

IN THE DISTRICT COURT OF PAWNEE COUNTY
STATE OF OKLAHOMA

JAMES ADAMS, on behalf of himself
and other Oklahoma citizens similarly
situated,

Plaintiff,

Case No. CJ-2016-00078

v.

- (1) EAGLE ROAD OIL LLC,
- (2) CUMMINGS OIL COMPANY,
- (3) TERRITORY RESOURCES, LLC,
- (4) ENERVEST OPERATING, L.L.C.,
- (5) PETRO WARRIOR, L.L.C.,
- (6) PETROQUEST ENERGY, LLC, and
- (7) TRINITY OPERATING (USG), LLC, and
- (8) TARKA ENERGY LLC

Defendants.

SETTLEMENT PETITION

AS TO JOINED DEFENDANT TARKA ENERGY LLC

COMES NOW Plaintiff James Adams on behalf of himself and the Class of similarly situated Oklahoma citizens (collectively, "Plaintiffs"), and for their Settlement Petition as to joined Defendant Tarka Energy LLC, state:

INTRODUCTION

1. This Settlement Petition is filed as to joined Defendant Tarka Energy LLC, and is filed pursuant to this Court's Order preliminarily approving a class action settlement between Plaintiffs and Defendant Tarka Energy LLC (together, the "Settling Parties"). As such, this Settlement Petition is filed only to implement a fair and reasonable class resolution between the Settling Parties.

2. None of the allegations within this Settlement Petition are directed toward Defendants Eagle Road Oil, LLC, Cummings Oil Company, Territory Resources, EnerVest Operating, L.L.C., or Petro Warrior, L.L.C., and thus, they have no obligation to respond to any allegation within this Settlement Petition.¹

PARTIES

3. Plaintiff James Adams is a citizen of Oklahoma. He is also a citizen and resident of Pawnee, Pawnee County, Oklahoma.

4. Defendant Tarka Energy LLC ("Tarka Energy") is a Delaware limited liability company, which maintains its principal place of business in 5, Rosier, 19N, Range 6 of the East Meridian, Payne County, Oklahoma. It is a citizen of Oklahoma. Tarka is a significant contributor to the Cushing Seismicity Sequence and the Pawnee Seismicity Sequence, from which Plaintiff and the Class have suffered and continue to suffer damages.

¹ Previously named Defendants Petroquest Energy, LLC and Trinity Operating (USG), LLC were previously dismissed by Plaintiffs voluntarily. Further, Defendants Eagle Road Oil, LLC, and Petro Warrior, L.L.C. have entered into a class action settlements with Plaintiffs and all matters are stayed as to these two Defendants.

JURISDICTION AND VENUE

5. Jurisdiction in this Court is proper.

6. This Court also has personal jurisdiction over Tarka as it does substantial business in the State of Oklahoma and conducted the wastewater disposal operations that caused the seismicity at issue and resulting torts and damages upon Plaintiff and the Class.

7. Venue is proper in this Court as a substantial part of the events giving rise to these claims occurred here, and Plaintiff is a citizen and resident of Pawnee County.

FACTUAL ALLEGATIONS

A. The Cushing Seismicity Sequence and Pawnee Seismicity Sequence.

8. This case centers on two induced seismicity sequences in two certain areas of Oklahoma, which are being caused by the disposal of wastewater (a byproduct of oil and gas production, and fracking operations) deep below the Earth's surface through certain wastewater disposal wells.

9. The two sequences of seismicity at issue are specifically identified below and are referred to as the Pawnee Seismicity Sequence and the Cushing Seismicity Sequence.

10. Importantly, all the induced seismicity at issue in this proceeding (the Pawnee Seismicity Sequence and the Cushing Seismicity Sequence) is continuing and reoccurring in sequences of earthquakes due to the cumulative amounts of wastewater disposed over the past decade, which also in many instances continues.

B. The Cushing Seismicity Sequence.

11. Tarka’s wastewater disposal operations have caused and are causing a sequence of earthquakes near Cushing, and that this pleading refers to as the Cushing Seismicity Sequence.

12. Specifically, the Cushing Seismicity Sequence is a series of earthquakes all related and caused by historical and reoccurring wastewater disposal operations at a significant depth into Oklahoma’s Arbuckle formation. The reoccurring earthquakes making up the Cushing Seismicity Sequence are:

Date and Time	Mag.	Location
2014-11-15T00:34:49.800Z	2.6	5 km SSW of Cushing, Oklahoma
2014-11-25T20:15:58.400Z	2.8	4 km S of Cushing, Oklahoma
2015-02-24T02:53:39.300Z	2.6	3 km S of Cushing, Oklahoma
2015-03-01T00:05:12.200Z	3.2	3 km S of Cushing, Oklahoma
2015-03-01T08:58:54.400Z	3	3 km S of Cushing, Oklahoma
2015-03-04T20:24:58.300Z	2.9	3 km SW of Cushing, Oklahoma
2015-03-05T08:16:37.600Z	2.6	4 km SSW of Cushing, Oklahoma
2015-03-05T08:41:58.100Z	2.9	4 km S of Cushing, Oklahoma
2015-03-13T07:10:23.800Z	2.8	3 km S of Cushing, Oklahoma
2015-04-04T16:15:59.400Z	3	3 km SSW of Cushing, Oklahoma
2015-04-12T22:55:56.100Z	3.5	4 km S of Cushing, Oklahoma
2015-04-12T23:11:50.700Z	2.5	3 km SSW of Cushing, Oklahoma
2015-04-27T05:34:17.900Z	2.3	1 km SSE of Cushing, Oklahoma
2015-05-06T16:13:06.500Z	2.4	3 km S of Cushing, Oklahoma
2015-05-07T16:28:50.900Z	2.6	3 km S of Cushing, Oklahoma
2015-05-29T11:08:40.500Z	2.7	2 km WNW of Cushing, Oklahoma
2015-06-13T09:26:13.940Z	2.3	3 km WNW of Cushing, Oklahoma
2015-07-09T19:50:26.500Z	2.5	1 km ENE of Cushing, Oklahoma
2015-07-09T20:47:49.730Z	2.3	2 km N of Cushing, Oklahoma
2015-07-11T10:50:24.500Z	2.5	1 km NNE of Cushing, Oklahoma
2015-07-19T18:53:35.000Z	2.5	3 km SSW of Cushing, Oklahoma
2015-07-26T09:15:05.500Z	3	4 km SSW of Cushing, Oklahoma
2015-07-28T03:07:47.920Z	2.9	1 km ENE of Cushing, Oklahoma
2015-08-29T06:35:50.160Z	2.7	5 km WSW of Cushing, Oklahoma

