

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

CHIEFTAIN ROYALTY COMPANY,)

Plaintiff,)

v.)

Case No. CIV-11-29-KEW

XTO ENERGY INC.,)

Defendant.)

FINAL PLAN OF ALLOCATION ORDER

On July 25, 2018, Class Representative filed its Unopposed Motion for Approval of Final Plan of Allocation Order. Having held a Final Fairness Hearing in this Action on March 26, 2018, in which the Court fulfilled its duties to consider objections and independently evaluate the fairness, reasonableness, and adequacy of the Settlement, and having thereafter finally approved the Settlement, and having thereafter entered the Initial Plan of Allocation Order to instruct the Parties and the Settlement Administrator on the manner in which the Net Settlement Fund shall be allocated and distributed to Class Members, the Court now enters this Final Plan of Allocation Order.¹ Accordingly, the Court hereby orders that the Parties and the Settlement Administrator are to promptly carry out the terms of this Order for distribution of the Net Settlement Fund as follows:

1. The Court finds that the parties have acted with reasonable diligence and in good faith to conform to the Settlement Agreement (Dkt. No. 197 at Ex. A) and the Initial Plan of Allocation Order (Dkt. No. 233).

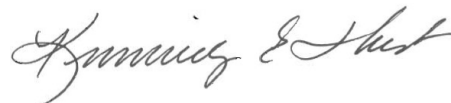
¹ All capitalized terms not otherwise defined in this Affidavit shall have the same meanings ascribed to them in the Stipulation and Agreement of Settlement (the “Settlement Agreement”).

2. The Court has reviewed Class Representative's Unopposed Motion for Approval of Final Plan of Allocation Order and finds that the proposed Final Plan of Allocation complies with the Settlement Agreement and Initial Plan of Allocation.

3. The Net Settlement Fund shall be distributed to Class Members according to Exhibit 2 (filed UNDER SEAL) to Class Representative's Unopposed Motion for Approval of Final Plan of Allocation Order. If payment cannot be made to 100% of the Class, any undistributed Net Settlement Funds will be handled as set forth in the Initial Plan of Allocation Order and the Settlement Agreement.

IT IS SO ORDERED.

Dated this 27th day of July, 2018.



KIMBERLY E. WEST
UNITED STATES MAGISTRATE JUDGE