

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

DASA INVESTMENTS, INC.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 6:18-cv-083-SPS
)	
ENERVEST OPERATING, L.L.C.;)	
ENERVEST ENERGY INSTITUTIONAL)	
FUND XIII-A, L.P.; ENERVEST ENERGY)	
INSTITUTIONAL FUND XIII-WIB, L.P.;)	
ENERVEST ENERGY INSTITUTIONAL)	
FUND XIII-WIC, L.P.; ENERVEST, LTD.;)	
and SM ENERGY COMPANY,)	
)	
Defendants.)	

**CLASS COUNSEL’S MOTION FOR APPROVAL OF
REIMBURSEMENT OF LITIGATION EXPENSES**

Class Counsel respectfully file this Motion for Approval of Reimbursement of Litigation Expenses, and hereby move this Court for entry of an Order approving Class Counsel’s request for Reimbursement of Litigation Expenses which were incurred in successfully prosecuting and resolving this Litigation, in an amount not to exceed \$350,000 (the amount set forth in the Notice).

Class Counsel base this Motion on:

- (1) the Memorandum of Law in Support of this Motion and Exhibits thereto;
- (2) the Declaration of Patrick M. Ryan and Jason A. Ryan on Behalf of Class Counsel and Exhibits thereto (attached to Final Approval Memorandum as Exh. 2);
- (3) the Declaration of Steven S. Gensler in Support of the Proposed Settlement, Notice of the Proposed Settlement, Class Counsel’s Application for Attorneys’ Fees, and Reimbursement of Litigation Expenses (Doc. No. 88);

- (4) the Declaration of Gene Hacker, on behalf of Class Representative DASA Investments, Inc. (attached to Final Approval Memorandum as Exh. 1);
- (5) the Affidavit of Michael J. Weeks on behalf of class member Pagosa Resources, LLC (attached to Final Approval Memorandum as Exh. 9);
- (6) the Affidavit of Robert Abernathy on behalf of class member Acorn Royalty Company, LLC (attached to Final Approval Memorandum as Exh. 8);
- (7) the Affidavit of absent class member Dan Little (attached to Final Approval Memorandum as Exh. 5);
- (8) the Affidavit of Robert E. Gonce, Jr. on behalf of class member Castlerock Resources, Inc. (attached to Final Approval Memorandum as Exh. 6);
- (9) the Affidavit of Phil Steffano on behalf of class member Clear Energy, Ltd. (attached to Final Approval Memorandum as Exh. 7);
- (10) the Affidavit of Kelsie Wagner on behalf of class members The Kelsie Wagner Trust and The Wade Costello Trust (attached to Final Approval Memorandum as Exh. 10); and
- (11) the applicable law and all pleadings, declarations, and records on file in this matter, which are respectfully incorporated by reference as if fully set forth herein.

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

DATED: February 21, 2020

Respectfully submitted,

s/Patrick M. Ryan

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2020, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

J. Kevin Hayes – khayes@hallestill.com

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s/Patrick M. Ryan

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