

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

HENRY SEELIGSON, JOHN M.  
SEELIGSON, SUZANNE SEELIGSON  
NASH, and SHERRI PILCHER, individually  
and on behalf of all others similarly situated,

*Plaintiffs,*

v.

DEVON ENERGY PRODUCTION  
COMPANY, L.P.,

*Defendant.*

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§ Case No. 3:16-cv-00082-K  
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**SUPPLEMENTAL DECLARATION OF JAMES PRUTSMAN  
REGARDING UPDATE ON REQUESTS FOR EXCLUSION RECEIVED  
AND SETTLEMENT ADMINISTRATION**

I, James Prutsman, declare as follows:

1. I am a Senior Director of Kroll Settlement Administration, LLC (f/k/a Heffler Claims Group or Heffler Claims Administration, LLC, “Kroll”), in Philadelphia, Pennsylvania. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. This declaration is being filed in connection with Plaintiffs’ motion for final approval of the settlement reached in the above-captioned action and is a supplement to my previously filed declaration, the Declaration of James Prutsman Regarding (A) Mailing and Publication of Notice; and (B) Report on Requests for Exclusion Received dated April 23, 2021 (ECF No. 257, Ex. B) (“Initial Mailing Declaration”).<sup>1</sup> The following statements are based on my personal knowledge

<sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the same meanings as set forth in the Initial Mailing Declaration.

and information provided by other experienced Kroll employees working under my supervision and, if called on to do so, I could and would testify competently thereto.

**UPDATE ON REQUESTS FOR EXCLUSION RECEIVED**

2. As reported in the Initial Mailing Declaration, on February 10, 2021, Kroll caused 7,836 postcard Summary Notices to be mailed via First Class Mail to the individuals and entities contained on the Class List. *See* Initial Mailing Decl., ¶ 10. Additionally, between February 10, 2021 and February 21, 2021, the Summary Notice was published in the *Dallas Morning News*, *Fort Worth Star Telegram*, *Denton Record Chronicle*, and the *Wise County Messenger*. *Id.*, ¶ 11. The notices informed Class Members that requests for exclusion from the Class (i.e., “opt-outs”) were to be sent to the Settlement Administrator by March 29, 2021. *Id.*, ¶ 13. The Initial Mailing Declaration incorrectly reported that as of April 23, 2021, Kroll had not received any requests for exclusion from the Class. *Id.*

3. Following the execution of the Initial Mailing Declaration and during a routine quality control audit, Kroll found that there were 19 timely requests for exclusion—submitted on behalf of 34 individuals and entities. The requests had been opened and scanned at or near the time of receipt but due to a clerical oversight, the queue containing the scanned images was not processed by the claims team until May 27, 2021. After reviewing the images and confirming that they were exclusion requests, Kroll notified Class Counsel on May 28, 2021.

4. Upon review of the 19 requests for exclusion received, and after consulting with Class Counsel and Plaintiffs’ expert Jim Gray, Kroll has determined that 14 of the 34 individuals and entities requesting exclusion from the Class are not Class Members. The remaining 20 individuals and entities are Class Members who submitted a timely exclusion request. Exhibit A hereto lists the 20 individuals and entities with valid exclusion requests.

5. As of June 7, 2021, Kroll has not received any objections to the Settlement.

**UPDATE ON SETTLEMENT ADMINISTRATION**

6. Kroll continues to maintain the toll-free telephone number, (833) 537-1190, and Interactive Voice Recording to accommodate inquiries from potential Class Members. Initial Mailing Decl., ¶ 9. Kroll also continues to maintain the dedicated website for the Settlement, [www.seeligsonsettlement.com](http://www.seeligsonsettlement.com), to assist Class Members. *Id.*, ¶ 7. On April 28, 2021, Kroll posted to the website copies of the papers filed in support of Plaintiffs' motion for final approval of the Settlement and Plan of Allocation and Class Counsel's motion for an award of attorneys' fees and expenses. Kroll also updated the website with the Court's June 7, 2021 docket entry (ECF No. 262), informing Class Members that the Fairness Hearing scheduled for June 15, 2021 at 10:00 a.m. will be held via Zoom video conference and providing the details for participating in the hearing. Kroll will continue operating, maintaining and, as appropriate, updating the website and toll-free telephone number until the conclusion of this administration.

I declare under penalty of perjury under the laws of the United State of America that the foregoing is true and correct. Executed on June 8, 2021 in Pagosa Springs, CO.

A handwritten signature in black ink, appearing to read 'JP', is written over a horizontal line. The signature is stylized and cursive.

JAMES PRUTSMAN