2015-08-29T12:31:58.980Z	2.3	4 km WSW of Cushing, Oklahoma
2015-08-29T15:34:29.400Z	2.2	4 km WSW of Cushing, Oklahoma
2015-08-31T20:00:12.200Z	2.9	3 km SSW of Cushing, Oklahoma
2015-09-01T09:43:50.000Z	3.4	4 km SSW of Cushing, Oklahoma
2015-09-01T18:00:46.400Z	3	4 km SSW of Cushing, Oklahoma
2015-09-02T00:21:25.700Z	2.6	4 km SSW of Cushing, Oklahoma
2015-09-02T14:01:26.240Z	3.3	4 km SSW of Cushing, Oklahoma
2015-09-15T20:29:54.200Z	2.8	2 km WSW of Cushing, Oklahoma
2015-09-15T20:42:06.100Z	2.8	2 km W of Cushing, Oklahoma
2015-09-15T21:08:46.800Z	2.9	2 km W of Cushing, Oklahoma
2015-09-15T23:37:23.000Z	2.5	4 km SSW of Cushing, Oklahoma
2015-09-16T02:30:01.900Z	3.7	2 km WSW of Cushing, Oklahoma
2015-09-16T03:43:26.200Z	2.9	2 km W of Cushing, Oklahoma
2015-09-16T04:40:43.300Z	2.7	4 km NW of Cushing, Oklahoma
2015-09-16T06:20:04.580Z	2.6	5 km WNW of Cushing, Oklahoma
2015-09-16T07:09:20.150Z	1.6	3 km WNW of Cushing, Oklahoma
2015-09-16T08:42:21.900Z	2.8	3 km W of Cushing, Oklahoma
2015-09-16T09:03:40.400Z	2.8	3 km W of Cushing, Oklahoma
2015-09-16T09:07:16.000Z	2.8	3 km W of Cushing, Oklahoma
2015-09-16T09:07:41.200Z	2.7	3 km W of Cushing, Oklahoma
2015-09-16T10:09:31.000Z	2.5	3 km WSW of Cushing, Oklahoma
2015-09-16T16:43:09.110Z	2.2	4 km W of Cushing, Oklahoma
2015-09-17T00:25:09.900Z	2.6	2 km W of Cushing, Oklahoma
2015-09-17T00:31:16.930Z	2.5	4 km W of Cushing, Oklahoma
2015-09-17T02:05:44.100Z	2.6	3 km W of Cushing, Oklahoma
2015-09-18T09:16:55.900Z	3.2	2 km WNW of Cushing, Oklahoma
2015-09-18T09:33:00.300Z	3	2 km W of Cushing, Oklahoma
2015-09-18T11:20:37.000Z	2.5	2 km WSW of Cushing, Oklahoma
2015-09-18T12:33:16.700Z	2.6	3 km W of Cushing, Oklahoma
2015-09-18T12:35:16.600Z	4.1	3 km WNW of Cushing, Oklahoma
2015-09-18T14:43:32.000Z	2.4	2 km W of Cushing, Oklahoma
2015-09-19T05:16:26.600Z	3	2 km W of Cushing, Oklahoma
2015-09-19T05:20:03.000Z	3.1	2 km W of Cushing, Oklahoma
2015-09-19T12:29:25.900Z	2.9	2 km WNW of Cushing, Oklahoma
2015-09-19T19:15:25.800Z	2.7	1 km WNW of Cushing, Oklahoma
2015-09-20T00:41:59.200Z	2.5	3 km WSW of Cushing, Oklahoma
2015-09-20T10:43:38.600Z	2.6	1 km W of Cushing, Oklahoma
2015-09-20T13:06:22.500Z	3.2	3 km W of Cushing, Oklahoma

2015-09-23T16:10:04.600Z	2.5	3 km WSW of Cushing, Oklahoma
2015-09-25T01:16:37.700Z	4	1 km W of Cushing, Oklahoma
2015-09-25T01:23:27.000Z	2.6	2 km W of Cushing, Oklahoma
2015-09-25T01:59:03.600Z	3.1	2 km WNW of Cushing, Oklahoma
2015-09-25T03:54:35.300Z	2.6	2 km W of Cushing, Oklahoma
2015-09-25T09:35:35.100Z	2.6	3 km W of Cushing, Oklahoma
2015-09-25T09:41:18.500Z	2.6	2 km W of Cushing, Oklahoma
2015-09-26T00:55:11.800Z	2.3	4 km W of Cushing, Oklahoma
2015-09-27T21:59:43.310Z	3.6	2 km W of Cushing, Oklahoma
2015-09-27T21:59:43.650Z	3.2	3 km W of Cushing, Oklahoma
2015-10-08T02:45:30.100Z	3	Oklahoma
2015-10-09T00:36:24.300Z	2.9	1 km NNW of Cushing, Oklahoma
2015-10-09T09:13:52.900Z	3.1	5 km S of Cushing, Oklahoma
2015-10-10T22:03:05.300Z	4.3	3 km W of Cushing, Oklahoma
2015-10-10T22:07:05.400Z	3.1	2 km W of Cushing, Oklahoma
2015-10-10T22:20:55.400Z	3	1 km WNW of Cushing, Oklahoma
2015-10-10T23:29:23.700Z	2.8	1 km WNW of Cushing, Oklahoma
2015-10-10T23:30:43.300Z	2.8	3 km WSW of Cushing, Oklahoma
2015-10-10T23:41:21.100Z	2.5	3 km WSW of Cushing, Oklahoma
2015-10-10T23:43:22.800Z	3.3	4 km W of Cushing, Oklahoma
2015-10-11T03:21:13.500Z	2.6	3 km WSW of Cushing, Oklahoma
2015-10-12T04:01:24.200Z	2.9	3 km W of Cushing, Oklahoma
2015-10-12T08:59:19.900Z	2.9	3 km W of Cushing, Oklahoma
2015-10-14T02:18:36.300Z	3.1	1 km N of Cushing, Oklahoma
2015-10-14T02:24:02.200Z	2.6	1 km NW of Cushing, Oklahoma
2015-10-17T10:15:13.000Z	3	4 km W of Cushing, Oklahoma
2015-10-20T09:49:04.000Z	2.5	3 km WSW of Cushing, Oklahoma
2015-10-24T09:46:24.900Z	2.7	5 km W of Cushing, Oklahoma
2015-10-31T06:14:04.900Z	3.5	2 km W of Cushing, Oklahoma
2015-10-31T08:07:22.400Z	2.6	3 km W of Cushing, Oklahoma
2015-11-08T19:59:06.000Z	3.5	4 km W of Cushing, Oklahoma
2015-11-09T04:24:33.900Z	2.7	4 km W of Cushing, Oklahoma
2015-11-10T13:36:45.600Z	3.3	3 km W of Cushing, Oklahoma
2015-11-20T03:15:38.800Z	2.7	2 km SSE of Cushing, Oklahoma
2015-11-24T16:40:25.400Z	2.8	3 km W of Cushing, Oklahoma
2015-12-11T08:22:40.500Z	2.7	3 km W of Cushing, Oklahoma
2015-12-11T08:44:53.000Z	2.6	2 km WNW of Cushing, Oklahoma
2015-12-18T02:03:25.100Z	3.7	2 km W of Cushing, Oklahoma

