

IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

STEVE SURBAUGH, Individually and on)
Behalf of All Others Similarly Situated,)
)
Plaintiff,)

v.)

Case No. CIV-14-1252-D

SANDRIDGE ENERGY, INC., TOM L.)
WARD, JAMES D. BENNETT, EDDIE M.)
LEBLANC, and RANDALL D. COOLEY,)
)
Defendants.)

_____)

Consolidated with:

STEVEN T. DAKIL, Individually and on)
Behalf of All Others Similarly Situated,)
)
Plaintiff,)

v.)

Case No. CIV-14-1256-D

SANDRIDGE ENERGY, INC., TOM L.)
WARD, JAMES D. BENNETT, and EDDIE)
M. LEBLANC,)
)
Defendants)

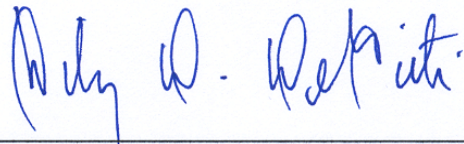
ORDER OF DISMISSAL

By Order of July 13, 2015, the Court directed the named plaintiffs to show cause within 14 days why their respective complaints should not be dismissed without prejudice for failure to prosecute. Plaintiff Steve Surbaugh has made no timely response to the Order, and the Court therefore finds that his Class Action Complaint should be dismissed. Plaintiff Steve Dakil has filed a response but states that he does intend to pursue his Class Action Complaint and it should be dismissed. Because no defendant has answered or moved for summary judgment, Plaintiff Dakil’s unequivocal statement that he wants his action

dismissed operates as a notice of voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). *See Janssen v. Harris*, 321 F.3d 998, 1000 (10th Cir. 2003); *see also Netwig v. Georgia-Pac. Corp.*, 375 F.3d 1009, 1010 (10th Cir. 2004).

IT IS THEREFORE ORDERED that this consolidated action is DISMISSED without prejudice to refiling. This Order of Dismissal shall be filed in each of the subject cases.

IT IS SO ORDERED this 29th day of July, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE