of these issues unnecessary and provides a guaranteed recovery in the face of uncertainty. Because this Litigation presents serious issues of law and fact that place the ultimate outcome in doubt, the second factor supports final approval of the Settlement.

C. The value of immediate recovery outweighs the mere possibility of future relief after long and expensive litigation

The complexity, uncertainty, expense, and likely duration of further litigation and appeals also support approval of the proposed Settlement. The immediate value of the almost \$12,000,000.00 cash recovery alone outweighs the uncertainty, additional expense, and likely duration of further litigation. The Settlement Class is “better off receiving compensation now as opposed to being compensated, if at all, several years down the line, after the matter is certified, tried, and all appeals are exhausted.” *See McNeely*, 2008 WL 4816510, at *13. The Settlement represents a meaningful recovery for the Settlement Class without the risk or additional expense of further litigation. These immediate benefits must be compared to the risk that the Settlement Class may recover nothing after class certification, summary judgment, trial, and likely appeals, possibly years into the future. *See In re Sprint Corp. ERISA Litig.*, 443 F. Supp. 2d 1249, 1261 (D. Kan. 2006).

While Class Counsel is confident in their ability to prove the claims asserted, they also recognize liability is far from certain and many potential obstacles to obtaining a final, favorable verdict exist. Even if Class Representative were able to establish liability at trial, Defendant would have vigorously argued the Settlement Class damages are far less than the Settlement and raised a number of defenses to further whittle down the damages. Through the Settlement, the Settlement Class is guaranteed a cash payment without the attendant risks of further litigation.

Class Counsel is intimately familiar with the risks of proceeding with the Litigation because they have extensive experience prosecuting oil-and-gas class actions. *See Ex. 4*, Class Counsel Decl. ¶¶ 1-2. Class Counsel believes the value of the Settlement outweighs the risks of proceeding further with the Litigation. *Id.* ¶ 32. When the risks and uncertainties of continuing the Litigation are compared to the immediate benefits of the Settlement, it is clear the Settlement is fair, reasonable, and in the best interests of the Settlement Class. The third factor supports final approval of the Settlement.

D. The Parties agree the Settlement is fair and reasonable

The fact that Class Representative and Defendants believe the Settlement is fair and reasonable supports final approval. Class Counsel and Class Representative only agreed to settle the Litigation after considering the substantial benefits the Settlement Class will receive, the risks and uncertainties of continued litigation, and the desirability of proceeding under the terms of the Settlement Agreement.

Class Counsel’s judgment as to the fairness of the Settlement also supports final approval. “Counsels’ judgment as to the fairness of the [settlement] agreement is entitled to considerable weight.” *Childs*, 2011 WL 6016486, at *14 (citation omitted). Class Counsel believes the terms and conditions of the Settlement are fair, reasonable, and adequate to the Settlement Class, and the Settlement is in the Class Members’ best interests. *See Ex. 4*, Class Counsel Decl. ¶ 32. This last factor fully supports the Court’s final approval of the Settlement. Indeed, all four factors considered by courts in the Tenth Circuit support final approval of the Settlement.

3. The Notice Method Used was the Best Practicable Under the Circumstances and Should be Approved

The Court should approve the Notice given to the Settlement Class. Rule 23(c)(2)(B) requires that notice of a settlement be “the best notice practicable under the circumstances, including individual notice to all members who can be identified through

reasonable effort.” Fed. R. Civ. P. 23(c)(2)(B). Also, Rule 23(e)(1) instructs courts to “direct notice in a reasonable manner to all class members who would be bound by the proposal.” Fed. R. Civ. P. 23(e)(1). In terms of due process, a settlement notice need only be “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Fager v. CenturyLink Comm’ns, LLC*, 854 F.3d 1167, 1171 (10th Cir. 2016) (citing *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)). “The Supreme Court has consistently endorsed notice by first-class mail,” holding “a fully descriptive notice . . . sent first-class mail to each class member, with an explanation of the right to ‘opt out,’ satisfies due process.” *Id.* at 1173. Here, the Notice campaign carried out by Class Counsel and the Settlement Administrator is substantially comparable to and perhaps exceeds the highly successful notice campaigns completed in other oil-and-gas class actions approved by district courts in Oklahoma, including this Court.

In its Preliminary Approval Order, the Court preliminarily approved the form and manner of the Notice disseminated by the Settlement Administrator, finding the Notices “are the best notice practicable under the circumstances, constitute due and sufficient notice to all persons and entities entitled to receive such notice, and fully satisfy the requirements of applicable laws, including due process and FED. R. CIV. P. 23.” Doc. 52 at 7-8, ¶¶ 8-9. The Court directed dissemination of the Notices in accordance with the Settlement Agreement and the Preliminary Approval Order. *Id.*

The Notice was mailed to over 5,000 potential Class Members and further diligence was conducted to ascertain proper mailing addresses. **Ex. 5**, Keough Decl. ¶¶ 4-8. In addition, the Court-approved Notice was published on January 25, 2024, in three newspapers of circulation where the majority of the Class Members reside, *The Oklahoman*, *The Dallas Morning News*, and *The Houston Chronicle*, as directed in the

Preliminary Approval Order. *Id.* ¶ 9. The Notices materially informed Class Members about the Litigation, the Settlement, and the facts needed to make informed decisions about their rights. Also, the Notices, along with other documents germane to the Settlement, were posted on the website created for and dedicated to this Litigation, www.cook-diamondback.com, beginning on January 19, 2024. *Id.* ¶ 9c. This website is maintained by the Settlement Administrator, where additional information regarding the Settlement can be found. *Id.*

In sum, the form, manner, and content of the Notice campaign were the best practicable notice, and their contents were reasonably calculated to, and did, apprise Class Members of the pendency and nature of the Settlement and afforded them an opportunity to opt out or object. Therefore, the Court should grant final approval of the Notice given to the Settlement Class here.

4. The Preliminary Distribution Schedule Should Be Approved

The Court should also approve the proposed Preliminary Distribution Schedule, which is attached as Exhibit 1 to the Goodger Declaration (**Ex. 6**). Like the Settlement itself, a plan of allocation or distribution schedule must also be approved as fair and reasonable. *See In re Sprint Corp. ERISA Litig.*, 443 F. Supp. 2d at 1262 (citing *In re Global Crossing Sec. & ERISA Litig.*, 225 F.R.D. at 462). Where, as here, the Allocation Methodology and plan of distribution is formulated by competent and experienced class counsel, the plan need only have a reasonable, rational basis. *Id.* As a general rule, a plan of allocation that reimburses class members based on the type and extent of their injuries is reasonable. *Id.*; *see also, e.g.*, Initial Plan of Allocation Order (Doc. 233), *Chieftain Royalty Company v. XTO Energy, Inc.*, No. 11-CV-00029-KEW (E.D. Okla. Mar. 27, 2018).

Class Counsel, together with oil-and-gas accounting experts, have formulated the

Allocation Methodology by which Class Members will be reimbursed proportionately relative to the extent of their injuries for volumetric deductions from gas royalties. Importantly, this is not a claims-made settlement, nor is it a settlement where a Class Member must take further action to participate. Instead, every Class Member who did not effectively opt out of the Settlement will receive a check for their allocation of the Net Settlement Amount, subject to a *de minimis* threshold of \$5. Doc. 50-1, at 24, ¶ 6.2.

Specifically, the Net Settlement Amount will be allocated to individual Class Members proportionately based primarily on the volumetric share of natural gas production during the production months April 1, 2011 to July 31, 2023, with due regard for the production date, any statutory interest that has accrued, prior releases where identified by the Diamondback Entities, and the distribution of small amounts that may exceed the cost of the distribution (\$5.00). Doc. 50-1, at 24, ¶ 6.2. Pursuant to the Settlement Agreement, the Preliminary Distribution Schedule further assumes a reduction for Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and a potential Incentive Award, which amounts will ultimately be determined by the Court at the Final Fairness Hearing. Doc. 50-1, at 25, ¶ 6.3.

Class Representative and Class Counsel, with the aid of the Settlement Administrator, will allocate the Net Settlement Amount proportionately among all Class Members using the Allocation Methodology. A Distribution Check for each Class Member's allocation of the Net Settlement Amount will then be mailed to each respective Class Member's last known mailing address, using the payment history data produced. Returned or stale-dated Distribution Checks shall be reissued as necessary to effectuate delivery to the appropriate Class Members using commercially reasonable methods.

Because the proposed Preliminary Distribution Schedule was formulated by

competent and experienced Counsel and is based on the type and extent of each Class Member's particular loss as described by the Allocation Methodology, the Court should approve it as fair, reasonable, and adequate.

CONCLUSION

Class Representative and Class Counsel respectfully request that the Court enter the proposed Judgment, attached as **Exhibit 1**.⁵ The proposed Judgment grants: (1) final certification of the Settlement Class; (2) final approval of the Settlement as fair, reasonable, and adequate, and in the best interests of the Settlement Class; and (3) final approval of the Notice to Class Members. Class Representative and Class Counsel also respectfully request that the Court enter the proposed Preliminary Distribution Order, attached as **Exhibit 2**, to govern the allocation and distribution of the Net Settlement Amount to Class Members.

Dated: February 28, 2024

Respectfully Submitted,

/s/Rex A. Sharp

Rex A. Sharp
Scott B. Goodger
SHARP LAW, LLP
4820 W. 75th Street
Prairie Village, KS 66208
Phone: (913) 901-0505
rsharp@midwest-law.com
sgoodger@midwest-law.com

CLASS COUNSEL

⁵ **Exhibit 1** reserves space for the Court to rule on objections, if any, and determine the approved requests for exclusion.

CERTIFICATE OF SERVICE

I hereby certify that, on February 28, 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/ Rex A. Sharp

Rex A. Sharp

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

COOK CHILDREN’S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

vs.

DIAMONDBACK E&P LLC,

Defendant.

Case No. CIV-21-359-D

JUDGMENT

This is a class action lawsuit brought by Plaintiff Cook Children’s Health Foundation a/k/a W.I. Cook Foundation, Inc. (“Plaintiff”), on behalf of itself and a class of similarly situated persons described below (collectively, the “Settlement Class”) against Diamondback E&P LLC (“Diamondback”) for the alleged underpayment of royalty on natural gas, natural gas liquids, and associated hydrocarbons produced from wells located in Texas during the Claim Period.¹ On November 16, 2023, the Parties executed a Stipulation and Agreement of Settlement (the “Settlement Agreement”). The Settlement Agreement, together with the documents referenced therein and exhibits thereto, set forth the terms and conditions for the proposed Settlement of the Litigation.

¹ Capitalized terms not otherwise defined in this Order shall have the meaning ascribed to them in the Settlement Agreement.

On January 2, 2024, the Court preliminarily approved the Settlement Agreement and issued an Order Granting Preliminary Approval of Class Action Settlement, Certifying the Class for Settlement Purposes, Approving Form and Manner of Notice, and Setting Date for Final Fairness Hearing (the “Preliminary Approval Order”). In the Preliminary Approval Order, the Court, *inter alia*:

- a. certified the Settlement Class for settlement purposes, finding all requirements of Federal Rule of Civil Procedure 23 have been satisfied with respect to the proposed Settlement Class;
- b. appointed Plaintiff as Class Representative and Plaintiff’s Counsel, Rex A. Sharp and Scott B. Goodger of Sharp Law, LLP, as Class Counsel;
- c. preliminarily found: (i) the proposed Settlement resulted from extensive arm’s-length negotiations; (ii) the proposed Settlement was agreed to only after Class Counsel had conducted legal research and discovery regarding the strengths and weaknesses of Class Representative’s and the Settlement Class’s claims; (iii) Class Representative and Class Counsel have concluded that the proposed Settlement is fair, reasonable, and adequate; and (iv) the proposed Settlement is sufficiently fair, reasonable, and adequate to warrant sending notice of the proposed Settlement to the Settlement Class;
- d. preliminarily approved the Settlement as fair, reasonable, and adequate and in the best interest of the Settlement Class;

- e. preliminarily approved the form and manner of the proposed Notices to be communicated to the Settlement Class, finding specifically that such Notices, among other information: (i) described the terms and effect of the Settlement; (ii) notified the Settlement Class that Plaintiff's Counsel will seek Plaintiff's Attorneys' Fees, reimbursement of Litigation Expenses and Administration, Notice, and Distribution Costs, and an Incentive Award for Class Representative's services; (iii) notified the Settlement Class of the time and place of the Final Fairness Hearing; (iv) described the procedure for requesting exclusion from the Settlement; and (v) described the procedure for objecting to the Settlement or any part thereof;
- f. instructed the Settlement Administrator to disseminate the approved Notices to potential members of the Settlement Class in accordance with the Settlement Agreement and in the manner approved by the Court;
- g. provided for the appointment of a Settlement Administrator;
- h. provided for the appointment of an Escrow Agent;
- i. set the date and time for the Final Fairness Hearing as March 27, 2024, at 3:00P.M. in the United States District Court for the Western District of Oklahoma; and
- j. set out the procedures and deadlines by which Class Members could properly request exclusion from the Settlement Class or object to the Settlement or any part thereof.

After the Court issued the Preliminary Approval Order, due and adequate notice by means of the Notice and Summary Notice was given to the Settlement Class, notifying them of the Settlement and the upcoming Final Fairness Hearing. On March 27, 2024, in accordance with the Preliminary Approval Order and the Notice, the Court conducted a Final Fairness Hearing to, *inter alia*:

a. determine whether the Settlement should be approved by the Court as fair, reasonable, and adequate and in the best interests of the Settlement Class;

b. determine whether the notice method utilized by the Settlement Administrator: (i) constituted the best practicable notice under the circumstances; (ii) constituted notice reasonably calculated under the circumstances to apprise Class Members of the pendency of the Litigation, the Settlement, their right to exclude themselves from the Settlement, their right to object to the Settlement or any part thereof, and their right to appear at the Final Fairness Hearing; (iii) was reasonable and constituted due, adequate, and sufficient notice to all persons and entities entitled to such notice; and (iv) meets all applicable requirements of the Federal Rules of Civil Procedure and any other applicable law;

c. determine whether to approve the Allocation Methodology, and the Distribution Schedule of the Net Settlement Amount to Settlement Class Members who did not timely submit a valid Request for Exclusion or were not otherwise excluded from the Settlement Class by order of the Court;²

² The Court will issue a separate order on the allocation and distribution of the Net Settlement Amount among the Settlement Class Members (the “Final Distribution Schedule”).

d. determine whether a Judgment should be entered pursuant to the Settlement Agreement, *inter alia*, dismissing the Litigation against Diamondback with prejudice and extinguishing, releasing, and barring all Released Claims against all Released Parties in accordance with the Settlement Agreement;

e. determine whether the applications for Plaintiff's Attorneys' Fees, reimbursement for Litigation Expenses and Administration, Notice, and Distribution Costs, and Incentive Award to Class Representative are fair and reasonable and should be approved;³ and

f. rule on such other matters as the Court deems appropriate.

The Court, having reviewed the Settlement, the Settlement Agreement, and all related pleadings and filings, and having heard the evidence and argument presented at the Final Fairness Hearing, now **FINDS, ORDERS, and ADJUDGES** as follows:

1. The Court, for purposes of this Final Judgment (the "Judgment"), adopts all defined terms as set forth in the Settlement Agreement and incorporates them as if fully set forth herein.

2. The Court has jurisdiction over the subject matter of this Litigation and all matters relating to the Settlement, as well as personal jurisdiction over Defendant and Class Members.

³ The Court will issue separate orders on Plaintiff's Counsel's request for Attorneys' Fees, reimbursement of Litigation Expenses, and Administration, Notice, and Distribution Costs, and the Class Representative's request for an Incentive Award.

3. The Settlement Class, which was certified in the Court's Preliminary Approval Order, is defined as follows:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011 to July 31, 2023 under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free use clause, or both, and in which Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates are lessees or successors-in-interest under such agreements (collectively, the "Diamondback Entities").

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by the Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

For purposes of clarification, and as requested by the U.S. Department of the Interior, the exclusion related to Indian tribes and Indian allottees includes any Indian Tribe as defined in 30 U.S.C. § 1702(4) and any Indian allottee as defined in 30 U.S.C. § 1702(2).

4. For substantially the same reasons as set out in the Court's Preliminary Approval Order, [Dkt. # 52], the Court finds that the above-defined Settlement Class should be and is hereby certified for the purposes of entering judgment pursuant to the

Settlement Agreement. Specifically, the Court finds that all requirements of Rule 23(a) and Rule 23(b)(3) have been satisfied for settlement purposes. Because this case has been settled at this stage of the proceedings, the Court does not reach, and makes no ruling either way, as to the issue of whether the Settlement Class could have been certified in this case on a contested basis.

5. The Court finds that the persons and entities identified in the attached Exhibit 1 have submitted timely and valid Requests for Exclusion and are hereby excluded from the foregoing Settlement Class, will not participate in or be bound by the Settlement, or any part thereof, as set forth in the Settlement Agreement, and will not be bound by or subject to the releases provided for in this Judgment and the Settlement Agreement.

6. At the Final Fairness Hearing on March 27, 2024, the Court fulfilled its duties to independently evaluate the fairness, reasonableness, and adequacy of, *inter alia*, the Settlement and the Notice of Settlement provided to the Settlement Class, considering not only the pleadings and arguments of Class Representative and Defendant and their respective Counsel, but also the concerns of any objectors and the interests of all absent Class Members. In so doing, the Court considered arguments that could reasonably be made against, *inter alia*, approving the Settlement and the Notice of Settlement, even if such argument was not actually presented to the Court by pleading or oral argument.

7. The Court further finds that due and proper notice, by means of the Notices, was given to the Settlement Class in conformity with the Settlement Agreement and Preliminary Approval Order. Notice was mailed to the Settlement Class based on the

names and last known addresses available for current royalty owners pursuant to paragraphs 1.37, 1.41, and 3.1-3.6 of the Settlement Agreement, which assume current royalty owners are the correct payees, including for any interest held by a predecessor due to assignment, sale, inheritance, or other transfer. If this is incorrect as to a particular transfer of interest, paragraph 19 below orders the Settlement Class Member who receives payment to make payment to the proper party or return payment to the Settlement Administrator. Notice was also published in *The Oklahoman*, a paper of general circulation in Oklahoma, *The Dallas Morning News*, a paper of general circulation in Texas, and *The Houston Chronicle*, a paper of general circulation in Texas. The form, content, and method of communicating the Notices disseminated to the Settlement Class and published pursuant to the Settlement Agreement and the Preliminary Approval Order: (a) constituted the best practicable notice under the circumstances; (b) constituted notice reasonably calculated, under the circumstances, to apprise Class Members of the pendency of the Litigation, the Settlement, their right to exclude themselves from the Settlement, their right to object to the Settlement or any part thereof, and their right to appear at the Final Fairness Hearing; (c) was reasonable and constituted due, adequate, and sufficient notice to all persons and entities entitled to such notice; and (d) met all applicable requirements of the Federal Rules of Civil Procedure, the Due Process Clause of the United States Constitution, the Due Process protections of the State of Oklahoma, and any other applicable law. Therefore, the Court approves the form, manner, and content of the Notices used by the Parties. The Court further finds

that all Class Members have been afforded a reasonable opportunity to request exclusion from the Settlement Class or object to the Settlement.

8. Pursuant to and in accordance with Federal Rule of Civil Procedure 23, the Settlement, including, without limitation, the consideration paid by Defendant, the covenants not to sue, the releases, and the dismissal with prejudice of the Released Claims against the Released Parties as set forth in the Settlement Agreement, is finally approved as fair, reasonable, and adequate and in the best interests of the Settlement Class. The Settlement Agreement was entered into between the Parties at arm's length and in good faith after substantial negotiations free of collusion. The Settlement fairly reflects the complexity of the Claims, the duration of the Litigation, the extent of discovery, and the balance between the benefits the Settlement provides to the Settlement Class and the risk, cost, and uncertainty associated with further litigation and trial. Serious questions of law and fact remain contested between the Parties. The Settlement provides a means of gaining immediate valuable and reasonable compensation and forecloses the prospect of uncertain results after many more months or years of additional discovery and litigation. The considered judgment of the Parties, aided by experienced legal counsel, supports the Settlement.

9. By agreeing to settle the Litigation, the Diamondback Entities do not admit, and instead specifically deny, that the Litigation could have otherwise been properly maintained as a contested class action, and specifically deny any and all wrongdoing and liability to the Settlement Class, Class Representative, and Class Counsel.

10. The Court finds that on November 21, 2023, the Diamondback Entities caused notice of the Settlement to be served on the appropriate state official for each state in which a Class Member resides, and the appropriate federal official, as required by and in conformance with the form and content requirements of 28 U.S.C. § 1715. In connection therewith, the Court has determined that, under 28 U.S.C. § 1715, the appropriate state official for each state in which a Class Member resides was and is the State Attorney General for each such state, and the appropriate federal official was and is the Attorney General of the United States. Further, the Court finds it was not feasible for Defendant to include on each such notice the names of each of the Class Members who reside in each state and the estimated proportionate share of each such Class Member to the entire Settlement as provided in 28 U.S.C. § 1715(b)(7)(A); therefore, each notice included a reasonable estimate of the number of Class Members residing in each state and the value of the Gross Settlement Amount. No appropriate state or federal official has entered an appearance or filed an objection to the entry of final approval of the Settlement. Thus, the Court finds that all requirements of 28 U.S.C. § 1715 have been met and complied with and, as a consequence, no Settlement Class Member may refuse to comply with or choose not to be bound by the Settlement and this Court's Orders in furtherance thereof, including this Judgment, under the provisions of 28 U.S.C. § 1715.

11. The Litigation and Released Claims are dismissed with prejudice as to the Released Parties. All Settlement Class Members who have not validly and timely submitted a Request for Exclusion to the Settlement Administrator as directed in the Notice of Settlement and Preliminary Approval Order (a) are hereby deemed to have

finally, fully, and forever conclusively released, relinquished, and discharged all of the Released Claims against the Released Parties and (b) are barred and permanently enjoined from, directly or indirectly, on any Class Member's behalf or through others, suing, instigating, instituting, or asserting against the Released Parties any claims or actions on or concerning the Released Claims. Neither Party will bear the other's Party's litigation costs, costs of court, or attorney's fees.

12. The Court also approves the efforts and activities of the Settlement Administrator and the Escrow Agent in assisting with certain aspects of the administration of the Settlement, and directs them to continue to assist Class Representative and Class Counsel in completing the administration and distribution of the Settlement in accordance with the Settlement Agreement, this Judgment, any Distribution Schedule approved by the Court, and the Court's other orders.

13. Nothing in this Judgment shall bar any action or claim by Class Representative or the Diamondback Entities to enforce or effectuate the terms of the Settlement Agreement or this Judgment.

14. The Settlement Administrator is directed to refund to the Diamondback Entities the gross amounts attributable to Class Members under the Preliminary Distribution Schedule who timely and properly submitted a Request for Exclusion or who were otherwise excluded from the Settlement Class by order of the Court in accordance with the timing, terms, and process detailed in the Settlement Agreement.

15. Neither this Settlement, the Settlement Agreement, any document referred to herein, nor any action taken to carry out the Settlement is, may be construed as, or may

be used as, evidence of or an admission or concession by the Diamondback Entities of any fault, wrongdoing, or liability whatsoever with respect to the claims and allegations in the Litigation, or class certifiability. Entering into or carrying out the Settlement Agreement, and any negotiations or proceedings related thereto, and the Settlement Agreement itself, are not, and shall not be construed as, or deemed to be evidence of, an admission or concession by any of the Parties to the Settlement Agreement and shall not be offered or received as evidence in any action or proceeding by or against any party hereto in any court, administrative agency, or other tribunal for any purpose whatsoever other than to enforce the provisions of the Settlement between the Diamondback Entities and any Settlement Class Member(s), the provisions of the Settlement Agreement, or the Judgment, or to seek an Order barring or precluding the assertion of Released Claims in any proceeding. Further, this Final Judgment shall not give rise to any admission or collateral estoppel effect as to the certifiability of any class in any other proceeding.

16. The Allocation Methodology and the Final Distribution Schedule are approved as fair, reasonable and adequate, and Class Counsel and the Settlement Administrator are directed to administer the Settlement Agreement accordingly.

17. The Court finds that Class Representative, the Diamondback Entities, and their Counsel have complied with the requirements of the Federal Rules of Civil Procedure as to all proceedings and filings in this Litigation. The Court further finds that Class Representative and Class Counsel adequately represented the Settlement Class in entering into and implementing the Settlement.

18. Neither the Diamondback Entities nor their Counsel shall have any liability or responsibility to Plaintiff, Class Counsel, or the Settlement Class with respect to the Gross Settlement Amount or its administration, including but not limiting to any distributions made by the Escrow Agent or Settlement Administrator. No Settlement Class Member shall have any claim against Plaintiff, Class Counsel, the Settlement Administrator, the Escrow Agent, or any of their respective designees or agents based on the distributions made substantially in accordance with the Settlement Agreement, the Final Distribution Schedule, or other orders of the Court.

19. Any Settlement Class Member who receives a Distribution Check that he/she/it is not legally entitled to receive is hereby ordered to either (a) pay the appropriate portion(s) of the Distribution Check to the person(s) legally entitled to receive such portion(s), or (b) return the Distribution Check uncashed to the Settlement Administrator.

20. All matters regarding the administration of the Escrow Account and the taxation of funds in the Escrow Account or distributed from the Escrow Account shall be handled in accordance with the Settlement Agreement.

21. Any order approving or modifying any Distribution Schedule, the application by Class Counsel for an award of Attorneys' Fees or reimbursement of Litigation Expenses and Administration, Notice, and Distribution Costs, or the request of Class Representative for an Incentive Award shall be handled in accordance with the Settlement Agreement and the documents referenced therein.

22. Without affecting the finality of this Judgment in any way, the Court (along with any appellate court with power to review the Court's orders and rulings in the Litigation) reserves exclusive and continuing jurisdiction to enter any orders as necessary to administer the Settlement Agreement, including jurisdiction to determine any issues relating to the payment and distribution of the Net Settlement Amount and to enforce the Judgment.

23. In the event the Settlement is terminated as the result of a successful appeal of this Judgment or does not become Final and Non-Appealable in accordance with the terms of the Settlement Agreement for any reason whatsoever, then this Judgment and all orders previously entered in connection with the Settlement shall be rendered null and void and shall be vacated. The provisions of the Settlement Agreement relating to termination of the Settlement Agreement shall be complied with, including the refund of amounts in the Escrow Account to the Diamondback Entities.

24. Without affecting the finality of this Judgment in any way, the Court (along with any appellate court with power to review the Court's orders and rulings in the Litigation) reserves exclusive and continuing jurisdiction to enter any orders as necessary to administer the Settlement Agreement, including jurisdiction to determine any issues relating to the payment and distribution of the Net Settlement Amount, to issue additional orders pertaining to, *inter alia*, Class Counsel's request for Attorneys' Fees and reimbursement of reasonable Litigation Expenses and Administration, Notice, and Distribution Costs, and Class Representative's request for an Incentive Award, and to enforce this Judgment. Notwithstanding the Court's jurisdiction to issue additional

orders in this Litigation, this Judgment fully disposes of all claims as to the Diamondback Entities and is therefore a final appealable judgment. The Court further hereby expressly directs the Clerk of the Court to file this Judgment as a final order and final judgment in this Litigation.

25. [IF OBJECTION(S) ARE MADE – ADDITIONAL LANGUAGE TO BE DETERMINED BASED ON OBJECTION(S)]

IT IS SO ORDERED this ___ day of _____, 2024.

TIMOTHY D. DeGIUSTI
Chief United States District Judge

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

COOK CHILDREN'S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

vs.

DIAMONDBACK E&P LLC,

Defendant.

Case No. CIV-21-359-D

PRELIMINARY DISTRIBUTION ORDER

This Preliminary Distribution Order sets forth the Allocation Methodology that will be used to administer and distribute the Net Settlement Amount to Class Members. The Net Settlement Amount will be allocated to each Class Member based on Section 6 of the Settlement Agreement (Doc. 50-1) titled "Allocation and Distribution" and any orders of the Court modifying the same.

ALLOCATION METHODOLOGY

The Allocation Methodology is the proposed method for calculating the Net Settlement Amount for distribution to Class Members and will be used for presenting the Final Distribution Schedule to the Court for approval after the Final Fairness

Hearing. Doc. 50-1, ¶¶ 1.2, 3.9, 6.1. The Net Settlement Amount will be allocated among individual Class Members based on each Class Member's volumetric share of natural gas production during the production months April 1, 2011 to July 31, 2023 and other considerations described in the Declaration of Scott Goodger (Doc. 53-6), which are consistent with the factors set forth in Settlement Agreement (Doc. 50-1, at 24, ¶ 6.2) and as approved by the Court. Pursuant to the Settlement Agreement, the Preliminary Distribution Schedule reduces the amount available for distribution for estimates of Plaintiff's Attorneys' Fees, Litigation Expenses, and Administration, Notice, and Distribution Costs, and an Incentive Award, which amounts the Court will determine at the Final Fairness Hearing and which will be implemented in the Final Distribution Schedule.

The Court reserves the right to modify this Preliminary Distribution Order without further notice to any Class Members who have not entered an appearance. The allocation of the Net Settlement Amount among Class Members and the Allocation Methodology is a matter separate and apart from the proposed Settlement between Plaintiff and Defendant, and any decision by the Court concerning allocation and distribution of the Net Settlement Amount among Class Members shall not affect the validity or finality of the Settlement or operate to terminate or cancel the Settlement. Doc. 50-1, at 23-24, ¶ 6.1

TIME FOR ALLOCATION AND DISTRIBUTION

The allocation and distribution of the Net Settlement Amount shall be under the direct supervision of the Court and shall be consistent with the Final Distribution

Schedule to be submitted by Class Counsel and approved by the Court. Furthermore, the timing, manner, and process for any distributions shall be consistent with the timing and process provided for in the Settlement Agreement (Doc. 50-1), which is incorporated herein by reference.

IT IS SO ORDERED this _____ day of _____, 2024.

TIMOTHY D. DeGIUSTI
Chief United States District Judge

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

COOK CHILDREN'S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

vs.

DIAMONDBACK E&P LLC,

Defendant.

Case No. CIV-21-359-D

**DECLARATION OF JOSEPH M. GALLAGHER IN SUPPORT OF FINAL
APPROVAL MOTIONS**

I, Joseph M. Gallagher, of lawful age, upon personal knowledge, and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I have personal knowledge of the facts set out in this declaration based upon my involvement in the Litigation and on information provided to me.

2. I respectfully submit this declaration in support of the forthcoming final approval motions in this case, including final approval of the Settlement and the request for fees, expenses, and an Incentive Award.

3. By submitting this declaration, I neither intend to, nor do I, waive any protections, including, the attorney-client privilege, work product privilege, or any other privileges I may have.

4. I am Senior Vice President and Chief Legal Officer of the named plaintiff Cook Children's Health Foundation a/k/a W.I. Cook Foundation, Inc. (the "Foundation"), which has been appointed Class Representative in the Litigation. This declaration refers to the Foundation and Class Representative interchangeably.

5. The Foundation owns royalty interests in oil-and-gas wells in Texas for which Diamondback E&P, LLC has distributed oil-and-gas royalties.

6. In 2021, the Foundation sought legal advice from counsel experienced in investigating oil-and-gas royalty payment practices. Thereafter, the Foundation retained

Class Counsel to represent the Foundation and to initiate and prosecute this Litigation against Diamondback E&P, LLC. As part of that decision, the Foundation was advised of the commitment to fulfill the responsibilities as Plaintiff and proposed Class Representative in the Litigation.

7. With what was learned in retaining Class Counsel, including the risks and uncertainty associated with the Litigation, the potentially significant expenses Class Counsel might incur, and the high level of representation to be provided by Class Counsel, the Foundation agreed that Class Counsel would represent it on a contingency fee basis of forty percent of any recovery obtained. When the Foundation agreed to this arrangement, it understood a forty percent contingency fee to be the market rate for similar actions. The Foundation executed a written agreement with Class Counsel that they could seek a fee of forty percent of any gross recovery. The Foundation understood that Class Counsel would work on a fully contingent basis and that it would not pay hourly rates or expenses under any circumstances. The claim was not economic to pay the fees and expenses necessary to litigate this matter to completion on a pay-as-you-go or non-contingent fee structure.

8. I have been involved in this Litigation since before the filing of the original complaint. I sought to understand Class Counsel's work in the Litigation at each stage, and I participated in the decision to enter into the Settlement. By participating in this Litigation, the Foundation hoped to obtain a monetary recovery for itself and other royalty owners in the Class.

9. This action has been litigated for almost three years, which included reviewing and analyzing document productions, consulting with experts, reviewing and analyzing complex accounting information, creating damages modeling, mediating, negotiating the terms of the Settlement, and seeking the Court's approval of the Settlement. Throughout the years of litigation, the Foundation regularly communicated with Class Counsel on the status of the Litigation.