2015-12-18T02:06:59.800Z	2.8	3 km W of Cushing, Oklahoma
2015-12-20T11:35:16.680Z	2.1	4 km SSW of Cushing, Oklahoma
2015-12-27T01:08:18.800Z	2.8	5 km SSW of Cushing, Oklahoma
2016-01-11T00:01:52.100Z	2.5	2 km SSE of Cushing, Oklahoma
2016-02-04T01:43:17.400Z	2.5	3 km W of Cushing, Oklahoma
2016-02-04T02:16:38.400Z	2.6	3 km W of Cushing, Oklahoma
2016-02-09T17:04:56.600Z	2.5	1 km ENE of Cushing, Oklahoma
2016-03-11T07:32:11.400Z	3.2	3 km W of Cushing, Oklahoma
2016-03-22T04:37:38.100Z	2.6	0 km NNE of Cushing, Oklahoma
2016-03-26T05:00:04.910Z	2.2	6 km SSE of Cushing, Oklahoma
2016-04-01T16:53:23.900Z	2.8	5 km SSE of Cushing, Oklahoma
2016-04-01T17:59:31.970Z	2.7	5 km SE of Cushing, Oklahoma
2016-04-03T16:32:48.100Z	2.9	2 km W of Cushing, Oklahoma
2016-04-03T16:36:55.700Z	2.9	2 km W of Cushing, Oklahoma
2016-04-03T17:56:41.300Z	2.9	2 km W of Cushing, Oklahoma
2016-04-04T04:30:14.310Z	2.3	5 km SSE of Cushing, Oklahoma
2016-04-05T19:12:14.300Z	3	5 km SSE of Cushing, Oklahoma
2016-04-08T20:30:15.600Z	3	5 km S of Cushing, Oklahoma
2016-04-19T16:32:08.800Z	2.6	5 km SSE of Cushing, Oklahoma
2016-05-04T05:57:02.600Z	2.6	5 km S of Cushing, Oklahoma
2016-05-13T23:33:59.550Z	1.7	5 km SSW of Cushing, Oklahoma
2016-05-29T09:59:39.500Z	2.4	5 km SSE of Cushing, Oklahoma
2016-06-01T17:55:21.780Z	2.2	3 km W of Cushing, Oklahoma
2016-06-03T18:51:40.350Z	2.2	5 km NNW of Cushing, Oklahoma
2016-06-16T07:58:37.100Z	2.9	5 km NNW of Cushing, Oklahoma
2016-06-17T11:19:57.600Z	2.6	5 km NNW of Cushing, Oklahoma
2016-06-18T06:18:45.800Z	2.6	5 km NNW of Cushing, Oklahoma
2016-07-24T19:55:33.280Z	2	1 km NE of Cushing, Oklahoma
2016-09-04T03:55:46.400Z	3.2	6 km N of Cushing, Oklahoma
2016-09-04T06:27:50.300Z	2.5	5 km NNW of Cushing, Oklahoma
2016-09-04T20:03:06.900Z	3.1	6 km NNW of Cushing, Oklahoma
2016-09-06T07:57:03.700Z	2.6	4 km S of Cushing, Oklahoma
2016-10-09T18:07:55.770Z	1.9	4 km N of Cushing, Oklahoma
2016-11-07T01:44:24.500Z	5	3 km W of Cushing, Oklahoma
2016-11-07T01:52:29.660Z	2.5	1 km NNW of Cushing, Oklahoma
2016-11-07T01:52:32.900Z	3	2 km N of Cushing, Oklahoma
2016-11-07T02:23:22.500Z	2.6	2 km NNW of Cushing, Oklahoma
2016-11-08T04:03:55.700Z	2.5	2 km NNW of Cushing, Oklahoma

