

*A federal court authorized this notice.
This is **not** a solicitation from a lawyer.*

If You Are or Were a Royalty Owner in a Coal County Gathering System Well Where SM Energy Company Is or Was the Operator, You Could Be a Part of a Proposed Class Action Settlement.

Who Is Included?

You may be a member of the Settlement Class if you are or were a royalty owner in at least one of 126 wells connected to a Coal County Gathering System (“Class Wells”) where SM Energy Company was the operator, and you received royalty payments for gas and its constituents from SM Energy Company for the production months of October 2001 through May 2015. The Class has been preliminarily approved for settlement only. There are exclusions.

Chieftain-SM Settlement Administrator
c/o JND Class Action Administration
PO Box 91348
Seattle, WA 98111

LEGAL NOTICE

There is a proposed Settlement in a putative class action lawsuit filed against SM Energy Company (“Defendant”) called *Chieftain Royalty Company v. SM Energy Company*, Case No. CIV-18-1225-J, in the U.S. District Court for the Western District of Oklahoma. The Lawsuit claims Defendant underpaid royalty due Plaintiff and putative Class Members on production of gas and its constituents from the Class Wells. Plaintiff has asserted claims for breach of contract, tortious breach of contract, unjust enrichment, breach of fiduciary or quasi-fiduciary duty, fraud and deceit, conversion, conspiracy, accounting, and injunctive relief, and seeks actual and punitive damages. Defendant denies all liability and denies it has acted improperly.

Why am I receiving this notice?

Defendant’s records indicate you may be a member of the Settlement Class.

What does the settlement provide?

The proposed Settlement provides monetary benefits of \$10,000,000 that will be distributed according to the terms of the Settlement Agreement, the documents referenced in and exhibits to the Settlement Agreement, and orders from the Court. Plaintiff’s Counsel will seek attorneys’ fees up to \$4,000,000.00 and reimbursement of litigation expenses up to \$800,000.00, and Administration, Notice, and Distribution Costs up to \$225,000.00, all to be paid from the Settlement. Plaintiff will seek a contribution award up to \$50,000.00 from the Settlement.

What are my legal rights?

You do not have to do anything to stay in the Settlement Class and receive the benefits of the proposed Settlement. If you stay in the Settlement Class, you may also object to the proposed Settlement by following the instructions from the Court (available on the website) by **April 12, 2021**. If you stay in the Settlement Class, you will be bound by all orders and judgments of the Court, and you will not be able to sue, or continue to sue, Defendant or others identified in the Settlement Agreement from claims described therein. You may appear through an attorney if you so desire.

What are my other options?

If you do not wish to participate in or be legally bound by the proposed Settlement, you may exclude yourself by opting out no later than **April 12, 2021**, following instructions from the Court (available on the website). If you opt out, you will not receive any benefits from the Settlement and will not be bound by it or the judgment in this case.

When will the Court decide whether to approve the proposed Settlement?

A Final Fairness Hearing has been scheduled for **April 27, 2021** at 10:00 a.m. CT at the United States District Court for the Western District of Oklahoma, 200 NW 4th Street, Oklahoma City, OK 73102. The hearing is currently scheduled to occur telephonically. You are not required to attend the hearing, but you or your lawyer may contact the Court for instructions on how to attend the hearing by telephone if you wish.

THIS IS ONLY A SUMMARY. TO GET A COPY OF THE ENTIRE NOTICE OR FOR MORE INFORMATION, CALL TOLL-FREE 1-833-667-1231 OR VISIT WWW.CHIEFTAIN-SMENERGYCOM.