

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

THOMAS J. WALNEY and)	
RODNEY A. BEDOW, SR.,)	
<i>individually and on behalf of all</i>)	
<i>others similarly situated,</i>)	CIVIL ACTION No. 13-102 Erie
)	
Plaintiffs,)	
)	
v.)	
SWEPI LP and SHELL ENERGY)	
HOLDING GP, LLC,)	
)	
Defendants.)	

ORDER

AND NOW, this 23th day of January, 2017, upon consideration of plaintiffs’ Second Motion to Amend Class Definition (ECF No. 117), the parties’ Joint Contested Motion for Approval of Plan of Class Action Notice (ECF No. 114), plaintiffs’ Motion to Expedite Entry of Orders (ECF No. 127), and all related submissions, IT IS HEREBY ORDERED, for the reasons set forth in the accompanying Opinion, that plaintiffs’ Second Motion to Amend Class Definition is GRANTED, and the class shall now be defined as:

Every person who on or after March 14, 2009, signed a Pennsylvania oil and gas lease (labeled “PA Paid Up Lease Rev. 06.09.2011” or “PA Paid Up Lease Rev. 05.01.2011”) and/or memorandum thereof in favor of and recorded by SWEPI, LP and received, in exchange therefore, a draft instrument in the amount of the corresponding lease bonus, which draft was neither paid nor replaced by a subsequently issued draft or check relating to the same (or substantially the same) property.

Exclusions. Notwithstanding the foregoing, there shall be excluded from the Class any Person electing in writing or email to be excluded from the Class, and any Person whose individual claim for payment of the lease bonus has been sustained or denied by a verdict or dispositive order of a court in a separate lawsuit, irrespective of the outcome of any appeal.

IT IS FURTHER ORDERED that the parties' Joint Contested Motion for Approval of Plan of Class Action Notice is GRANTED, and the parties are hereby directed to incorporate modifications to the class notice forms and class notice order, as set forth in the accompanying Opinion. The parties' revised forms of class notice and revised class notice order shall be submitted to the court for final approval on or before February 6, 2017.

IT IS FURTHER ORDERED that plaintiffs' Motion to Expedite Entry of Orders is DENIED as moot.

By the court,

/s/ Joy Flowers Conti
Joy Flowers Conti
Chief United States District Judge