2016-11-09T01:51:55.540Z	2.2	2 km NNW of Cushing, Oklahoma
2016-11-09T16:54:14.500Z	1.4	2 km NNW of Cushing, Oklahoma
2016-11-09T22:18:00.900Z	2.7	2 km NNW of Cushing, Oklahoma
2016-11-11T00:08:05.200Z	3.1	3 km W of Cushing, Oklahoma
2016-11-12T08:07:01.100Z	2.6	3 km NNE of Cushing, Oklahoma
2016-11-12T16:39:41.100Z	3.3	3 km W of Cushing, Oklahoma
2016-11-15T16:24:41.400Z	2.7	3 km NNE of Cushing, Oklahoma
2016-11-18T13:13:55.500Z	2.8	5 km NNE of Cushing, Oklahoma
2016-11-22T09:54:47.100Z	2.6	2 km N of Cushing, Oklahoma
2016-11-22T09:55:33.300Z	3.5	2 km N of Cushing, Oklahoma
2016-11-23T23:55:24.800Z	2.8	2 km WNW of Cushing, Oklahoma
2016-11-24T16:34:06.600Z	3.6	2 km WNW of Cushing, Oklahoma
2016-11-25T09:49:52.800Z	2.6	2 km NNW of Cushing, Oklahoma
2016-12-01T00:05:30.800Z	2.8	2 km WNW of Cushing, Oklahoma
2016-12-05T08:58:31.000Z	3.2	4 km NNE of Cushing, Oklahoma
2016-12-13T04:17:46.500Z	2.9	2 km NNW of Cushing, Oklahoma
2016-12-14T02:58:47.900Z	2.3	3 km NNE of Cushing, Oklahoma
2016-12-29T03:33:29.500Z	2.6	6 km SW of Cushing, Oklahoma
2016-12-30T08:50:00.100Z	2.6	6 km NE of Agra, Oklahoma
2017-02-11T22:00:34.800Z	2.7	3 km WNW of Cushing, Oklahoma
2017-02-20T13:53:00.300Z	2.6	3 km W of Cushing, Oklahoma
2017-03-08T12:15:31.300Z	2.6	4 km SSE of Cushing, Oklahoma
2017-03-10T23:44:18.100Z	2.5	3 km WNW of Cushing, Oklahoma
2017-03-14T19:41:28.600Z	2.4	3 km W of Cushing, Oklahoma
2017-03-21T00:09:27.590Z	1.8	1 km NNW of Cushing, Oklahoma
2017-03-21T18:25:09.500Z	2.7	2 km N of Cushing, Oklahoma
2017-04-10T01:05:26.490Z	2	2 km NNE of Cushing, Oklahoma
2017-04-28T10:15:33.210Z	2.1	2 km W of Cushing, Oklahoma
2017-05-13T07:29:25.400Z	2.5	2 km SE of Cushing, Oklahoma
2017-05-27T09:20:00.400Z	2.5	2 km SSE of Cushing, Oklahoma
2017-07-24T00:13:16.500Z	2.8	2 km WNW of Cushing, Oklahoma
2017-08-04T23:48:01.760Z	2.3	5 km W of Cushing, Oklahoma
2017-08-11T18:50:03.090Z	2	3 km W of Cushing, Oklahoma
2017-09-09T20:47:50.700Z	3.1	3 km WNW of Cushing, Oklahoma
2017-09-09T20:49:18.400Z	2.8	3 km W of Cushing, Oklahoma
2017-09-10T07:13:56.400Z	3.3	3 km WNW of Cushing, Oklahoma
2017-09-10T15:43:32.500Z	2.5	2 km WNW of Cushing, Oklahoma
2017-09-16T11:14:02.800Z	2.4	3 km WNW of Cushing, Oklahoma

2017-09-19T09:43:49.500Z	3.3	2 km WNW of Cushing, Oklahoma
2017-09-28T04:56:33.800Z	3	3 km WNW of Cushing, Oklahoma
2017-10-01T20:34:27.100Z	2.5	3 km WNW of Cushing, Oklahoma
2017-11-25T16:57:19.500Z	2.7	3 km W of Cushing, Oklahoma
2018-01-18T13:46:15.600Z	2.4	3 km W of Cushing, Oklahoma
2018-03-30T20:57:53.400Z	2.8	1 km NNW of Cushing, Oklahoma
2018-05-26T19:26:41.500Z	3.2	1 km ENE of Cushing, Oklahoma
2018-07-12T09:25:59.100Z	2.3	4 km WNW of Cushing, Oklahoma
2018-09-23T22:08:57.000Z	2.9	4 km W of Cushing, Oklahoma
2018-10-31T09:34:14.280Z	2.7	3 km S of Cushing, Oklahoma
2018-11-15T15:02:37.470Z	2.7	2 km SSE of Cushing, Oklahoma
2018-12-28T17:00:35.980Z	1.6	5 km W of Cushing, Oklahoma
2019-02-16T21:08:47.580Z	2.1	1 km NNW of Cushing, Oklahoma
2019-03-18T00:06:12.609Z	1.35	4 km W of Cushing, Oklahoma
2019-03-18T06:29:49.329Z	1.02	5 km W of Cushing, Oklahoma
2019-03-18T11:08:36.070Z	1.12	4 km W of Cushing, Oklahoma
2019-03-18T11:26:11.750Z	1.71	3 km W of Cushing, Oklahoma
2019-03-31T00:06:53.500Z	1.54	1 km NNW of Cushing, Oklahoma
2019-04-09T19:09:11.570Z	2	2 km NW of Cushing, Oklahoma
2019-04-12T15:07:17.269Z	1.32	2 km SSE of Cushing, Oklahoma
2019-05-16T22:53:43.486Z	3.1	2 km WSW of Cushing, Oklahoma
2019-05-16T23:49:57.564Z	2.5	3 km W of Cushing, Oklahoma
2019-05-16T23:50:13.084Z	2.7	3 km WNW of Cushing, Oklahoma
2019-05-17T00:38:08.326Z	2.5	2 km WSW of Cushing, Oklahoma
2019-05-17T02:18:36.343Z	2.3	3 km WSW of Cushing, Oklahoma
2019-05-17T02:58:34.647Z	2.2	4 km W of Cushing, Oklahoma
2019-05-21T12:40:46.122Z	1.9	2 km W of Cushing, Oklahoma
2019-06-11T01:45:46.520Z	1.62	4 km W of Cushing, Oklahoma
2019-06-15T14:07:12.240Z	1.86	3 km W of Cushing, Oklahoma
2019-06-15T14:07:12.980Z	1.82	3 km WNW of Cushing, Oklahoma
2019-06-15T14:17:07.080Z	1.63	3 km W of Cushing, Oklahoma
2019-06-25T12:38:56.909Z	1.1	3 km W of Cushing, Oklahoma
2019-07-03T02:53:57.759Z	2.7	4 km W of Cushing, Oklahoma
2019-07-05T09:37:38.890Z	1.85	2 km NNW of Cushing, Oklahoma
2019-07-08T23:57:36.939Z	1.99	3 km W of Cushing, Oklahoma
2019-07-09T01:30:33.560Z	1.36	4 km W of Cushing, Oklahoma
2019-08-15T16:21:39.200Z	1.74	2 km NE of Cushing, Oklahoma
2019-10-02T15:19:21.050Z	1.7	2 km NNW of Cushing, Oklahoma