10. I believe the negotiation process in this case resulted in an excellent settlement and a significant benefit to the Settlement Class, which provides a cash value

of almost \$12 million. This amount, after reduction for court-approved Plaintiffs Attorneys' Fees, reimbursement of Litigation Expenses, payment of Administration Expenses, Notice and Distribution Costs, and an Incentive Award, if any, will be distributed to Class Members once the Settlement becomes Final and Non-Appealable, if approved. I believe this is a substantial recovery for the Settlement Class.

11. Through involvement in this Litigation, I understand the claims against the Diamondback Entities have strengths and weaknesses. I am aware of the hurdles the Settlement Class would be required to overcome to certify a class on a contested basis and then prove liability and damages if the Litigation was to be tried rather than settled.

12. My understanding of the facts and law provides a basis from which the Foundation recommends approval of the Settlement. The Settlement is a substantial recovery for the Settlement Class under circumstances where it was possible that no recovery at all would be obtained. The Foundation fully supports the Settlement as fair, reasonable, and adequate for the Settlement Class and Class Members.

13. The Foundation is very pleased with the efforts of Class Counsel, whom it found always conducted themselves with professionalism and diligence while effectively representing the interests of the Foundation and the Settlement Class.

14. Class Counsel is applying for an award of Plaintiffs Attorneys' Fees out of the Gross Settlement Amount, as well as reimbursement of Litigation Expenses and Administration, Notice, and Distribution Costs reasonably and necessarily incurred in successfully prosecuting the claims in this Litigation. Because of Class Counsel's extensive, efficient, and excellent work, the Foundation approves of Class Counsel's application for a fee award equal to 40% of the Gross Settlement Amount, which is what the Foundation agreed to. The Foundation also approves of Class Counsel's request for reimbursement of reasonable Litigation Expenses and Administration, Notice, and Distribution Costs. The Foundation understands that if the award is granted, Plaintiffs Attorneys' Fees and reimbursed Litigation Expenses and Administration, Notice, and Distribution Costs will be paid to Class Counsel out of the Gross Settlement Amount prior to the distribution of funds to the Foundation or other Class Members.

15. Class Counsel's request for Plaintiffs Attorneys' Fees is consistent with the negotiated fee agreement. The Foundation is pleased with how Class Counsel conducted the Litigation and with the results achieved. Further, the Foundation supports Class Counsel's request for reimbursement of Litigation Expenses and Administration, Notice, and Distribution Costs because it believes Class Counsel has prosecuted this Litigation in an efficient manner given the complexities and has incurred reasonable, necessary, and significant expenses.

16. While the Foundation will recover its pro rata share of the Net Settlement Amount, it also intends to seek an Incentive Award for its representation of the Settlement Class. The Court- approved Class Notice states that the Foundation will seek an Incentive Award not to exceed 1% of the Gross Settlement Amount. This amount is based on the amount of time dedicated to the Litigation over the course of three years, as well as the expense, risk, and burden of serving as Class Representative in the Litigation, and a reasonable estimate of the time to be dedicated to the Litigation through the final distribution of the Gross Settlement Amount. I believe that such an award is justified in this case.

17. The Foundation was not promised any recovery or made any guarantees prior to filing this Litigation or at any time during the Litigation.

18. Based on these efforts and the benefits obtained for the Settlement Class, I submit that an Incentive Award of 1% of the Gross Settlement Amount to the Foundation is fair and reasonable as compensation for the time, expense, risk, and burden incurred to obtain this Settlement on behalf of the Settlement Class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 26, 2024



Joseph M. Gallagher
Senior Vice President and Chief Legal Officer

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

COOK CHILDREN'S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of
Itself and others similarly situated persons,

Plaintiff,

Case No. CIV-21-359-D

V.

DIAMONDBACK E&P, LLC,

DECLARATION OF CLASS COUNSEL IN SUPPORT OF:

**(1) CLASS REPRESENTATIVE'S MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT;**

AND

**(2) CLASS REPRESENTATIVE'S MOTION FOR APPROVAL OF
PLAINTIFF'S ATTORNEYS' FEES, LITIGATION EXPENSES,
ADMINISTRATION, NOTICE AND DISTRIBUTION COSTS, AND
INCENTIVE AWARD**

Sharp Law, LLP, as duly appointed Class Counsel (Doc. 52 at 5, ¶ 4), submits this declaration under penalty of perjury in support of the Motion for Final Approval of the Class Action Settlement and the Motion for Approval of Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and Incentive Award, which are filed contemporaneously with this declaration.¹ The statements made are based upon the personal knowledge and information of the undersigned attorneys at Sharp Law, LLP.

¹ Capitalized terms not otherwise defined shall have the meaning ascribed to them in the Settlement Agreement (Doc. 50-1).

BACKGROUND

Attorney Information

1. The attorneys at Sharp Law, LLP have litigated many class actions and complex commercial litigations in the state and federal courts of Oklahoma and in other state and federal courts.

2. Rex A. Sharp and Scott B. Goodger are partners at the firm of Sharp Law, LLP, which focuses on class actions and complex commercial litigation, including oil-and-gas class actions like this one. We have litigated a substantial number of oil-and-gas class actions like this one, recovering for many classes on claims similar to those at issue in this case. *See, e.g., Kunneman Props. LLC, et al. v. Marathon Oil Co.*, No. 22-CV-274-KEW (E.D. Okla. 2023); *Pauper Petroleum, LLC v. Kaiser-Francis Oil Co.*, No. 19-CV-514-JFH-JFJ (N.D. Okla. 2023); *Cooper Clark Foundation v. Oxy USA, Inc.*, No. 2016-CV-000039 (Kan. Dist. Ct. Grant Cty. 2021); *In re Sheridan Holding Company I, LLC*, No. 20-31884 (DRJ) (Bankr. S.D. Tex. 2020); *Harris v. Chevron U.S.A., Inc.*, No. 19-CV-355-SPS (E.D. Okla. 2019); *Nash Family Mineral Trust v. Lime Rock Resources II-A, L.P.*, No. CJ-17-31 (Okla. Dist. Texas Cty. 2019); *Cecil v. BP Am. Prod. Co.*, No. 16-CV-410-KEW (E.D. Okla. 2018); *Bollenbach v. Okla. Energy Acquisitions LP, et al*, No. 17- CV-134-HE (W.D. Okla. 2018); *McKnight Realty Co. v. Bravo Arkoma*, No. 17-CV-308-KEW (E.D. Okla. 2018); *Hitch Enterprises, Inc. v. Cimarex Energy Co.*, No. CIV-11-13-W (W.D. Okla. 2016); *Wallace B. Roderick Revocable Living Trust v. Kansas Natural Gas*, No. 09-CV-16 (Kan. Dist. Ct. Grant Cty. 2015); *Owens v. Dart Cherokee*, No. 12-4157-JAR (D. Kan. 2016); *Fitzgerald Farms, Inc. v. Chesapeake Operating Co.*, No. CJ-10-38 (Okla. Dist. Ct. Beaver Cty. 2015); *Cornett v. Samson Resources Company*, No. CJ-09-81 (Okla. Dist. Ct. Dewey Cty. 2013); *DSR Investments LLC v. Devon Energy Production Company, LP*, No. CJ-11-12 (Okla. Dist. Ct. Dewey Cty. 2013); *Roderick v.*

Osborn Heirs, No. 09-CV-15 (Kan. Dist. Ct. Kearney Cty. 2013); *Freebird, Inc. v. Merit Energy Co.*, No. 10-1154-KHV (D. Kan. Dec. 16, 2012); *Hershey v. ExxonMobil Oil Co.*, No. 07-1300-JTM (D. Kan. 2012); *Eatinger v. BP Am. Prod. Co.*, No. 07-1266-EFM (D. Kan. 2012); *Freebird, Inc. v. Cimarex Energy Co.*, No. 08-CV-93 (Kan. Dist. Ct. Finney Cty. 2010). In addition to those prior recoveries, we are actively litigating numerous other class claims related to oil-and-gas payments. More information may be found on the firm website, <https://sharplawllp.com/>.

3. The Court has appointed Rex A. Sharp and Scott B. Goodger as Lead Class Counsel for the Settlement Class. Doc. 52 at 5, ¶ 4.

4. As Lead Class Counsel, we have achieved an exceptional result, obtaining \$11,975,580.00 cash recovery for the Settlement Class. *See* Doc. 50-1 at 8, ¶ 1.19.

Work Completed Before Filing Suit

5. Months before filing the Litigation, Class Counsel extensively investigated the payment practices of Diamondback E&P, LLC (“Diamondback” or “Defendant”), speaking with multiple potential class representatives and reviewing their oil-and-gas leases and remittance statements from Diamondback.

6. We reviewed and analyzed the documents and information available to us, including correspondence, legal instruments, and publicly available information about Diamondback.

7. We also review prior and pending cases related to the claims at issue in this case, and we relied upon our experience in cases of this kind.

8. Based on our review and analysis, and after discussing the same with our client, we initiated the Litigation by filing an original complaint in this Court on April 16, 2021 (the “Complaint”).

Work Done After Filing

9. **The Litigation and Informal Discovery.** On May 24, 2021, Defendant filed its Rule 4 Waiver of Service of Summons to invoke the 60 days provision for filing its response to the Complaint. Doc. 5.

10. Thereafter, the parties engaged in an informal discovery process described in the Joint Motion to Extend Deadlines to Respond to Complaint and of Pretrial Procedures. Doc. 12 (filed July 12, 2021). The parties acknowledged the nature and scope of Plaintiff's claims required "the production and review of many thousands of documents, and potentially significant electronic data" given Diamondback's holding of several thousand leases in Texas. Doc. 12, at 2, ¶ 3. These several thousand leases required review to determine whether the leases contained the language described in the Complaint. *Id.* Additionally, the process required "the gathering, production, and review of other contracts, as well as accounting data and third-party statements." *Id.* The parties believed the process would be "extensive and time-consuming." *Id.* And it was.

11. The parties commenced the production and review process in May of 2021. Doc. 12, at 2, ¶ 4. They cooperated in reviewing the documents, "with the aim of discussing possible resolution of Plaintiff's claims." *Id.*; *see also, id.* at 3, ¶ 5.

12. The Court entered the parties' proposed protective order on August 4, 2021, to facilitate the production of confidential or private materials relevant to Plaintiff's claims. Doc. 15.

13. The parties continued their informal discovery process through October 2021, when the parties filed the Joint Status Report and Discovery Plan. Doc. 20 (filed October 20, 2021). This Joint Status Report reported on the parties' process to-date and requested an additional four months to continue their efforts. Doc. 20 at 2, ¶ 1; *id.* at 5, ¶ 14. The Joint Status Report informed the Court that the parties had conferred on

discovery multiple times since the Complaint was filed and continued to confer and work cooperatively on discovery issues. *Id.* at 3, ¶ 8.A. Between May and October 2021, Diamondback “produced over 155,000 pages of documents and electronic data, including oil and gas leases, gas marketing contracts, processing plant statements, and other contracts,” which Plaintiff was diligently reviewing. *Id.* at 3, ¶ 8.B. The parties were refining their review of the thousands of leases to aid in their assessment of the claims. *Id.* The Joint Status Report noted the pace of the production, which in other cases of comparable size and complexity would take a year to complete. *Id.*

14. The parties continued their conferral and filed the Second Joint Status Report on November 2, 2021. Doc. 23. As of the time of this filing, Diamondback had produced an additional 10,500 pages of documents and electronic data, which Plaintiff was reviewing. *Id.* at 3, ¶ 5. The parties asked the Court for another 90-days in which to continue their process, which the Court granted. *Id.* at 3, ¶ 6; Doc. 24.

15. The parties continued their conferral and filed the Third Joint Status Report on January 28, 2022. Doc. 25. This Joint Status Report informed the Court of the parties’ progress in their process. Significantly, the parties in the process of “completing an extensive second-level review of a significant number of leases identified by Plaintiff” in identifying leases included in the putative class as defined in the Complaint. *Id.* at 3, ¶ 5. Additionally, Diamondback was “assembling extensive electronic revenue accounting data” for production to Plaintiff. *Id.* at 3, ¶ 6. This data (over 3 gigabytes) included “hundreds of potential owners, several years of monthly data, and extensive payment detail, involving thousands of rows of data for review.” *Id.* To continue their process, the parties requested an additional 60 days, which the Court granted. Doc. 26.

16. The parties continued their process and filed the Fourth Joint Status Report on March 30, 2022. Doc. 27. This Fourth Joint Status Report requested an

additional 60 days for the completion of Diamondback’s assembly of electronic revenue accounting data and for its production to the parties’ respective experts for analysis and evaluation of damages. *Id.* at 3, ¶ 4. The Court granted the parties’ request. Doc. 28.

17. On June 13, 2022, Diamondback E&P, LLC filed its answer to the Complaint.

18. On June 27, 2022, the parties conferred on their next report to the Court. Doc. 31.

19. On July 29, 2022, the parties filed the Amended Joint Status Report and Discovery Plan, which reported to the Court: “Over the past 10 months, the parties have engaged in extensive formal discovery. Diamondback has produced several thousand leases, other contracts, as well as accounting data and third-party statements. In total, Diamondback has produced approximately 165,000 pages of documents and electronic data, and several gigabytes of electronic revenue accounting data. Both parties have been engaged in reviewing these extensive materials, and believe that their process has resulted in substantial discovery conducted in a relatively short period of time.” Doc. 31 at 2, ¶ 1. This Report also reiterated the parties’ respective retention of experts to review “several years of royalty accounting data,” which was a “time-consuming” process. *Id.* at 3, ¶ 8.B.

20. The parties served their respective Rule 26(a)(1) disclosures on July 29, 2022, as required under the Agreed Scheduling Order. Docs. 32, 33 & 35.

21. To complete the on-going review of revenue accounting data by the parties and their respective experts, the parties jointly moved to extend the deadlines in the Agreed Scheduling Order by 90 days. Doc. 38. The Court granted this motion. Doc. 39.

22. On April 11, 2023, the parties again moved the Court for a second 90-day

extension of deadlines to permit the parties and their experts to complete the analysis of revenue accounting data and to engage in mediation. Doc. 40 at 2, ¶¶ 2 & 3. The Court granted this motion. Doc. 41.

23. For over two years, from May 2021 to the summer of 2023, the parties engaged in their extensive informal discovery process to analyze Plaintiff's claims and evaluate damages. They each hired experts to analyze and interpret the documents and data produced. This process required multiple conferences not only with opposing counsel but also with the respective experts.

24. **Mediation.** The parties participated in mediation on July 18, 2023, before Robert H. Gum, an Oklahoma lawyer with significant experience mediating oil-and-gas class actions in Oklahoma. *See* Doc. 42, at 2, ¶ 2. Before the mediation, Mr. Gum reviewed and analyzed the parties' respective statements and conferred with the parties' respective counsel. With Mr. Gum's help over a day-long mediation on July 18th, the parties reached agreement on terms of a potential settlement. *See* Doc. 42, at 2, ¶ 2.

25. **Settlement Drafting Process.** On August 2, 2023, the parties moved to vacate the current discovery and pretrial deadlines so they could direct their attention to drafting, negotiating, and executing mutually agreeable settlement documents. Doc. 42 at 2, ¶¶ 2-3. The Court granted this motion and suspended all deadlines in the current scheduling order for sixty (60) days. Doc. 43.

26. **Settlement Agreement.** Because the drafting, negotiating, and executing of mutually agreeable settlement documents took longer than sixty (60) days, the parties moved three (3) times to extend the suspension of deadlines. *See* Docs. 44, 46, & 48. The Court granted these motions. *See* Docs. 45 (21 days), 47 (14 days) & 49 (10 days). With the sixty (60) days extension sought in the preceding paragraph, the extensions totaled 105 days (over three (3) months) and required significant work in drafting, reviewing,

exchanging drafts of the Settlement Agreement and its many exhibits. The work required much attention to detail. As shown in the ECF header of Doc. 50-1, the Settlement Agreement and its exhibits total 155 pages.

27. **Preliminary Approval of the Settlement.** On November 16, 2023, Plaintiff filed the Motion To Certify The Settlement Class For Settlement Purposes, To Preliminarily Approve The Class Action Settlement, To Approve The Form And Manner Of Notice, And To Set A Date For A Final Fairness Hearing (the “Motion for Preliminary Approval”). Doc. 50. Attached as an exhibit to the Motion for Preliminary Approval is the complete Settlement Agreement signed by counsel and the parties earlier that day. Doc. 50-1.

28. The Court entered its Order granting the Motion for Preliminary Approval on January 2, 2024 (the “Preliminary Approval Order”). Doc. 52.

29. **Notice Campaign and Preliminary Distribution Schedule:** We worked with the Settlement Administrator to carry out the Notice campaign, which is detailed in the Settlement Administrator’s Declaration (Doc. 53-5, Keough Decl.), and to formulate the Preliminary Distribution Schedule. These efforts took months of constant communication and tasks to effectuate the Notice campaign and to formulate the Preliminary Distribution Schedule in accordance with the Settlement Agreement and Preliminary Approval Order. This work included cooperating on information with the Diamondback Entities, which allowed the Notice campaign and Preliminary Distribution Schedule to proceed to completion. We also communicated with potential Class Members as to any questions posed by those persons regarding the Settlement and their options as potential Class Members.

The Overwhelming Positive Reaction to the Settlement

30. Since the Notice campaign was effectuated, and at the time this declaration

was executed, only eight requests for exclusion have been received. *See* Doc. 53-5, Keough Decl. at 5, ¶¶ 14–15. And no objections have been received. *Id.* at 4, ¶¶ 16–17. Because this declaration is required to be filed before the final deadline for filing objections or requesting exclusion, Class Counsel will update the Court regarding any requests for exclusion or objections filed after the Court imposed deadlines.

31. The vast majority of Class Members have indicated approval of the terms of the Settlement Agreement by choosing to participate in the Settlement.

32. In Class Counsel’s judgment, the Settlement is fair, reasonable, and adequate, as indicated by the overwhelming support of Class Members.

33. The Settlement was also the result of an arm’s length, heavily negotiated process, carried out by experienced counsel and mediator. This further supports the fairness and reasonableness of the Settlement.

Plaintiff’s Attorneys’ Fees

34. Class Counsel is seeking a 40% contingency fee, as is the customary fee in these sorts of cases.

35. Class Representative negotiated a contract to prosecute this case on a fully contingent basis, with a fee arrangement of 40% of any recovery obtained for the putative class after the filing of the Litigation.

36. Numerous state and federal courts in Oklahoma, including this Court, have recognized that a 40% contingent fee is standard in Oklahoma oil-and-gas class action litigation. *See, e.g., Ritter v. Foundation Energy Mgmt.*, No. 22-CV-246-JFH (E.D. Okla. Dec. 15, 2023), Doc. 51 at ¶ 5.n (“The Court finds this [40%] fee is consistent with the market rates and is in the range of the ‘customary fee’ in oil-and-gas class actions in Oklahoma in state and federal courts.”) & ¶ 5.o (citing comparable fee awards in five federal cases); *see Chieftain Royalty Co. v. Newfield*

Exploration Mid-Continent Inc., No. 17-CV-336- KEW, 2020 WL 8339215, at * 6 (E.D. Okla. Mar. 3, 2020) (“I find this fee [40%] is consistent with the market rate and is in the range of the ‘customary fee’ in oil and gas class actions in Oklahoma state courts over the past fifteen (15) years.”).

37. Based upon our experience, knowledge, education, study, and professional qualifications, we believe that the 40% contingent fee agreed to with Class Representative is the market rate for this case and is fair and reasonable. *See* Decl. of [Former] Judge Michael Burrage, *Reirdon v. XTO Energy, Inc.*, No. 16-cv-00087-KEW (E.D. Okla. Dec. 27, 2017) (Doc. 96-4, ¶ 4) (“I believe, and numerous state and federal courts in Oklahoma have determined that a 40% contingent fee is within the appropriate market range for cases of this nature.”); Decl. of Steven S. Gensler, *id.* at Doc. 92, ¶ 45 (“It is also my understanding that 40% is a typical contingent fee in oil and gas royalty class action litigation in Oklahoma.”).

38. Because a contingent fee is set in the marketplace and is definitive evidence of the reasonable and fair percentage fee at the time the risk is undertaken and largely unknown, courts often focus on the contingent fee class action agreement to set the fee for the entire class.

39. Courts in the Tenth Circuit consider the *Johnson* factors to determine whether the requested fee is reasonable. *Voulgaris v. Array Biopharma, Inc.*, 60 F.4th 1259, 1263, n.1 (10th Cir. 2023) (citing *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974)).

40. **The time and labor required:** The first consideration is not prominent in a contingent fee case such as this. *See Ritter*, No. 22-CV-246-JFH (E.D. Okla. Dec. 15, 2023), Doc. 51 at 3-4, ¶ 5.d (“[I]n the Tenth Circuit, in a percentage of the fund recovery case such as this, where federal common law is used to determine the

reasonableness of the attorneys' fee under Rule 23(h), neither a lodestar nor a lodestar cross check is required.”). Our efforts and time invested is discussed at length *supra*. This factor supports the fee request.

41. **The novelty and difficulty of the questions presented by the litigation:** While oil-and-gas class actions are not necessarily novel, they are incredibly difficult and complex, which is proven by the sheer fact that very few law firms undertake them. *Chieftain*, 2020 WL 8339215, at * 5 (E.D. Okla. Mar. 3, 2020) (“Class actions are known to be complex and vigorously contested . . . The legal and factual issues litigated in this case involved complex and highly technical issues.”). The continued difficulty of this area of the law, both in an oil-and-gas context and in a class action context, is also evident from the various positions taken by various judges, some denying class certification altogether. This factor supports the fee request.

42. **The skill required to perform the legal services properly:** Class actions are inherently difficult and generally hard fought, as is oil-and-gas litigation. Combined, the two areas of law require substantial skill and diligence. Very few firms even undertake such litigation. *Id.* at * 5 (“I find the Declarations and other undisputed evidence submitted prove that this Litigation called for Class Counsel’s considerable skill and experience in oil and gas and complex class action litigation to bring it to such a successful conclusion, requiring investigation and mastery of complex facts, the ability to develop creative legal theories, and the skill to respond to a host of legal defenses.”).

43. **The preclusion of other employment by the attorney due to the acceptance of the case:** While not a critical factor, it is common knowledge that the longer a case goes on the more other legal business it precludes since a lawyer and a law firm only have a finite amount of time to offer. This factor supports the fee request.

44. **The customary fee:** As shown above, the customary fee is 40%. *See supra*

¶ 37. Sometimes more is awarded if counsel must go through trial or handle the case on appeal. Sometimes less is awarded if the case is a mega fund case. This Litigation is neither. This factor supports the fee request.

45. **Whether the fee is fixed or contingent:** This factor is the only one in the disjunctive—fixed “or” contingent. It is important to preserve the parties’ expectations in their representation agreement. In a contingent fee context, a poor result means a poor fee (regardless of how long or hard the attorney worked, or how much skill displayed). A loss means no fee and usually the attorney “eats” the out-of-pocket expenses too. *See Chieftain*, 2020 WL 8339215, at * 7 (“If Class Counsel had not been successful, they would have received zero compensation (not to mention [zero] reimbursement for expenses).”). When successful, a contingent fee must significantly exceed an hourly fee to recognize the risk of a substantial financial loss if the plaintiff is unsuccessful. Both types of fee structures are used in different settings, and both are ethical, legal, and reasonable. The fee in this case was a contingent fee case. This factor supports the fee request.

46. **Time limitations imposed by the client or the circumstances:** This was not a factor in this case and should not influence the Court one way or the other.

47. **The amount in controversy and the results obtained:** The Parties had varying damage models, as is customary. And the nearly \$12 million cash settlement represents a significant amount of the damages calculated by Plaintiff’s expert. The result obtained in a contingent fee case is by far the most important factor in determining the fee to award. *See Hensley v. Eckerhart*, 461 U.S. 424, 436 (1983) (the “critical factor is the degree of success obtained”). Many class actions have settled near or for a lower proportionate recovery of actual damages recovered here, and many actions have failed altogether. This factor supports the fee request.

48. **The experience, reputation, and ability of the attorney:** We have extensive experience with both class actions and royalty underpayment suits, as this Court has previously found. *See supra* ¶¶ 1–2. We believe our experience and skill have served the Class Members well, meriting an award of fees as requested. Moreover, in this case, we faced opposition from experienced counsel from well-respected law firms regularly hired by large, sophisticated corporate defendants. This factor supports the fee request.

49. **Whether or not the case is an undesirable case:** Very few attorneys have the desire to take the risk involved in class actions. That is even more so in oil-and-gas class actions, where a litigation battle is waged against a well-financed oil and gas company. *See, e.g., Chieftain*, 2020 WL 8339215, * 8 (“Compared to most civil litigation, this Litigation clearly fits the “undesirable” test and no other firms or plaintiffs have asserted these claims against Newfield . . . Few law firms would be willing to risk investing the time, trouble and expenses necessary to prosecute this Litigation[.]”). This factor supports the fee request.

50. **The nature and length of the professional relationship with the client:** This factor has little if any relevance here, but still supports the requested award. We worked with Class Representative throughout the Litigation to prosecute these claims and Class Representative zealously represented the Class. This factor supports the fee request.

51. **Awards in similar cases:** As shown above, the usual fee in the context of oil- and-gas class action litigation like this is 40%. This factor supports the fee request.

52. **The risk of recovery in the litigation:** The risk of no recovery was substantial. Many oil-and-gas class actions have met with no class certification and, as a result, no recovery. And, of course, trial and the inevitable appeal is always risky. This

factor supports the fee request.

53. Overall, the factors, and certainly the most important factors, support a 40% fee.

Litigation Expenses

54. The books and records of Sharp Law, LLP reflect the expenses incurred for this case. Based on our oversight of the work in connection with the Litigation and our review of these records, we, Rex A. Sharp and Scott B. Goodger believe them to constitute an accurate record of the expenses actually incurred by the firm in connection with the Litigation, and that all of the expenses were necessary to the successful conclusion of this case. The total expenses paid by Sharp Law, LLP to date are \$67,880.64.

55. The expenses will increase as we prepare for the Final Fairness Hearing, including preparation of the Preliminary Distribution Schedule and the Final Distribution Schedule after the Final Fairness Hearing. Also, expenses will increase to the extent that bills for expenses have not yet arrived and been catalogued into the presently available number. At this time, we anticipate that we will incur an additional \$25,000.00 in Litigation Expenses through the conclusion of this Litigation.

Administration, Notice, and Distribution Costs

56. The court-appointed Settlement Administrator, JND, has incurred \$42,472.31 as of January 31, 2024. *See* Doc. 53-5, Keough Decl. ¶ 18. Under the Settlement Agreement, these Administration, Notice, and Distribution Costs are to be paid from the Gross Settlement Amount.

57. JND estimates that it will require an additional \$65,675.69 in Administration, Notice, and Distribution Costs to complete the settlement process, for an

overall total cost of \$108,148 in Administration, Notice, and Distribution Costs. *Id.*


Incentive Award

58. The Class Representative in this Litigation was indispensable. See Doc. 53-3, Class Representative Decl. Class Representative engaged experienced counsel, significantly assisted with the Litigation, with mediation and the negotiation of the settlement, and with the process for completing and seeking approval of the Settlement. When reason and common sense suggested mediating a resolution, Class Representative assisted in the process to ensure it was fair, reasonable, fully adversarial, and non-collusive. Class Representative has earned an Incentive Award, and 1–2% is common in oil-and-gas class actions in Oklahoma. *See, e.g., Ritter*, No. 22-CV-246-JFH (E.D. Okla. Dec. 15, 2023), Doc. 51 at ¶ 7.e (citing three cases: *Harris v. Chevron U.S.A., Inc., et al.*, No. 19-CV-355-SPS, 2020 WL 81874464, at *8 (E.D. Okla. Feb. 27, 2020) (The class representative’s “request for an award of two percent is consistent with awards entered by Oklahoma state and federal courts, as well as federal courts across the country.”); *Underwood v. NGL Energy Partners, L.P.*, No. 21-CV-135-CVE-SH (N.D. Okla. June 15, 2023), Doc. 73 at 11 (awarding 2% of the Gross Settlement Fund); *Hay Creek Royalties, LLC v. Mewbourne Oil Co.*, No. 20-CV-1199-F (W.D. Okla. July 11, 2022), Doc. 38 at 14 (awarding 2% of the up-front \$3,950,000.00 cash settlement value)).

59. Here, as set forth in the Notice, Class Representative requests \$119,755.80 as an Incentive Award, which is 1% of the \$11,975,580.00 Gross Settlement Amount. Having worked with Class Representative throughout the pendency of the Litigation, we fully support this request and believe the time and effort expended by Class Representative merits an Incentive Award of this value.

I declare under penalty of perjury that the foregoing is true and correct.

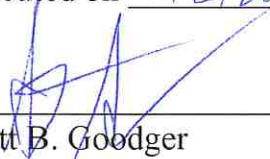
Executed on 2/26/24, at Prairie Village, Kansas.



Rex A. Sharp

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2/28/2024, at Prairie Village, Kansas.



Scott B. Goodger

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

COOK CHILDREN’S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

v.

DIAMONDBACK E&P, LLC,

Defendant.

Case No. CIV-21-359-D

**DECLARATION OF JENNIFER M. KEOUGH ON BEHALF OF
SETTLEMENT ADMINISTRATOR, JND LEGAL ADMINISTRATION LLC,
REGARDING NOTICE MAILING AND ADMINISTRATION OF SETTLEMENT**

I, JENNIFER M. KEOUGH, declare and state as follows:

1. I am the Chief Executive Officer and President of JND Legal Administration (“JND”).¹ This Declaration is based on my personal knowledge, as well as information provided to me by experienced JND employees. If called upon to do so, I could and would testify competently thereto.

2. JND is a legal administration services provider with its headquarters located in Seattle, Washington. JND has extensive experience in all aspects of legal administration and has administered settlements in hundreds of cases. As CEO of JND, I am involved in all facets of our Company’s operation. Among my responsibilities is to monitor the

¹ Capitalized terms used and otherwise not defined in this Declaration shall have the meanings given to such terms in the Settlement Agreement or Preliminary Approval Order.

implementation of our notice and claim administration programs. I have more than 20 years of legal experience designing and supervising such programs.

3. JND is serving as the Settlement Administrator in the above-captioned litigation (the “Action”) pursuant to the Court’s Preliminary Approval Order dated January 2, 2024.

CLASS MEMBER DATA

4. On December 18, 2023, JND received a spreadsheet containing a total of 5,553 line items representing the names, mailing addresses, and other identifying owner information. JND promptly loaded the potential Class Member data into a database established for this administration.

5. Prior to effecting notice, JND certified the mailing data via the Coding Accuracy Support System (“CASS”) in order to ensure the consistency of the contact information in the database and then verified the mailing addresses through the National Change of Address (“NCOA”) database², identifying updated addresses for 261 records. JND also conducted advanced address research through TransUnion’s TLO service on two (2) records with no address but for which sufficient information was available for research, but could not identify a new address for them. Of the 5,553 potential Class Member records, a mailing address could not be located for six (6) records, leaving a total

² The NCOA database is the official United States Postal Service (“USPS”) technology product which makes changes of address information available to mailers to help reduce undeliverable mail pieces before mail enters the mail stream. This product is an effective tool to update address changes when a person has completed a change of address form with the USPS. The address information is maintained on the database for 48 months.

of 5,547 unique potential Class Members with a mailing address (“Initial Class Mailing List”).

NOTICE MAILING

6. On January 19, 2024, JND caused the mailed Notice of Settlement to be mailed via USPS first-class mail to the 5,547 potential Class Members in the Initial Class Mailing List. A representative sample of the mailed Notice of Settlement is attached hereto as **Exhibit A**.

7. In the event any potential Class Member’s notice is returned as undeliverable, JND uses all reasonable secondary efforts to deliver the notice to the Class Member. This includes re-mailing any notices returned as undeliverable with a forwarding address and conducting an advanced address search using TransUnion’s TLO search, where such a search had not already been conducted, for any notices returned undeliverable without a forwarding address in an attempt to locate an updated address. JND will re-mail the notice to anyone for whom JND is able to obtain an updated address.

8. As of the date of this Declaration, JND has tracked 93 notices that have been returned to JND as undeliverable at the address provided. JND re-mailed four (4) notices to a forwarding address provided by USPS. For the remaining undeliverable notices, JND conducted advanced address research through TransUnion’s TLO service, which located updated addresses for 31 Class Members. JND duly re-mailed the Notice of Settlement to those potential Class members for whom a new address was obtained. JND also mailed the long-form Notice of Settlement to three (3) Class Members who had requested it.

SUMMARY NOTICE

9. JND caused the summary Notice of Settlement to be published on January 25, 2024, in *The Oklahoman*, *Dallas Morning News*, and *Houston Chronicle*. Digital copies of the Notice of Settlement as seen in these publications are attached hereto as **Exhibit B**.

SETTLEMENT WEBSITE

10. On January 19, 2024, JND established a dedicated website (www.cook-diamondback.com), which hosts copies of important case documents, including Class Action Complaint, the Settlement Agreement, the Preliminary Approval Order, and the Notice of Settlement, and provides answers to frequently asked questions, as well as contact information for the Settlement Administrator. A copy of the Long Form Notice available on the website is attached hereto as **Exhibit C**.

11. As of the date of this Declaration, the website has tracked 399 unique users with 1,043 pageviews. JND will continue to update and maintain the website throughout the administration process and final approval process.

TOLL-FREE INFORMATION LINE

12. On January 19, 2024, JND established a case-specific toll-free telephone number (1-877-595-0197) with an interactive voice recording (IVR) that Class Members can use to obtain more information about the Settlement or to speak to an associate if they have any further questions.

13. As of the date of this Declaration, the toll-free number has received 61 calls.

REQUESTS FOR EXCLUSION

14. The Notice of Settlement directs that Class Members who wish to opt out of the Settlement Class could do so by mailing a valid Request for Exclusion to the Settlement Administrator, Class Counsel, and Defendant's Counsel, so that it is received on or before March 6, 2024.

15. As of the date of this Declaration, JND has received eight (8) Requests for Exclusion from Class Members. The persons or entities requesting exclusion are identified in the list attached hereto as **Exhibit D**.³

OBJECTIONS

16. The Notice of Settlement directs that Class Members who would like to object to the Settlement may do so by filing an objection with the Court on or before March 6, 2024.

17. As of the date of this Declaration, JND is not aware of any objections.

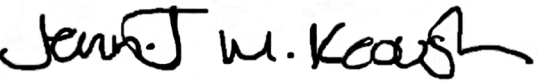
³ Prior to mailing the Notice of Settlement, JND also received correspondence from the Texas Land Commissioner and the Chief Clerk of the Texas General Land Office indicating that they wished to be excluded from the proposed settlement. As these requests were made in response to Defendant's 28 U.S.C. § 1715 Notice and the respondents are not Class Members, they are not included in Exhibit D.

SETTLEMENT ADMINISTRATION COSTS

18. As of January 31, 2024, JND had incurred \$42,472.31 in administration fees and costs. JND estimates the total cost of bringing the administration of the Settlement to completion will not exceed \$108,148.00.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 27, 2024, at Seattle, Washington.

BY: 

JENNIFER M. KEOUGH

Exhibit A

*A federal court authorized this notice.
This is **not** a solicitation from a lawyer.*

If You Are or Were a Royalty Owner Paid by Diamondback E&P, Diamondback Energy, or Energen Resources Corporation from a Texas Oil-and-Gas Well, You Could Be Part of a Proposed Class Action Settlement.

Who is included?

You may be a member of the Settlement Class if you are or were a royalty owner in the Class Wells located in Texas where Diamondback E&P, Diamondback Energy, or Energen Resources Corporation are or were the operator or remitted royalties to you directly. The Settlement Class has been preliminarily approved for settlement only. There are exclusions.

Cook v. Diamondback Settlement
c/o JND Legal Administration
PO Box 91231
Seattle, WA 98111



ID:

There is a proposed Settlement in a putative class action lawsuit filed against Diamondback Energy E&P, LLC (“Diamondback”) called *Cook Children’s Health Foundation v. Diamondback E&P, LLC*, No. 5:21-cv-00359-D, in the U.S. District Court for the Western District of Oklahoma. The Lawsuit claims Diamondback E&P, LLC, Diamondback Energy, Inc. and/or Energen Resources Corporation (collectively, the “Diamondback Entities”) underpaid royalties on natural gas production from Class Wells in Texas.

Why am I receiving this notice? Defendant’s records indicate you may be a member of the Settlement Class.

What does the settlement provide? The proposed Settlement provides monetary benefits of \$11,975,580 that will be distributed according to the terms of the Settlement Agreement, the documents referenced in and exhibits to the Settlement Agreement, and orders from the Court. Plaintiff’s Counsel will seek attorneys’ fees up to 40% of the Settlement, plus reimbursement of litigation expenses and administration costs, all to be paid from the Gross Settlement Amount. Plaintiff will seek an incentive award also to be paid from the Gross Settlement Amount.

What are my legal rights? You do not have to do anything to stay in the Settlement Class and receive the benefits of the proposed Settlement. If you stay in the Settlement Class,

you may also object to the proposed Settlement by following the instructions from the Court (available on the website) by **March 6, 2024**. If you stay in the Settlement Class, you will be bound by all orders and judgments of the Court, and you will not be able to sue, or continue to sue, the Diamondback Entities or others identified in the Settlement Agreement from claims described herein. You may appear through an attorney if you so desire.

What are my other options? If you do not wish to participate in or be legally bound by the proposed Settlement, you may exclude yourself by opting out no later than **March 6, 2024**, by following the instructions from the Court (available on the website). If you opt out, you will not receive any benefits from the Settlement and will not be bound by it or the judgment in this case.

When will the Court decide whether to approve the proposed Settlement? A Final Fairness Hearing has been scheduled for **March 27, 2024**, at 3:00 p.m. CT at the United States District Court for the Western District of Oklahoma, 200 NW 4th Street, Oklahoma City, OK 73102, Courtroom 301. You are not required to attend the hearing, but you or your lawyer may do so if you wish.



THIS IS ONLY A SUMMARY. TO GET A COPY OF THE LONG-FORM NOTICE OR FOR MORE INFORMATION, VISIT WWW.COOK-DIAMONDBACK.COM OR CALL TOLL-FREE 1-877-595-0197.

Exhibit B



File Photo/The Associated Press

A Federal Aviation Administration investigation of a Delta Air Lines jet that lost a nose tire while taxiing at the Atlanta airport over the weekend is another in a series of issues involving Boeing airplanes.

AVIATION

Boeing 757 lost nose wheel as it prepared for takeoff

Delta Air Lines incident comes during rough stretch for plane maker

THE ASSOCIATED PRESS

A Boeing 757 jet operated by Delta Air Lines lost a nose wheel while preparing for takeoff from Atlanta.

It was an older model of plane than those made by Boeing that have raised safety concerns about the company, yet it occurred within an intense spotlight on one of the nation's top manufacturers.

Delta Flight 982 — headed to Bogota, Colombia — was taxiing for departure at Hartsfield-Jackson Atlanta International Airport when the incident took place around 11:15 a.m. Saturday, according to the Federal Aviation Administration, which is investigating the incident.

The plane is 32 years old. "All customers and their bags were removed from the aircraft, transferred to the gate and onto a replacement aircraft," Delta said. "We apologize to our customers for the inconvenience."

No one was injured, a Delta spokesperson told The Associated Press — adding that the plane's tire was replaced and it went back into service the next day.

According to the the Atlanta-based air-

line, 172 passengers, two pilots and four flight attendants were on board the flight.

When contacted by The AP Wednesday, Boeing did not comment further. The Arlington, Va., aircraft maker ended production of the 757 nearly 20 years ago.

There have been a string of mishaps involving Boeing planes over recent years — including two crashes of Max 8 planes in Indonesia and Ethiopia, which killed a total of 346 people in 2018 and 2019.

Earlier this month, a door plug blew off an Alaska Boeing 737 Max 9 jetliner 16,000 feet above Oregon, leaving a gaping hole in the side of the plane. Since then, Alaska Airlines and United reported finding loose bolts and other problems in the panel doors of an unspecified number of other Max 9s.

Boeing CEO Dave Calhoun was in Washington, D.C., on Wednesday to meet with lawmakers about the safety of the Max 9.

Ongoing investigations from regulators and harsh criticism of Boeing inside and outside of the air travel industry preceded Calhoun's visit to Washington on Wednesday.

OIL AND GAS

Exxon sues to block climate proposal

Legal action against shareholders marks aggressive pushback

By KEVIN CROWLEY
Bloomberg News

Texas oil giant Exxon Mobil Corp. is suing U.S. and Dutch climate activist investors in an effort to remove what it describes as their "extreme agenda" from the ballot at its annual shareholder meetings.

The company is seeking a declaratory judgment from U.S. District Court in Fort Worth to exclude from its annual meeting this year a proposal to accelerate greenhouse-gas emission cuts submitted by Arjuna Capital LLC and the Amsterdam-based nonprofit group Follow This.

Exxon argues that a judgment in its favor would tighten the Securities and Exchange Commission's interpretation of the rules around what proposals get on proxy ballots across corporate America.

Publicly traded companies typically debate the merits of individual proposals with the SEC, which can advise whether they be excluded from the ballot. But critics of the process, including Exxon, allege the SEC's advice can vary widely depending on which administration is in office. The number of environmental and social proposals voted on has more than doubled over the past two proxy seasons, according to the SEC.

Follow This and Arjuna Capital have "become shareholders solely to campaign for change through shareholder proposals that are calculated to

diminish the company's existing business," Exxon said in the complaint. They "are aided in their efforts by a flawed shareholder proposal and proxy voting process that does not serve investors' interests and has become ripe for abuse."

'Remarkable step'

Exxon's decision to seek legal judgment rather than go through the SEC is highly unusual and marks an aggressive pushback against climate activists who use shareholder voting to influence boardroom strategy. It also comes as the U.S. Supreme Court questions a longstanding legal doctrine known as the "Chevron doctrine" that gives federal agencies wide latitude to interpret unclear mandates from Congress.

The lawsuit is a "remarkable step," Follow This founder Mark van Baal said in a statement. "ExxonMobil clearly wants to prevent shareholders using their rights. Apparently, the board fears shareholders will vote in favor of emissions reduction targets," he said.

Arjuna did not respond to a request for comment outside of normal office hours.

Last month, Follow This and Arjuna submitted a proposal calling for a "further accelerating" of Exxon's emission reduction plans that include Scope 3 emissions, in other words the pollution from customers burning the company's oil and gas. CEO Darren Woods is a vocal critic of Scope 3 emissions accounting, saying it's misleading and doesn't capture overall emission-reduc-

tion efforts. A similar proposal last year gained just over 10% of shareholder support, down from 27% in 2022.

"The 2024 proposal does not seek to improve ExxonMobil's economic performance or create shareholder value," the company said in the complaint. "Like the previous proposals, it is designed instead to serve Arjuna's and Follow This's agenda to 'shrink' the very company in which they are investing."

Previous proposals

Exxon is seeking to have the proposal excluded on two counts: that it interferes with the ordinary course of business, and that shareholders have rejected similar proposals multiple times. Exxon was one of the highest profile targets of the environmental, social and corporate governance (ESG) movement, losing a proxy battle against first-time activist Engine No. 1 in 2021, which forced it to replace a quarter of its board with new directors. Engine No. 1 isn't named in the complaint.

Exxon isn't seeking monetary relief from the activist investors.

Proposals by Amsterdam-based nonprofit Follow This and Massachusetts-based Arjuna Capital have become a fixture on the ballots of Big Oil's annual meetings, mostly encouraging oil majors to set greenhouse gas emission targets that align with the Paris climate agreement. While most proposals have been rejected, support steadily rose from 2015 through 2021 before dropping more recently.

LEGAL NOTICE

If You Are or Were a Royalty Owner Paid by Diamondback E&P LLC, Diamondback Energy, Inc., and/or Energen Resources Corporation from a Texas Oil-and-Gas Well, You Could Be Part of a Proposed Class Action Settlement.

The Settlement Class includes:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011, to July 31, 2023, under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free use clause, or both, and in which Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates are lessees or successors-in-interest under such agreements (collectively, the "Diamondback Entities").

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) the Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by the Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

Claim Period means checks or payments from April 1, 2011, to and including July 31, 2023, subject to the terms of the Settlement Agreement regarding Released Claims.

The Litigation seeks damages for alleged payment, underpayment, or nonpayment of royalties on the volumes of natural gas, natural gas liquids, and associated hydrocarbons produced during the Claim Period. The Diamondback Entities expressly deny all allegations of wrongdoing or liability with respect to the claims and allegations in the Litigation. The Court did not decide which side is right.

On January 2, 2024, the Court preliminarily approved a Settlement in which the Diamondback Entities have agreed to pay Eleven Million Nine Hundred Seventy-Five Thousand, Five Hundred and Eighty Dollars (\$11,975,580.00) in cash (the "Gross Settlement Amount"). From the Gross Settlement Amount, the Court may deduct Plaintiff's Attorneys' Fees and Litigation Expenses, an Incentive Award, and Administration, Notice, and Distribution Costs, all terms as defined in the Settlement Agreement. The remainder (the "Net Settlement Amount") will be distributed to participating Class Members as provided in the Settlement Agreement. Complete information on the benefits of the Settlement, including information on distribution of benefits, can be found in the Settlement Agreement posted on the website listed below. In exchange, Settlement Class Members will release the Diamondback Entities and others identified in the Settlement Agreement as Released Parties from the claims described in the Settlement Agreement as Released Claims.

The attorneys and law firm who represent the Class as Plaintiff's Counsel are Rex A. Sharp and Scott B. Goodger of Sharp Law, LLP. You may hire your own attorney, if you wish. However, you will be responsible for that attorney's fees and expenses.

What Are My Legal Rights?

• **Do Nothing, Stay in the Class, and Receive Benefits of the Settlement:** If the Court approves the proposed Settlement, you or your successors, if eligible, will receive the benefits of the proposed Settlement.

• **Stay in the Settlement Class, but Object to All or Part of the Settlement:** You can file and serve a written objection to the Settlement and appear before the Court. Your written objection must contain the information described in Section 10 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your objection must be filed with the Court and served on Plaintiff's Counsel and Diamondback's Counsel no later than **March 6, 2024, at 5 p.m. CT.**

• **Exclude Yourself from the Settlement Class:** To exclude yourself from the Settlement Class, you must submit a written request to be excluded. Your Request for Exclusion must contain the information described in Section 8 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your Request for Exclusion must be received no later than **March 6, 2024, at 5 p.m. CT.** You cannot exclude yourself on the website, by telephone, or by email.

The Court will hold a Final Fairness Hearing on March 27, 2024, at 3:00 p.m. CT in Courtroom 301 at the United States District Court for the Western District of Oklahoma. At the Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also consider the application for Plaintiff's Attorneys' Fees and Litigation Expenses and other costs, including an Incentive Award. If comments or objections have been submitted in the manner required, the Court will consider them as well. Please note that the date of the Final Fairness Hearing is subject to change without further notice. If you plan to attend the Hearing, you should check with the Court and the website www.cook-diamondback.com to confirm no changes to the date and/or time of the Hearing have been made.

This notice provides only a summary. For more detailed information regarding the rights and obligations of Class Members, read the Notice of Settlement, Settlement Agreement and other documents posted on the website or contact the Settlement Administrator.

Visit: www.cook-diamondback.com

Call Toll-Free: 1-877-595-0197

Or write to: Cook v. Diamondback Settlement

c/o JND Legal Administration,

Settlement Administrator

P.O. Box 91231

Seattle, WA 98111

Email: info@cook-diamondback.com

www.cook-diamondback.com

1-877-595-0197

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DU-1861879-01

LEGAL NOTICES

HoustonChronicle.com/Place-Legals **legals@chron.com** 713.362.6868

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Legal Bids & Proposals

Legal Bids & Proposals

Citation by Publication

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www.cook-diamondback.com

1-877-595-0197

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Stay in the Settlement Class, but Object to All or Part of the Settlement: You can file and serve a written objection to the Settlement and appear before the Court. Your written objection must contain the information described in Section 10 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your objection must be filed with the Court and served on Plaintiff's Counsel and Diamondback's Counsel no later than **March 6, 2024, at 5 p.m. CT.**

Exclude Yourself from the Settlement Class: To exclude yourself from the Settlement Class, you must submit a written request to be excluded. Your Request for Exclusion must contain the information described in Section 8 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your Request for Exclusion must be received no later than **March 6, 2024, at 5 p.m. CT.** You cannot exclude yourself on the website, by telephone, or by email.

The Court will hold a Final Fairness Hearing on March 27, 2024, at 3:00 p.m. CT in Courtroom 301 at the United States District Court for the Western District of Oklahoma. At the Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also consider the application for Plaintiff's Attorneys' Fees and Litigation Expenses and other costs, including an Incentive Award. If comments or objections have been submitted in the manner required, the Court will consider them as well. Please note that the date of the Final Fairness Hearing is subject to change without further notice. If you plan to attend the Hearing, you should check with the Court and the website www.cook-diamondback.com to confirm no changes to the date and/or time of the Hearing have been made.

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Call Toll-Free: 1-877-595-0197
Or write to: *Cook v. Diamondback Settlement*
c/o JND Legal Administration,
Settlement Administrator
P.O. Box 91231
Seattle, WA 98111
Email: info@cook-diamondback.com

Request for Proposal (RFP)
Purchasing Cooperative of America (PCA) is a national public procurement cooperative working with a public agency to provide Requests for Proposals for response by Vendors who can provide the following Products/services to public sector entities: 1) RFP OD-401-24 Waste and Recycling Services, and Related Items; 2) RFP OD-402-24 Tactical Equipment, Technology, and Related Products for Law Enforcement Outfitting; 3) RFP OD-403-24 Cured-in-Place (CIP) Rehabilitation for Vertical Sewer Structures. Vendors are invited to respond electronically to RFPs through the PCA website portal at www.pcamerica.org/solicitations. Proposals are due by 11:00 AM CT on Tuesday, February 20, 2024. Direct inquiries to Elaine Nichols, Director, at 844-722-6374.

Citation by Publication

CITATION BY PUBLICATION – CIVIL
Cause Number: 23-08-11953
Clerk of the Court Attorney Requesting Service
Melisa Miller Troy Ford
P.O. Box 2985
Conroe, Texas 77305
1221 McKinney ST STE 4500
Houston TX 77010-2010
THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of forty-two days after the date of issuance of this citation and petition, a default judgment may be taken against you."

To: Kellie Stanley Mendez

You are hereby commanded to appear by filing a written answer to the Original Petition for Bill of Review at or before 10:00 A.M. of the Monday next after the expiration of forty-two days after the date of issuance of this citation the same being Monday, the 5th day of February, 2024 before the 457th Judicial District Court of Montgomery County, Texas at the Courthouse of said County in Conroe, Texas. Said Original Petition for Bill of Review was filed in said court on the 18th day of August, 2023, in this case, numbered 23-08-11953 on the docket of said court.

The names of the parties to the cause are as follows:
Lakeside Resort JV, LLC D/B/A Margaritaville Resort Lake Conroe are Plaintiffs and Kellie Stanley Mendez are Defendants

A brief statement of the nature of this suit is as follows, to wit: The 457 th Judicial District Court previously entered a Default Judgment in Cause No. 21-12- 16463, Kellie Stanley Mendez v. Lakeside Resort JV, LLC d/b/a Margaritaville Resort Lake Conroe. This Bill of Review asserts that this Default Judgment should be set aside, as is more fully shown by Original Petition for Bill of Review on file in this suit.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due as the law directs. Issued and given under my hand and the Seal of said Court, at office in Conroe Texas, this on this 19th day of December, 2023.

Melisa Miller, District Clerk
Montgomery County, Texas
By: _____
Delcy Phillips

Notice to Creditors

Notice to Creditors

IN THE ESTATE OF No. 519704
IN COUNTY COURT AT LAW
CAROLYN ESTELLE BARRY, NO. 3
DECEASED HARRIS COUNTY, TEXAS
NOTICE TO CREDITORS
Notice is hereby given that original Letters Testamentary for the Estate of Carolyn Estelle Barry, Deceased, were issued on September 18, 2023, in Cause No. 519704, pending in the County Court-At-Law No: 3, Harris County, Texas, to: John Ernst.
All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.
c/o: Representative, Estate of Carolyn Estelle Barry
5430 Pagewood Lane
Houston, Texas 77056
DATED the 27 day of 2023, 2023.

/s/ Nicky Nixon Daughtrey Jr.
Nicky Nixon Daughtrey Jr.
Attorney for John Ernst
State Bar No.: 24029503
2525 Robinhood Street
Houston, Texas 77007
Telephone: (713) 669-1498
Facsimile: (832) 565-1366
E-mail: nixon@daughtreylaw.com

NOTICE TO CREDITORS
Notice is hereby given that original Letters Testamentary for the Estate of Doyal Eldon Perry, Deceased, were issued on January 23, 2024, in Cause No. 520797, pending in Probate Court No. 1, Harris County, Texas, to: Suzanne Perry.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Steven C. Earl
Stilwell, Earl & Apostolakis, LLP
128 Vision Park Blvd, Suite 140
Shenandoah, Texas 77384

DATED January 24, 2024.

By: /s/ Steven C. Earl
Steven C. Earl
State Bar No. 240020
128 Vision Park Blvd, Suite 140
Shenandoah, Texas 77384
Telephone: (281) 419-6200
Facsimile: (281) 419-0250
www.woodlandstlawfirm.com

PUBLIC HEARING WITHOUT VARIANCE OR SPECIAL EXCEPTION (both Virtual Meeting and Face-to-Face Meeting) The Houston Planning Commission has received an application to allow the partial replatting of **Rosewood Estates**. This proposal includes the replatting Lot 152, of Rosewood Estates as recorded under **Volume 23, Page 42**, of the Map Records of Harris County, Texas for the purpose creating 2 lots. The new subdivision name is **ROSEWOOD ESTATES SEC 2 PARTIAL REPLAT NO 6**. This is the written notice of a public hearing the City sending to all owners of property within 300' of the boundary of the plat. The Houston Planning Commission will hold a public meeting and public hearing on this replat. The Commission is the non-legislative body authorized to review and render decisions on subdivision applications and requests. The meeting at which this item will first be considered is listed below. A sign with this information has also been posted on the project site. **PLANNING COMMISSION MEETING INFORMATION:** Thursday, February 22, 2024 beginning at 2:30 p.m. City Hall Annex Building, 900 Bagby Street City Council Chamber, Public Level, Houston, Texas. Members of the public may make comments or express concerns about the proposed project by either attending the meeting at City Council Chamber listed above or attending the meeting via Microsoft Teams. The Microsoft Teams meeting will allow for a two-way video/ audio communication with the Houston Planning Commission. For instruction on how to join the meeting, interested persons are advised to check our website 72 hours prior to the Planning Commission meeting: www.houstonplanning.com or Call: 832-393-6624. You may submit comments to: speakerscomments.pcc@houston.tx.gov. Contact the applicant at Mahom @ New Era Development (713) 470-3280. Or the City of Houston Planning Department at (832) 393-6600 for any additional information

NOTICE OF SALE
FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 169
(A political subdivision of the State of Texas located within Fort Bend County)
\$5,300,000
Unlimited Tax Bonds, Series 2024
Not Qualified Tax-Exempt Obligations

The Board of Directors of Fort Bend County Municipal Utility District No. 169 (the "District") will publicly receive sealed bids on up to \$5,300,000 Unlimited Tax Bonds, Series 2024 (the "Bonds") on Monday, February 5, 2024, at 9:30 A.M., Houston Time, at the offices of the District's Financial Advisor, Masterson Advisors LLC, 3 Greenway Plaza, Suite 1100, Houston, Texas 77046. At a Board of Directors meeting on Monday, February 5, 2024, at 10:30 A.M., Houston Time, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, the Board will immediately take action to reject any and all bids or accept the bid resulting in the lowest net interest cost to the District.
A bid for the Bonds may be delivered to the District electronically, by telephone or delivered directly to the District in a sealed envelope addressed to the "President and Board of Directors, Fort Bend County Municipal Utility District No. 169" at the above address of Masterson Advisors LLC. All bidders must submit a signed "Official Bid Form" and a bank cashier's check in the amount of \$106,000 payable to the order of "Fort Bend County Municipal Utility District No. 169" as a Good Faith Deposit. Additional terms and conditions related to the submission of a bid for the Bonds are included in the "Official Notice of Sale."
The Bonds will mature serially on May 1, 2026 through 2049, and will be dated March 1, 2024. The "Official Notice of Sale," "Preliminary Official Statement," and "Official Bid Form" may be obtained from the District's Financial Advisor, Masterson Advisors LLC, 3 Greenway Plaza, Suite 1100, Houston, Texas 77046. This notice does not constitute an offer to sell the Bonds but is merely notice of sale of the Bonds as required by Texas law. The offer to sell the Bonds will be made by means of the "Official Notice of Sale," "Preliminary Official Statement," and "Official Bid Form."

Mr. Arden J. Morley
President, Board of Directors
Fort Bend County Municipal Utility District No. 169
Fort Bend County, Texas

The Houston Food Bank is securing bids for "Stand Up Reach Lifts" Bids will be received until 5:00 PM on Thursday, January 8, 2024 and opened at 10:00AM on Friday, January 9, 2024 via Zoom. Invitation for Bid can be found at www.houstonfoodbank.org.

YES Prep Public Schools, open-enrollment charter schools, will be accepting proposals for **NCE Parking Lot Addition (RFP#YESP2024-11)** and **Multi-Campus Architectural Canopy Installation (RFP#YESP2024-12)**. Responses must be received by 10:00 am on February 15th, 2024, through YES Prep's ebid system, and will be opened at that date and time at 5455 South Loop E. Fwy Houston, Texas 77033. YES Prep reserves the right to reject any or all proposals or waive any or all irregularities. For further information, please contact Mehmet Bayar, Director of Procurement at mehmet.bayar@yesprep.org. Proposers may log in to view the bid package and submit their responses at <http://www.yesprep.org/rfps>

VIEW LEGAL NOTICES AT
HoustonChronicle.com/Legals

Public Notice
January 25, 2024

Treasury American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF)
Request for Proposals (RFP) for Community Facilities and Infrastructure Investments Capacity Building & Operating Expenses

Harris County Community Services Department (HCCSD) has released the Community Facilities and Infrastructure Investments Capacity Building & Operating Expenses RFPs - on its webpage (<https://csd.harriscountytexas.gov/Pages/FundingOpportunities.aspx>). The applications are available to all interested and eligible applicants, including non-profit organizations and governmental entities. These funds were provided by the U.S. Department of Treasury.

Estimated Total Funding Available is - \$19,900,000.

Applications should be submitted by **February 23, 2024, 2:00 PM CST to CSD BOX Platform** (<https://hccsd.app.box.com/f/86d23b21c6954517ba1580ef9fc34956>)
For alternative delivery methods contact CSD at rfp@csd.hctx.net at least 3 business days before the due date. Late applications will not be accepted.

Eligible projects are describe in detail on the CSD website (<https://csd.harriscountytexas.gov/Pages/FundingOpportunities.aspx>). Eligible projects include: renovation or construction of new physical infrastructure; acquisition of pre-existing facilities; and increase operational capacity for an existing program, that addresses barriers to the improvement or stabilization of the lives of county residents' such as food insecurity, housing insecurity and homelessness, domestic violence or sexual abuse, mental health, and behavioral health supports.

For more information on eligibility, application evaluation and selection criteria, and standards please visit the Funding Opportunities page link (<https://csd.harriscountytexas.gov/Pages/FundingOpportunities.aspx>). Applicants can also contact by email HCCSD Development staff for technical assistance. Deadlines to submit questions is February 19, 2024, by 5:00 PM CST. Q/A will be posted on HCCSD's website for the public. To request special accommodations, please contact the HCCSD Development staff at rfp@csd.hctx.net for assistance 3 business days before the application deadline.

An Applicant Conference will be held virtually on February 1, 2024. You may find the link to the meeting at <https://csd.harriscountytexas.gov/Pages/FundingOpportunities.aspx>. Harris County will provide for reasonable accommodations for persons attending Harris County functions. Requests from persons needing special accommodations should be received by Harris County staff 48-hours prior to the function. The Applicant Conference will be conducted in English and requests for language interpreters or other special communication needs should be made at least 72 hours prior to a function. Please email rfp@csd.hctx.net for assistance or additional information about this posting.

COMPETITIVE SEALED PROPOSALS WILL BE RECEIVED BY PROCUREMENT SERVICES, PORT HOUSTON, UNTIL 11:00 A.M., ON FEBRUARY 7, 2024, FOR THE FOLLOWING:

(CSP-3065) INSTALLATION OF AUTOMATIC TRANSFER SWITCH AT BARBOURS CUT AND BAYTPORT CONTAINER TERMINAL

NO PRE-PROPOSAL CONFERENCE WILL BE HELD FOR THIS PROCUREMENT.

RESPONDENTS MUST SUBMIT RESPONSES ELECTRONICALLY VIA EMAIL TO: PROCUREMENTPROPOSALS@PORTHOUSTON.COM.

NOTE: PLEASE INCLUDE THE SOLICITATION NUMBER AND THE PROJECT TITLE IN THE SUBJECT LINE.

SPECIFICATIONS MAY BE OBTAINED FROM PORT HOUSTON'S ePROCUREMENT WEBSITE: <https://buyspeed.porthouston.com>.

HoustonChronicle.com/Obits

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CAUSE NUMBER: 2023-31305

IN THE 125TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS

Plaintiff: PENNYMAC LOAN SERVICES LLC (its successors in interest or assigns)

vs.

Defendant: MELISSA ZELAYA, CHRISTIAN ZELAYA LAURA INOCENCIA NUILA ZELAYA AND THE UNKNOWN HEIRS-AT-LAW OF CARLOS A ZELAYA DECEASED

CITATION BY PUBLICATION

THE STATE OF TEXAS COUNTY OF Harris

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file written answer with the clerk who issued this citation by 10:00am on Monday next following the expiration of forty-two days after the date of issuance of this citation and petition, a default judgment may be taken against you." In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."

YOU ARE HEREBY COMMANDED to be and appear before the 125th Judicial District Court of Harris County, Texas in the Courthouse in the city of Houston, Texas at or before 10:00 o'clock A.M. Monday the 5th day of February 2024, being the Monday next after the expiration date of forty-two days after this citation is issued, and you are hereby commanded and required then and there to appear and file written answer to the **PLAINTIFF'S ORIGINAL PETITION**, filed in said Court on the 19th day of MAY 2023, in suit numbered 2023-31305, on docket of said court, wherein, **PENNYMAC LOAN SERVICES LLC is Plaintiff and MELISSA ZELAYA, CHRISTIAN ZELAYA LAURA INOCENCIA NUILA ZELAYA and the UNKNOWN HEIRS-AT-LAW OF CARLOS A ZELAYA DECEASED** are the Defendant(s), the nature of plaintiff's demand and the said petition alleging:

PLAINTIFF PENNYMAC LOAN SERVICES, LLC ITS SUCCESSORS AND ASSIGNS, BY AND THROUGH ITS ATTORNEY OF RECORD, THUY FRAZIER OF MCCARTHY & HOLTHUS LLP 1255 WEST 15TH STREET SUITE 1060, PLANO, TEXAS 75075, BROUGHT SUIT IN REM ONLY AGAINST MELISSA ZELAYA, CHRISTIAN ZELAYA LAURA INOCENCIA NUILA ZELAYA AND THE UNKNOWN HEIRS-AT-LAW OF CARLOS OF ZELAYA DECEASED, AND ANY OTHER PERSON(S) CLAIMING ANY RIGHT, TITLE, OR INTEREST THROUGH CARLOS A ZELAYA, AS HEIRS-AT-LAW TO 4939 EDGEGATE DR., SPRING, TEXAS 77373 AND LEGALLY DESCRIBED TO WIT: LOT THREE (3) IN BLOCK ELEVEN (11) OF BIRNAM WOOD SECTION FIVE (5), A SUBDIVISION IN HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OF PLAT THEREOF, RECORDED IN VOLUME 304, PAGE 110 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS

Notice hereof shall be given by publishing this Citation four consecutive weeks previous to the 5TH day of FEBRUARY, 2024 in some newspaper published in the County of HARRIS, if there be a newspaper published therein, but if not, then the nearest county where a newspaper is published, and this Citation shall be returned on 29th day of JANUARY, 2024 which is forty two days after the date it is issued, and the first publication shall be at least twenty-eight days before said return day.

HEREIN FAIL NOT, but have before said court said return day this Writ with your return thereon, showing how you have executed same.

WITNESS: MARILYN BURGESS, District Clerk, Harris County, Texas

GIVEN UNDER MY HAND AND SEAL OF SAID COURT at Houston, Texas this 18TH day DECEMBER, 2023.

(SEAL)

MARILYN BURGESS
District Clerk
Harris County, Texas
201 CAROLINE
Houston, Texas 77002
PO Box 4651
Houston, Texas 77210

By: /s/ Bernitta Barrett
BERNITTA BARRETT Deputy District Clerk

Newspaper:
HOUSTON CHRONICLE

Issued at the request of:
THUY FRAZIER
Address: 1255 West 15th Street, Suite 1060
Plano, TX 75075
Bar Number: 24088129
Tel. Number: (214) 291-3809

HoustonChronicle.com/Obits

HoustonChronicle.com

Jail site

Continued from Page 1A

accommodate a design that architects and the jail’s staff prefer – would not be a workable location.

Jail operator Oklahoma County Criminal Justice Authority and designers REES and HOK would prefer a location large enough to allow for a single-story jail to be built.

Two options were before commissioners Wednesday – one brought forward by Brian Maughan proposing to remove Stockyards City land from consideration as a jail site, and one brought forward by Myles Davidson proposing to pursue negotiations to buy the Grand Boulevard land.

