

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

<b>ROBERT ADAIR, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY SITUATED,</b>	)	
	)	
	)	Case No. 1:10CV00037
	)	
Plaintiff,	)	<b>ORDER AS TO</b>
	)	<b>CLASS CERTIFICATION</b>
v.	)	
	)	By: James P. Jones
<b>EQT PRODUCTION COMPANY,</b>	)	United States District Judge
	)	
Defendant.	)	

For the reasons set forth in the Opinion accompanying this Order, it is **ORDERED** as follows:

1. The Renewed Motion for Class Certification (ECF No. 565) is GRANTED and this action is hereby certified as a class action pursuant to Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure with respect to the claims for breach of fiduciary duty, conversion, and unjust enrichment, but excluding the issues of the defendant's allegedly excessive deductions and allegedly late payments into escrow;

2. The class certified (the "Class") is defined as follows:

All coalbed methane gas ("CBM") claimants who were identified by EQT Production Company ("EQT") in filings with the Virginia Gas and Oil Board as unleased owners of CBM estate interests and for whom EQT has applied, as of the later of the date of

this Court's class certification order or the resolution of an interlocutory appeal of such order, pursuant to Virginia Code § 45.1-361.22:2(A), for the release of funds held in escrow or internally, and all such gas claimants who have received distributions from escrow or directly from EQT as a result of a judicial determination of ownership or agreement between June 15, 2010 and January 1, 2016. "Gas claimants" is as defined by Virginia Code § 45.1-361.1.

The Class excludes (a) EQT, (b) any person who serves as a judge in this civil action and his/her spouse, (c) any individuals who have received a Court-supervised accounting of EQT's CBM royalty payments into escrow or internal suspense, and (d) any person who operates a CBM well in Virginia and any person who holds a working interest in a CBM well operated by EQT in Virginia.

3. Robert Adair is appointed as Class representative; and

4. The following law firms are appointed jointly as Class counsel:

Lieff Cabraser Heimann & Bernstein, LLP; Daniel Coker Horton & Bell, P.A.; Glubiak Law Office; Neal & Harwell, PLC; Law Offices of Richard R. Barrett, PLLC; Barrett Law Group, P.A.; and The White Law Office.

ENTER: March 29, 2017

/s/ James P. Jones  
United States District Judge