2019-10-31T06:19:50.439Z	1.47	3 km WNW of Cushing, Oklahoma
2019-11-06T18:19:12.910Z	1.61	2 km NNW of Cushing, Oklahoma
2019-11-11T23:24:23.929Z	2.03	2 km NW of Cushing, Oklahoma
2019-11-11T23:24:24.559Z	1.77	1 km NW of Cushing, Oklahoma
2019-11-14T18:26:11.810Z	2.48	3 km W of Cushing, Oklahoma
2020-01-05T11:51:03.049Z	1.44	2 km NNW of Cushing, Oklahoma
2020-01-07T13:36:57.009Z	2.4	2 km WNW of Cushing, Oklahoma
2020-01-25T15:48:48.500Z	1.84	3 km WNW of Cushing, Oklahoma
2020-01-25T18:25:26.309Z	2.7	2 km WNW of Cushing, Oklahoma
2020-01-26T01:35:45.380Z	1.75	3 km WNW of Cushing, Oklahoma
2020-01-26T05:04:24.239Z	1.31	2 km WNW of Cushing, Oklahoma
2020-02-16T11:18:28.940Z	1.03	6 km SSE of Cushing, Oklahoma
2020-03-19T01:07:42.429Z	1.04	2 km N of Cushing, Oklahoma
2020-03-23T01:38:18.469Z	1.47	2 km NNW of Cushing, Oklahoma
2020-05-14T01:35:51.649Z	2.78	2 km NNW of Cushing, Oklahoma
2020-05-26T11:09:39.679Z	1.21	2 km S of Cushing, Oklahoma
2020-05-26T21:50:14.509Z	1.22	2 km SSE of Cushing, Oklahoma
2020-06-01T05:57:10.220Z	1.5	3 km W of Cushing, Oklahoma
2020-07-19T06:44:03.299Z	1.73	2 km WNW of Cushing, Oklahoma
2020-07-19T06:57:43.390Z	1.85	2 km WNW of Cushing, Oklahoma
2020-08-18T21:12:38.420Z	1.11	2 km NNW of Cushing, Oklahoma
2020-08-30T14:37:38.189Z	1.42	3 km WNW of Cushing, Oklahoma
2020-10-27T02:00:02.350Z	1.23	3 km WNW of Cushing, Oklahoma
2020-11-07T03:30:21.570Z	1.11	2 km NNW of Cushing, Oklahoma
2020-11-10T07:13:46.280Z	1.09	6 km SSE of Cushing, Oklahoma
2020-12-02T15:01:13.199Z	1.05	6 km SSE of Cushing, Oklahoma
2020-12-07T05:21:16.570Z	1.24	6 km SSE of Cushing, Oklahoma
2020-12-10T17:37:32.259Z	1.27	6 km SSE of Cushing, Oklahoma
2021-01-26T19:02:49.710Z	1.07	2 km NNW of Cushing, Oklahoma
2021-03-14T02:31:04.129Z	1.68	2 km NNW of Cushing, Oklahoma
2021-03-16T06:55:28.710Z	1.26	2 km NNW of Cushing, Oklahoma
2021-03-18T22:20:13.009Z	1.57	1 km NNW of Cushing, Oklahoma
2021-04-19T21:06:21.550Z	2.13	2 km SSE of Cushing, Oklahoma
2021-04-20T08:35:56.789Z	1.27	2 km S of Cushing, Oklahoma
2021-04-20T22:49:20.559Z	1.35	2 km NNW of Cushing, Oklahoma
2021-04-22T10:27:41.630Z	1.11	2 km SSE of Cushing, Oklahoma
2021-05-21T22:06:03.700Z	1.04	3 km N of Cushing, Oklahoma
2021-06-05T18:17:29.410Z	1.43	3 km W of Cushing, Oklahoma

2021-06-08T19:26:14.820Z	1.12	1 km SSE of Cushing, Oklahoma
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C. The Pawnee Seismicity Sequence.

13. The Pawnee Seismicity Sequence is a series of earthquakes all related and caused by historical and reoccurring wastewater disposal operations at a significant depth into Oklahoma’s Arbuckle formation.

14. Tarka’s wastewater disposal operations have caused and are causing a sequence of earthquakes near Pawnee, and that this pleading refers to as the Pawnee Seismicity Sequence.

15. The reoccurring earthquakes making up the Pawnee Seismicity Sequence are:

Date and Time	Mag.	Location
2015-03-03T03:33:02.600Z	2.5	14 km NNE of Morrison, Oklahoma
2015-03-23T03:21:23.800Z	2.9	14 km NW of Pawnee, Oklahoma
2015-11-10T07:11:48.330Z	2.7	14 km NW of Pawnee, Oklahoma
2015-11-21T13:21:03.800Z	2.7	10 km NNW of Pawnee, Oklahoma
2015-12-10T21:22:43.520Z	2.8	13 km WSW of Ralston, Oklahoma
2016-04-21T11:22:38.000Z	3	14 km WSW of Ralston, Oklahoma
2016-06-06T18:52:16.600Z	3.3	14 km NW of Pawnee, Oklahoma
2016-06-08T16:50:41.700Z	3.9	13 km NNW of Pawnee, Oklahoma
2016-07-29T02:21:16.900Z	2.8	13 km NNW of Pawnee, Oklahoma
2016-09-01T11:46:33.700Z	3	14 km NW of Pawnee, Oklahoma
2016-09-03T12:02:44.400Z	5.8	14 km NW of Pawnee, Oklahoma
2016-09-03T12:16:22.200Z	3.3	9 km NNW of Pawnee, Oklahoma
2016-09-03T12:18:54.000Z	2.6	9 km NNW of Pawnee, Oklahoma
2016-09-03T12:21:25.200Z	2.7	10 km NNW of Pawnee, Oklahoma
2016-09-03T12:25:43.500Z	2.7	14 km NW of Pawnee, Oklahoma
2016-09-03T12:32:02.300Z	2.6	9 km NNW of Pawnee, Oklahoma
2016-09-03T12:36:18.000Z	2.5	11 km NW of Pawnee, Oklahoma
2016-09-03T12:39:48.800Z	2.7	11 km NW of Pawnee, Oklahoma
2016-09-03T12:45:39.500Z	2	10 km NW of Pawnee, Oklahoma