After an executive session lasting about two hours, the commissioners voted to recess their meeting until later the same day, choosing to send Davidson to meet with Oklahoma City officials with questions about what locations the city might be willing to appropriately zone for a new jail – if any.

Could the new jail be located downtown? Yes.

Curt Pardee, a principal with HOK, discussed challenges associated with building a new jail downtown with bond oversight board members Tuesday. Farooq Karim, the director of design with REES, gave commissioners the same information when they met Wednesday.

They said only about 10 acres immediately to the north of the jail’s existing 8-acre site is immediately available to be purchased. Oklahoma County also would need to acquire land between the jail and Classen Boulevard to make room for future growth.

They said a jail with 1,800 beds built north of the existing building downtown would:

- Take longer to build because of a lack of laydown space for construction materials, because of risks tearing the old building down would pose to the new building and because of time and costs it might take to acquire the needed land. “The existing site already is completely used. It would just make it more difficult to work around,” Pardee said.

- Be at least four stories in height with two tiers on each level and require multiple elevators, something Oklahoma County would prefer to avoid. “Elevators have been a big concern for the county,” Pardee said.

- Need a deep foundation because of poor soil, adding more expense to the project. “If this is a \$300 million project, it could add \$30 million in costs and likely more. It is something to consider,” Pardee said.

- Restrict opportunities to use natural lighting. “It is important as we are talking about how to best treat those who are receiving behavioral health care that they receive the most natural light as possible,” he said.

- Require the closing of a portion of Robert S. Kerr Avenue. “It would take some time to do that,” Pardee said.

- Lack needed room to muster inmates if the main building had to be evacuated for some reason.

- Make it more difficult to keep a behavioral health center for both detainees and other, non-arrested patients proposed as part of the new project (and being paid for by federal American Rescue Plan Act dollars) physically outside of the secure building. “You don’t want a behavioral health center inside of the jail,” Pardee said.

- Jeopardize the use of the federal funds, which must be allocated by the end of 2024 for a project that must be opened by the end of 2026. “We have to move forward so we can meet those deadlines,” Pardee said.

“Those are issues with the existing site and why we feel like it makes a lot of sense for the county to look elsewhere,” said Pardee.

Pardee and Karim also showed the board and commissioners potential design layouts HOK could pursue on a large, relatively flat piece of property that would allow for separate public entrances for the behavioral health center and jail, plus showed them renderings of what Oklahoma County’s new jail could look like from the outside.

“It is important to understand jails today are different than they were 30 or 40 years ago,” Pardee said.

Community activist Jess Eddy, a proponent of building the new jail downtown, called the presentation a “hatchet job” designed to deter commissioners from following their best option, given a new jail there would remain close to the courthouse, a large police presence and numerous social service groups that work with detainees after they are released from the building.

“The downtown location was not supported with the advantages. The last time I spoke with Bob Ravitz, he said downtown is the only way to go,” Eddy said.

“It is important to understand jails today are different than they were 30 or 40 years ago.”

Curt Pardee
A principal with architecture firm HOK

Commissioners’ meeting prompts renewed concerns from Del City

After holding a community forum at its city hall on Tuesday, various elected and appointed leaders representing Del City addressed commissioners Wednesday to voice their continued opposition to having a jail built just outside of their community.

Previously, the community has presented various reasons why Del City opposes placing a new jail at 1901 E Grand Boulevard.

Lloyd A. Berger, Del City’s police chief, issued a release Tuesday stating he believed a jail there would “decimate the economic development of this city, facilitate a sharp increase of the homeless population in the vicinity, and put a strain on city resources that would be financially unsustainable for a city of our size.

“As the police department, our primary goal is to ensure the safety of our citizens who reside here. Let’s be clear, this proposed location would cause a potentially unprecedented threat on the public safety of our residents,” Berger said.

On Wednesday, various Del City council members, members of the Midwest City-Del City board of education, that school district’s superintendent and numerous area residents addressed commissioners to share the same concerns.

Kyle Gandy said a jail on Grand Boulevard would be about 1,500 feet from where his 98-year-old grandmother lives.

“Every time I have a conversation with her she is crying, wondering what this is going to do to her community,” Gandy said. “This is something that would destroy our community.”

Del City Councilwoman Claudia Browne told those who attended the forum she felt like the commissioners were pitting one part of Oklahoma County against another if it moved forward to approve both items before commissioners Wednesday.

“Is it because we are poor, or you don’t like us? Because we are all brown? I don’t want to fight the Stockyards, but it seems to me cattle are more important than us,” she told them.

Oklahoma State Rep. Andy Fugate, D-Oklahoma City, told commissioners Oklahoma City has neglected areas in its community outside of Del City’s city limits for decades.

“Our signature improvement from Oklahoma City is what we call trash mountain, at SE 59 and Bryant. While other parts of Oklahoma City have flourished, we have been abandoned,” Fugate said. “Today, we are here once again, like it’s Groundhog Day.”

Fugate said Oklahoma City’s closest police station is miles away from the Grand Boulevard site, compared to one being right next door to the current jail site, and said that while there are schools close to the current jail, that’s not the same.

“Those kids don’t walk to school. Ours do,” Fugate said.

Price, Fugate told commissioners, should not be the driving factor behind the county’s decision.

“Preying on a tiny community is simply wrong. It’s always wrong,” Fugate said.

Why is time important in building a new county jail?

Stacey Trumbo, Oklahoma County’s engineer, told board members construction costs in Oklahoma climbed 23% in 2023, according to an engineering periodical that tracks that data.

Jeff Bradley, global director of HOK’s Justice practice, agreed, telling board members: “It’s millions of dollars every month” while the hunt for a jail location by Oklahoma County continues.

The Citizens Oversight Bond Advisory Board, with Pat McCoy absent, unanimously supported member Sandino Thompson’s motion to urge Oklahoma County’s Board of County Commissioners to decide where to build the new jail soon.

“It’s not like we can tell them what to do, but if it is helpful that we line out we do concur with what we have been told about some of the challenges the current timeline poses,” he said.

Thompson said that without selecting a site, pricing and schedule won’t be firmed up, so making a decision soon could help control costs.

“We have given our recommendations for locations, and they have a challenging decision to make there,” he said. “We need to give them affirmation that we are at the point where we need to try to control costs and not lose access to the ARPA funds.”

Lucas get the all-clear after collision with bull

Murray Evans
The Oklahoman
USA TODAY NETWORK



Oklahoma U.S. Rep. Frank Lucas discusses his recovery Wednesday in his office near Yukon.
DOUG HOKE/THE OKLAHOMAN

Nearly six months after being run over by a bull on his western Oklahoma ranch, U.S. Rep. Frank Lucas was released Wednesday from a doctor’s care for the injuries he suffered in the incident.

During a mid-morning interview with The Oklahoman in his southwest Oklahoma City office, Lucas said he was headed to see his surgeon and that during the appointment, he hoped to receive the all-clear. That’s exactly what happened, one of his aides confirmed.

Lucas, 64, said he’ll likely always have screws in his body to anchor the damaged bones and will develop some arthritis as a result of his injuries. But he said he’s grateful to be able to fully resume his duties – both in Congress and in Cheyenne, where he and his wife, Lynda, operate a ranch and farm.

“There’s nothing like a six- or seven-inch screw in one direction and a four in the other to kind of pull things back together,” he said. “I still know that my career as a bullfighter lasted three seconds. When I get out of that plane seat, either going to D.C. or coming back from D.C., I feel it, because sitting static for three hours kind of tightens me up a little bit. But I get loosened up.”

Lucas, a Republican who’s the dean of Oklahoma’s seven-person congressional delegation, has continued ranching since taking office in 1994 – he believes he’s the only active farmer in Congress – and has been injured at least three times. In 1996, a cow kicked a gate into his face and broke Lucas’ nose. Lucas and a heifer butted heads in 2003, costing Lucas a tooth and resulting in emergency root canal surgery.

On Aug. 4, Lucas planned to take a stray bull to a nearby sale and give the proceeds to Roger Mills County, where his ranch is located. But as Lucas tried to load the bull, the animal escaped the trailer before Lucas could close a gate. In a chute only three feet wide, Lucas had nowhere to escape to avoid the charging bull, which hit him head on.

The impact spun Lucas around, and

the bull’s hindquarters then drove Lucas’ right femur into the ball socket and broke his pelvis in several places. Lucas is grateful his femur didn’t also break.

His wife took Lucas to an emergency room and he was flown to OU Health University of Oklahoma Medical Center in Oklahoma City, where doctors inserted “extremely long screws” at different angles. For the next seven weeks, Lucas was unable to put any weight on his right side.

“I’m really quite fortunate, because farming is a physically dangerous business,” Lucas said. “If my 1,000-pound stray bull had been an inch one way or the other, or put his head down, the special election would already be over by now.”

On a serious note, Lucas said he’s “thankful that there are such things as air- evac ambulances. I was happy that my friends at OU have a wonderful trauma hospital. I am very fortunate.”

By late September, Lucas was back at work in Congress, albeit gingerly. He’s gradually worked his way into a more normal routine since then, although there still are occasional issues. He said Wednesday he has remember to walk in a straight line.

“I’ll just wind up with the classic arthritis that everybody has, where those cracks repaired themselves,” he said. “I’ve got to keep moving. Advil and Tylenol will be my friend for many years to come. If that’s the biggest challenge I face, I’m right there along with the rest of my constituents.”

LEGAL NOTICE

If You Are or Were a Royalty Owner Paid by Diamondback E&P LLC, Diamondback Energy, Inc., and/or Energen Resources Corporation from a Texas Oil-and-Gas Well, You Could Be Part of a Proposed Class Action Settlement.

The Settlement Class includes:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each’s respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011, to July 31, 2023, under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free use clause, or both, and in which Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each’s respective affiliates are lessees or successors-in-interest under such agreements (collectively, the “Diamondback Entities”).

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) the Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by the Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

Claim Period means checks or payments from April 1, 2011, to and including July 31, 2023, subject to the terms of the Settlement Agreement regarding Released Claims.

The Litigation seeks damages for alleged payment, underpayment, or nonpayment of royalties on the volumes of natural gas, natural gas liquids, and associated hydrocarbons produced during the Claim Period. The Diamondback Entities expressly deny all allegations of wrongdoing or liability with respect to the claims and allegations in the Litigation. The Court did not decide which side is right.

On January 2, 2024, the Court preliminarily approved a Settlement in which the Diamondback Entities have agreed to pay Eleven Million Nine Hundred Seventy-Five Thousand, Five Hundred and Eighty Dollars (\$11,975,580.00) in cash (the “Gross Settlement Amount”). From the Gross Settlement Amount, the Court may deduct Plaintiff’s Attorneys’ Fees and Litigation Expenses, an Incentive Award, and Administration, Notice, and Distribution Costs, all terms as defined in the Settlement Agreement. The remainder (the “Net Settlement Amount”) will be distributed to participating Class Members as provided in the Settlement Agreement. Complete information on the benefits of the Settlement, including information on distribution of benefits, can be found in the Settlement Agreement posted on the website listed below. In exchange, Settlement Class Members will release the Diamondback Entities and others identified in the Settlement Agreement as Released Parties from the claims described in the Settlement Agreement as Released Claims.

The attorneys and law firm who represent the Class as Plaintiff’s Counsel are Rex A. Sharp and Scott B. Goodger of Sharp Law, LLP. You may hire your own attorney, if you wish. However, you will be responsible for that attorney’s fees and expenses.

What Are My Legal Rights?

- **Do Nothing, Stay in the Class, and Receive Benefits of the Settlement:** If the Court approves the proposed Settlement, you or your successors, if eligible, will receive the benefits of the proposed Settlement.

- **Stay in the Settlement Class, but Object to All or Part of the Settlement:** You can file and serve a written objection to the Settlement and appear before the Court. Your written objection must contain the information described in Section 10 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your objection must be filed with the Court and served on Plaintiff’s Counsel and Diamondback’s Counsel **no later than March 6, 2024, at 5 p.m. CT.**

- **Exclude Yourself from the Settlement Class:** To exclude yourself from the Settlement Class, you must submit a written request to be excluded. Your Request for Exclusion must contain the information described in Section 8 of the Settlement Agreement and in the Notice of Settlement, both of which can be found at the website listed below. Your Request for Exclusion must be received **no later than March 6, 2024, at 5 p.m. CT.** You cannot exclude yourself on the website, by telephone, or by email.

The Court will hold a Final Fairness Hearing on March 27, 2024, at 3:00 p.m. CT in Courtroom 301 at the United States District Court for the Western District of Oklahoma. At the Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also consider the application for Plaintiff’s Attorneys’ Fees and Litigation Expenses and other costs, including an Incentive Award. If comments or objections have been submitted in the manner required, the Court will consider them as well. Please note that the date of the Final Fairness Hearing is subject to change without further notice. If you plan to attend the Hearing, you should check with the Court and the website www.cook-diamondback.com to confirm no changes to the date and/or time of the Hearing have been made.

This notice provides only a summary. For more detailed information regarding the rights and obligations of Class Members, read the Notice of Settlement, Settlement Agreement and other documents posted on the website or contact the Settlement Administrator.

Visit: www.cook-diamondback.com

Call Toll-Free: 1-877-595-0197

Or write to: *Cook v. Diamondback Settlement*

c/o JND Legal Administration,

Settlement Administrator

P.O. Box 91231

Seattle, WA 98111

Email: info@cook-diamondback.com

Exhibit C

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

COOK CHILDREN'S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

vs.

DIAMONDBACK E&P LLC,

Defendant.

Case No. CIV-21-359-D

**NOTICE OF PROPOSED SETTLEMENT,
MOTION FOR ATTORNEYS' FEES AND COSTS,
INCENTIVE AWARD, AND FAIRNESS HEARING**

A court authorized this Notice. This is not a solicitation from a lawyer.

***If you belong to the Settlement Class and this Settlement is approved,
your legal rights will be affected.***

Read this Notice carefully to see what your rights are in connection with this Settlement.

Because you may be a member of the Settlement Class in the Litigation captioned above and described below (the "Litigation"), the Court has directed this Notice to be provided for you. The records of Diamondback E&P, LLC, Diamondback Energy, Inc., and/or Energen Resources Corporation and/or each's respective affiliates, lessees, or successors-in-interest under oil and gas leases, and their respective predecessors, successors, assigns, and their past, present and future officers, directors, affiliates, employees, agents, servants, and representatives, excluding, however, QEP Resources, Inc. (collectively, the "Diamondback Entities") show you are a royalty owner in Texas well(s) for which the Diamondback Entities remitted oil-and-gas royalties. Capitalized terms not otherwise defined in this Notice shall have the meanings attributed to those terms in the Settlement Agreement referred to below and available for free at www.cook-diamondback.com.¹

¹ This Notice is a summary of the terms of the Settlement Agreement in this matter. Please refer to the Settlement Agreement for a complete description of the terms and

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

This Notice generally explains the claims being asserted in the Litigation, summarizes the Settlement, and tells you about your rights to remain a Class Member or to timely and properly submit a Request for Exclusion (also known as an “opt out”) so that you will be excluded from the Settlement. This Notice provides information so you can decide what action you want to take with respect to the Settlement before the Court is asked to finally approve it. If the Court approves the Settlement and after the final resolution of any objections or appeals, the Court-appointed Settlement Administrator will issue payments to Settlement Class Members, without any further action from you. This Notice describes the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Settlement Class in the Litigation consists of the following individuals and entities:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each’s respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011, to July 31, 2023, under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free use clause, or both, and in which Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each’s respective affiliates are lessees or successors-in-interest under such agreements (collectively, the “Diamondback Entities”).

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) the Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by the Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

provisions thereof. The terms, conditions, and definitions in the Settlement Agreement qualify this Notice in its entirety.

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

Claim Period means checks or payments from April 1, 2011, to and including July 31, 2023, subject to the terms of the Settlement Agreement regarding Released Claims. If you are unsure whether you are included in the Settlement Class, you may contact the Settlement Administrator at:

Cook v. Diamondback Settlement
c/o JND Legal Administration, Settlement Administrator
P.O. Box 91231
Seattle, WA 98111
Call Toll-Free: 1-877-595-0197
Email: info@cook-diamondback.com

TO OBTAIN THE BENEFITS OF THIS PROPOSED SETTLEMENT, YOU DO NOT HAVE TO DO ANYTHING.

I. General Information About the Litigation

The Litigation seeks damages for the Diamondback Entities' alleged payment, underpayment, or nonpayment of royalties paid to Plaintiff and the Settlement Class or its predecessors on the volumes of natural gas, natural gas liquids, and associated hydrocarbons produced during the Claim Period. The Diamondback Entities expressly deny all allegations of wrongdoing or liability with respect to the claims and allegations in the Litigation. The Court has made no determination with respect to the merits of any of the parties' claims or defenses. A more complete description of the Litigation, its status, and the rulings made in the Litigation are available in the pleadings and other papers maintained by the United States District Court for the Western District of Oklahoma in the file for the Litigation.

II. The Settlement, Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, an Incentive Award, and the Settlement Allocation and Distribution to the Settlement Class

On January 2, 2024, the Court preliminarily approved a Settlement in the Litigation between Plaintiff, on behalf of itself and the Settlement Class, and the Diamondback Entities. This approval and this Notice are not an expression of opinion by the Court as to the merits of any of the claims or defenses asserted by any of the parties to the Litigation, or of whether the Court will ultimately approve the Settlement Agreement.

In settlement of the Litigation, the Diamondback Entities have agreed to pay Eleven Million Nine Hundred Seventy-Five Thousand, Five Hundred and Eighty Dollars (\$11,975,580.00) in cash ("Gross Settlement Amount"). In exchange for the payment of the Gross Settlement Amount and other considerations stated in the Settlement Agreement, the Settlement Class shall release the Released Claims against the Released Parties. The

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

Gross Settlement Amount, less Plaintiff's Attorneys' Fees and Litigation Expenses and Administration, Notice, and Distribution Costs, and other costs approved by the Court, including an Incentive Award to the named Plaintiff (the "Net Settlement Amount"), will be distributed to Settlement Class Members pursuant to the terms of the Settlement Agreement.

Class Counsel intends to seek an award of Attorneys' Fees of not more than 40% of the Gross Settlement Amount. Class Counsel have been litigating this case since 2021 without any payment whatsoever, advancing significant funds in expenses. At the Final Fairness Hearing, Class Counsel will also seek reimbursement of the litigation and administration expenses incurred in connection with the prosecution of this Litigation and that will be incurred through final distribution of the Settlement, which is estimated to be approximately \$250,000. In addition, Plaintiff intends to seek an Incentive Award for its representation of the Class, specifically Plaintiff's time, expense, risk and burden in serving as Class Representative, which amount will not exceed 1% of the Gross Settlement Amount.

The Court must approve the Allocation Methodology, which describes how the Net Settlement Fund will be allocated to Settlement Class Members. The Settlement Administrator will distribute the benefits of the Net Settlement Fund after the Effective Date of the Settlement. The Effective Date requires the exhaustion of any appeals, which may take a year or more after the entry of Judgment. The Settlement may be terminated on several grounds, including if the Court does not approve, or materially modifies, the terms of the Settlement. If the Settlement is terminated, the Litigation will proceed as if the Settlement had not been reached.

This Notice does not and cannot set out all the terms of the Settlement Agreement, which is available for review at www.cook-diamondback.com. This website will eventually include this Notice, the proposed Allocation Methodology, and Class Counsel's application for Attorneys' Fees and Litigation Expenses, Administration, Notice, and Distribution Costs, and any other costs awarded by the Court. You may also receive information about the progress of the Settlement by visiting the website, or by contacting the Settlement Administrator at the address set forth above.

III. Class Settlement Fairness Hearing

The Final Fairness Hearing will be held on March 27, 2024, beginning at 3 p.m., before the Honorable Timothy D. DeGiusti, U.S. District Judge for the Western District of Oklahoma, 200 NW 4th Street, Oklahoma City, OK 73102, Courtroom 301. Please note that the date of the Fairness Hearing is subject to change without further notice. You should check the website at www.cook-diamondback.com to confirm no change to the date and time of the hearing. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement is fair, reasonable, and adequate; (b) any timely and properly raised objections

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

to the Settlement; (c) the Allocation Methodology; (d) the application for Attorneys' Fees and Litigation Expenses and Administration, Notice, and Distribution Costs; and (e) the application for an Incentive Award for the Class Representative.

A CLASS MEMBER WHO WISHES TO PARTICIPATE IN THE SETTLEMENT AND DOES NOT SUBMIT A VALID REQUEST FOR EXCLUSION DOES NOT NEED TO APPEAR AT THE FINAL FAIRNESS HEARING OR TAKE ANY OTHER ACTION TO PARTICIPATE IN THE SETTLEMENT.

IV. What Are Your Options as a Class Member?

A. You Can Participate in the Settlement by Doing Nothing

By taking no action, your interests will be represented by Plaintiff as the Class Representative and Class Counsel. As a Settlement Class Member, you will be bound by the outcome of the Settlement, if finally approved by the Court. The Class Representative and Class Counsel believe that the Settlement is in the best interest of the Class, and, therefore, they intend to support the proposed Settlement at the Final Fairness Hearing. As a Settlement Class Member, if you are entitled to a distribution pursuant to the Allocation Methodology and Final Distribution Schedule, you will receive your portion of the Net Settlement Amount, and you will be bound by the Settlement Agreement and all orders and judgments entered by the Court regarding the Settlement. If the Settlement is approved, unless you exclude yourself from the Settlement Class, neither you nor any other Releasing Party will be able to start a lawsuit or arbitration, continue a lawsuit or arbitration, or be part of any other lawsuit against any of the Released Parties based on any of the Released Claims.

B. You May Submit a Request for Exclusion to Opt Out of the Settlement Class

If you do not wish to be a member of the Settlement Class, then you must exclude yourself from the Settlement Class by complying with the requirements set forth in Section 8 of the Settlement Agreement and summarized here. All Requests for Exclusion must include: (a) the Class Member's name, address, telephone number, and notarized signature; (b) a statement that the Class Member wishes to be excluded from the Settlement Class in *Cook Children's Health Foundation a/k/a W.I. Cook Foundation, Inc., et al. v. Diamondback E&P LLC*; and (c) a description of the Class Member's interest in any wells for which the Diamondback Entities remitted oil-and-gas proceeds, including the well name, well number, county in which the well is located, and the owner identification number. Requests for Exclusion may not be submitted through the website or by telephone, facsimile or e-mail. Requests for Exclusion must be served on Class Counsel and the Settlement Administrator by certified mail, return receipt requested and received **no later than 5 p.m. CT on March 6, 2024**. Requests for Exclusion may be mailed as follows:

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

Settlement Administrator	Class Counsel
Cook v. Diamondback Settlement c/o JND Legal Administration, Settlement Administrator P.O. Box 91231 Seattle, WA 98111	Rex A. Sharp Scott B. Goodger Sharp Law, LLP 4820 W. 75th Street Prairie Village, KS 66208

If you do not follow these procedures—including mailing the Request for Exclusion so that it is received by the deadline set out above—you will not be excluded from the Settlement Class, and you will be bound by all of the orders and judgments entered by the Court regarding the Settlement, including the release of claims. If you validly request exclusion as described above, you will not receive any distribution from the Net Settlement Fund, you cannot object to the Settlement, and you will not have released any claim against the Released Parties. You will not be legally bound by anything that happens in the Litigation.

C. You May Remain a Member of the Settlement Class, but Object to the Settlement, Allocation Methodology, Distribution Schedule, Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, or Incentive Award

Any Class Member who wishes to object to the fairness, reasonableness, or adequacy of the Settlement, any term of the Settlement Agreement, the Allocation Methodology, the Distribution Schedule, the request for Plaintiff's Attorneys' Fees and Litigation Expenses and Administration, Notice, and Distribution Costs, or the request for an Incentive Award to the Class Representative may file an objection as set forth in Section 10 of the Settlement Agreement. An objector must file with the Court and serve upon Class Counsel and Diamondback's Counsel by certified mail, return receipt requested a written objection containing the following: (a) a heading referring to *Cook Children's Health Foundation, a/k/a W.I. Cook Foundation, Inc., et al. v. Diamondback E & P LLC*, Case No. 5:21-cv-00359-D, United States District Court for the Western District of Oklahoma; (b) a statement as to whether the objector intends to appear at the Final Fairness Hearing, either in person or through counsel, and, if through counsel, counsel must be identified by name, address, and telephone number; (c) a detailed statement of the specific legal and factual basis for each and every objection; (d) a list of any witnesses the objector may call at the Final Fairness Hearing, together with a brief summary of each witness's expected testimony (to the extent the objector desires to offer expert testimony and/or an expert report, any such evidence must fully comply with the Federal Rules of Civil Procedure, Federal Rules of Evidence, and the Local Rules of the Court); (e) a list of, and copies of, any exhibits the objector may seek to use at the Final Fairness Hearing; (f) a list of any legal authority the objector may present at the Final Fairness Hearing; (g) the objector's name, current address, current telephone number, and all owner identification numbers with the Diamondback

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

Entities; (h) the objector’s signature executed before a Notary Public; (i) identification of the objector’s interest in wells for which the Diamondback Entities have remitted oil and gas proceeds (by well name, well number, payee name, payee number, and county in which the well is located) during the Claim Period and identification of any payments by date of payment, date of production, and amount; and (j) if the objector is objecting to any portion of the Plaintiff’s Attorneys’ Fees or Litigation Expenses and Administration, Notice, and Distribution Costs, or an Incentive Award sought by Class Representative or Class Counsel on the basis that the amounts requested are unreasonably high, the objector must specifically state the portion of such requests he/she/it believes is fair and reasonable and the portion that is not. Such written objections must be filed with the Court at the address below:

Clerk of the Court
 United States District Court for the Western District of Oklahoma
 200 NW 4th Street
 Oklahoma City, OK 73102

The same written objection must be served on Class Counsel and Diamondback’s Counsel, via certified mail return receipt requested, and received **no later than 5 p.m. CT by March 6, 2024**, at the addresses set forth above for Class Counsel and the Court and below for Diamondback’s Counsel.

Diamondback’s Counsel	
John J. Griffin, Jr. Crowe & Dunlevy 324 N. Robinson Ave. Suite 100 Oklahoma City, OK 73102	John F. Shepherd Christopher A. Chrisman Michelle R. Seares Holland & Hart LLP P.O. Box 8749 555 17th Street, Suite 3200 Denver, CO 80201-8749

UNLESS OTHERWISE ORDERED BY THE COURT, ANY CLASS MEMBER WHO DOES NOT OBJECT IN THE MANNER DESCRIBED HEREIN WILL BE DEEMED TO HAVE WAIVED ANY OBJECTION AND SHALL BE FOREVER FORECLOSED FROM MAKING ANY OBJECTION TO THE SETTLEMENT (OR ANY PART THEREOF) AND WILL NOT BE ALLOWED TO PRESENT ANY OBJECTIONS AT THE FINAL FAIRNESS HEARING.

Questions? Visit www.cook-diamondback.com or call toll-free at 1-877-595-0197

D. You May Retain Your Own Attorney to Represent You at the Final Fairness Hearing

You have the right to retain your own attorney to represent you at the Final Fairness Hearing. If you retain separate counsel, you will be responsible to pay his or her fees and expenses out of your own pocket.

V. Availability of Filed Papers and More Information

This Notice summarizes the Settlement Agreement. You may obtain a free copy of the Settlement Agreement with its exhibits, as well as other relevant documents, from the settlement website at www.cook-diamondback.com, or you may request copies by contacting the Settlement Administrator. In addition, the pleadings and other papers filed in the Litigation, including the Settlement Agreement, are available for inspection at the Office of the Clerk of the Court, whose address is set forth above, and may be obtained from the Clerk's office directly. The records are also available online for a fee through the PACER service at www.pacer.gov. If you have any questions about this Notice, you may consult an attorney of your own choosing at your own expense or Class Counsel.

PLEASE DO NOT CONTACT THE JUDGE OR THE COURT CLERK ASKING FOR INFORMATION REGARDING THIS NOTICE.

TIMOTHY D. DIGIUSTI
CHIEF UNITED STATES DISTRICT JUDGE

Exhibit D



Cook Children's Health Foundation V. Diamondback E&P LLC
Case No. 5:21-cv-00359-D (W.D. Okla.)
Requests for Exclusion Received

ID	Name	Date Received
D76KHXP84	SRO LAND & MINERALS LP	2/21/2024
DUQXM5DWYL	JUSTIN R CLEMENTS	2/21/2024
DZHJDW94MX	GENE G CLEMENTS EDWARDS	2/21/2024
D3Y7LQNX6U	ED ARMSTRONG RANCHES LP	2/23/2024
DDMJ7KF486	MAGNOLIA, LLC	2/23/2024
DX3P72AQT8	M BRAD BENNETT	2/23/2024
D3PJKAQE82	MES LAND & MINERALS LP	2/26/2024
DAT8ERY5QK	MONROE PROPERTIES INC	2/26/2024

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

COOK CHILDREN'S HEALTH
FOUNDATION a/k/a W.I. COOK
FOUNDATION, INC., on behalf of itself
and a class of similarly situated persons,

Plaintiff,

v.

DIAMONDBACK E&P LLC,

Defendant.

Civil Action No. CIV-21-359-D

DECLARATION OF SCOTT GOODGER

I, Scott B. Goodger, of lawful age, upon personal knowledge, and pursuant to 28 U.S.C. § 1746, declare as follows:

1. Class Counsel has prepared, with the assistance of oil-and-gas accounting experts, a preliminary allocation and distribution of the Net Settlement Amount¹ to Class Members pursuant to the Settlement Agreement.

2. The Settlement Class consists of 5,553 potential members under the following Class definition:

All royalty owners in Texas wells where Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates was the operator (or a working interest owner who marketed its share of gas and directly paid royalties to the royalty owners) from April 1, 2011 to July 31, 2023 under oil and gas leases which expressly contain the off-lease use of gas royalty clause, the on-lease free use clause, or both, and in which

¹ Capitalized terms not otherwise defined shall have the meaning ascribed to them in the Settlement Agreement.

Diamondback E&P LLC, Diamondback Energy, Inc., Energen Resources Corporation, and/or each's respective affiliates are lessees or successors-in-interest under such agreements (collectively, the "Diamondback Entities").

Excluded from the Class are: (1) agencies, departments or instrumentalities of the United States of America, including but not limited to the U.S. Department of the Interior (the United States, Indian tribes, and Indian allottees); (2) agencies, departments or instrumentalities of the State of Texas; (3) Diamondback Entities and their affiliates, officers, and directors; (4) any publicly traded entity (and its affiliates) that produces, gathers, processes, or markets gas; (5) the claims of royalty owners to the extent covered by arbitration clauses or prior settlement agreements, if any, still in effect on the date this lawsuit was filed; and (6) royalty paid by Diamondback Entities only as a pass-through for other non-affiliated entities, except to the extent any claims are asserted against the Diamondback Entities that arise from such royalty paid.

3. Claim Period means checks or payments from the Diamondback Entities from April 1, 2011, through and including July 31, 2023, subject to the terms of the Settlement Agreement regarding Released Claims.

4. The Class Wells are listed on Exhibit 1 to the Settlement Agreement. Doc. 50-1 at 52-84.

5. The Gross Settlement Amount is \$11,975,580.00. The Settlement Agreement calls for distributions to Class Members to be made from the Net Settlement Amount.

6. The information utilized to allocate the Net Settlement Amount and to prepare the Preliminary Distribution Schedule to Class Members, attached hereto as Exhibit 1, was provided by Defendant. As noted in paragraph 9 below, the amounts on Exhibit 1 may change once the final fees and expenses awarded by the Court are known, after all excluded parties and opt outs are known, and any other necessary adjustments

are made. These adjustments will be incorporated into the Final Distribution Schedule which Class Counsel will present to the Court for approval before the Settlement Administrator distributes the final amounts to the Class Members.

7. After the Settlement was reached, Class Counsel prepared Exhibit 1 and allocated the estimated Net Settlement Amount to individual Class Members proportionately based primarily on each Class Member's volumetric share of natural gas production during the production months of April 1, 2011 to July 31, 2023, with due regard for the production date and any statutory interest that has accrued, and prior releases where identified by Defendant. Subject to court approval, section 6.2 of the Settlement Agreement sets forth a *de minimis* threshold for distributions of \$5.00 in order to preserve the overall Net Settlement Amount from the costs of distributing claims that are likely to exceed the value of those claims. Accordingly, subject to Court approval, Class Members who would otherwise receive a distribution of less than \$5.00 will not receive a settlement distribution.

