

# NDR

«Barcode»

Postal Service: Please do not mark barcode

Claim#: NDR-«ClaimID» - «MailRec»

«First1» «Last1»

«CO»

«Addr1» «Addr2»

«City», «St» «Zip»

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## LEGAL NOTICE

**If you are a citizen of Oklahoma and owned a residence or business real estate property in Lincoln, Payne, Logan, Oklahoma, Cleveland, Pottawatomie, Seminole, Okfuskee, or Creek counties in Oklahoma between November 5<sup>th</sup> through 8<sup>th</sup>, 2011, and your property or properties suffered earthquake damage from earthquakes near Prague, Oklahoma on November 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup>, of 2011, you could get a payment from a class action settlement.**

A \$5.9 million settlement has been reached with New Dominion, LLC (“New Dominion”) in a class action lawsuit claiming that New Dominion and Spess Oil Company, among others, were responsible for earthquakes that occurred near Prague, Oklahoma, on November 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup>, of 2011. The settlement resolves claims that New Dominion’s nearby oil and gas wastewater disposal well operations caused these earthquakes, and damaged properties in Lincoln, Payne, Logan, Oklahoma, Cleveland, Pottawatomie, Seminole, Okfuskee, and Creek counties. New Dominion denies that its operations caused the earthquakes.

**How do I know if I am included in the settlement?** You are included in the settlement as a Class member if you meet the following definition: All persons who are Oklahoma citizens and owning a business or residential real estate property in Lincoln, Payne, Logan, Oklahoma, Cleveland, Pottawatomie, Seminole, Okfuskee, and Creek counties in Oklahoma (the “Class Area”) between November 5<sup>th</sup> through 8<sup>th</sup>, 2011, and which suffered earthquake damages to such properties from the earthquakes with epicenters near Prague, Oklahoma and occurring on or about November 5<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup>, of 2011.

Excluded from the Class is New Dominion, its directors, officers, employees, and/or agents, the judge presiding over this action and her immediate family members, any person named as an individual plaintiff in another legal action brought against New Dominion and meeting the Class definition, and any person that timely “opts out” of the Class in accordance with the orders of the Court.

**What can I get from the settlement?** If you submit an approved Claim Form, you will receive a cash payment.

**How do I get a payment?** If you are included in the Class and wish to receive a payment from the settlement, you must file a Claim Form by **January 13, 2024**. Claim Forms may be filed online at [www.oklahomaearthquakeslawsuit.com](http://www.oklahomaearthquakeslawsuit.com) or printed from the website and mailed to the address on the form.

**What am I giving up in exchange for the settlement?** If the settlement is approved and becomes final, Class members will release New Dominion, its insurers, and the respective agents, attorneys, parent companies, subsidiaries, affiliates, indemnitees, successors, assigns, and representatives, and each of their respective current and former officers, directors, members, unitholders, and employees of New Dominion and its insurers from any and all known or unknown claims, causes of action, or suits of whatever kind or nature arising from the acts which have been alleged or which could have been alleged in the lawsuit by any Class member. Class members will be bound by all orders and judgements of the Court. Complete details of what you are giving up

in exchange for the settlement can be found in the Settlement Agreement, available at [www.oklahomaearthquakeslawsuit.com](http://www.oklahomaearthquakeslawsuit.com).

**Do I have a lawyer in this case?** Yes, Scott Poynter of POYNTER LAW GROUP has been appointed as “Class Counsel” to represent you and other settlement Class members. You will not be personally charged for this lawyer. Instead, Class Counsel may ask the Court to award them 40% of the settlement fund in attorneys’ fees and up to \$200,000 in litigation costs. If approved, this amount will be deducted from the \$5.9 million settlement before making payments to Class members who submit valid Claim Forms.

If you want to be represented by your own lawyer, you may hire one at your own expense.

**Class Counsel’s representation of some, but not all, members of the Class, and right of claimants to Special Master’s determination.** Class Counsel represents some, but not all, individual members of the Certified Class. Thus, any Claimant may request via their Claim Form that the Special Master determine the validity of their claim and the amount, if any, that is approved out of that sought on the Claimant’s Claim Form.

**How do I tell the Court if I do not like the settlement?** If you are included in the Class, you may object to the settlement or any of its terms. To be valid, your objection must include: (1) your name, address and telephone number; (2) proof of your membership in the Class; (3) a statement of the reasons for the objection and any evidence supporting those reasons; (4) the name, address, email address, and telephone number of your lawyer, if you have one; (5) identification, with specificity, of each instance in which you or your lawyer has objected to a class action settlement in the past ten years; (6) a statement regarding whether you and/or your lawyer intend to appear at the Final Approval Hearing to speak; and (7) your signature. Please know that if you choose to file an objection, you will need to make yourself available for deposition testimony after your filing. Most importantly, your objection must be postmarked no later than **September 15, 2023** and mailed to:

Clerk of the Court: *Cooper v. New Dominion*, Case No. CJ-2015-24, Lincoln County District Court Clerk, P.O. Box 307, Chandler, OK 74834

Class Counsel: Scott Poynter, POYNTER LAW GROUP, 407 Pres. Clinton Ave., Suite 201, Little Rock, AR 72201

New Dominion’s Attorney: Robert Gum, GUM PUCKETT, et al., 105 N. Hudson Ave., Suite 900, Oklahoma City, OK 73102

**When and where will the Court decide whether to approve the settlement?** The Court will hold a Final Approval Hearing on September 25, 2023 at 4:00 p.m. at the District Court of Cleveland County before Judge Jeff Virgin, at Cleveland County Courthouse, 200 S. Peters Ave., Norman, OK 73069. At this hearing, the Court will decide whether the settlement is fair, reasonable, and adequate and whether to approve Class Counsel’s request for attorney’s fees and expenses and the \$7,500 service award for Class Representative. If there are objections, the Court will consider them. Judge Virgin will listen to people who have asked to speak at the hearing. You may ask the Court for permission to speak at the Final Approval Hearing by including a statement in your objection indicating your intention.

**Want more information?** Visit [www.oklahomaearthquakeslawsuit.com](http://www.oklahomaearthquakeslawsuit.com), call the Settlement Administrator at 1-844-915-2150, or contact Class Counsel, Scott Poynter at [scott@poynterlawgroup.com](mailto:scott@poynterlawgroup.com) or (501) 812-3943.