2016-09-03T12:57:36.200Z	2.6	12 km NW of Pawnee, Oklahoma
2016-09-03T12:58:37.800Z	3.6	13 km NW of Pawnee, Oklahoma
2016-09-03T13:02:44.800Z	2.7	Pawnee, Oklahoma
2016-09-03T13:06:06.700Z	2.6	13 km NW of Pawnee, Oklahoma
2016-09-03T13:26:31.060Z	1.9	12 km NW of Pawnee, Oklahoma
2016-09-03T13:45:22.700Z	2.4	9 km NNW of Pawnee, Oklahoma
2016-09-03T13:49:37.500Z	2.5	9 km NW of Pawnee, Oklahoma
2016-09-03T14:05:49.200Z	2.6	9 km NW of Pawnee, Oklahoma
2016-09-03T14:07:16.900Z	2.5	9 km NW of Pawnee, Oklahoma
2016-09-03T14:09:33.400Z	2.5	Pawnee, Oklahoma
2016-09-03T14:35:30.800Z	2.6	13 km NW of Pawnee, Oklahoma
2016-09-03T14:47:04.200Z	3.3	9 km NNW of Pawnee, Oklahoma
2016-09-03T14:56:32.000Z	2.6	9 km NNW of Pawnee, Oklahoma
2016-09-03T15:06:30.800Z	2.1	Pawnee, Oklahoma
2016-09-03T15:25:00.500Z	2.9	9 km NNW of Pawnee, Oklahoma
2016-09-03T15:31:40.900Z	3.4	11 km NW of Pawnee, Oklahoma
2016-09-03T15:53:31.900Z	2.9	15 km NW of Pawnee, Oklahoma
2016-09-03T16:06:54.150Z	1.8	12 km NW of Pawnee, Oklahoma
2016-09-03T16:13:50.570Z	1.9	14 km NNW of Pawnee, Oklahoma
2016-09-03T16:14:17.010Z	2.1	14 km NNW of Pawnee, Oklahoma
2016-09-03T17:36:24.800Z	2.6	14 km NNW of Pawnee, Oklahoma
2016-09-03T17:53:46.210Z	2.1	9 km NNW of Pawnee, Oklahoma
2016-09-03T18:07:04.400Z	2.5	8 km NNW of Pawnee, Oklahoma
2016-09-03T19:02:23.800Z	2.7	15 km NW of Pawnee, Oklahoma
2016-09-03T19:54:32.700Z	2.3	12 km NW of Pawnee, Oklahoma
2016-09-03T21:43:14.600Z	2.7	15 km NW of Pawnee, Oklahoma
2016-09-03T21:45:23.400Z	2.8	15 km NW of Pawnee, Oklahoma
2016-09-03T23:53:50.000Z	2.4	9 km NNW of Pawnee, Oklahoma
2016-09-03T23:56:36.600Z	3	9 km NNW of Pawnee, Oklahoma
2016-09-04T01:41:10.900Z	2.7	13 km NW of Pawnee, Oklahoma
2016-09-04T03:15:56.400Z	3.1	11 km NW of Pawnee, Oklahoma
2016-09-04T04:07:03.320Z	1.7	9 km NNW of Pawnee, Oklahoma
2016-09-04T05:33:04.310Z	1.7	10 km NNW of Pawnee, Oklahoma
2016-09-04T05:44:34.400Z	2.5	9 km NNW of Pawnee, Oklahoma
2016-09-04T06:02:35.160Z	1.9	11 km NW of Pawnee, Oklahoma
2016-09-04T08:37:09.960Z	1.9	11 km NW of Pawnee, Oklahoma
2016-09-04T08:48:26.500Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-04T10:40:23.200Z	1.9	11 km NNW of Pawnee, Oklahoma
2016-09-04T12:16:46.800Z	2.9	12 km NW of Pawnee, Oklahoma