8. Utilizing the information and methodology described above, Class Counsel was able to allocate a calculated proportionate share of the estimated Net Settlement Amount to each Class Member. Subject to Court approval, Class Counsel will exclude the amounts awarded for Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and an Incentive Award, and include any interest earned while the Settlement Fund is in escrow. Those amounts, detailed in Doc. 54, total \$5,111,015.80, which falls into the following categories: (1) \$4,790,232.00 to Class Counsel as Plaintiff's Attorneys' Fees; (2) \$67,880.00 for Litigation Expenses to

date; (3) \$42,472.31 for Administration, Notice, and Distribution Costs to date; (4) a reserve of up to \$90,675.69 for future Litigation Expenses and Administration, Notice, and Distribution Costs; and (5) \$119,755.80 to Class Representative as an Incentive Award.²

9. The Estimated Net Settlement Amount to Class Members is attached hereto as Exhibit 1 and lists the estimated amounts, based on the currently available information, to be distributed to such Class Members. Because Exhibit 1 will be publicly filed and will also be made available on the Settlement website, personal identifying information (such as names and addresses of Class Members) is not included. Instead, Class Members will be listed according to their unique owner numbers and can determine their anticipated estimated distribution from the Preliminary Distribution Schedule by reviewing Exhibit 1 for their owner numbers (found on their check stubs). Class Members below the *de minimis* threshold will not receive a distribution from the Net Settlement Amount. It will be a simple matter to re-run the allocations once the final fees and expenses have been awarded and after all excluded parties and opt outs are known.

10. Exhibit 1 was constructed using a straightforward and logical Allocation Methodology as described in Section 6 of the Settlement Agreement. Similar

² The allocation will be adjusted to accommodate the amount of Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and Incentive Award approved by the Court. The estimated Net Settlement Amount does not yet take into account those persons who have or will opt out of the Settlement. Once the necessary information has been received and reviewed, Exhibit 1, the Preliminary Distribution Schedule, will be adjusted accordingly, prior to the Final Distribution Schedule to be submitted after the Final Fairness Hearing.

Allocation Methodologies have been utilized in previous royalty deduction class action settlements and have been found to be fair, adequate, reasonable, and in the best interest of the Settlement Class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2/28/2024, at Prairie Village, Kansas.



Scott B. Goodger

EXHIBIT 1

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080038264	139.96
1080018860	2,267.13
1080002823	3.51
1080024325	15.32
1080006984	533.23
1080026411	19.74
1080038292	1,368.90
1080004357	1.56
1080003245	927.33
1080003239	8.99
1080004545	7.47
1080016850	1,084.47
1080019112	6.70
1080003890	-
1080003891	8,946.51
1080016597	1,276.12
1080017262	40.12
1080004389	18.30
1080007154	40,982.83
1080003059	44.02
1080024442	0.75
1080003072	22.96
1080003376	927.33
1080000325	5.15
1080006069	2,213.15
1080022678	533.52
1080027279	0.44
1080003457	0.37
1080003226	795.31
1080003227	429.22
1080003490	287.37
1080037583	5.37
1080005372	1.13
1080003571	17.84
1080028295	294.52
1080014407	144.14
1080029828	90.53
1080020919	180.27
1080002922	10,623.23
1080038439	331.33
1080040524	36.14
1080003892	1.30
1080027460	1.27
1080029749	711.47

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080004344	43.36
1080003000	42.22
1080003139	140.57
1080009219	18.16
1080017728	34.37
1080004073	91.78
1080002668	268.75
1080029659	2.87
1080019004	42.80
1080004137	22.97
1080024595	35.34
1080007462	126.03
1080015960	71.88
1080016094	3,881.28
1080012422	1,273.54
1080002206	33.81
1080030172	15.84
1080030900	23.82
1080030243	2,176.45
1080001020	5.24
1080038518	1.23
1080016503	405.89
1080026458	8.56
1080007866	10.16
1080022443	70.41
1080019509	1.31
1080028008	21.39
1080016929	40.38
1080000224	12.29
1080015719	4,198.22
1080025056	29.92
1080006946	177.74
1080001253	2.69
1080017439	211.96
1080018681	72.91
1080004427	17,043.30
1080002756	2,245.65
1080005725	57.18
1080004498	2,042.63
1080035276	1.45
1080038490	57.41
1080013852	759.89
1080008154	28.51
1080012853	273.22

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080001130	3.10
1080030712	7,435.87
1080027689	105.05
1080031685	1,092.63
1080003029	393.71
1080004608	22.76
1080017123	29.58
1080004626	8.82
1080008551	4.24
1080028380	2.84
1080029843	1.00
1080017388	1,022.45
1080003739	4,561.85
1080014433	198.89
1080032180	170.57
1080011912	59.95
1080015686	1,611.62
1080003540	-
1080040367	37.87
1080003896	3.51
1080037998	4.25
1080037598	450.21
1080001173	3.10
1080016652	8.26
1080005227	161.96
1080011984	14.31
1080023339	-
1080017644	764.99
1080004420	0.95
1080004990	101.80
1080002733	11.11
1080030806	1,180.48
1080000465	0.37
1080005484	21.48
1080002497	2,166.84
1080005039	197.27
1080018604	54.24
1080024749	5.93
1080016477	440.56
1080009408	14.93
1080015630	94.71
1080018451	3,164.86
1080018920	2,064.75
1080003138	140.57

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080004613	410.55
1080000566	16.86
1080006943	218.76
1080038002	1.13
1080017518	11.83
1080000165	0.92
1080024570	38.35
1080003897	0.65
1080025475	1,383.70
1080003798	0.94
1080028617	8.95
1080001072	1,830.62
1080038736	744.82
1080038415	242.30
1080027783	71.08
1080017869	72.56
1080018652	36.49
1080005426	136.67
1080007610	1.52
1080026725	5.38
1080028613	2,765.41
1080000166	667.73
1080003900	23.63
1080005499	4,831.71
1080005467	31,543.29
1080027374	91.29
1080018141	4,856.76
1080003036	27.00
1080014297	878.60
1080030025	920.58
1080009769	758.18
1080016737	1,030.61
1080013145	32.03
1080008073	-
1080003042	31.44
1080001001	6.27
1080024022	20.21
1080026710	0.10
1080025420	0.06
1080025588	0.05
1080039251	0.40
1080025148	385.35
1080003902	5.97
1080015687	8,884.29

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080007507	684.24
1080001106	463.41
1080038348	2.28
1080004770	4.09
1080007537	3.07
1080003032	227.24
1080003166	1,470.21
1080017267	456.08
1080022371	10.14
1080028914	74.69
1080031807	0.44
1080029514	934.22
1080024526	8.58
1080026575	10.44
1080038702	38.24
1080026719	0.18
1080004835	853.43
1080003536	18.90
1080019576	7.65
1080035284	4.44
1080005611	1,382.04
1080017735	17.18
1080017712	39.48
1080018660	242.17
1080024082	22.05
1080009583	17.47
1080003299	1,059.76
1080002098	517.89
1080009323	20.03
1080005355	34.58
1080026699	0.73
1080006582	9,253.42
1080016708	79.82
1080005146	14.36
1080005877	230.31
1080014383	97.92
1080019056	47.19
1080000953	59.68
1080005334	113.98
1080006081	0.02
1080005991	87.59
1080005735	492.13
1080003806	2,212.70
1080029098	210.67

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080015393	35.87
1080006592	85.58
1080026887	5.08
1080017663	3.24
1080006670	0.49
1080006732	319.41
1080037964	5,573.56
1080006743	17,895.94
1080037965	7,124.98
1080002617	1,033.83
1080026919	8.23
1080015445	626.61
1080037994	30.95
1080001113	620.42
1080015865	640.25
1080002599	755.23
1080002164	10.20
1080017228	141.45
1080014443	91.14
1080017830	126.77
1080008129	0.14
1080005498	1.52
1080032203	15.26
1080012701	102.11
1080011951	0.36
1080007165	367.31
1080032255	16.10
1080017338	14,163.42
1080011650	112.56
1080004489	3,109.82
1080005233	61.52
1080018530	5,290.34
1080026913	300.32
1080007470	10,973.70
1080000220	25.57
1080003909	10.94
1080006052	0.02
1080038578	12.87
1080007633	341.17
1080001054	4.34
1080006514	4,589.29
1080007996	0.27
1080007879	1,174.74
1080000173	6.70

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080004347	0.03
1080005088	75.31
1080008077	1,427.69
1080007904	292.76
1080028028	84.39
1080002868	0.13
1080017925	2,206.35
1080005442	14.67
1080005225	9.61
1080007340	2.41
1080007850	7.84
1080008120	216.94
1080027555	46.64
1080007807	344.54
1080001057	529.83
1080025596	0.01
1080008651	3.08
1080018887	874.07
1080016790	1,338.15
1080030023	-
1080030091	1,278.72
1080018765	8.13
1080028449	165.00
1080017634	391.45
1080018923	0.12
1080003636	3.42
1080027373	2.84
1080030191	1,180.49
1080003358	81.67
1080012745	13.74
1080008564	732.47
1080025490	0.01
1080008902	179.04
1080028179	0.63
1080002771	388.73
1080016192	193.96
1080008934	3,671.36
1080003077	582.75
1080005820	9,558.76
1080008945	509.47
1080027053	13.75
1080004539	1,090.30
1080003912	312.87
1080005145	173.29

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080017913	2,367.40
1080038016	5,413.02
1080005720	31.26
1080026653	475.25
1080017811	12.30
1080009341	6.68
1080035220	23.79
1080004560	1.31
1080003913	9.94
1080018597	4,474.95
1080024435	6,935.59
1080016815	282.67
1080024624	446.26
1080016497	202.95
1080029116	327.92
1080013133	56.07
1080023836	57.42
1080031417	-
1080003371	26.29
1080024741	1,608.60
1080016574	0.24
1080016795	155.85
1080017053	31.05
1080015901	88,715.30
1080000597	7.55
1080031151	0.57
1080025091	356.92
1080012576	131.06
1080002951	463.41
1080016453	4.09
1080005607	0.66
1080009810	40.22
1080004348	0.01
1080002490	58.57
1080014704	21.51
1080028515	8,420.09
1080029821	3,057.77
1080015967	105.43
1080008144	740.75
1080005606	2.41
1080029284	219.35
1080023754	574.26
1080005764	858.73
1080018629	107.08

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080015463	1,793.61
1080017932	1,499.53
1080003920	3.19
1080016200	12,097.71
1080028322	163.51
1080015268	222.87
1080001333	0.32
1080007969	15.35
1080009470	171.87
1080029185	1,043.97
1080003516	18.27
1080003171	0.58
1080003176	0.75
1080003173	0.58
1080003172	0.58
1080000412	0.49
1080012782	60.04
1080019021	6.58
1080009875	1,356.88
1080009891	13.49
1080016412	518.56
1080009988	2.02
1080018362	547.23
1080042606	159.10
1080039915	8.82
1080029142	14.74
1080016302	1,270.61
1080025793	100.42
1080018606	2.10
1080003529	-
1080012689	64.01
1080017144	803.26
1080011470	29.53
1080014038	13.74
1080016381	363.16
1080029768	163.10
1080002235	41.87
1080006986	172.27
1080015499	1.71
1080010022	2,529.57
1080006685	5.00
1080012567	29.83
1080026696	4.34
1080010376	0.38

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
Case No. CIV-21-359-D
Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080019207	1.90
1080037730	6.51
1080015667	6.75
1080005624	0.10
1080014569	8.59
1080009280	276.55
1080019103	-
1080010193	162.48
1080003641	74.31
1080010283	3,388.63
1080018577	137.22
1080010650	11.11
1080010723	1,206.49
1080003827	55.83
1080019244	1.23
1080041211	0.71
1080005364	24.46
1080018082	2,498.68
1080008242	18,438.50
1080017859	729.88
1080018214	1,339.26
1080001886	1,465.21
1080013078	1.98
1080002778	28.43
1080009153	111.11
1080003530	-
1080002126	34.62
1080000388	14.26
1080002464	7.21
1080027496	18.34
1080028500	36.84
1080028501	35.95
1080012217	1.43
1080028772	2.80
1080019181	2.92
1080011001	1,374.21
1080021986	0.50
1080018701	0.08
1080006014	8,972.85
1080012502	118.11
1080025097	1,862.87
1080023866	29.66
1080019125	4.67
1080004458	53.52

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Owner Number	Estimated Net Settlement Amount
1080032099	196.38
1080011312	5.15
1080018175	8.01
1080002108	153.02
1080015534	772.40
1080011589	2.20
1080004994	2.99
1080003926	1.06
1080014065	59.40
1080017846	28.47
1080016073	10.30
1080031218	4.77
1080027438	19.11
1080038848	13.45
1080018728	6.46
1080007790	179.47
1080000608	4.64
1080016147	14.80
1080007971	7.68
1080028413	426.15
1080038354	4.56
1080027778	208.23
1080028578	849.76
1080001066	4.22
1080008133	5.27
1080027564	168.73
1080024612	1,797.16
1080011704	868.49
1080016599	871.94
1080031117	39.73
1080016655	12.65
1080032240	28.49
1080024175	788.75
1080006440	99.00
1080016499	177.59
1080004380	9.07
1080032191	8.21
1080032239	28.49
1080027817	19.47
1080027283	100.01
1080002276	3.83
1080016125	32.94
1080002125	6.82
1080017866	59.09

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080002393	9.87
700859	10.05
1080005061	1,864.59
1080017603	197.84
1080017796	3,789.06
1080002287	1,092.63
1080016979	112.80
1080014734	425.14
1080016207	44.89
1080028177	0.56
1080012376	3.27
1080012044	5.31
1080002437	1,428.32
1080002656	787.14
1080027928	0.53
1080018036	449.54
1080012436	2,472.34
1080007369	66.64
1080015912	18,277.11
1080002849	83.90
1080008121	69.43
1080002258	7.43
1080025474	1,383.70
1080018166	195.75
1080025270	3,440.91
1080012696	-
1080028106	19.92
1080007835	1,714.02
1080009847	116.14
1080012714	-
1080012746	83.45
1080024468	1,122.17
1080007613	1.52
1080018131	109.80
1080004362	0.95
1080012883	879.84
1080012894	1,130.99
1080000210	228.09
1080005531	303.21
1080013003	213.60
1080007370	34.77
1080011565	401.70
1080038125	132.79
1080001150	30.94

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Owner Number	Estimated Net Settlement Amount
1080007791	1,169.66
1080013637	110.68
1080013886	4.25
1080007703	600.48
1080017606	3,854.13
1080001208	127.16
1080025239	843.41
1080009287	62.82
1080015885	556.22
1080017951	2.73
1080016771	1,640.06
1080013254	208.37
1080000445	63.50
1080017900	118.45
1080003929	9.14
1080022674	156.36
1080007752	1,306.53
1080014099	8.15
1080018794	302.93
1080000215	0.09
1080034908	3.57
1080028148	51.87
1080004563	16.80
1080014421	4,811.27
1080017885	229.81
1080009066	0.18
1080000450	301.13
1080004529	89.58
1080024157	3,467.78
1080019208	431.65
1080007362	655.35
1080002473	320.13
1080018575	97.23
1080013082	7.80
1080002424	6,047.70
1080032206	36.13
1080004918	-
1080035221	23.79
1080017296	7.52
1080031591	16.45
1080025137	37.49
1080027674	881.90
1080020984	190.45
1080014444	74.31

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Owner Number	Estimated Net Settlement Amount
1080017426	165.00
1080015394	0.51
1080016256	4.75
1080017122	29.58
1080007395	14.35
1080017209	249.27
1080010251	29.38
1080002261	68.87
1080002210	125.19
1080024109	41.92
1080039928	0.11
1080007760	179.46
1080003932	2.42
1080030833	3,125.95
1080016911	2.51
1080016213	35.99
1080029397	19.06
1080002510	19.47
1080015580	252.43
1080028844	13.19
1080028790	956.82
1080003359	45.35
1080011157	226.17
1080031375	38.57
1080015786	2,307.75
1080009866	452.48
1080018073	767.04
1080015348	1,573.18
1080007582	472.60
1080012495	62.44
1080037766	2.64
1080015793	1.69
1080001271	16.36
1080030484	172.96
1080021857	1,543.26
1080018492	7.74
1080017749	33.62
1080016160	1.44
1080006717	7.64
1080029901	302.07
1080015718	5,215.13
1080025177	5.55
1080025409	360.61
1080007493	58.43

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Owner Number	Estimated Net Settlement Amount
1080007494	75.26
1080015217	410.81
1080027682	14.16
1080017345	0.24
1080002711	1.52
1080007586	472.60
1080018263	35,429.27
1080013231	5.49
1080015381	123.88
1080009874	193.76
1080017810	25.17
1080009877	40.22
1080019229	122.58
1080024596	566.20
1080005086	0.56
1080037829	2.64
1080038823	0.17
1080018077	44.38
1080032127	67.66
1080016697	257.49
1080005374	2,924.14
1080000878	280.40
1080030192	1,180.49
1080006164	43.64
1080006415	166.07
1080039249	0.10
1080011073	0.90
1080015671	224.90
1080029064	703.70
1080026573	0.24
1080013234	2,315.12
1080010802	0.10
1080040717	0.26
1080006718	52.01
1080024881	0.01
1080028989	700.04
1080028297	625.04
1080023730	319.29
1080026745	34.13
1080002864	0.15
1080017348	35.61
1080015705	16.50
1080012683	2,934.14
1080038406	4.63

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Owner Number	Estimated Net Settlement Amount
1080009880	273.82
1080007654	744.86
1080030703	23.33
1080007614	1.52
1080018395	7,147.76
1080003936	171.18
1080029256	52,956.42
1080014891	5,866.27
1080038683	6.03
1080015964	713.26
1080013881	2,025.20
1080014596	0.36
1080018199	0.58
1080009886	179.03
1080026586	1.48
1080029415	3,587.15
1080035247	-
1080038803	0.68
1080018571	10,186.97
1080003937	3.98
1080011879	25.19
1080003316	65.94
1080025142	2.20
1080038105	12.74
1080018941	5,773.87
1080013855	571.50
1080018390	2,520.74
1080002625	261.76
1080029812	85.15
1080003009	15.22
1080013080	92.22
1080016647	1.15
1080014476	21.91
1080012569	47.86
1080017540	250.18
1080015763	1,261.56
1080003939	8.36
1080003369	5.92
1080026577	1.20
1080000989	2,934.13
1080016472	120.15
1080004386	-
1080030028	5.63
1080037923	0.97

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Owner Number	Estimated Net Settlement Amount
1080003940	3.38
1080002103	-
1080005995	13.37
1080005005	127.08
1080003554	-
1080004637	410.55
1080032115	5.19
1080002204	7.51
1080002158	48.39
1080018303	80.63
1080018823	172.89
1080015653	24.74
1080027543	358.54
1080003878	1,057.93
1080028376	81.76
1080015973	1.08
1080031566	401.95
1080025323	3,831.04
1080017165	139.97
1080009289	65.79
1080016732	2,676.30
1080004556	6.05
1080016603	30.20
1080029496	2,616.71
1080025175	556.73
1080031377	903.43
1080027608	66.84
1080009325	215.60
1080016449	63.29
1080003537	-
1080004652	281.13
1080007653	1,787.55
1080016691	241.56
1080009460	49.51
1080017430	150.73
1080003450	11.29
1080016144	6,506.37
1080026646	490.62
1080016629	0.02
1080018875	134.36
1080006947	48.38
1080027468	20.39
1080002775	3.75
1080029822	4,193.64

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Owner Number	Estimated Net Settlement Amount
1080016687	400.05
1080012010	0.99
1080003051	2,382.85
1080016411	676.24
1080017456	211.96
1080016521	0.48
1080031572	3.33
1080002174	13.54
1080019182	635.33
1080016724	91.02
1080002667	3,581.94
1080016820	1,339.31
1080019013	1.95
1080017944	245.11
1080002128	7.55
1080037610	25.63
1080002709	0.41
1080030429	4,419.97
1080000578	13.14
1080016926	1,401.09
1080016937	1,997.13
1080000355	-
1080038743	6.59
1080038745	1.75
1080029309	204.70
1080002969	1.19
1080029006	1,502.73
1080003945	6.20
1080003195	2,466.51
1080016930	41.22
1080017541	160.57
1080018543	10.10
1080002395	17.96
1080004369	0.51
1080004370	0.33
1080004371	0.40
1080009316	95.23
1080026920	32.92
1080017865	50.79
1080011166	194.25
1080003550	-
1080038430	2.91
1080016091	45.55
1080041607	10.97

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Owner Number	Estimated Net Settlement Amount
1080006344	2.77
1080019172	14.51
1080005105	487.38
1080018590	27.38
1080003946	2.59
1080013441	227.24
1080003079	14.42
1080030966	136.28
1080014733	425.14
1080040508	4.16
1080003611	2.29
1080003947	2.18
1080002238	859.51
1080018311	72.35
1080042311	50.49
1080003948	2.80
1080018064	848.08
1080014736	54.25
1080014667	12.49
1080031020	300.29
1080017078	2,294.81
1080038122	107.51
1080023693	150.99
1080018188	616.74
1080018876	33,123.44
1080005597	29.04
1080009903	73.10
1080030430	2,052.66
709380	1,161.07
1080012145	18.94
1080007975	2.62
1080005004	166.71
710270	18.86
1080031724	11.48
1080016243	1,071.35
1080022666	153.32
1080031035	172.35
1080012261	25.03
1080000705	3,952.72
1080007792	861.36
1080017344	0.17
1080018292	122.83
1080016451	23.44
1080029829	119.58

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Owner Number	Estimated Net Settlement Amount
1080040381	105.37
1080026702	0.37
1080031573	-
1080031574	3.33
1080018028	361.71
1080010935	66.84
1080008075	0.69
1080015631	136.05
1080002260	50.72
1080002366	7.13
1080032342	25.76
1080028985	95.23
1080028540	19.76
1080003382	1,175.41
1080000239	2,225.78
1080017839	166.04
1080017894	166.04
1080017850	210.74
1080017883	166.04
1080017872	84.76
1080017861	84.76
1080017905	59.26
1080003949	8.35
1080018698	193.81
1080018699	50.96
1080017690	55.82
1080017958	70.28
1080018010	9,443.80
1080000241	23.48
1080016994	0.93
1080015986	64.72
1080000399	6.82
1080025196	24.99
1080003263	343.19
1080006479	1.11
1080002114	11.17
1080003229	131.42
1080016912	9,275.42
1080037297	145.41
1080027380	6.03
1080011251	7,558.45
1080018897	1.13
1080018459	20.69
1080018470	2,756.47

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Owner Number	Estimated Net Settlement Amount
1080002742	414.54
1080026075	45.42
1080018415	1,012.67
1080018513	25,480.58
1080003950	8.13
1080026778	915.51
1080018640	81.37
1080018619	0.21
1080005625	0.11
1080005819	95.44
1080018884	1,290.92
1080018873	3,028.87
1080024943	2,683.97
1080018725	22.02
1080028690	2.97
1080031774	103.75
1080002706	0.08
1080012250	4.16
1080001008	0.32
1080003694	20.05
1080038208	29.77
1080026583	0.12
1080040507	4.16
1080000880	153.02
1080016214	394.23
1080038498	238.32
1080018924	413.69
1080005834	1.85
1080004559	1,606.02
1080002207	238.15
1080031743	34.38
1080019053	-
1080024473	2.03
1080019250	345.93
1080005365	24.46
1080004944	71.26
1080002491	163.35
1080026698	1.28
1080006958	387.61
1080003951	87.34
1080017121	29.58
1080038642	0.23
1080041614	11.41
1080016105	1,758.65

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Owner Number	Estimated Net Settlement Amount
1080018500	10.89
1080019294	108.89
1080009363	31.55
1080003864	0.07
1080019603	6,425.79
1080019614	95.23
1080009334	8.23
1080019687	482.10
1080024153	771.79
1080000248	25.17
1080019235	2.52
1080013888	4.25
1080019720	956.82
1080005628	1.14
1080016782	9,967.21
1080041887	2,510.06
1080003952	87.34
1080025612	14.80
1080038121	23.06
1080005223	6,291.41
1080017365	0.01
1080014177	379.90
1080038797	0.13
1080030947	485.88
1080019966	3.03
1080029022	566.29
1080016126	31.29
1080003954	2.88
1080000872	49.71
1080009584	17.47
1080019026	5,667.28
1080007881	0.17
1080020329	1,411.42
1080015395	10,328.60
1080024324	15.27
1080020502	26.22
1080007522	163.50
1080020470	1,136.93
1080012013	5.56
1080003331	9,216.14
1080005429	129.28
1080003253	4,961.19
1080038294	54.50
1080020766	83.45

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Owner Number	Estimated Net Settlement Amount
1080006166	373.63
1080006312	2,371.95
1080012342	551.59
1080005994	13.37
1080017193	2,745.65
1080027236	10.40
1080008163	0.65
1080038283	23.12
1080017960	2.27
1080000253	13,882.89
1080003956	4.37
1080003957	4.00
1080039248	0.10
1080017394	27.71
1080038497	36.39
1080038502	290.81
1080001318	1,488.65
1080003374	17.45
1080009510	50.20
1080028846	1.43
1080015576	7.82
1080017653	22.17
1080024065	461.61
1080003448	1,314.64
1080030533	891.11
1080013075	192.92
1080012863	149.57
1080015532	60.65
1080024699	5,365.79
1080021252	21,462.87
1080017110	87.71
1080018127	3,628.84
1080021445	3.34
1080011150	270.24
1080021467	17.81
1080016359	4,598.46
1080002791	0.44
1080000256	1,727.36
1080013058	32.59
1080015396	2.27
1080029286	1.22
1080013060	31.98
1080007663	1,787.54
1080030082	208.23

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Owner Number	Estimated Net Settlement Amount
1080028230	29.06
1080030480	270.40
1080022672	211.83
1080007762	39.01
1080030829	29.90
1080016095	3,881.28
1080000330	372.24
1080027804	258.08
1080008638	18.37
1080030376	74.58
1080038001	1.13
1080031046	19.31
1080027542	483.64
1080027787	99.37
1080003958	18.26
1080000356	-
1080024942	134.69
1080006439	3.26
1080028477	57.38
1080002184	10.20
1080002345	36.04
1080034691	97.14
1080023422	1.70
1080007945	3.69
1080025139	112.47
1080016520	0.48
1080000671	-
1080023347	1,997.67
1080012170	12.35
1080003256	5.92
1080016455	13.46
1080009941	67,445.01
1080016155	982.73
1080000225	1,161.85
1080013831	0.54
1080000586	28.35
1080021736	48.96
1080037935	2.65
1080016426	3.34
1080031459	22.34
1080014387	3,410.96
1080002347	2.17
1080007809	109.59
1080023714	11.28

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Owner Number	Estimated Net Settlement Amount
1080002209	10.62
1080000317	88.53
1080011957	5,737.98
1080004465	122.73
1080016190	36.46
1080002719	5,494.53
1080028084	15.73
1080014487	81.71
1080017500	0.01
1080030377	24.86
1080006067	6,621.88
1080018829	8,388.17
1080019495	13.19
1080009949	804.14
1080008069	0.18
1080040501	38.28
1080029419	3,889.10
1080038056	84.89
1080006626	367.42
1080027477	88.57
1080037584	0.54
1080002581	3.83
1080038102	8.83
1080015978	49,537.19
1080003959	3.26
1080025785	66.18
1080024078	729.16
1080007810	667.20
1080000582	6.29
1080009329	0.08
1080016247	6.70
1080022669	734.26
1080011129	408.80
1080042376	181.89
1080011130	245.42
1080023411	1.70
1080026662	26.91
1080012747	12.16
1080006724	6.12
1080003961	0.71
1080032181	173.95
1080020173	413.36
1080002152	10.50
1080000642	1.23

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Owner Number	Estimated Net Settlement Amount
1080029766	178.32
1080002233	312.92
1080015398	1.40
1080003962	9.27
1080018156	181.38
1080023868	29.68
1080012571	4.85
1080003804	8.97
1080016059	545.09
1080017434	16.38
1080009392	4.53
1080015717	8,396.44
1080023764	385.35
1080002663	84.31
1080018407	4.64
1080017657	16.71
1080002874	4,532.82
1080021922	318.44
1080029443	181.35
1080018452	0.52
1080026587	1.20
1080017736	17.18
1080022308	18,904.79
1080022330	579.51
1080011146	92.25
1080024901	108.25
1080018035	81.24
1080015399	0.51
1080002528	1,016.26
1080018724	28.54
1080015400	1.71
1080029195	703.70
1080003880	5.40
1080022662	168.03
1080029330	1,158.23
1080001407	1.46
1080009956	620.99
1080025405	387.26
1080017118	29.66
1080017802	141.30
1080015740	4,145.89
1080016514	3.80
1080018925	358.89
1080024774	0.22

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080028039	91.47
1080007844	1.31
1080028858	88.49
1080027889	2,692.73
1080004609	1.28
1080008156	28.51
1080032312	707.56
1080022552	744.86
1080026421	32.20
1080018472	36.94
1080038241	1.68
1080011396	6.74
1080022660	270.09
1080003538	-
1080023671	2,108.25
1080003534	-
1080017447	157.70
1080002058	393.81
1080028019	21.83
1080001329	6.81
1080016686	2,210.84
1080019044	1,604.52
1080019245	0.93
1080008232	3,701.70
1080028086	2,286.17
1080015907	26.76
1080017831	126.74
1080018663	74.25
1080000483	374.23
1080007843	1.26
1080003352	2.89
1080023926	22.05
1080009464	49.50
1080017137	0.01
1080002422	18.61
1080031360	1,450.98
1080000685	12.01
1080012772	6.32
1080012146	16.08
1080002137	6.52
1080002165	6.52
1080000650	6.53
1080006725	4.44
1080010340	6,586.94

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080005398	5.92
1080023016	2,601.75
1080000259	273.82
1080027146	173.48
1080038176	2.37
1080002564	205.66
1080001204	1.30
1080009655	7.83
1080004925	31.89
1080004343	43.92
1080027976	1,300.24
1080015742	4,145.75
1080035342	2.79
1080027411	784.45
1080017294	7.53
1080038798	0.23
1080023233	53.09
1080016582	0.28
1080025775	2,554.04
1080030517	7,035.72
1080022303	29.88
1080015783	11,512.56
1080003060	383.93
1080000264	55.19
1080023723	3,146.99
1080017381	547.54
1080003862	0.14
1080003970	2.83
1080003971	2.83
1080016470	357.87
1080012487	24.02
1080023860	275.99
1080032155	579.42
1080013869	2.53
1080017992	78.91
1080008155	28.51
1080028986	1,604.19
1080003972	7.87
1080004382	12.73
1080017780	9.46
1080003004	8.24
1080000392	33.21
1080002739	18.25
1080025129	0.01

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Owner Number	Estimated Net Settlement Amount
1080041636	55.64
1080016149	212.58
1080016576	0.96
1080031471	1,686.75
1080030583	151.91
1080028070	1,614.98
1080028080	792.08
1080003341	657.01
1080028654	155.21
1080027717	102.14
1080012064	7,088.75
1080027768	1,158.23
1080026921	8.23
1080012914	0.52
1080003436	5.92
1080000459	523.99
1080016693	241.56
1080016253	0.01
1080015579	750.42
1080003737	4,452.96
1080001402	730.94
1080004392	12.39
1080023924	198.34
1080003799	19.65
1080024938	134.53
1080025226	1,090.15
1080016158	2.17
1080011128	1.04
1080028123	88.57
1080025130	0.01
1080013149	25.58
1080024628	5.22
1080028889	12.12
1080029759	1,277.02
1080015961	71.88
1080002290	10.52
1080038387	47.45
1080037996	8.48
1080009513	-
1080008550	4.24
1080027699	1,617.96
1080024021	25.27
1080031687	1.13
1080009981	94.69

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Owner Number	Estimated Net Settlement Amount
1080003976	4.22
1080024923	0.74
1080029572	148.26
1080009500	93.57
1080032154	160.89
1080003061	22.96
1080003417	11,213.62
1080024032	19,698.96
1080018406	65.44
1080024076	2.87
1080037296	237.40
1080038344	4.00
1080017764	3,507.25
1080024163	3,932.35
1080003642	24.90
1080015652	224.91
1080028530	0.77
1080038768	9.17
1080026894	660.90
1080002840	9.11
1080007597	13.51
1080030431	3,213.73
1080030415	4.71
1080030426	9,641.04
1080002567	925.50
1080002795	2,888.49
1080027567	185.18
1080003979	9.69
1080024641	1.06
1080024643	1.06
1080016123	290.45
1080018504	122.83
1080018700	0.25
1080024443	17.67
1080003874	24.46
1080004612	2.77
1080004379	106.77
1080019016	1,482.74
1080024637	9.68
1080029245	131.54
1080002809	22.76
1080024676	4.99
1080016228	4,713.10
1080028492	0.14

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080012182	14.31
1080032236	122.52
1080000234	7.23
1080000373	64.23
1080002793	41.23
1080018837	619.25
1080003631	4.90
1080018157	197.44
1080025172	2,514.41
1080024701	0.49
1080026884	967.39
1080001064	1,011.46
1080000475	-
1080022883	12.28
1080037863	3.96
1080028562	194.25
1080024715	1,411.42
1080009994	23,873.63
1080024966	622.44
1080016079	32.87
1080005713	13.83
1080030459	15.81
1080007585	270.06
1080003260	74.87
1080037645	9.15
1080015713	1,880.90
1080018585	1.43
1080018717	3.28
1080003179	71.81
1080004555	1,975.94
1080019259	1,794.29
1080002475	16.94
1080024731	2,407.46
1080027861	0.21
1080024732	8,502.94
1080008548	8.45
1080024890	108.25
1080008162	47.51
1080018139	3,287.25
1080029758	423.81
1080003038	81.49
1080017015	11,895.80
1080016792	753.51
1080041892	138.60

