

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

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

Plaintiffs,

v.

Case No. 24-CV-369-JAR

Staghorn Petroleum II, LLC,

Defendant.

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

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Class Representatives submit this Supplement to their Motion for Final Approval of Class Action Settlement (“Final Approval Motion,” Doc. 24). As is common, Class Representatives’ Final Approval Motion was due prior to the request for exclusion and objection deadline of January 28, 2025. *Id.* at 1 n.1. As a result, Class Representatives submit this supplement to address the objections (one) and requests for exclusions (two).

**1. Objections**

On January 28, 2025, Objector Daniel McClure (“McClure”) filed an objection (Doc. 27, the “Objection”) to Class Counsel’s fee request and to Class Representatives’ request for a Case Contribution Award (Doc. 25). The Objection was resolved and withdrawn as detailed in the stipulation filed on February 4, 2025 (“Stipulation”). Doc. 28. There were otherwise no other objections submitted regarding the Settlement, Settlement Agreement, or the requests for Plaintiffs’ Attorneys’ Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, or Case Contribution Award.

## 2. Requests for Exclusion

Only two (2) requests for exclusion were submitted. *See Ex. 1*, JND Summary of Requests for Exclusion. The amounts attributable to these two requests represent 0.00767% of the Net Settlement Fund under the Initial Plan of Allocation (Doc. 24-6). *Id.* Accordingly, the Class Member claims that have chosen to participate in and support the Settlement represent 99.992% of the Net Settlement Fund. With respect to approving a class action settlement, the Tenth Circuit has held that a district court did not abuse its discretion in approving a class settlement from which an “extremely small percentage of class members opted out.” *Rutter & Wilbanks Corp. v. Shell Oil Co.*, 314 F.3d 1180, 1188 (10th Cir. 2002).

Class Representatives recommend approving the two (2) requests for exclusion at the Final Fairness Hearing on February 18, 2025.

### Conclusion

In short, the information necessary for Class Members to consider their options under the Settlement has been provided in accordance with the Court’s Preliminary Approval Order (Doc. 21) and the Notices. There was one (1) objection, which was resolved by the Stipulation, and only two (2) requests for exclusion. Class Representatives respectfully request that the Court approve the Settlement and grant the final approval motions (Docs. 24–25), as modified by the Stipulation (Doc. 28).

Respectfully Submitted,

/s/ Reagan E. Bradford

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**CLASS COUNSEL**

### **CERTIFICATE OF SERVICE**

I hereby certify that, on February 11, 2025, 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/ Reagan E. Bradford*  
Reagan E. Bradford