2016-09-04T12:56:04.900Z	3	11 km NW of Pawnee, Oklahoma
2016-09-04T14:29:23.100Z	3	14 km NW of Pawnee, Oklahoma
2016-09-04T16:37:08.100Z	2.8	11 km NW of Pawnee, Oklahoma
2016-09-04T18:08:11.600Z	2.7	10 km NW of Pawnee, Oklahoma
2016-09-05T00:45:08.010Z	1.9	15 km NW of Pawnee, Oklahoma
2016-09-05T01:13:01.900Z	2.9	16 km NW of Pawnee, Oklahoma
2016-09-05T02:56:35.800Z	1.7	13 km NW of Pawnee, Oklahoma
2016-09-05T08:55:49.090Z	1.4	11 km NW of Pawnee, Oklahoma
2016-09-05T10:24:55.550Z	1.8	11 km NW of Pawnee, Oklahoma
2016-09-05T11:00:55.500Z	2.9	13 km NW of Pawnee, Oklahoma
2016-09-05T18:22:53.560Z	2	12 km NW of Pawnee, Oklahoma
2016-09-06T03:51:36.170Z	1.8	13 km NW of Pawnee, Oklahoma
2016-09-06T08:17:39.030Z	2	9 km NW of Pawnee, Oklahoma
2016-09-06T12:01:24.790Z	1.8	10 km NNW of Pawnee, Oklahoma
2016-09-06T15:02:41.930Z	2	13 km NW of Pawnee, Oklahoma
2016-09-07T02:26:50.500Z	3.1	14 km NW of Pawnee, Oklahoma
2016-09-07T03:11:55.100Z	2.7	13 km NW of Pawnee, Oklahoma
2016-09-07T03:14:10.380Z	1.2	14 km NW of Pawnee, Oklahoma
2016-09-07T03:53:05.380Z	1.2	11 km NW of Pawnee, Oklahoma
2016-09-07T10:00:28.020Z	1.6	13 km NW of Pawnee, Oklahoma
2016-09-07T10:42:49.650Z	1.4	15 km NNE of Morrison, Oklahoma
2016-09-07T11:17:39.300Z	2.6	11 km NW of Pawnee, Oklahoma
2016-09-07T12:18:56.060Z	1.8	12 km NW of Pawnee, Oklahoma
2016-09-07T12:23:57.800Z	1.4	14 km NW of Pawnee, Oklahoma
2016-09-07T22:03:37.900Z	2.2	10 km NW of Pawnee, Oklahoma
2016-09-07T22:15:44.420Z	1.6	11 km NW of Pawnee, Oklahoma
2016-09-07T22:30:33.000Z	1.6	11 km NW of Pawnee, Oklahoma
2016-09-07T23:31:50.670Z	1.1	16 km NNE of Morrison, Oklahoma
2016-09-08T01:54:16.100Z	2.5	11 km NW of Pawnee, Oklahoma
2016-09-08T06:45:27.130Z	1.4	13 km NW of Pawnee, Oklahoma
2016-09-08T17:06:15.630Z	1.8	16 km NNE of Morrison, Oklahoma
2016-09-08T17:19:40.910Z	2	Pawnee, Oklahoma
2016-09-08T18:01:31.950Z	1.9	Pawnee, Oklahoma
2016-09-08T19:00:29.900Z	2.6	17 km NNE of Morrison, Oklahoma
2016-09-09T02:25:11.050Z	1.7	12 km NW of Pawnee, Oklahoma
2016-09-09T03:54:50.590Z	2.1	17 km NNE of Morrison, Oklahoma
2016-09-09T20:28:01.100Z	2.6	10 km NW of Pawnee, Oklahoma
2016-09-09T23:47:54.140Z	1.4	9 km NNW of Pawnee, Oklahoma
2016-09-10T02:12:33.190Z	1.5	13 km NW of Pawnee, Oklahoma

2016-09-10T02:13:05.720Z	1.2	10 km NW of Pawnee, Oklahoma
2016-09-10T02:49:17.140Z	1.9	Pawnee, Oklahoma
2016-09-10T02:51:42.580Z	1.6	13 km NW of Pawnee, Oklahoma
2016-09-10T06:47:43.900Z	1.3	10 km NW of Pawnee, Oklahoma
2016-09-10T07:31:23.100Z	2	14 km NW of Pawnee, Oklahoma
2016-09-10T08:00:51.780Z	1.2	14 km NW of Pawnee, Oklahoma
2016-09-10T09:34:41.620Z	1.4	11 km NW of Pawnee, Oklahoma
2016-09-10T09:46:39.180Z	1.7	13 km NW of Pawnee, Oklahoma
2016-09-10T17:26:45.800Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-11T01:09:12.150Z	1.3	12 km NW of Pawnee, Oklahoma
2016-09-11T04:57:16.300Z	2.9	12 km NW of Pawnee, Oklahoma
2016-09-11T05:02:42.300Z	1.5	12 km NW of Pawnee, Oklahoma
2016-09-11T06:52:06.670Z	1.3	10 km NW of Pawnee, Oklahoma
2016-09-11T08:03:45.020Z	1.3	15 km NNE of Morrison, Oklahoma
2016-09-11T09:28:24.210Z	1.1	11 km NW of Pawnee, Oklahoma
2016-09-11T11:12:55.620Z	1.2	15 km NW of Pawnee, Oklahoma
2016-09-11T11:53:32.760Z	2	Pawnee, Oklahoma
2016-09-11T16:19:09.300Z	1.2	11 km NW of Pawnee, Oklahoma
2016-09-12T03:01:09.750Z	1.1	11 km NW of Pawnee, Oklahoma
2016-09-12T04:13:08.300Z	2.3	10 km NW of Pawnee, Oklahoma
2016-09-12T04:30:43.070Z	1.1	10 km NW of Pawnee, Oklahoma
2016-09-12T05:54:12.700Z	3	8 km NNW of Pawnee, Oklahoma
2016-09-12T08:52:39.060Z	2.4	10 km NW of Pawnee, Oklahoma
2016-09-12T09:21:45.930Z	1.6	10 km NW of Pawnee, Oklahoma
2016-09-12T09:57:28.900Z	2.6	8 km NNW of Pawnee, Oklahoma
2016-09-12T10:24:32.300Z	1.5	9 km NNW of Pawnee, Oklahoma
2016-09-12T18:24:28.110Z	1.5	14 km NW of Pawnee, Oklahoma
2016-09-12T21:39:14.500Z	3	14 km NW of Pawnee, Oklahoma
2016-09-13T17:17:23.190Z	2	11 km NW of Pawnee, Oklahoma
2016-09-14T04:16:08.310Z	1.8	14 km NNW of Pawnee, Oklahoma
2016-09-14T05:56:36.880Z	1.5	14 km NW of Pawnee, Oklahoma
2016-09-15T04:12:00.450Z	1.9	14 km NW of Pawnee, Oklahoma
2016-09-15T09:33:58.900Z	2.2	13 km NW of Pawnee, Oklahoma
2016-09-15T16:07:17.500Z	1.5	14 km NW of Pawnee, Oklahoma
2016-09-15T19:55:51.100Z	2.6	14 km NW of Pawnee, Oklahoma
2016-09-15T23:04:54.700Z	2.2	13 km NW of Pawnee, Oklahoma
2016-09-16T07:35:01.100Z	2	13 km NW of Pawnee, Oklahoma
2016-09-16T09:15:39.200Z	2.1	11 km NW of Pawnee, Oklahoma
2016-09-16T12:53:01.400Z	2.1	14 km NW of Pawnee, Oklahoma