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080001095	1,853.33
1080016656	10.01
1080005188	0.96
1080029007	2,977.28
1080012153	1.32
1080012909	84.25
1080017017	31.00
1080003982	5.97
1080011175	474.09
1080024916	1,088.83
1080003983	3.38
700499	173.36
1080000778	605.23
1080024804	642.17
1080001099	15.49
1080037932	9.89
1080001444	204.70
1080007811	650.79
1080017366	560.51
1080042059	61.94
1080011171	6.40
1080026576	6.31
1080015324	0.01
1080018048	342.61
1080015743	6,469.36
1080029483	661.19
1080001063	74.52
1080007458	13.71
1080003984	0.24
1080002253	208.63
1080032207	59.32
1080032237	59.69
1080026588	21.47
1080016690	973.98
1080016487	52.02
1080016653	8.26
1080031011	1,473.42
1080007970	7.70
1080001086	2,191.31
1080037306	1.15
1080016119	1,072.95
1080016575	0.24
1080000541	1,183.51
1080037792	1.65

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Owner Number	Estimated Net Settlement Amount
1080018707	119.45
1080003986	1.28
1080007757	10.95
1080003860	237.73
1080005336	115.15
1080001145	84.30
1080016699	3,250.72
1080002946	2,191.31
1080003987	4.67
1080030535	1,711.17
1080006736	6,480.88
1080026422	2,304.89
1080010000	1,408.76
1080000299	488.71
1080030437	228.37
1080025212	62.78
1080025190	1.56
1080003988	175.62
1080030944	625.91
1080029909	1.03
1080024206	487.97
1080016203	28.02
1080005748	843.92
1080025310	65.05
1080016579	0.96
1080018594	488.14
1080022864	113.63
1080029301	54.91
1080006471	1.54
1080009465	115.64
1080029482	35.46
1080029481	20.03
1080037747	2.97
1080024775	37.43
1080007659	90.94
1080028705	2,342.42
1080007661	1,787.55
1080027880	445.30
1080006118	945.19
1080018627	29.03
1080001009	970.78
1080000284	78.03
1080025671	0.48
1080003161	122.58

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Owner Number	Estimated Net Settlement Amount
1080002146	40.23
1080004623	171.45
1080025755	382.72
1080012574	27.96
1080007091	400.74
1080038052	1,591.42
1080010010	2,074.31
1080008135	25.23
1080018653	36.50
1080027400	556.79
1080002529	1,016.26
1080001093	926.42
1080003238	18.23
1080031149	65.55
1080001959	18.77
1080000488	40.36
1080012264	0.07
1080004840	13.17
1080018337	3,097.32
1080041616	64.72
1080016108	888.52
1080004940	59.38
1080005275	0.61
1080025780	3,657.00
1080038295	103.44
1080002446	90.78
1080038422	67.66
1080031369	161.61
1080007615	540.13
1080027819	0.02
1080005348	1,857.15
1080005391	29.37
1080006553	0.03
1080009400	266.93
1080024341	-
1080006058	135.50
1080029549	103.75
1080009471	2.00
1080008113	0.09
1080002865	15.17
1080037244	103.96
1080026877	326.94
1080018034	18.64
1080042225	3.52

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Owner Number	Estimated Net Settlement Amount
1080028777	14.07
1080038469	4.63
1080017223	1,678.81
1080042031	752.57
1080002189	7.23
1080004572	28.12
1080004349	0.01
1080016233	29.50
1080025820	16,577.59
1080003875	0.04
1080006942	177.74
1080017534	27.62
1080008836	554.95
1080002148	2.93
1080016376	83.54
1080002708	13.87
1080004456	32.79
1080029182	2,233.30
708041	710.76
1080028342	580.75
1080005401	0.44
1080005586	299.67
1080007185	145.33
1080000397	17.75
1080026224	5.23
1080003994	635.76
1080022670	734.26
1080006481	1.08
1080024156	3,467.78
900085	17.75
1080038345	24.35
1080018767	159.66
1080016788	1,129.96
1080041890	208.19
1080026503	284.19
1080026470	413.89
1080004949	258.52
1080026594	15.65
1080029028	40.00
1080002029	541.93
1080030291	3.48
1080007877	65.64
1080021988	0.15
1080026405	9.88

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Owner Number	Estimated Net Settlement Amount
1080025691	38.33
1080000289	0.05
1080002081	561.38
1080026678	7,812.22
1080000290	0.37
1080005431	43.43
1080005430	68.95
1080026688	1.27
1080038242	193.33
1080002738	35.53
1080026722	7.34
1080026747	162.04
1080006889	62.93
1080017487	4.87
1080019075	791.17
1080008262	464.77
1080003380	2,236.28
1080026644	65.29
1080026928	29.78
1080004747	3.31
1080006778	1,008.01
1080006181	11.74
1080004978	239.43
1080014573	24.64
1080016600	178.10
1080027122	20.48
1080027133	9.02
1080007410	252.87
1080025536	163.96
1080028435	9.01
1080023849	217.33
1080022063	0.58
1080030197	8,299.66
1080016226	1,740.58
1080026733	231.96
1080004538	848.02
1080005581	5,628.64
1080009366	15.37
1080018809	3.19
1080031725	4.59
1080027303	197.34
1080002396	4,764.50
1080002499	98.54
1080026378	261.32

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Owner Number	Estimated Net Settlement Amount
1080015884	15.41
1080015661	12.32
1080015663	83.00
1080004326	13.71
1080027367	1,822.45
1080008230	1,634.50
1080029504	52.67
1080030259	8.99
1080014780	55.43
1080007651	1,787.55
1080016607	467.51
1080030151	373.98
1080016701	1,033.23
1080000595	323.77
1080020995	247.59
1080030311	0.01
1080003695	2.06
1080000848	1,985.32
1080017155	36.77
1080000305	3,319.59
1080007993	492.55
1080003340	25,384.16
1080018927	8.71
1080000159	0.76
1080026451	275.85
1080026481	44.84
1080015581	26,421.35
1080018138	3,287.25
1080015583	11.46
1080026957	1.13
1080032338	73.37
1080028017	958.91
1080031005	4.46
1080028073	8,472.63
1080031027	77.66
1080000285	27.89
1080015807	1,645.47
1080012954	657.21
1080014648	947.42
1080031165	1.34
1080031710	1.05
1080014153	3,943.24
1080030512	240.35
1080014425	1.35

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Owner Number	Estimated Net Settlement Amount
1080034904	363.58
1080026692	0.76
1080014394	213.46
1080027398	11.32
1080016625	37.37
1080003539	105.94
1080026492	15.76
1080027691	53.73
1080025240	44.39
1080025569	8.88
1080002457	0.53
1080016602	28.54
1080017815	3,678.79
1080018165	85.17
1080015516	42.46
1080031094	456.88
1080027451	95.23
1080010055	1,359.76
1080003868	3.78
1080017449	1,695.66
1080001079	45.45
1080017804	50.94
1080003655	0.74
1080027491	26.64
1080002848	1,233.61
1080013113	113.87
1080014389	74.31
1080004338	4.47
1080030131	2,634.77
1080028873	1,043.97
1080017451	186.97
1080022466	73.26
1080018664	146.52
1080015402	35.87
1080015557	37.04
1080027480	3,325.74
1080018576	97.22
1080013061	0.42
1080023869	29.65
1080005598	41.87
1080003265	1.77
1080018929	12.62
1080007995	325.34
1080019260	13.91

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Owner Number	Estimated Net Settlement Amount
1080002141	859.51
1080003998	3.54
1080032232	122.17
1080016640	1,074.70
1080003999	4.67
1080002273	7.78
1080031006	4.46
1080016620	2,358.45
1080009150	29.12
1080006919	14.35
1080026718	0.18
1080004000	2.53
1080010067	156,373.51
1080003510	181.37
1080012095	10,347.40
1080038635	0.36
1080027667	9,781.14
1080011637	56.47
1080006936	7.31
1080024138	23.93
1080027570	125.12
1080027572	1.50
1080027573	1.50
1080003553	-
1080030807	1,180.49
1080010946	742.98
1080016705	12.62
1080017936	1,064.49
1080016382	622.45
1080027968	572.26
1080028430	0.05
1080018918	100,876.70
1080004002	0.82
702658	28.10
1080005930	229.06
1080024697	17.46
1080017167	139.97
1080027866	9.79
1080024525	8.58
1080013324	141.41
1080024808	0.02
1080013146	32.40
1080002162	13.88
1080016580	0.22

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Owner Number	Estimated Net Settlement Amount
1080041628	494.51
1080016132	555.06
1080029671	11.75
1080037904	11.13
1080005297	210.94
1080000682	436.76
1080004004	5.39
1080009439	0.20
1080027541	110.72
1080027680	9,779.77
1080016471	280.34
1080016969	51.16
1080018657	242.17
1080030067	-
1080009326	3,617.22
1080004839	13.52
1080015886	533.98
1080007515	245.25
1080027562	14.68
1080026876	269.76
1080027563	5,363.04
1080024396	30.70
1080027620	187.80
1080004729	544.03
1080015591	8,362.71
1080008786	46.86
1080001416	2,417.59
1080000983	104.77
1080031586	31.75
1080027576	3,070.17
1080007875	96.87
1080003755	2.95
1080029061	1.13
1080027582	7,782.42
1080017597	197.84
1080005064	2,429.61
1080003532	-
1080038379	276.52
1080017976	115.04
1080025573	0.04
1080012274	46.57
1080016404	0.11
1080007973	2.62
1080005174	261.76

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Owner Number	Estimated Net Settlement Amount
1080027607	2,958.63
1080017902	3,765.85
1080004011	6.16
1080027881	2,223.72
1080027882	277.96
1080002099	208.62
1080006144	4.96
1080003006	3,424.74
1080000918	1.88
1080016654	8.26
1080010075	2,453.47
1080030770	1,226.94
1080029830	89.15
1080027681	13,526.86
1080024437	37.75
1080027635	6,586.44
1080005821	50.60
1080029499	4.91
1080024438	37.69
1080040510	4.16
1080000402	0.63
1080000803	1.75
1080030607	0.13
1080038515	116.92
1080001092	538.51
1080015600	27,991.76
1080003629	4.90
1080024409	58.80
1080002566	205.66
1080016258	10.47
1080004345	0.11
1080012917	0.52
1080027647	1,124.46
1080037914	32.62
1080001015	3,877.03
1080031967	748.37
1080042540	8.48
1080002705	1.87
1080038145	1.00
1080038600	0.46
1080019081	22.83
1080027044	117.93
1080038614	12.83
1080027698	2,833.51

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Owner Number	Estimated Net Settlement Amount
1080005470	32.81
1080029639	16.67
1080015405	67.62
1080030704	23.33
1080015330	0.49
1080032340	25.76
1080000681	841.55
1080029356	0.20
1080000875	533.98
1080023513	344.54
1080021608	0.29
1080013098	719.27
1080041135	243.54
1080012269	7.49
1080027715	148.34
1080004646	1.32
710687	63.91
1080027723	430.52
1080016205	38.78
1080005183	19.18
1080010089	2,196.30
1080004874	2,858.45
1080014393	213.46
1080011376	124.20
1080002171	6.71
1080024408	58.80
1080016235	29.50
1080038799	0.34
1080010090	386.36
1080027789	59.80
1080027790	16.58
1080003306	19,452.83
1080026713	0.12
1080000737	1,076.69
1080004015	52.47
1080009345	6.68
1080027831	4.65
1080002585	56.62
1080004016	6.10
1080019620	-
1080008870	1.98
1080000407	374.84
1080015804	20,624.45
1080005344	-

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Owner Number	Estimated Net Settlement Amount
1080008252	149.01
1080030509	113.63
1080004017	1.34
1080038685	6.03
1080001296	4.21
1080010092	73.10
1080037970	2.34
1080028005	6,053.85
1080027825	37.35
1080028161	189.81
1080022673	266.76
1080022815	153.32
1080026939	1.13
1080024743	0.60
1080005563	488.83
1080016915	4,029.49
1080015694	473.00
1080017805	3,869.35
1080002066	17.91
1080000199	6.28
1080009468	22.50
1080006739	499.34
1080007351	451.47
1080004018	14.57
1080003415	70.60
1080027857	65.59
1080003020	-
1080007244	1.74
1080023875	1.38
1080003381	264.16
1080018574	31.59
1080027871	108.43
1080035322	187.69
1080011419	174.54
1080000341	185.32
1080003768	162.21
1080003232	10.25
1080027877	15.73
1080018839	619.25
1080002332	804.22
1080027892	7.81
1080003620	99.77
1080016611	447.98
1080008043	15.48

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080002769	340.63
1080027899	51.78
1080018215	44.10
1080012505	68.97
1080007477	9.23
1080030416	294.05
1080001896	260.50
1080029139	8,547.70
1080018466	1,511.60
1080027446	4,275.38
1080013117	8.44
1080024903	1.90
1080015450	67.55
1080027902	494.96
1080027912	51.78
1080012968	76.17
1080002076	14.32
1080004020	4.22
1080010099	1,821.80
1080003634	4.40
1080002173	19.88
1080035315	8,571.38
1080030856	16.34
1080002227	15.43
1080016794	155.85
1080028195	20.29
50163	-
1080001408	2.10
1080024610	0.14
1080010103	2,894.38
1080037649	3,767.38
1080004022	75.68
1080037602	6,915.60
1080004691	53.26
1080037313	0.26
1080032231	114.27
1080032307	648.63
1080004023	1.56
1080003354	134.05
1080038204	2,858.81
1080027980	2,462.46
1080027983	168.22
1080027974	1,115.29
1080030536	2,352.71

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080030537	3,422.33
1080002664	58.57
1080018473	110.76
1080004024	15.40
1080030086	54.13
1080017517	11.84
1080005294	483.51
1080031589	283.31
1080025823	3.29
1080014454	91.14
1080015681	799.48
1080005477	241.92
1080009461	60.73
1080001350	394.85
1080025278	10.25
1080001340	233.10
1080003462	144.47
1080026615	763.10
1080038510	1.94
1080015594	110.06
1080018023	129.23
1080004025	1.28
1080011953	459.65
1080010114	18,058.93
1080003842	86.26
1080023872	29.68
1080016624	8.20
1080014499	2.45
1080027706	17.86
1080024611	972.60
1080017874	254.64
1080028124	32.14
1080028126	505.28
1080004026	5.38
1080028137	11.53
1080028158	20.65
1080018084	373.40
1080028175	11,367.23
1080028182	4.35
1080002168	7.02
1080010122	2,074.31
1080008125	47.26
1080012634	391.42
1080017696	777.64

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080017990	3.96
1080004528	0.37
1080005016	21.58
1080003851	1.07
1080001383	2.11
1080014669	12.44
1080003044	392.41
1080024434	218.29
1080004028	173.55
1080006171	52.16
1080038850	1,578.04
1080011945	6,390.05
1080022825	1,145.91
1080028276	380.90
1080002467	118.05
1080028286	31.36
1080031365	27.04
1080001907	627.72
1080015408	2.26
1080012904	347.77
1080028708	238.07
1080028289	0.49
1080028308	17.99
1080029379	187.25
1080002622	202.12
1080012258	199.23
1080029260	324.24
1080012108	9.06
1080003071	6.01
1080018448	5.88
1080004031	4.00
1080029505	4.65
1080012889	295.03
1080017337	32.78
1080038800	0.13
1080028283	188.46
1080014615	362.66
1080004914	7.45
1080002054	81.96
1080015409	35.87
1080031007	4.46
1080010269	10.64
1080018346	303.20
1080009390	4.53

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080016186	5.93
1080041653	5.65
1080006955	266.62
1080016465	2,677.96
1080017803	141.29
1080041659	358.48
1080016201	411.50
1080025110	27.54
1080039246	0.40
1080024929	6,783.83
1080028938	42.51
1080029052	8,899.05
1080004451	3,289.49
1080017194	1,389.11
1080030064	696.08
1080015772	28,268.73
1080005753	286.17
1080000386	24.76
1080016324	141.71
1080029525	621.18
1080018649	18.20
1080028998	2.78
1080015410	71.76
1080009393	4.53
1080009463	153.99
1080030739	0.32
1080000540	0.34
1080000365	796.78
1080006029	36.87
1080012294	13.11
1080028451	13.34
1080030538	1,169.62
1080030539	1,071.50
1080005627	16.76
1080015981	1,651.76
1080000553	1,376.77
1080008128	14.32
1080013015	69.82
1080042416	0.13
1080015862	86.84
1080016072	10.30
1080017396	5,402.51
1080018081	114.65
1080017435	177.60

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080042076	34.36
1080006586	5.58
1080026589	0.37
1080014378	27.75
1080007799	861.36
1080011761	93.42
1080028614	2,776.41
1080038804	0.34
1080002563	205.66
1080029029	40.00
1080014703	21.51
1080027969	1,683.64
1080032174	41.87
1080030378	24.86
1080003167	1,470.21
1080037772	6.59
1080038561	7.47
1080002488	12.70
1080006438	103.82
1080031361	1,450.98
1080004962	1,153.70
1080003626	9.01
1080015411	35.87
1080004043	3.12
1080025038	1,090.15
1080007508	81.49
1080002105	1,069.06
1080005245	88.52
1080017443	598.97
1080037886	0.93
1080027430	191.26
1080015779	3,740.02
1080004044	452.20
1080027388	223.59
1080012913	720.62
1080027944	1.43
1080026922	32.91
1080024679	115.55
1080018218	195.75
1080004046	58.54
1080038362	156.75
1080017204	119.41
1080038239	3.41
1080002513	25.92

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080001842	905.71
1080014395	1.26
1080014887	818.03
1080030152	475.25
1080015794	1.64
1080016361	4,725.85
1080000333	15.54
1080008119	0.60
1080002252	34.43
1080016476	120.15
1080002450	247.48
1080019196	14,667.51
1080028159	344.51
1080005292	483.50
1080006281	19.42
1080019994	162.97
1080004048	0.21
1080010160	474.33
1080007770	145.80
1080038017	66.56
1080006172	102.12
1080016413	127.46
1080017438	177.60
1080042078	34.36
1080000196	18.57
1080019148	1,488.38
1080006784	659.96
1080000223	7.23
1080037603	163.26
1080022875	0.56
1080029788	114.05
1080002535	9.54
1080005236	92.28
1080012058	0.07
1080031983	0.02
1080035333	98.74
1080018633	30.20
1080004049	51.19
1080031546	14.29
1080030173	15.84
1080015596	219.81
1080027775	208.23
1080026400	74.17
1080002449	247.50

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080024238	26.88
1080003033	31.45
1080005077	38.48
1080017849	503.93
1080028269	3.77
1080016504	588.86
1080004050	1.30
1080030540	6,625.08
1080038075	3.28
1080016304	695.06
1080037773	1.08
1080016663	6.11
1080028268	173.04
1080003660	278.29
1080028600	100.87
1080011096	512.38
1080019173	14.51
1080016054	83.59
1080038455	16.61
1080024909	0.20
1080028720	20.49
1080015412	1.40
1080038492	57.43
1080000899	96.87
1080008858	45.55
1080016217	723.19
1080029834	28.99
1080012989	270.68
1080001085	2,191.31
1080017848	503.95
1080007255	231.13
1080007342	29.65
1080016635	0.68
1080029831	41.01
1080029832	16.29
1080029833	26.96
1080025118	269.36
1080014410	1.26
1080007584	2,442.07
1080031278	6.51
1080026402	29.61
1080039262	0.11
1080013092	3.16
1080037902	1.22

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Owner Number	Estimated Net Settlement Amount
1080015453	1,135.92
1080007241	58.25
1080013148	32.47
1080038255	77.42
1080040405	6.96
1080015982	1,130.02
1080041569	297.37
1080018130	362.88
1080016053	75.13
1080041586	8.45
1080000170	-
1080038504	96.95
1080002531	9.54
1080028275	319.38
1080028274	446.81
1080009337	95.23
1080005360	93.49
1080037931	3.30
1080008547	8.45
1080005122	0.51
1080028277	1,076.15
1080042093	1.91
1080017494	9.93
1080004054	1.15
1080013364	9.79
1080038684	6.03
1080028911	27.37
1080011120	6.29
1080005714	13.18
1080015684	7,682.00
1080041525	1,202.30
1080015690	6,316.54
1080028285	4,265.98
1080007388	245.01
1080002796	3,548.28
1080002704	0.73
1080026807	1,204.86
1080038760	52.01
1080004762	25.39
1080005895	195.95
1080013013	294.27
1080042415	8.23
1080028288	0.44
1080006051	0.02

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Owner Number	Estimated Net Settlement Amount
1080028842	171,267.31
1080006201	39.14
1080000524	6.20
1080028162	76.08
1080030608	0.91
1080018493	7.74
1080025403	0.01
1080007495	5.03
1080014682	16.85
1080004059	2.30
1080004848	13.17
1080005243	177.12
1080016500	178.03
1080028294	87.54
1080017493	11.84
1080016198	3,616.89
1080031600	3.75
1080025350	384.81
1080010172	212.76
1080016416	127.46
1080001149	56.18
1080003362	102.61
1080024776	37.43
1080030609	2.89
1080038063	87.94
1080024693	23.65
1080024410	58.80
1080004061	11.10
1080024323	15.32
1080004062	2.64
1080038453	16.61
1080028591	257.29
1080028355	85.59
1080041087	0.04
1080012918	0.48
1080012915	1.55
1080003342	5.92
1080028129	345.58
1080019023	780.75
1080000348	-
1080018483	1,504.66
1080005216	6,723.77
1080010176	1,787.62
1080004064	6.48

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080031249	42.99
1080003871	2.58
1080016391	63.47
1080027732	5.22
1080005246	88.52
1080038000	1.13
1080017600	7.64
1080025244	66.84
1080017697	777.64
1080030412	1,180.49
1080000615	10.67
1080022363	36.17
1080037997	4.25
1080000476	8.41
1080005356	93.48
1080028302	95.23
1080029120	23.82
1080024849	1,368.42
1080030774	1.20
1080002703	1.11
1080002142	14.14
1080000991	527.98
1080022375	33.22
1080006980	413.44
1080021890	18.12
1080038603	8.21
1080014752	148.65
1080029972	86.07
1080016601	30.20
1080004069	58.54
1080026365	1.54
1080000463	2,292.25
1080018919	2,064.75
1080001101	3.45
1080000249	4.71
1080029374	1,897.35
1080006607	1,160.42
1080002474	54.23
1080011652	105.98
1080019106	2,122.58
1080004973	23.93
1080041966	173.61
1080016913	919.76
1080018345	303.20

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Owner Number	Estimated Net Settlement Amount
1080028594	22.09
1080042358	1.73
1080016659	6.11
1080027763	18.73
1080016733	2,932.25
1080023631	2,531.68
1080010182	40.22
1080029095	968.98
1080002423	7.13
1080014668	6.06
1080014409	178.99
1080008013	71.21
1080010188	346.41
1080028313	0.73
1080012973	1,971.60
1080028314	592.03
1080002755	2,030.02
1080015325	68.48
1080002119	-
1080014380	23.55
1080015069	16.96
1080007812	357.31
1080006916	114.86
1080025754	2,554.04
1080018056	1,643.23
1080037343	286.38
1080004072	0.03
1080002867	7.17
1080003003	2.09
1080026714	0.10
1080004927	96.87
1080004074	0.87
1080031733	0.57
1080007254	180.63
1080016064	219.28
1080041592	87.74
1080015788	1,191.39
1080017364	0.02
1080023694	131.66
1080009140	1,714.29
1080017922	278.53
1080011124	374.00
1080006473	1.54
1080038174	44.34

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Owner Number	Estimated Net Settlement Amount
1080002166	6.88
1080006976	172.27
1080018625	60.24
1080027264	916.26
1080014434	49.10
1080028714	4,432.28
1080029508	41.23
1080017445	329.70
1080002087	616.73
1080028362	0.20
1080015699	5,235.84
1080027711	399.70
1080000810	5.48
1080027709	94.41
1080016377	111.68
1080026707	0.73
1080006319	29.04
1080008079	0.05
1080018512	19.75
1080031702	934.21
1080038579	-
1080017770	0.01
1080038005	1.42
1080009763	95.23
1080022798	6.48
1080029498	1,272.36
1080001250	2.43
1080038682	6.03
1080006924	172.27
1080016948	95.32
1080015416	2.21
1080038478	594.54
1080029062	703.70
1080012851	26.09
1080014702	19.20
1080041371	2.32
1080002192	11.48
1080002561	205.66
1080026585	0.37
1080000745	303.18
1080031601	-
1080028365	5.00
1080016432	45.33
1080022696	213.53

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Owner Number	Estimated Net Settlement Amount
1080035255	2,215.86
1080035256	2,215.86
1080013396	2,330.84
1080015417	0.51
1080007591	269.39
1080006482	42.85
1080016392	63.47
1080038074	3.28
1080027618	504.48
1080031090	2.92
1080010195	1,359.76
1080018370	0.21
1080016263	0.25
1080016063	307.02
1080003241	25.15
1080006979	413.44
1080006729	6.14
1080015293	4.69
1080002161	106.57
1080016468	95.18
1080018462	16.37
1080012584	131.06
1080017847	503.95
1080019272	78.14
1080017202	2,745.65
1080010197	4.11
1080038378	276.52
1080016505	93.79
1080002508	46.89
1080026727	0.10
1080018413	882.75
1080015697	3,201.33
1080038104	8.82
1080002124	439.83
1080041666	13.14
1080016216	46.00
1080012322	16.85
1080041003	-
1080027814	16.07
1080003150	74.70
1080027465	7.02
1080015774	6,523.81
1080032305	648.63
1080038146	1.03

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Owner Number	Estimated Net Settlement Amount
1080004076	316.23
1080037685	33.07
1080002702	1.73
1080037684	33.07
1080009138	342.87
1080022374	43.27
1080004077	3.54
1080013405	-
1080032204	0.41
1080017515	11.95
1080026927	7.47
1080026751	34.13
1080041529	1,003.31
1080015721	3,194.90
1080000482	10.99
1080016646	23.69
1080002700	1.22
1080029942	28.05
1080002224	40.65
1080016622	356.20
1080016993	721.42
1080009346	13.34
1080002067	20.39
1080015698	3,175.96
1080017713	44.83
1080030498	3.14
1080002245	749.43
1080029715	964.61
1080027916	41.54
1080011095	890.36
1080000963	14,846.84
1080018764	110.83
1080018874	100.25
1080030346	1,643.80
1080008200	1,832.55
1080000352	0.14
1080030217	228.37
1080004079	1.16
1080016550	599.21
1080002263	41.96
1080002489	58.57
1080016853	8,440.64
1080015703	4,849.99
1080031418	-

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Owner Number	Estimated Net Settlement Amount
1080009338	0.40
1080004081	2.16
1080010200	566.81
1080004082	-
1080015454	757.29
1080029573	3,601.78
1080029978	-
1080029627	1,331.62
1080009141	2,598.19
1080000461	2,293.54
1080031485	144.13
1080016990	112.80
1080004083	19.20
1080000668	7.67
1080028160	344.51
1080029444	158.03
1080021769	1,520.44
1080016363	4,725.85
1080029020	0.38
1080005750	281.34
1080004088	75.66
1080017170	803.46
1080007813	667.20
1080004985	15.21
1080025473	1,383.70
1080012425	571.67
1080016309	20.93
1080003617	31.94
1080002670	70.26
1080017824	798.78
1080023425	548.94
1080011123	2.44
1080040755	0.79
1080018766	8.04
1080004089	6.48
1080017211	264.60
1080028352	534.80
1080029050	88.22
1080029546	28.43
1080002197	19.12
1080037770	1.08
1080015780	3,740.01
1080005168	21.76
1080016886	923.49

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080001076	30.05
1080006795	920.58
1080004092	1.63
1080002109	13.44
1080002869	406.11
1080015755	877.30
1080028386	86.44
1080004093	1.22
1080009731	658.71
1080002699	1.46
1080016485	92.41
1080006072	2,213.15
1080007714	388.35
1080007454	387.31
1080009139	1,714.29
1080017695	1,149.25
1080042143	426.38
1080015965	105.43
1080029620	1,626.44
1080038454	16.61
1080027258	100.79
1080037288	411.89
1080028395	59.80
1080019241	819.15
1080003355	32.65
1080002147	3.62
1080028147	51.87
1080006879	0.56
1080031539	236.47
1080015418	1.37
1080041473	0.34
1080004373	4.67
1080017891	225.67
1080025443	360.61
1080011034	28.08
1080029125	3.66
1080001112	620.42
1080015803	541.75
1080042476	139.04
1080038114	0.87
1080007360	655.37
1080003701	8.58
1080005268	36.67
1080025748	2,554.04

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Owner Number	Estimated Net Settlement Amount
1080008649	23.82
1080016513	3.80
1080027467	82.56
1080016378	108.69
1080017108	1.78
1080019359	4.65
1080028749	135.20
1080027676	-
1080019228	322.08
1080000771	8.28
1080005157	1.20
1080029437	12.43
1080019211	0.41
1080028007	21.02
1080017436	211.96
1080005866	59.20
1080008081	0.03
1080027779	630.33
1080028945	217.82
1080003090	391.85
1080004992	354.85
1080028636	0.32
1080037769	1.08
1080028616	23.54
1080038595	105.71
1080018551	13,509.96
1080025401	0.01
1080042470	890.73
1080015590	7,830.76
1080019977	1.48
1080013265	0.63
1080018722	110.84
1080003168	1,470.21
1080002989	0.33
703470	3.34
1080008251	214.30
1080038636	0.36
1080001107	463.41
1080014414	20.01
1080038019	0.19
1080009144	228.59
1080014751	33.45
1080027372	46.89
1080027784	21.12

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080027456	2.80
1080017347	0.05
1080007814	667.20
1080001175	0.07
1080022396	35.88
1080018658	140.89
1080002123	859.51
1080007202	14.40
1080004041	1.46
1080008028	1.34
1080028400	107.49
1080017416	57,543.08
1080031610	75.89
1080008915	3.01
1080002806	261.21
1080011409	1.13
1080028402	70.59
1080011125	374.00
1080038486	2,295.83
1080026665	18.49
1080002183	-
1080018898	1.13
1080002532	9.54
1080015269	222.73
1080006951	88.88
1080019151	219.08
1080018158	197.44
1080006945	66.64
1080028937	140.86
1080015739	4,159.07
1080003653	19.82
1080031408	14.07
1080016061	215.79
1080041591	91.24
1080015455	252.43
1080006977	175.45
1080018309	2,888.47
1080007764	2.01
1080017252	27.32
1080001191	2,546.97
1080018620	133.20
1080041608	794.72
1080016093	3,151.07
1080016493	22.28

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080029965	28.78
1080018304	563.08
1080017954	362.89
1080006657	5,486.05
1080006981	620.18
1080000380	238.00
1080007604	471.43
1080016731	58.87
1080016389	6.59
1080020661	55.32
1080016225	1,740.58
1080000319	1.51
1080016209	63.28
1080041662	6.06
1080027710	99.89
1080011985	8.42
1080040509	4.16
1080013063	0.89
1080004100	2.42
1080041668	19.71
1080016220	13.33
1080032208	59.32
1080006650	2,897.85
1080020777	4,095.27
1080018121	111.55
1080015419	0.41
1080041474	0.10
1080021715	180.28
1080005961	0.29
1080029445	283.90
1080005458	338.83
1080010219	3,185.02
1080001895	64.30
1080001990	748.67
1080031268	188.48
1080016845	2.16
1080023516	430.68
1080028422	2,507.18
1080037885	0.93
1080004101	4.22
1080039888	0.11
1080032310	111.36
1080010221	99,030.75
1080026396	47,154.52

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Owner Number	Estimated Net Settlement Amount
1080005175	5.54
1080028418	43.10
1080018727	7.54
1080016100	263.48
1080037841	1.08
1080037853	0.97
1080016605	81.40
1080004607	1.46
1080019152	216.71
1080003182	99.00
1080028955	762.10
1080030158	25.22
1080009571	1.47
1080008787	70.28
1080016092	20.54
1080030796	38.89
1080005610	0.66
1080017974	74.84
1080042193	40.00
1080004583	1.46
1080026724	13.92
1080007664	1,787.55
1080000175	202.98
1080015707	47,244.46
1080031499	425.38
1080031498	253.45
1080007253	7.34
1080024333	29.37
1080028423	14,270.86
1080004104	0.54
1080000381	11.42
1080028431	0.15
1080012698	354.24
1080026610	11.60
1080026708	0.91
1080032118	5.20
1080028510	6,008.16
1080018389	6,771.62
1080006588	5.58
1080018656	13.16
1080004861	19.97
1080010227	1,079.29
1080005002	70.94
1080002256	11.42

