

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOUGLAS KRILEY, *et al*,

Plaintiffs,

v.

XTO ENERGY INC.,

Defendant.

Civil Action No. 2:20-cv-416

Hon. William S. Stickman IV

Hon. Christopher B. Brown

ORDER OF COURT

AND NOW, this 5 day of September 2025, IT IS HEREBY ORDERED that the following class is certified for the amended complaint:

Every individual and entity who possessed a royalty ownership interest in an oil and gas lease with XTO covering oil and gas interests at any time during the period of limitations (a) who received one or more royalty payments from XTO; (b) whose oil and gas lease covered gas that was or is gathered on the Jefferson, Forward, or AK Steel gathering segments of the Mountain Gathering system in Butler County, Pennsylvania, (c) whose oil and gas lease states that XTO is

to pay Lessor as a royalty, for the native gas and casinghead gas or other gaseous substances (including shale gas), produced from said land and sold or used beyond the well or for the extraction of gasoline or other product, an amount equal to [X] percent ([X]%) of the sales proceeds actually received by Lessee from the sale of such production, less [X] percent ([X]%) of all "Post Production Costs" as defined below, less [X] percent ([X]%) of any and all taxes, including without limitation, production, severance, and ad valorem taxes. As used in this provision, Post Production Costs shall include, without limitation, (i) all losses of produced volumes (whether by use as fuel, line loss, flaring, venting or otherwise) and (ii) all costs actually incurred by Lessee from and after the wellhead to the point of sale, including, without limitation, all gathering, dehydration, compression, treatment, processing, marketing, and transportation costs incurred in connection with the sale of such production.

or includes essentially identical language, and (d) who had post-production charges deducted from their royalty payment(s) in accordance with the above language.

The United States and the Commonwealth of Pennsylvania are excluded from the class.

The Court FURTHER ORDERS that Douglas Kriley, Tina Kriley, Thomas A. Michel, Carol L. Michel, Geraldine C. Wiefeling, Charles E. Waddingham II, and Carol G. Waddingham are appointed class representatives for the class in the amended complaint.

The Court FURTHER ORDERS that David A. Borkovic is appointed as lead class counsel for the class.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W. S. Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE