

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

JOHN CECIL, on behalf of himself and all
others similarly situated,

Plaintiff,

vs.

BP AMERICA PRODUCTION COMPANY,
et al.,

Defendants.

Civil Action No. 16-CV-00410-KEW

DECLARATION ON BEHALF OF CHIEFTAIN ROYALTY COMPANY

I, Robert Abernathy, of lawful age, declare under penalty of perjury, and upon personal knowledge, state as follows:

1. I am a resident of the State of Oklahoma. I am President of Chieftain Royalty Company (“Chieftain”) and am authorized to make this declaration on the company’s behalf. Chieftain owns oil and gas royalty interests.

2. Chieftain is a member of the Settlement Class in the above-described lawsuit.

3. I have had an opportunity to review the Settlement Agreement in this case and other relevant documents made available on the website related to this Settlement. Following my review, I support all aspects of the Settlement, including: the cash settlement amount of \$147 million; BP’s implementation of procedures and policies for calculating and paying royalty, as a result of this lawsuit that Plaintiff estimates and BP does not contest resulted in no less than \$38 million already paid to Class Members; BP’s agreement to continue certain procedures and policies for royalty payments, which Plaintiff estimates has a value of an additional \$36,216,351.00 over the next seven years; Class Counsel’s request for attorneys’ fees of \$58,800,000, which I understand to be approximately 26.7% of the overall settlement value of over \$220 million; Class

Counsel's reimbursement of litigation expenses in an amount not to exceed \$1.6 million; and the case contribution awards, in a combined amount of \$450,000, which I understand to be approximately 0.2% of the overall settlement value.

4. First, I believe the Settlement is fair and reasonable and that it provides a great result for the Settlement Class.

5. Second, I support Class Counsel's request for attorneys' fees. Many Oklahoma royalty owners in BP's wells are unaware of BP's deductions and reductions from their royalty and would likely never have recovered their underpaid royalty without the efforts of Plaintiff's Counsel, particularly because prior attorneys previously tried to pursue litigation against BP but failed on at least four occasions.

6. Third, I support the request for the Class Representative in this case, John Cecil; the three named plaintiffs in the *Chockley Case*; and myself, the named plaintiff in the *Chieftain Case*, to receive up to a combined total of \$450,000 for our contributions to these cases. My portion of this award will be \$25,000. See Joint Declaration of Class Counsel in Support of Class Representative's Motion for Approval of Attorneys' Fees, Expenses, Class Representative Award, and Settlement Administration Expenses at ¶80 (Mr. Cecil "seeks \$350,000 for himself and \$100,000 to be divided equally among the four named plaintiffs in the *Chockley* and *Chieftain Cases*, or \$450,000 total, which represents 0.2% of the Gross Settlement Value."). If entities or individuals did not take on the responsibility of representing classes of royalty owners, the benefits of a class recovery like this Settlement would not be possible for Oklahoma royalty owners.

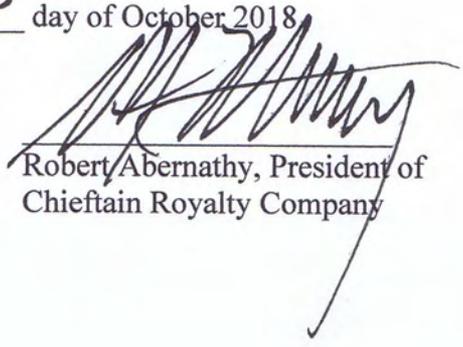
7. Lastly, I support reimbursement of the requested expenses of Class Counsel not to exceed \$1.6 million. I believe that these amounts are fair and should be awarded.

DECLARATION UNDER PENALTY OF PERJURY UNDER 28 U.S.C. § 1746

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 5 day of October 2018

By:



Robert Abernathy, President of
Chieftain Royalty Company