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Owner Number	Estimated Net Settlement Amount
1080016457	35.11
1080028447	1,151.76
1080000312	13,354.60
1080029813	50.67
1080018921	2,064.75
1080017955	457.80
1080027792	1.79
1080021629	1,180.49
1080010228	118.29
1080012704	222.33
1080017645	103.32
1080001172	30.94
1080004566	3.66
1080002630	928.61
1080018838	478.52
1080028463	1,565.84
1080018666	141.88
1080000374	6.18
1080017991	719.66
1080008378	4.71
1080024332	30.68
1080038024	201.93
1080018928	0.33
1080005001	49.89
1080000413	0.49
1080000626	15.69
1080004391	53.38
1080015420	35.87
1080002810	446.60
1080015588	1.40
1080007589	67.51
1080000311	38.78
1080002857	9.86
1080002413	7,695.13
1080002402	759.69
1080021841	1.46
1080022675	156.36
1080022665	420.09
1080004108	2.18
1080010489	2.16
1080026923	32.91
1080018841	379.58
1080005171	56.15
1080018960	23.18

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Owner Number	Estimated Net Settlement Amount
1080027412	11,771.75
1080001094	926.42
1080030194	2,035.25
1080038446	2.49
1080006200	26.25
1080031263	1.99
1080018650	36.49
1080009333	8.29
1080027656	34.79
1080005035	252.27
1080016621	8.94
1080007972	5.20
1080038144	1.90
1080018379	109.95
1080006938	5.98
1080007539	3.07
1080004110	114.58
1080000438	2,292.25
1080018330	0.81
1080016633	0.68
1080030105	305.44
1080005006	106.41
1080018347	2,058.28
1080042315	4,446.43
1080007490	2.76
1080028493	5.19
1080021124	1,711.17
1080000389	1,836.64
1080015733	26,654.09
1080018216	-
1080017452	201.67
1080016916	1,061.01
1080041967	361.38
1080008044	214.46
1080008080	0.07
702452	50.70
1080005393	35.79
1080006134	1,556.64
1080007989	131.44
1080016489	1,665.88
1080002477	52.92
1080037948	13.09
1080023819	12,556.97
1080025592	0.37

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Owner Number	Estimated Net Settlement Amount
1080018739	4.29
1080002160	16.70
1080003240	17.55
1080018332	0.76
1080009747	1.98
1080019090	64.79
1080002188	68.87
1080024445	245.95
1080025339	210.25
1080032109	871.43
1080023643	531.12
1080002151	2.50
1080005562	2,443.95
1080003368	28.17
1080005036	225.27
1080035250	3,462.04
1080002629	928.61
1080012396	94.54
1080018511	12,347.52
1080004600	1,737.01
1080038500	96.95
1080017157	566.29
1080005172	13.63
1080007555	238.66
1080001548	0.97
1080017832	0.07
1080016045	414.29
1080025099	4.16
1080028760	856.62
1080006738	998.66
1080037779	1,542.25
1080016501	405.89
1080029650	99.83
1080027227	2,805.29
1080004112	15.72
1080017257	7.40
1080014125	4,433.71
1080003884	0.18
1080015560	96.33
1080028807	0.37
1080028821	251.14
1080028587	54.75
1080028582	119.59
1080003607	4.58

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Owner Number	Estimated Net Settlement Amount
1080019154	216.70
1080037605	160.11
1080018641	390.89
1080014413	0.42
1080016510	93.00
1080000652	15.88
1080011378	96.15
1080040847	15.85
1080011728	44.37
1080018027	361.27
1080008229	92.25
1080017203	119.41
1080030282	27.37
1080016166	10.26
1080000226	1,280.71
1080014388	74.31
1080009572	0.11
1080030483	1.79
1080016197	12,097.71
1080025151	11.08
1080018306	2,888.47
1080010261	986.67
1080002272	7.23
1080028403	4,263.29
1080016360	4,800.96
1080024862	5,285.22
1080017914	2,367.40
1080025078	134.69
1080010263	44,621.06
1080018177	1.30
1080017292	7.53
1080022659	168.03
1080025587	0.05
1080029486	507.49
1080004353	1.01
1080012638	47.86
1080018159	197.44
1080004117	2.59
1080014652	6.75
1080016474	240.29
1080031536	509.11
1080009305	207.09
1080004119	58.54
1080016578	0.96

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Owner Number	Estimated Net Settlement Amount
1080009288	68.76
1080018120	111.55
1080007899	28.26
1080001668	49.71
1080029031	663.80
1080007416	140.42
1080004121	3.19
1080004159	2,087.96
1080015966	52.72
1080015720	4,198.22
1080038099	1.86
1080028388	1,188.61
1080007512	238.54
1080002770	340.63
1080004122	2.59
1080010270	3,862.16
1080018677	0.76
1080002901	3,624.69
1080002511	75.77
1080038449	0.14
1080027028	0.57
1080019807	210.67
1080029254	61,907.32
1080017693	690.69
1080042141	133.59
1080026712	0.10
1080004123	1.96
1080038053	0.85
1080003614	107.14
1080004346	9.62
1080040294	5.49
1080028650	131.80
1080030706	2.87
1080028661	8.67
1080010275	550.31
1080038838	0.28
1080025681	1,608.60
1080005948	0.06
1080028932	1.89
1080028664	956.82
1080007712	756.69
1080018163	-
1080005184	19.18
1080025595	0.06

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Owner Number	Estimated Net Settlement Amount
1080016259	9.45
1080038839	0.27
1080009202	363.68
1080017640	337.57
1080016639	1,111.21
1080003647	28.79
1080024685	-
1080018192	157.84
1080042275	33.55
1080000405	796.78
1080006031	36.87
1080005897	128.86
1080006975	172.27
1080006927	7.89
1080000696	1,104.63
1080018002	20,288.47
1080016917	278.79
1080041968	92.60
1080037599	3,231.11
1080016242	816.72
1080041682	3,171.91
1080018080	156.13
1080042240	122.73
1080016496	1,014.73
1080027767	1,158.22
1080027559	101.96
1080028685	23.85
1080027180	8,533.38
1080027252	18.20
1080032188	509.76
1080004127	2.42
1080003350	2.87
1080016995	22.28
1080030780	120.80
1080004128	2.59
1080028553	1.55
1080004767	1,186.64
1080016356	4.13
1080014372	0.22
1080005452	2.95
1080028618	22.65
1080025150	11.08
1080008939	692.39
1080016194	727.44

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Owner Number	Estimated Net Settlement Amount
1080002223	2,573.67
1080016481	336.14
1080028324	1.80
1080016255	4.75
1080016424	3.34
1080016512	3.80
1080027402	445.34
1080038493	57.43
1080004129	20.07
1080017622	17.84
1080007098	35.14
1080028615	5,439.53
1080016060	307.02
1080030257	36.46
1080004131	2.59
1080025013	2.54
1080038638	0.36
1080004961	1,153.70
1080029417	18.25
1080007540	9.20
1080004133	1.63
1080009197	1,047.86
1080030198	240.73
1080000673	158.87
1080016383	605.84
1080002284	245.09
1080031176	163.85
1080031173	281.12
1080028722	2,712.48
1080028716	6,083.56
1080003760	211.94
1080031089	106.14
1080003070	8.24
1080017453	186.97
1080004138	8.15
1080024970	420.49
1080038450	0.14
1080007801	667.16
1080031804	445.34
1080010284	986.67
1080018006	57.53
1080015911	355.99
1080028740	53.08
1080025113	0.28

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Owner Number	Estimated Net Settlement Amount
1080005476	32.81
1080027829	1,180.49
1080038055	984.12
1080028746	414.41
1080037917	20.72
1080017840	19.25
1080042173	8.03
1080017169	62.80
1080002156	6.90
1080030195	4,077.67
1080011933	4,223.10
1080019015	1,474.22
1080018193	157.83
1080042276	33.55
1080016924	47.36
1080015963	35.94
1080019236	2.50
1080028773	2,760.18
1080023733	0.26
1080010290	116.57
1080004934	38.99
1080018534	0.01
1080030611	0.06
1080019522	3,251.76
1080010295	986.67
1080031400	14.07
1080025181	0.51
1080028976	-
1080029338	99.00
1080032135	0.06
1080000554	6.82
1080026287	1,000.66
1080015456	67.31
1080017323	2,431.37
1080003638	42.46
1080002208	238.16
1080017975	57.53
1080029818	3.14
1080040346	24.64
1080028750	175.35
1080003347	5.92
1080015421	35.49
1080011266	12.73
1080037797	1.89

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Owner Number	Estimated Net Settlement Amount
1080003621	12.19
1080041188	3.77
1080013455	33.13
1080015734	6,346.20
1080001331	0.32
1080017016	25.30
1080007817	138.39
1080031788	1,418.60
1080018003	20,288.47
1080022085	1.75
1080015582	17.20
1080015906	26.76
1080001163	95.12
1080016770	0.73
1080018421	1,623.12
1080042331	341.10
1080010300	27,810.03
1080028806	29,691.26
1080026579	5.22
1080004144	2.59
1080016222	43.39
1080041669	15.19
1080027966	3.85
1080018357	67.26
1080031658	920.59
1080038178	1.10
1080000425	23.82
1080041617	64.72
1080016109	8.60
1080000427	1,599.65
1080027228	2,820.53
1080003206	65.29
1080012890	619.39
1080031055	40.95
1080015970	15.98
1080002701	1.61
1080015706	111.97
1080018495	526.70
1080019698	382.72
1080002509	45.94
1080007652	1,787.54
1080016645	23.69
1080003711	960.02
1080003320	326.28

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Owner Number	Estimated Net Settlement Amount
1080007361	655.37
1080007630	22.65
1080009666	8,246.75
1080028715	6,083.56
1080038244	85.66
1080015838	5,329.70
1080011770	59.95
1080001003	3.23
1080005150	31.67
1080000187	46.02
1080002556	5,898.34
1080028563	1,570.84
1080002343	594.23
1080011164	7.14
1080028718	690.38
1080028850	31.54
1080017166	139.97
1080002790	0.44
1080000430	64.42
1080017959	2.27
1080027045	117.95
1080002698	0.75
1080037629	119.92
1080028854	968.98
1080004146	2.42
1080018816	1,157.27
1080013069	74.69
1080041130	59.87
1080000431	153,499.79
1080010313	8,662.64
1080004655	547.39
1080028434	51.90
1080035239	119.26
1080038435	3.14
1080003889	-
1080003888	-
1080007826	0.48
1080002579	0.06
1080028886	1,359.66
1080028888	14.69
1080013885	287.78
1080002968	6,384.76
1080017285	267.21
1080017781	2,583.96

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Owner Number	Estimated Net Settlement Amount
1080028887	2,281.62
1080041550	23,017.49
1080015902	26,548.29
1080007421	8.14
1080005358	357.60
1080038488	0.20
1080030823	915.27
1080004147	1.56
1080007320	86.96
1080007596	12.87
1080038370	2.22
1080025063	2.20
1080007338	52.01
1080029761	455.72
1080028893	270.40
1080028717	690.38
1080014299	890.49
1080026706	1.80
1080041556	374.23
1080015940	884.98
1080026590	0.37
1080004149	2.73
1080015584	11.46
1080019179	-
1080003039	5.26
1080037880	2.30
1080005092	9.96
1080018892	231.34
1080016821	1.15
1080041910	0.18
1080004150	2.64
1080001239	931.69
1080013990	102.11
1080015757	4,007.78
1080015515	30.91
1080000359	0.01
1080004333	4.72
1080016479	13.39
1080016478	40.06
1080004429	53.73
1080016997	412.04
1080028894	29.17
1080004151	21.21
1080004152	4.67

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Owner Number	Estimated Net Settlement Amount
1080010321	458.12
1080001370	171.87
1080024954	640.66
1080031479	4.90
1080022370	3.80
1080006317	25.98
1080016127	3.51
1080016128	3.51
1080016129	40.78
1080041626	1.99
1080029776	26.18
1080018645	17.16
1080002240	3.62
1080010323	2,633.52
1080027885	1,019.21
1080027886	1,132.46
1080018264	59.49
1080042292	29.65
1080017691	212.35
1080004520	19.65
1080015422	1.07
1080041475	0.34
1080016715	598.53
1080028921	67,975.55
1080018189	2,967.97
1080028902	1.21
1080013833	3.06
1080016694	241.56
1080007802	194.20
1080017162	450.53
1080003078	130.80
1080003649	7.51
1080031503	6.81
1080006920	14.35
1080038257	233.84
1080028979	8.28
1080025319	0.06
1080025586	0.05
1080031219	4.77
1080025345	179.37
1080016077	4,439.62
1080025702	509.70
1080015731	5,669.53
1080016661	6.11

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Owner Number	Estimated Net Settlement Amount
1080000273	0.37
1080018307	1,270.07
1080029317	102.73
1080012759	134.75
1080006974	229.69
1080009328	0.09
1080015778	2,575.84
1080026703	0.41
1080002074	25.50
1080018709	50.52
1080027633	837.21
1080001125	2.34
1080000385	2,780.60
1080005745	1.99
1080002363	101.89
1080012702	110.70
1080016508	93.79
1080034910	3.57
1080016227	1,088.12
1080041673	652.46
1080011762	1,970.85
1080006988	229.69
1080012497	55.59
1080041027	6.86
1080010328	2.75
1080028903	62.13
1080014374	148.62
1080015777	2,470.01
1080003546	0.20
1080005112	83.55
1080034588	26.09
1080031602	77.15
1080002745	41.63
1080016164	4.71
1080016498	355.16
1080015785	3,740.02
1080000515	-
1080038064	43.97
1080011250	24.06
708039	710.76
1080028338	633.71
1080026726	5.38
1080002483	1,104.63
1080028895	49.56

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Owner Number	Estimated Net Settlement Amount
1080019731	23.28
1080001308	88.21
1080004991	1,870.18
1080003794	43.77
1080030696	3,125.95
1080001222	16.36
1080024331	26.89
1080015883	1,261.56
1080013177	15,209.93
1080029152	1.13
1080012520	1,792.54
1080004158	1.28
1080027765	354.92
1080007600	472.60
1080028896	14.74
1080003328	41.23
1080024319	130.90
1080030855	5.89
1080024704	148.62
1080005609	0.66
1080015741	4,149.36
1080021985	0.50
1080004161	2.79
1080038489	0.20
1080037814	1.08
1080028917	1.05
1080018721	110.82
1080011730	579.65
1080016651	8.26
1080028751	7.57
1080018061	947.69
1080005247	531.32
1080015423	6,131.05
1080025273	11.08
1080028358	0.37
1080027483	990.64
1080003696	282.03
1080027606	1,024.87
1080019742	5.89
1080018396	6,902.61
1080002866	2.86
1080038003	1.13
1080030465	693.27
1080017399	0.54

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Owner Number	Estimated Net Settlement Amount
1080000394	1,649.23
1080000577	1,154.34
1080018414	909.95
1080038004	1.13
1080037908	1.89
1080037910	5.27
1080041664	33.47
1080016212	122.63
1080023821	27,742.29
1080031024	321.03
1080038101	8.82
1080016637	1,099.64
1080005479	43.20
1080026899	1,401.78
1080028567	368.90
1080000763	1,073.08
1080001558	474.48
1080038196	221.05
1080028922	1,727.09
1080028792	89.34
1080037995	7.07
1080031194	465.60
1080017699	180.66
1080042144	43.28
1080018308	2,888.47
1080028953	30.62
1080012932	802.11
1080016315	4.94
1080026068	61.78
1080041717	5.81
1080009459	527.98
1080015390	1,122.44
1080017834	880.73
1080018055	21.55
1080030822	517.33
1080019177	-
1080029863	384.06
1080042364	1,118.66
1080028509	210.67
1080013906	26.84
1080000913	166.36
1080018359	9.30
1080030815	4.77
1080029941	13.33

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Owner Number	Estimated Net Settlement Amount
1080031644	1,938.31
1080030171	501.51
1080026591	4.76
1080027226	13.71
1080028763	500.48
1080003628	4.90
1080001070	0.03
1080038537	114.27
1080017225	574.43
1080025481	0.06
1080025589	0.05
1080038772	9.17
1080019098	8.03
1080020175	413.36
1080031175	456.64
1080000339	374.23
1080031745	72.09
1080004167	44.09
1080003593	0.36
1080016970	95.46
1080029500	4.96
1080028919	1.77
1080007700	3.72
1080009514	63.39
1080018922	0.18
1080015225	34.66
1080009494	8.04
1080007853	3,219.83
1080000446	1,829.36
1080028949	243.95
1080028948	1,848.37
1080007433	595.69
1080004975	75.37
1080004974	12.05
1080026924	8.23
1080027260	4,626.32
1080002671	210.78
1080022372	0.25
1080027500	7.83
1080028965	14.58
700251	1.42
1080000448	3.70
1080010341	108.66
1080004168	2.20

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Owner Number	Estimated Net Settlement Amount
1080011174	76.08
1080004647	1.32
1080028973	653.67
1080037668	0.38
1080028990	60.17
1080010344	2,196.89
1080003639	206.68
1080018329	1,533.47
1080018355	66.90
1080029055	2,497.12
1080026925	8.23
1080001336	343.14
1080004385	844.96
1080029094	216.66
1080015226	34.66
1080007849	0.45
1080010350	92,935.37
1080029108	1,908.46
1080040462	2.10
1080042220	94.06
1080018013	211.13
1080018994	918.92
1080029118	645.82
1080018934	190.07
1080004984	3.01
1080037830	2.64
1080008051	4.67
1080007687	7.45
1080030260	63,548.82
1080015685	1,611.62
1080029613	821.66
1080037825	0.97
1080005448	88.30
1080025303	2.20
1080038380	0.68
1080001091	1,235.73
1080006978	413.44
1080017161	450.53
1080015729	50.18
1080007221	26.21
1080029129	847.35
1080008186	14.47
1080012728	163.15
1080008046	5,726.86

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Owner Number	Estimated Net Settlement Amount
1080008668	6.90
1080013830	3.06
1080029127	1,256.70
1080029128	186.64
1080016658	10.01
1080038065	161.22
1080031033	122.44
1080006082	1,227.48
1080038828	0.18
1080029137	27.03
1080029141	0.08
1080001266	2,746.08
1080004172	6.10
1080026694	0.75
1080003231	643.39
1080015229	118.86
1080016443	389.83
1080029153	3,944.64
1080006071	2,213.15
1080012639	9.74
1080016785	446.05
1080016117	2,597.49
1080000340	374.23
1080002221	20.44
1080016631	0.68
1080004438	11.95
1080038369	2.22
1080007803	889.52
1080005301	650.87
1080037682	33.07
1080004175	1.58
1080000282	-
1080016454	4.07
1080016393	63.47
1080000286	11.80
1080020843	2.40
1080026758	22.76
1080001276	16.36
1080002198	128.94
1080029251	187.44
1080004773	216.12
1080002111	7.23
1080021586	732.56
1080006538	630.13

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Owner Number	Estimated Net Settlement Amount
1080023715	66.74
1080029114	926.31
1080002367	16.03
1080028957	2,693.57
1080016067	69.15
700880	30,951.78
1080002434	14,468.94
1080000607	31.03
1080009509	50.19
1080017490	41.08
1080025682	1,608.60
1080013706	56.76
1080031772	5,310.75
1080000433	13.65
1080004176	5.22
1080007542	0.22
1080003722	960.02
1080002394	19.31
1080003552	-
1080006949	177.74
1080002269	39.41
1080016106	1,758.65
1080041615	11.41
1080017185	17.29
1080017268	456.07
1080019577	9.18
1080017800	141.30
1080029556	554.54
1080027636	33.02
1080018593	0.06
1080007715	391.48
1080003632	4.40
1080004180	1.03
1080000508	1,521.62
1080016323	119.04
1080041720	2.63
1080002527	1,016.26
1080003828	115.43
1080002956	534.79
1080004688	53.26
1080000014	191.48
1080003170	7.29
1080003177	6.67
1080003178	26.12

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Owner Number	Estimated Net Settlement Amount
1080003185	7.29
1080003186	570.01
1080031844	13.81
1080038287	504.79
1080004981	149.24
1080037596	655.91
1080038519	28.76
1080038281	21.58
1080014995	29.66
1080018684	4.44
1080002392	20.53
1080003736	882.65
1080028102	10.74
1080004181	5.40
1080013139	12.48
1080004550	2.52
1080037308	35.61
1080002212	3.74
1080003015	79.65
1080029943	35.46
1080016764	178.10
1080022668	420.09
1080007683	740.65
1080019020	988.43
1080005293	410.71
1080009533	6.41
1080010183	1.79
1080016163	4.86
1080029149	56.52
1080016991	4,207.81
1080017142	221.39
1080004183	2.36
1080019057	46.46
1080000694	1.13
1080000472	2,198.83
1080029211	126.66
1080029213	10.87
1080016711	7.05
1080029215	287.37
1080026900	556.57
1080029217	1.47
1080029219	332.60
1080003747	126.97
1080024219	143.58

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Owner Number	Estimated Net Settlement Amount
1080000704	13,582.74
1080018476	378.22
1080026393	17.70
1080002736	8,029.46
1080034790	826.48
1080025048	4,411.65
1080032304	2,376.88
1080017643	1,248.62
1080029246	4,828.45
1080004987	1.78
1080029237	159.47
1080000473	1,295.78
1080016459	9.07
1080008150	224.60
1080010379	107.24
1080029232	883.84
1080004186	1,926.55
1080002215	35.99
1080029243	7.19
1080004187	114.55
1080021693	0.03
1080040413	1.07
1080032076	1,226.42
1080000962	4,198.03
1080038827	229.10
1080029253	19,847.06
1080024056	5,397.20
1080009225	42.30
1080029287	1,374.77
1080025505	0.01
1080037794	29.68
1080038501	96.95
1080005471	32.81
1080006987	229.69
1080029289	7.41
1080029302	919.80
1080010385	73.10
1080038339	220.41
1080038634	0.16
1080029316	1.66
1080024499	13.81
1080002217	7,983.58
1080000263	15.73
1080027201	13.71

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Owner Number	Estimated Net Settlement Amount
1080000484	1,084.61
1080029345	20.86
1080005445	90.53
1080014717	64.53
1080029362	353.64
1080015300	7.77
1080024814	1,337.98
1080004192	2.14
1080041627	164.83
1080016131	258.71
1080004193	20.42
1080000009	227.24
1080031088	1,014.70
1080000051	19.13
1080038801	0.13
1080015745	2,752.40
1080027225	15.18
1080013829	276.68
1080024316	66.68
1080014773	2.42
1080000271	0.37
1080018646	17.16
1080024220	143.58
1080026929	7.47
1080006424	162.47
1080023710	222.39
1080002751	6.90
1080025202	117.31
1080018161	99.57
1080032317	2.75
1080038479	594.36
1080004453	1.28
1080010398	910.56
1080003027	114.26
1080002390	330.20
1080017444	329.70
1080001804	5.18
1080030634	733.46
1080012757	1.70
1080029364	7.84
1080002498	2,166.83
1080018691	60.23
1080031457	185.66
1080014313	890.49

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Owner Number	Estimated Net Settlement Amount
1080002130	10.82
1080007680	1,787.55
1080017842	2.58
1080000688	1,296.83
1080016554	10.69
1080016134	423.55
1080029377	1,877.26
1080024463	8,939.04
1080000567	374.84
1080027286	3,042.12
1080023642	2,855.65
1080004197	2.36
1080028686	120.51
1080002265	4.32
1080001040	0.03
1080017841	85.76
1080042174	43.47
1080018626	30.12
1080015958	71.88
1080002603	13,917.39
1080008137	18.37
1080022671	671.20
1080016931	33.72
1080041975	6.66
1080032316	648.63
1080018331	0.76
1080032222	0.77
1080004199	32.01
1080029745	449.86
1080005576	930.30
1080003562	149.17
1080018474	8.35
1080042343	6.64
1080003049	16.10
1080030660	7.83
1080006386	757.32
1080015496	0.49
1080015497	2.58
1080041493	0.20
1080015498	88.91
1080041494	29.51
1080029446	10.97
1080029459	10.97
1080003802	201.97

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Owner Number	Estimated Net Settlement Amount
1080029447	6,924.48
1080029456	317.28
1080029457	316.79
1080029454	4.10
1080031243	3.14
1080042061	511.42
1080017405	317.00
1080017404	828.42
1080016223	43.59
1080041670	6.23
1080002750	6.90
1080019996	28.41
1080017845	86.45
1080029467	389.56
1080027660	7.66
1080003610	2.29
1080030269	13.12
1080002669	70.26
1080029471	444.76
1080026580	4.76
1080032111	2,896.83
1080011651	112.56
1080029485	217.10
1080032195	1.26
1080031401	14.07
1080002792	0.88
1080003200	1,830.23
1080002971	1,071.00
1080004200	14.53
1080019155	85.41
1080003693	20.87
900090	71.00
1080029519	3,934.55
1080032220	44.40
1080003686	0.46
1080004202	23.11
1080040363	1.96
1080019064	1,458.32
1080021297	771.79
1080000504	4.05
1080012659	1.31
1080031543	116.00
1080025302	2.20
1080026709	0.91

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Owner Number	Estimated Net Settlement Amount
1080008064	7.37
1080007946	7.72
1080029550	7,512.32
1080002582	0.02
1080025687	123.54
1080005558	7.16
1080026444	1,807.61
1080038143	0.55
1080028649	827.08
1080002032	0.96
1080006092	554.39
1080000942	0.03
1080029553	722.32
1080000943	179.52
1080001164	14.69
710673	178.60
1080012597	1,496.91
1080041038	236.50
1080004203	25.81
1080004204	7.06
1080011383	1,302.58
1080002202	8.28
1080038601	0.46
1080001394	52.57
1080029569	2.18
1080003644	26.54
1080005492	8.08
1080025599	16.86
1080004205	6.27
1080024799	18.30
1080000874	533.98
1080002501	9,960.24
1080019286	-
1080008143	835.15
1080024448	0.32
1080014094	205.53
1080010435	412.52
1080015776	2,470.00
1080016475	120.15
1080037287	821.04
1080028876	51.70
1080029410	4,193.63
1080027920	4.72
1080005833	3,046.69

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Owner Number	Estimated Net Settlement Amount
1080019230	245.15
1080017929	1,961.20
1080029292	5.20
1080032313	2,594.35
1080029610	130.50
1080029626	241.47
1080016779	435.71
1080041885	20.61
1080018419	348.12
1080012898	49.94
1080005595	162.04
1080029506	6.39
1080030575	46.64
1080007521	81.95
1080017059	86.47
1080041295	15.22
1080014005	122.58
1080002264	953.02
1080016583	3.79
1080016852	10,404.36
1080041927	2,542.18
1080008100	0.44
1080037795	2.60
1080026584	0.12
1080024861	1,606.37
1080028941	2,929.25
1080005244	177.12
1080017773	261.41
1080027462	302.07
1080008542	1,879.81
1080028191	31.75
1080018397	5,186.61
1080018450	53.78
1080005053	1,162.61
1080029645	114.06
1080027592	344.51
1080004211	4.67
1080032061	93.54
1080029122	0.09
1080013895	4.85
1080029392	2,067.24
1080018678	0.75
1080028356	360.53
1080018029	180.87

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Owner Number	Estimated Net Settlement Amount
1080007294	22.76
1080010475	125.29
1080015796	1.69
1080029324	1,856.03
1080038824	0.18
1080027623	4,084.29
1080002181	7.78
1080025356	190.26
1080005823	0.19
1080015426	1.82
1080041477	0.45
1080023840	57.43
1080018711	50.52
1080011710	0.94
1080040347	24.64
1080002289	2,573.69
1080000479	53.80
1080003065	87.21
1080029649	339.41
1080016390	63.47
1080029641	61.11
1080031684	1.60
1080031686	5.84
1080014665	12.38
1080037813	2.20
1080025178	112.47
1080032267	58.96
1080028368	31.09
1080015984	225.43
1080020174	413.36
1080021933	526.45
1080038825	0.17
1080002064	21.03
1080030238	1,183.46
1080001108	1,853.33
1080006932	14.35
1080024019	20.21
1080029596	331.08
1080029756	0.31
1080018191	2,058.30
1080042274	4,446.44
1080015428	143.50
1080017919	2,206.34
1080013084	593.42

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Owner Number	Estimated Net Settlement Amount
1080010445	8,725.94
1080018970	91.03
1080000344	162.88
1080023640	1,094.44
1080026070	0.65
1080023630	875.96
1080000879	153.02
1080016130	418.58
1080015985	64.72
1080016862	74.44
1080002255	7.13
1080029665	3.67
1080029668	51.37
1080025598	0.15
1080029673	231.48
1080013118	34.78
1080029672	9.25
1080029682	17,973.69
1080019571	217.69
1080029676	3,142.15
1080005460	632.74
1080004384	27,994.23
1080030813	1.20
1080004215	2.80
1080015795	1.69
1080002722	7.50
1080015895	2,180.81
1080042477	183.58
1080000480	292.33
1080006522	303.04
1080029697	2.41
1080031016	180.28
1080029694	3,960.21
1080011488	2,162.06
1080029698	272.11
1080029225	24.62
1080029709	5,665.78
1080029711	27.79
1080003748	84.86
1080029712	778.33
1080001198	2,188.28
1080037767	1.89
1080032306	503.86
1080041983	1,188.10

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Owner Number	Estimated Net Settlement Amount
1080019176	-
1080032341	25.75
1080000047	616.03
1080026697	1.83
1080029746	3,932.60
1080024450	155.71
1080005012	256.69
1080029751	456.65
1080015633	23.55
1080025399	0.01
1080000549	7.02
1080028218	49.72
1080016999	313.74
1080017654	22.17
1080032103	138.75
1080027376	10.01
1080031395	0.36
1080018642	390.90
1080003012	79.65
1080029786	1,526.01
1080016068	15.39
1080041594	2.21
1080002616	1,631.79
1080029801	1.56
1080018030	121.01
1080042223	50.24
1080029805	4,792.33
1080012416	24,492.79
1080029802	2,058.89
1080024785	5,107.92
1080004580	0.94
1080017266	456.08
1080009508	3.08
1080003829	96.24
1080005561	5,218.91
1080029810	120.47
1080029811	8.98
1080006140	8,375.69
1080006485	56.19
1080018933	210.21
1080037317	24.93
1080037776	465.36
1080038507	0.30
1080016237	9,967.35

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080042495	2,725.13
1080007531	2.65
1080002850	3.78
1080003127	203.45
1080038619	879.01
1080017704	98.47
1080038263	760.47
1080038265	214.47
1080029862	-
1080029864	4,482.23
1080019249	2.64
1080002583	0.06
1080029870	58.71
1080007252	496.32
1080005072	160.20
1080005040	1,275.26
1080009562	22.53
1080029876	83.96
1080006694	82.28
1080003619	31.94
1080014396	0.50
1080012055	418.41
1080005377	189.19
1080003360	9.96
1080018768	12.20
1080037298	142.44
1080029906	4.02
1080000530	0.21
1080027613	0.28
1080019209	3,534.15
1080006278	10,364.96
1080029923	11.11
1080037255	1.93
1080012609	5.00
1080024647	2,001.52
1080003393	615.48
1080029977	1,509.29
1080006652	3,877.59
1080029985	1.74
1080007205	6.22
1080030168	145.01
1080005274	93.89
1080030294	380.90
1080004220	7.06

Cook Children's Health Foundation, et al. v. Diamondback E&P LLC
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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080012124	56.39
1080040963	1.81
1080005361	93.49
1080037922	2.97
1080004768	7.62
1080025507	0.01
1080015829	334.65
1080029997	492.10
1080032337	1,514.65
1080027284	292.95
1080000556	1,362.82
1080001339	327.71
1080004221	2.77
1080026930	7.47
1080011847	148.93
1080030006	836.43
1080030007	14.64
1080018616	6.56
1080030005	5.41
1080011829	2,359.79
1080010499	12,761.25
1080003025	1,100.39
1080015969	15.98
1080016462	1,340.44
1080002469	1.55
1080037930	15.04
1080014779	2,997.57
1080016135	423.54
1080015642	5,903.14
1080007662	1,787.54
1080010501	53.37
1080016456	35.30
1080002480	1,104.63
1080013874	0.09
1080041263	0.09
1080030011	399.35
1080019616	16.28
1080000424	3.41
1080005109	697.68
1080000467	-
1080001062	11.33
1080015708	109.57
1080028217	14.05
1080038100	8.82

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080000426	17.84
1080006952	88.88
1080002069	16.97
1080038456	17.64
1080016942	2,615.60
1080016943	1,524.24
1080000077	259.19
1080030044	797.29
1080016977	240.08
1080015618	259.34
1080009229	15.19
1080040506	4.16
1080038769	9.17
1080023867	29.66
1080030862	596.19
1080025128	0.01
1080014666	5.77
1080041356	0.67
1080015429	1.71
1080004227	9.50
1080008086	0.03
1080014105	3.24
1080007204	8.13
1080001391	8.57
1080014497	2.34
1080016649	23.69
1080001168	653.70
1080016211	117.34
1080041663	15.55
1080024467	3,007.63
1080025688	123.54
1080025500	420.49
1080010515	53.37
1080040505	4.16
1080011711	0.47
1080028997	18.12
1080030080	110.62
1080012560	3,522.24
1080000517	8.72
1080015628	1,598.29
1080017454	186.97
1080038343	4.00
1080000545	0.24
1080001154	2.60

