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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF WYOMING**

Anita C. Deselms, et al.,

Class Representatives,

v.

Occidental Petroleum Corporation, et al.,

Defendants.

Civil Action No. 19-CV-243-KHR

**CLASS REPRESENTATIVES' UNOPPOSED MOTION
TO MODIFY THE ORDER GRANTING CLASS REPRESENTATIVES' MOTION
TO PRELIMINARILY CERTIFY THE CLASS FOR SETTLEMENT PURPOSES
TO PROVIDE THAT THE DATE FOR THE FINAL FAIRNESS HEARING SHALL BE JUNE 5, 2025,
AND FURTHER PROVIDE FOR THE ADJUSTMENTS OF DEADLINES
ALIGNED TO THE NEW DATE SET FOR THE FINAL FAIRNESS HEARING**

Pursuant to the provisions of Paragraph 26 of the Court's *Order Granting Class Representatives' Unopposed Motion To Preliminarily Approve Class Action Settlement, Certify the Class Settlement Purposes, Approve Form and Manner of Notice, Appoint Settlement Class Representatives and Settlement Class Counsel, Appoint the Deposit Escrow Agent and Distribution Escrow Agent, and Set Date for Final Fairness Hearing* (ECF 435) ("Preliminary Approval Order") and for the good cause shown in this Motion, the Class Representatives, through Settlement Class Counsel, move the Court for entry of an order that modifies the Preliminary Approval Order by extending certain deadlines in the Preliminary Approval Order as follows:

1. Vacating and extending the date for the Final Fairness Hearing found in paragraph 16 of the Preliminary Approval Order from May 15, 2025, at 2:00 p.m. to June 5, 2025, at 10:00 a.m. MDT;
2. Modifying that time and date by which Requests for Exclusion must be served on the Defendants' Counsel, the Notice Manager, and Settlement Class Counsel by certified mail, return receipt requested, and received by them as provided in Paragraph 18 of the Preliminary Approval Order from 5 p.m. CT on April 15, 2025, to 5 p.m. (MDT) on May 6, 2025;
3. Modifying that time and date by which written objection and materials required with the objection must be served on the Defendants' Counsel, the Notice Manager, and Settlement Class Counsel by certified mail, return receipt requested, and received by them as provided in Paragraph 19 of the Preliminary Approval Order from 5 p.m. on April 24, 2025, to 5 p.m. (MDT) on May 15, 2025;
4. Approving the form of notice to the Settlement Class as provided in the Exhibits to the Preliminary Order except such notice materials shall incorporate the deadlines

extended for the Final Fairness Hearing, the Requests for Exclusions, and written objections;

5. Modifying the provisions of Paragraph 10 of the Preliminary Approval Order to provide that the Notice Program may commence on or before February 14, 2025, with all notices to potential Settlement Class Members with reasonably discoverable addresses to be mailed on or before March 27, 2025; and
6. Confirming that the deadlines for notices, disclosures, and reports required of Defendants' Counsel, Notice Manager, or Settlement Class Counsel under the Settlement Agreement shall keep their same relative timing, recognizing that the date for Final Fairness Hearing shall be extended by twenty-one days if the Court grants this Motion.

Class Representatives and Defendants have agreed to the filing of this Motion and the form of the *Order Modifying Preliminary Approval Order* that is being submitted with this Motion for consideration by the Court.

The Settlement Class Counsel state and provide the following grounds for the Motion to be granted:

- A. It was recognized in Paragraph 10 of the Preliminary Approval Order that the landmen retained by Settlement Class Counsel ("Settlement Class Landmen") had significant work that was to be completed after the entry of the Preliminary Approval Order. That work was to establish:

- (i) If any section identified in the Preliminary Approval Order as having Settlement Class Minerals was to be excluded from consideration: No sections are to be excluded and notice will be given to any potential Settlement Class Members holding Settlement Class Minerals in the

sections recognized in the Preliminary Approval Order.

- (ii) The name and address of each potential Settlement Class Member: Settlement Class Landmen have completed title reviews of oil and gas minerals for all sections having Settlement Class Minerals, including two sections that were particularly complicated, in part, because of a townsite being established in one of the sections during the early 1900s. Although the Settlement Class Landmen are continuing to review sections and checking their title review, it is believed the Notice mailing set for February 14, 2025 will be accomplished. In some cases, no addresses for owners of the Settlement Class Minerals were provided in the Laramie County land records. In other cases, the owner of the Settlement Class Minerals appears to be deceased. The Settlement Class Landmen have attempted to identify parties that may have knowledge of the heirs of deceased owners of Settlement Class Minerals. These efforts have resulted in the Settlement Class Landmen spending additional time to locate owners and addresses. Settlement Class Counsel will make inquiries with those persons identified by the Settlement Class Landmen.
- (iii) The number of net mineral acres held by each potential Settlement Class Member during the Class Period: Subject to further checks on the title review, the Settlement Class Landmen have determined the net mineral acres held by each potential Settlement Class Member. However, some Settlement Class Minerals were sold or transferred during the Class Period. For the owners of those Settlement Class Minerals, the Settlement Class Landmen were required to determine the days in the Class Period a potential

Settlement Class Member held the Settlement Class Minerals. If the Settlement Class Minerals were transferred, the transferor's and transferee's net minerals were limited proportionally to the number of days that owner held the minerals as compared to the total days in the Class Period. Thus, if a transferor owned the minerals for 75% of the days in the Class Period, the transferor would be assigned 75% of the net mineral acres for that interest, and the transferee 25%. The transfers of Settlement Class Minerals during the Class Period involved 144 unique mineral owners 61 unique sections of minerals. Assigning the net minerals to transferors or transferee required the Settlement Class Landmen to spend more time than had not been anticipated.

- B. The Notice Manager has retained a contractor to help locate addresses for potential Settlement Class Members for which addresses were unavailable or whose Settlement Class Notice is returned. The additional time requested in this Motion will be needed to allow this contractor to provide those services.

Wherefore, the Settlement Class Representatives request the Court enter an order permitting the extensions of deadlines set forth in the Motion.

Respectfully Submitted,

/s/ J. N. Murdock

**COUNSEL FOR CLASS
REPRESENTATIVES**

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2025, a true and correct copy of the foregoing document was served in accordance with the Local Rules on all counsel of record via the Court's electronic filing system.

/s/ J. N. Murdock
J. N. Murdock