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Owner Number	Estimated Net Settlement Amount
1080001161	21.66
1080002853	944.42
1080023650	1,126.65
1080007509	87.21
1080004231	24.33
1080016709	537.42
1080002774	274.98
1080018675	0.76
1080004605	1.66
1080029714	102.74
1080003365	0.22
1080007821	357.31
1080024511	865.10
1080027952	311.36
1080015430	35.87
1080024320	130.87
1080002336	18.12
1080029021	4,935.90
1080037611	25.63
1080001312	0.26
1080009230	15.19
1080018628	53.33
1080017413	1,295.42
1080042067	394.50
1080000863	340.27
1080004234	3,614.50
1080006744	2.67
1080010522	838.78
1080005485	4.37
1080006914	172.27
1080028824	723.81
1080012522	67.83
1080016577	1.92
1080016437	1,952.65
1080041770	420.36
1080011645	3,775.63
1080004235	2.36
1080024930	6,779.41
1080008544	1,879.81
1080024642	1.06
1080008825	68.33
1080030667	46.89
1080038559	7.47
1080026572	0.70

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Owner Number	Estimated Net Settlement Amount
1080014306	890.49
1080027525	59.20
1080030388	1,576.60
1080016051	231.82
1080041585	17.06
1080017611	44.37
1080038207	7.09
1080000309	37.92
1080025071	0.74
1080030778	14.07
1080038846	13.44
1080015767	46,409.31
1080003549	-
1080030132	4,792.33
1080030133	2,335.29
1080028646	132.81
1080002495	192.51
1080017019	136.62
1080030154	58.73
1080005046	288.53
1080003037	43.08
1080022510	148.09
1080000257	1,362.82
1080029796	819.05
1080016696	409.56
702931	687.43
1080006564	2,088.35
1080030162	175.43
1080030161	135.70
1080038243	57.05
1080030163	2,176.91
1080001151	94.17
1080027048	300.15
1080038596	102.27
1080030176	53.08
1080016480	1,717.44
1080016276	3,102.47
1080006483	2.84
1080024336	5,056.10
1080009391	4.53
1080016988	6,964.88
1080018673	1.79
1080018647	17.16
1080004236	2.42

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Owner Number	Estimated Net Settlement Amount
1080004237	2.59
1080029857	668.03
1080016632	0.68
1080030035	23.23
1080025198	24.99
1080018334	0.76
1080026366	8.56
1080016506	93.79
1080008116	2.38
1080029577	509.11
1080004488	22,602.12
1080007822	37.07
1080024330	28.28
1080028006	22.20
1080004239	0.03
1080020405	748.54
1080002057	190.07
1080004240	1.38
1080004242	9.73
1080026581	0.12
1080025815	72.94
1080027454	36.97
1080019967	27.98
1080029815	77.77
1080031504	40.66
1080015431	107.62
1080004521	13.39
1080003733	882.64
1080015432	1.06
1080041479	0.34
1080031150	67.95
1080029063	915.27
1080003854	1.07
1080000406	374.84
1080037811	2.64
1080017801	141.30
1080024411	58.80
1080027476	3.73
1080024882	0.01
1080037972	21.32
1080003609	9.01
1080022663	168.03
1080005120	23.80
1080018420	249.84

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Owner Number	Estimated Net Settlement Amount
1080042330	245.73
1080032318	2.75
1080038742	29.72
1080030612	0.88
1080038847	13.44
1080015433	2.27
1080017095	1,842.16
1080000624	11.80
1080009145	228.58
1080000589	2,812.83
1080029617	0.37
1080008549	4.24
1080023520	287.12
1080018992	705.64
1080023473	18.51
1080016914	1,363.34
1080001131	3.10
1080003116	0.72
1080038353	4.40
1080024322	15.32
1080019124	4.66
1080025127	0.01
1080001028	924.82
1080002201	130.37
1080015459	67.31
1080015585	1.40
1080000961	2,795.89
1080000552	138.89
1080018988	4,037.10
1080012544	849.76
1080030473	509.11
1080011070	0.90
1080019045	802.27
1080029023	9.44
1080003527	108.90
1080030208	9,480.76
1080010533	430.48
1080004246	16.09
1080030206	0.74
1080006737	1,995.66
1080018012	269.73
1080018011	186.07
1080005319	264.94
1080000755	2,531.61

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Owner Number	Estimated Net Settlement Amount
1080030211	5,531.58
1080042146	1,599.04
1080017737	7.13
1080007894	591.57
1080001406	2.05
1080037624	160.11
1080038267	14.15
1080028682	49.33
1080018108	1,714.42
1080015959	71.88
1080007974	5.23
1080029944	21.70
1080003351	2.89
1080015569	134.14
1080015553	21.19
1080041506	19.45
1080030249	5.88
1080030250	5.88
1080017705	46.49
1080029201	948.17
1080000201	10.20
1080007434	11.14
1080017752	18.68
1080016695	213.79
1080007513	245.25
1080025287	265.24
1080024994	354.25
1080028577	849.75
1080015574	2,401.14
1080007598	13.51
1080012275	15.52
1080011119	193.65
1080029624	2,588.47
1080025322	1.38
1080027529	114.08
1080025718	85.15
1080042051	26.84
1080017325	257.95
1080028047	1.70
1080011071	0.90
1080030268	38.78
1080031816	40.26
1080030274	68.33
1080030279	121.57

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Owner Number	Estimated Net Settlement Amount
1080006792	1,344.74
1080027285	292.94
1080012407	108.06
1080012908	265.95
1080041084	228.82
1080038583	6.82
1080015968	105.43
1080030713	82.56
1080009644	17.16
1080005575	505.78
1080012776	30.27
1080005613	3,111.23
1080002766	631.48
1080030285	0.52
1080022803	40.53
1080030284	929.45
1080018417	151.26
1080002191	35.68
1080030295	-
1080030297	548.80
1080016050	231.82
1080041584	17.06
1080040385	86.17
1080006185	64.29
1080030141	2.21
1080002764	947.11
1080004252	16.28
1080014025	119.12
1080029817	55.58
1080006953	266.62
1080015764	630.79
1080016218	23.26
1080041667	21.20
1080004254	3.98
1080030322	1.23
1080006547	163.26
1080038066	15.44
1080000343	41.60
1080030470	439.73
1080038491	28.72
1080004255	0.59
1080002694	0.45
1080018659	140.89
1080002587	0.36

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Owner Number	Estimated Net Settlement Amount
1080018810	880.81
1080002592	0.26
1080019171	87.12
1080015624	26.03
1080030336	5,102.70
1080017710	0.24
1080015586	1.40
1080030343	25.69
1080027049	47.10
1080014664	12.44
1080031614	6.69
1080003525	444.99
1080017432	150.73
1080016441	926.94
1080041773	40.86
1080037912	1.65
1080016573	0.24
1080030661	67.51
1080041711	49.01
1080016303	646.05
1080028415	12,241.59
1080017140	5,367.50
1080037822	2.09
1080015090	3.79
1080001144	185.60
1080004568	13.39
1080001098	463.41
1080013841	14.86
1080030345	1,655.72
1080003046	20.68
1080006560	1,041.26
1080027707	99.89
1080029527	13.69
1080006746	6.12
1080038545	6.82
1080004259	48.60
1080004260	140.24
1080003007	218.70
1080004622	372.20
1080003416	0.91
1080037897	1.68
1080004335	42.45
1080003613	0.80
1080040658	1.50

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Owner Number	Estimated Net Settlement Amount
1080028015	3,594.90
1080030109	123.84
1080009208	543.05
1080003548	-
1080008938	230.48
1080008053	4.66
1080005110	697.68
1080016124	1,046.33
1080026810	908.65
1080003731	73,745.07
1080030357	47,648.32
1080007476	52.52
1080000265	82.57
1080019673	134.62
1080015512	262.69
1080004262	0.87
1080018079	124.90
1080042239	98.19
1080001024	202.31
1080007283	58.25
1080002134	625.81
1080017353	1,316.06
1080030541	1,711.17
1080005462	17.57
1080007510	81.49
1080030643	397.67
1080030644	209.44
1080009462	14.67
1080028736	4.12
1080031791	1,434.29
1080003053	-
1080009428	43.32
1080016976	66.27
1080030379	180.34
1080012623	2.23
1080018416	111.07
1080005045	827.52
1080024367	1,166.34
1080018526	62.75
1080002514	1,150.02
1080030382	2,174.28
1080030383	22.48
1080030428	207,513.42
1080030406	976.53

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Owner Number	Estimated Net Settlement Amount
1080040705	0.07
1080003338	329.35
1080003069	261.59
1080004263	1.30
1080038641	0.22
1080004265	13.66
1080007282	10,600.64
1080029836	70.31
1080018726	7.43
1080018716	932.66
1080010570	630.21
1080004266	1.06
1080030440	146.97
1080030450	105.51
1080030451	1,471.36
1080027052	13.75
1080002693	1.67
1080001550	1.28
1080018712	50.53
1080030455	128.45
1080035219	8.97
1080011398	28.87
1080004571	13.39
1080030476	339.00
1080009014	0.07
1080003464	6.47
1080006777	1,008.01
1080006918	43.07
1080015887	533.98
1080015248	3.75
1080018714	22.27
1080008021	1.48
1080003960	1.46
1080002776	1,892.77
1080002512	224.10
1080015491	428.68
1080030495	73.66
1080030481	18.42
1080030489	4.49
1080017342	68.99
1080005534	2,044.75
1080003557	-
1080002281	7.23
1080027280	0.44

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Owner Number	Estimated Net Settlement Amount
1080002236	7.90
1080038401	5.98
1080010585	53.37
1080016236	26.79
1080041679	2.71
1080016450	18.37
1080011122	191.37
1080030496	298.15
1080028915	2,176.45
1080013147	32.39
1080014011	153.97
1080018190	2,058.28
1080042273	4,446.43
1080025229	0.20
1080003424	1.18
1080015701	193.56
1080003627	1.70
1080001646	133.12
1080001487	44.60
1080001657	873.73
1080001486	855.22
1080025252	0.01
1080004269	1.56
1080016758	446.05
1080038495	28.72
1080000358	-
1080007711	278.62
1080015153	35.05
1080000269	-
1080030507	2.10
1080002598	755.20
1080007660	1,787.54
1080000518	2.50
1080028994	6,008.16
1080017867	44.53
1080027644	630.33
1080025146	525.78
1080029540	2.87
1080000409	48.72
1080041757	30.12
1080016415	97.34
1080015435	156.97
1080041480	11.86
1080004841	13.51

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Owner Number	Estimated Net Settlement Amount
1080016978	112.50
1080024940	5,285.28
1080028689	2,472.41
1080030069	1,332.66
1080004270	20.42
1080017000	103.58
1080041657	358.48
1080016195	180.98
1080001137	50.57
1080000216	1,404.13
1080014614	1,670.21
1080006747	12.63
1080037309	142.44
1080016052	248.89
1080018586	47.03
1080007594	13.51
1080024609	7.86
1080027769	3,526.94
1080028215	36.96
1080018106	1,790.16
1080018265	72.86
1080042293	29.65
1080005605	4.97
1080028576	122.44
1080006180	65.45
1080007871	499.87
1080030523	14.14
1080012920	185.74
1080041089	186.56
1080042338	4.45
1080018453	2.91
1080001338	0.05
1080022118	0.25
1080005946	0.24
1080030543	248.53
1080028229	996.06
1080037314	167.24
1080018525	161.68
1080022165	91.57
1080038028	269.07
1080003050	14.97
1080030553	28.94
1080015998	15.72
1080030579	3.70

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Owner Number	Estimated Net Settlement Amount
1080002425	123,999.15
1080026818	8.76
1080011106	22.99
1080018328	1,194.88
1080002594	55.54
1080018482	1,036.06
1080042346	468.60
1080010610	388.40
1080026693	4.52
1080030594	10.89
1080013090	6.31
1080004365	9.07
1080037716	41.13
1080038342	771.43
1080038338	110.21
1080038341	440.82
1080019183	4,959.14
1080025622	0.44
1080030673	6,855.62
1080030681	-
1080018999	1,733.29
1080000600	892.12
1080017096	1,443.51
1080030687	535.34
1080012995	0.66
1080041105	0.17
1080030686	826.13
1080012237	7.16
1080017727	105.08
1080000598	542.37
1080038632	33.47
1080010466	75.51
1080001314	763.84
1080026734	1,527.48
1080030714	11.03
1080008095	0.74
1080003064	729.13
1080006561	36.81
1080006562	6,762.21
1080006563	11,329.37
1080002406	53.78
1080016751	3,689.08
1080030730	4,077.09
1080007868	499.87

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Owner Number	Estimated Net Settlement Amount
1080028832	63.76
1080002542	9.54
1080030732	167.44
1080007207	0.72
1080007870	499.87
1080010630	0.13
1080034885	290.81
1080003535	-
1080013071	72.39
1080018142	4,856.76
1080017293	7.53
1080029816	85.15
1080029964	1.37
1080018651	36.50
1080003734	960.02
1080016606	59.81
1080012148	18.94
1080004611	1.46
1080010633	5,822.38
1080003858	0.19
1080014501	8,111.54
1080037936	4,894.85
1080001946	602.28
1080029433	174.85
1080007839	1,259.49
1080037700	479.44
1080015987	64.25
1080035227	4.30
1080018484	1,504.66
1080023644	531.12
1080018333	0.76
1080000324	5,998.58
1080004650	9.02
1080002534	9.54
1080024996	0.20
1080008153	47.51
1080008052	4.67
1080019000	1,733.29
1080002431	19.92
1080018723	22.01
1080037612	25.63
1080007536	6,723.77
1080038509	1.94
1080015595	110.06

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Owner Number	Estimated Net Settlement Amount
1080016260	10.47
1080017491	11.83
1080017459	0.06
1080002348	2.17
1080005232	61.52
1080038018	0.03
1080015787	1,553.23
1080042475	754.52
1080024756	155.63
1080004547	0.77
1080014771	2.42
1080000491	487.53
1080003052	22.32
1080022809	12.43
1080015805	5,180.26
1080041536	2,343.00
1080002692	1.65
1080032112	5.19
1080002574	116.33
1080016188	3,136.91
1080025408	403.56
1080042052	26.84
1080017326	257.95
1080002199	125.19
1080001445	206.80
1080004860	21.18
1080003361	102.61
1080014049	36.37
1080025483	0.01
1080019212	0.49
1080018024	154.10
1080018710	119.45
1080010641	17,215.00
1080037933	9.89
1080028417	3,749.85
1080038849	13.44
1080010369	973.27
1080004273	1.39
1080026525	275.85
1080018418	78.63
1080038826	114.56
1080037597	450.21
1080030789	136.86
1080030824	10,718.22

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Owner Number	Estimated Net Settlement Amount
1080038027	9.30
1080037648	0.11
1080023575	23.38
1080030832	19.66
1080018818	7,899.18
1080004464	189.73
1080009327	215.60
1080016509	93.79
1080023517	717.82
1080002524	607.23
1080007926	170.24
1080034882	738.53
1080034883	738.54
1080041856	86.07
1080016610	348.06
1080016596	421.38
1080041849	291.11
1080027733	42.51
1080029612	884.82
1080003612	2.29
1080016419	225.29
1080041759	203.90
1080028968	794.06
1080006326	103.24
1080003014	79.65
1080004932	876.97
1080003190	445.65
1080019059	763.96
1080003230	424.26
1080030884	1.07
1080026741	131.31
1080001810	224.91
1080037850	1.65
1080008334	717.70
1080002972	1.34
1080010431	169.93
1080032238	59.69
1080016418	40.28
1080016452	18.14
1080041778	0.22
1080016650	23.69
1080004277	8.86
1080016811	613.17
1080041903	115.75

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Owner Number	Estimated Net Settlement Amount
1080030030	0.88
1080040645	6.52
1080042307	27.70
1080018302	54.41
1080022454	162.97
1080017612	44.35
1080025290	4,031.11
1080028231	915.27
1080015461	67.31
1080004859	16.44
1080017192	2,745.65
1080027809	607.58
1080009756	1,581.69
1080009818	1,581.70
1080000988	1,467.08
1080017797	3,789.05
1080018271	1.38
1080012590	18.08
1080022698	67.01
1080041481	0.34
1080015438	1.37
1080015437	672.64
1080013062	0.36
1080015769	1,880.90
1080026613	0.91
1080017440	177.60
1080042080	34.36
1080011072	0.89
1080010649	3,881.29
1080041855	92.69
1080016609	374.82
1080016230	3,261.84
1080041675	1,956.06
1080016989	6,964.87
1080007851	7.76
1080007805	179.46
1080013091	3.16
1080012461	4,186.36
1080030258	34.23
1080030891	-
1080000990	366.78
1080015756	912.78
1080017625	14.23
1080042123	3.62

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Owner Number	Estimated Net Settlement Amount
1080022129	69.51
1080010656	474.13
1080012265	0.03
1080028984	90.75
1080040992	0.01
1080028863	0.32
1080001088	3,707.12
1080013896	4.85
1080009146	228.58
1080018047	105.88
1080042229	65.42
1080018674	0.76
1080015598	88.57
1080005502	1,533.88
1080025574	1,136.79
1080030902	469.51
1080003192	7.69
1080003193	30.68
1080004336	11.00
1080003356	87.62
1080006758	0.64
1080037278	9.56
1080041656	8.71
1080016191	30.38
1080005093	230.10
1080018890	11.41
1080008543	2,360.35
1080038275	2.97
1080028672	95.23
1080016044	342.51
1080041582	71.79
1080004834	13.17
1080016757	446.05
1080024335	11.42
1080007892	1,552.97
1080009495	8.04
1080028822	250.86
1080042359	245.42
1080025138	112.47
1080024703	3,569.84
1080005608	0.66
1080027266	0.49
1080028905	126.67
1080012971	47.40

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Owner Number	Estimated Net Settlement Amount
1080025197	24.99
1080019210	424.63
1080038405	156.75
1080031721	1,783.17
1080010667	5,671.29
1080030936	43.11
1080031067	24.86
1080024748	20.72
1080003556	-
1080003857	0.12
1080025105	840.72
1080000301	397.29
1080004281	5.97
1080031726	4.55
1080024590	4.84
1080030964	11,171.31
1080007823	650.79
1080025311	0.01
1080010671	480.60
1080025007	303.91
1080018480	126.07
1080016224	138.59
1080041671	19.75
1080017061	140.95
1080016688	420.85
1080016744	182.57
1080026926	158.46
1080027622	4,381.51
1080005463	334.49
1080002715	0.92
1080028503	3,222.61
1080040460	2.10
1080028962	26,266.07
1080032169	1,362.34
1080015962	35.94
1080018475	42.07
1080042344	84.00
1080018515	19.75
1080008118	0.60
1080024524	8.58
1080010439	5,944.63
1080031765	849.76
1080003422	1.05
1080023518	444.79

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Owner Number	Estimated Net Settlement Amount
1080017698	14.07
1080006259	19.42
1080006520	534.10
1080002271	-
1080017377	10.43
1080002479	1,104.63
1080027265	0.49
1080009496	8.04
1080010675	53.37
1080002468	6.74
709780	8.74
1080030994	31.17
1080004422	4.17
1080030996	2.31
1080007097	384.98
1080002991	11,517.89
1080005158	14,021.23
1080030991	536.79
1080004579	63.94
1080003031	131.02
709777	5.06
1080030987	47.71
1080005829	9.72
1080030983	1.50
1080025685	105.13
1080003055	2.98
1080001352	69,909.14
1080004285	5,495.52
1080031836	122.42
1080018686	29.91
1080001242	530.72
1080009186	9,880.45
1080009475	46.28
1080012610	89.86
1080041041	130.13
1080016932	0.97
1080006944	66.64
1080016219	366.62
1080032107	2,533.64
1080000361	1,375.48
1080015239	42.30
1080017896	156.67
1080007878	21.18
1080002377	43,327.59

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Owner Number	Estimated Net Settlement Amount
1080020898	17,043.30
1080005634	1,467.08
1080005070	77.34
1080022563	18.95
1080024519	4,140.52
1080004381	92.81
1080037999	2.08
1080031342	4,815.64
1080000900	77.98
1080037973	51.10
1080013621	67.05
1080017677	299.56
1080005231	228.84
1080007806	833.94
1080002496	2,889.12
1080009307	621.24
1080011248	102.28
1080011249	102.28
1080028307	853.07
1080030349	0.01
1080000912	34.24
1080024015	3,877.59
1080012599	1,885.35
1080028408	371.21
1080002555	3.57
1080008164	1.54
1080003661	4.58
1080009389	44.20
1080011252	290.76
1080028834	226.18
1080038067	480.54
1080040490	388.74
1080001297	88.22
1080037373	25.88
1080029145	458.11
1080031771	2,616.20
1080026898	1,071.75
1080038291	10.74
1080004289	2.16
1080026821	1,259.83
1080017020	3,910.26
1080003756	31.30
1080038062	480.54
1080038268	19.91

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Owner Number	Estimated Net Settlement Amount
1080037315	0.11
1080030280	1,510.52
1080000563	-
1080029380	384.20
1080003252	14,883.58
1080004290	0.04
1080030670	12.00
1080030746	7,918.60
1080005635	1,467.08
1080030969	781.95
1080038602	8.21
1080003013	128.23
1080011069	0.90
1080031315	5,393.96
1080004644	569.05
1080031571	17,664.21
1080024995	0.06
1080006232	26.20
1080035222	23.79
1080007763	2.01
1080017164	139.96
1080018580	41.56
1080029755	0.13
1080037768	1.89
1080004291	3.19
1080014382	69.87
1080018478	50.34
1080042345	138.77
1080018479	315.18
1080029643	16.70
1080010693	3,084.85
1080016174	107.82
1080014110	1,594.57
1080026614	1.48
1080003545	119.76
1080032293	86.64
1080016062	215.79
1080042491	91.24
1080016664	6.11
1080016906	2,075.35
1080041960	1,016.46
1080038802	0.23
1080022667	420.09
1080016698	3,211.24

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Owner Number	Estimated Net Settlement Amount
1080013064	0.36
1080029971	100.09
1080010695	0.36
1080006133	232.42
1080016889	15.52
1080041953	-
1080007366	66.64
1080007824	43.89
1080027051	19.63
1080027263	0.49
1080004421	0.22
1080011121	2.36
1080040754	0.79
1080031062	491.34
1080017812	244.03
1080000683	402.53
1080002438	1,428.33
1080030717	83.86
1080004919	1.97
1080016118	1,072.95
1080016754	376.65
1080041877	69.40
1080012513	68.97
1080030071	20.21
1080023927	22.05
1080002331	804.22
1080004428	53.73
1080038563	1.73
1080028980	8.28
1080026720	0.27
1080009511	50.19
1080016657	10.01
1080002948	2,191.31
1080022664	168.03
1080003021	35.97
1080017414	1,295.42
1080042068	394.50
1080009493	8.04
1080004293	2.20
1080018989	3,678.64
1080031068	0.74
1080003098	142.48
1080002205	36.71
1080029001	8.86

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Owner Number	Estimated Net Settlement Amount
1080031079	957.76
1080002626	453.34
1080025799	100.90
1080004777	423.23
1080025797	370.70
1080008546	12.70
1080038110	0.03
1080038637	0.36
1080016264	0.24
1080041693	0.01
1080030775	1.20
1080007852	7.55
1080017965	18.23
1080018514	19.75
1080015517	42.46
1080002153	27.80
1080028224	89.90
1080018738	44.32
1080007383	34.77
1080001602	0.10
1080037650	1,255.80
1080031098	9.06
1080002493	160.80
1080030542	0.49
1080004296	0.35
1080002179	11.17
1080029767	178.32
1080018676	0.76
1080002203	1.93
1080027050	13.56
1080006641	145.80
1080007628	236.32
1080024522	0.92
1080038562	3.08
1080038366	0.10
1080009499	8.04
1080004301	140.24
1080002688	1.01
1080017143	1,580.68
1080010720	8,245.07
1080003654	3.61
1080026701	0.41
1080001799	899.57
1080002021	3,519.65

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Owner Number	Estimated Net Settlement Amount
1080031130	285.67
1080031147	120.60
1080002459	600.32
1080016739	2,556.49
1080006435	5.57
1080024912	108.25
1080002689	0.47
1080000632	53.06
1080031488	146.97
1080031688	430.75
1080023077	-
1080010498	20.30
1080001041	0.03
1080017516	11.84
1080024562	12.09
1080005034	204.70
1080031164	777.58
1080026855	126.21
1080031170	62.59
1080019174	261.35
1080026442	1.36
1080031171	12.70
1080011173	225.06
1080002558	0.04
1080025581	3,993.87
1080031172	39.03
1080006327	18.92
1080031611	362.16
1080027230	489.48
1080038337	1,126.34
1080007705	361.24
1080009498	8.04
1080019237	672.68
1080023505	56.64
1080003023	34.93
1080031208	3,511.32
1080031210	34,612.11
1080017729	17.18
1080016986	2,654.12
1080003887	14.74
1080012749	1,572.78
1080031236	562.63
1080031235	1,062.69
1080031232	85.01

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Owner Number	Estimated Net Settlement Amount
1080007990	241.07
1080040356	7.04
1080005400	0.01
1080022488	28.08
1080003541	105.94
1080042234	6.42
1080018054	14.86
707546	122.85
1080027484	874.13
1080027485	13,945.00
1080027672	881.90
1080008152	57.01
1080015735	2,688.98
1080031285	96.53
1080009169	872.52
1080025022	413.48
1080006068	6,639.42
1080014386	451.90
1080027887	181.23
1080003885	9.07
1080012840	26.09
1080031008	4.46
1080005719	41.08
1080016736	376.65
1080041872	69.40
1080030392	34.79
1080016078	36.89
1080005749	281.34
1080031410	430.48
1080028416	3,749.84
1080037683	33.07
1080001299	2.36
1080007337	15.17
1080010159	3.03
1080026717	0.18
1080030032	29.37
1080017119	29.58
1080024684	4,163.76
1080001269	-
1080021564	852.07
1080001557	707.22
1080002749	6.90
1080016473	240.29
1080032315	1,297.19

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Owner Number	Estimated Net Settlement Amount
1080006075	14,475.05
1080003547	-
1080000221	1,362.82
1080004309	12.71
1080030638	10.24
1080017321	1,678.81
1080042047	752.57
1080030256	36.46
1080018718	491.19
1080021395	0.80
1080037860	1.08
1080012644	9.89
1080028405	4.61
1080038357	0.01
1080017441	211.96
1080017237	30.13
1080007465	15.54
1080018624	56.17
1080019178	-
1080038020	1,055.62
1080031326	99.15
1080038448	0.30
1080028262	968.98
1080031304	242.51
1080015952	5,930.95
1080038594	0.02
1080018410	16.18
1080014381	47.29
1080040220	68.71
1080031337	25,293.69
1080004311	5.94
1080003543	89.47
1080024833	0.11
1080031363	6,170.67
1080031374	430.68
1080024962	11.84
1080016549	8,037.11
1080025395	1.90
1080008264	1,406.59
1080004313	3.19
1080009137	342.87
1080038452	19.28
1080031370	88.11
1080014404	289.19

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Owner Number	Estimated Net Settlement Amount
1080027907	11.95
1080031382	37.24
1080030290	1.58
1080030242	270.43
1080019503	23.03
1080029207	1,715.82
1080010755	79.28
1080040692	55.46
1080042094	1.91
1080017495	9.93
1080011653	234.11
1080005990	43.40
1080026815	7.62
1080041533	836.70
1080015738	3,322.42
1080003465	86.29
1080015442	35.87
1080031421	146.48
1080031422	705.83
1080015556	33.38
1080041509	3.65
1080003008	2,200.77
1080038069	142.99
1080005419	68.92
1080010762	70.49
1080010036	1,030.53
1080007593	472.60
1080028541	33.82
1080007713	395.53
1080016638	1,099.64
1080002257	1,175.44
1080024811	0.02
1080024812	0.02
1080006050	0.42
1080009590	7,119.56
1080028325	6,442.47
1080000660	-
1080031460	198.36
1080004419	38.20
1080004423	-
1080018896	1.40
1080024394	0.46
1080025082	2.20
1080003364	88.39

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Owner Number	Estimated Net Settlement Amount
1080000928	21.32
1080004633	540.32
1080007678	1,787.54
705073	880.30
1080010765	570.97
1080032314	235.85
1080030001	0.27
1080031650	1,180.49
1080003635	4.40
1080005577	12.56
1080001270	0.32
1080024755	26.74
1080017649	204.17
1080041661	5.65
1080016208	39.24
1080007618	375.49
1080004943	159.15
1080006187	42.51
1080031517	51,770.13
1080003056	412.87
1080003048	163.50
1080031518	11.80
1080017882	3.96
1080000661	1,343.11
1080027557	500.59
1080003308	20,525.61
1080042190	452.19
1080017961	1,275.47
1080031541	2,497.52
1080018248	4,240.99
1080027229	489.48
1080017753	49.33
1080024093	530.82
1080018940	1,039.91
1080017322	1,678.81
1080042048	752.57
1080031604	5.15
1080031500	16.33
1080038293	54.50
1080031167	23.60
1080031320	2,223.25
1080028551	41.83
1080031570	71.83
1080002100	204.05

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Owner Number	Estimated Net Settlement Amount
1080027406	540.79
1080003063	2.63
1080008545	2,155.25
1080038604	205.10
1080002135	15.80
1080002478	54.23
1080004316	3.19
1080015736	4,159.12
1080017450	267.84
1080001038	0.08
1080003262	190.11
1080026574	0.24
1080031227	114.08
1080028729	3,060.68
1080015443	0.51
1080007590	67.51
1080015773	7,093.80
1080002636	531.87
1080004320	2.59
1080003735	882.65
1080006917	114.86
1080018648	17.00
1080001090	1,235.73
1080017652	22.17
1080002562	62.37
1080002560	411.36
1080004321	11.10
1080002947	2,191.31
1080015444	672.64
1080003645	495.30
1080008161	47.51
1080009397	2,036.81
1080002250	7.26
1080040219	2.69
1080025686	119.52
1080003633	4.40
1080022676	840.16
1080026578	0.12
1080027793	14.43
1080031306	37.98
1080005311	281.98
1080002386	15.34
1080014379	27.75
1080011246	11.51

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Owner Number	Estimated Net Settlement Amount
1080030837	1,422.95
1080010780	762.79
1080040701	223.87
1080010781	48.83
1080040702	21.75
1080002211	10.20
1080030111	7,025.91
1080004850	65.86
1080030649	93.95
1080012504	19,521.90
1080000490	0.28
1080021291	209.13
1080004323	4.68
1080007827	1,071.90
1080029644	16.67
1080029946	36.07
1080029947	32.30
1080017623	17.84
1080000351	18.12
1080028436	-
1080016202	16.34
1080029008	1,502.73
1080000557	1,362.82
1080015714	8,396.44
1080025261	0.20
1080018356	54.31
1080042318	12.59
1080007538	3.07
1080001293	1.67
1080022661	168.03
1080031454	2.87
1080038073	3.28
1080000592	6,778.98
1080028653	155.21
1080004651	38.64
1080016229	-
1080015462	757.29
1080024404	58.80
1080006318	25.98
1080015896	378.64
1080003407	4,336.39
1080024648	9.68
1080026817	329.70
1080031605	2,504.58

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Owner Number	Estimated Net Settlement Amount
1080030288	52.81
1080000723	172.31
1080014457	124.99
1080032147	723.02
1080041343	170.85
1080038536	1.40
1080007906	1,808.97
1080031630	5.13
1080008096	0.39
1080037625	8.98
1080030651	2.36
1080003478	30.47
1080031664	42.51
1080037977	358.78
1080002752	1,997.40
1080005620	1.43
1080007464	90.88
1080017788	277.99
1080031695	563.59
1080031701	15,964.54
1080001403	0.20
1080009336	2,900.12
1080007876	65.64
1080004325	0.36
1080002482	1.05
1080008123	4,162.57
1080008124	960.61
1080031715	125.57
1080024447	0.69
1080042066	16,897.86
1080017412	10,315.76
1080010789	290.81
1080030027	327.02
1080017692	824.28
1080025601	1.37
1080003183	51.25
1080003184	12.84
1080031730	0.03
1080031735	-
1080031741	3,037.65
1080019242	814.08
1080004487	2,047.72
1080001514	415.01
1080016055	223.13

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Estimated Net Settlement Amount to Class Members

Owner Number	Estimated Net Settlement Amount
1080009226	474.96
1080000960	4,948.42
1080019594	20.06
1080016572	0.24
1080007900	28.26
1080005564	1,955.15
1080005447	90.36
1080031800	119.59
1080031802	44,937.39