2016-09-16T13:58:03.050Z	1.9	10 km NW of Pawnee, Oklahoma
2016-09-16T20:36:42.510Z	2	15 km NW of Pawnee, Oklahoma
2016-09-16T21:35:02.000Z	1.5	14 km NW of Pawnee, Oklahoma
2016-09-16T22:28:50.700Z	2.7	10 km NW of Pawnee, Oklahoma
2016-09-16T23:02:23.400Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-17T00:48:28.200Z	2.2	13 km NNW of Pawnee, Oklahoma
2016-09-17T00:48:52.000Z	2.1	12 km NW of Pawnee, Oklahoma
2016-09-17T01:23:34.260Z	1.3	11 km NW of Pawnee, Oklahoma
2016-09-17T05:04:28.200Z	2	10 km NW of Pawnee, Oklahoma
2016-09-17T07:21:32.440Z	1.1	13 km NW of Pawnee, Oklahoma
2016-09-17T07:27:15.690Z	1.8	13 km NNW of Pawnee, Oklahoma
2016-09-17T12:01:23.740Z	1.8	13 km NW of Pawnee, Oklahoma
2016-09-17T12:04:19.230Z	1.7	10 km NW of Pawnee, Oklahoma
2016-09-17T12:56:39.250Z	1.1	10 km NW of Pawnee, Oklahoma
2016-09-17T17:16:41.610Z	1.7	14 km NW of Pawnee, Oklahoma
2016-09-17T20:57:35.300Z	1.5	10 km NW of Pawnee, Oklahoma
2016-09-18T00:38:31.310Z	1.9	14 km NW of Pawnee, Oklahoma
2016-09-18T00:58:16.230Z	1.8	14 km NW of Pawnee, Oklahoma
2016-09-18T07:23:16.830Z	1.6	14 km NW of Pawnee, Oklahoma
2016-09-18T12:38:52.390Z	1.8	14 km NNE of Morrison, Oklahoma
2016-09-18T14:22:32.650Z	1.5	Pawnee, Oklahoma
2016-09-18T15:28:17.250Z	1.7	10 km NW of Pawnee, Oklahoma
2016-09-18T16:15:10.330Z	1.7	9 km NNW of Pawnee, Oklahoma
2016-09-18T22:03:22.600Z	2.3	Pawnee, Oklahoma
2016-09-18T22:11:50.330Z	1.7	13 km NW of Pawnee, Oklahoma
2016-09-19T04:50:33.300Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-19T11:03:15.400Z	2.8	14 km NW of Pawnee, Oklahoma
2016-09-19T12:26:53.470Z	2.1	14 km NNE of Morrison, Oklahoma
2016-09-19T12:58:43.100Z	2.6	14 km NW of Pawnee, Oklahoma
2016-09-19T13:18:00.300Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-19T14:38:10.110Z	1.6	13 km NW of Pawnee, Oklahoma
2016-09-20T00:04:45.600Z	2.3	14 km NW of Pawnee, Oklahoma
2016-09-20T00:40:50.400Z	2	13 km NW of Pawnee, Oklahoma
2016-09-20T06:36:35.520Z	1.6	10 km NW of Pawnee, Oklahoma
2016-09-20T13:00:26.430Z	1.6	10 km NW of Pawnee, Oklahoma
2016-09-20T19:23:24.000Z	2.3	11 km NW of Pawnee, Oklahoma
2016-09-21T03:48:46.510Z	1	10 km NW of Pawnee, Oklahoma
2016-09-21T07:56:29.360Z	2.1	14 km WSW of Ralston, Oklahoma
2016-09-21T13:09:40.700Z	1.8	14 km NW of Pawnee, Oklahoma

2016-09-21T21:52:15.630Z	1.6	11 km NW of Pawnee, Oklahoma
2016-09-22T06:28:14.500Z	2.4	13 km NW of Pawnee, Oklahoma
2016-09-22T06:42:18.000Z	2.9	13 km NW of Pawnee, Oklahoma
2016-09-22T09:18:30.280Z	1.8	13 km NW of Pawnee, Oklahoma
2016-09-22T09:27:43.000Z	2.9	13 km NW of Pawnee, Oklahoma
2016-09-23T02:24:09.130Z	1.5	Pawnee, Oklahoma
2016-09-23T08:17:31.870Z	1.5	10 km NW of Pawnee, Oklahoma
2016-09-23T08:23:21.900Z	1.8	13 km NW of Pawnee, Oklahoma
2016-09-23T08:28:13.600Z	2.7	13 km NW of Pawnee, Oklahoma
2016-09-23T08:28:17.800Z	3	12 km NW of Pawnee, Oklahoma
2016-09-23T17:12:38.800Z	2	14 km WSW of Ralston, Oklahoma
2016-09-23T19:03:06.100Z	2.1	9 km NNW of Pawnee, Oklahoma
2016-09-24T00:06:40.910Z	1.5	9 km NNW of Pawnee, Oklahoma
2016-09-26T01:24:53.800Z	1.5	13 km NW of Pawnee, Oklahoma
2016-09-26T03:16:18.020Z	1.6	8 km NW of Pawnee, Oklahoma
2016-09-26T04:03:41.440Z	1.9	14 km NW of Pawnee, Oklahoma
2016-09-26T09:08:53.500Z	2.2	13 km NW of Pawnee, Oklahoma
2016-09-26T09:09:05.500Z	2.5	13 km NW of Pawnee, Oklahoma
2016-09-26T10:49:31.900Z	2.7	13 km NNW of Pawnee, Oklahoma
2016-09-26T11:13:15.200Z	2.2	14 km NW of Pawnee, Oklahoma
2016-09-26T14:30:57.300Z	2.1	13 km NW of Pawnee, Oklahoma
2016-09-27T05:21:27.690Z	2.2	14 km NW of Pawnee, Oklahoma
2016-09-27T05:50:49.340Z	2	Pawnee, Oklahoma
2016-09-27T07:16:50.610Z	2.4	13 km NW of Pawnee, Oklahoma
2016-09-28T21:39:00.430Z	1.7	14 km NW of Pawnee, Oklahoma
2016-09-29T03:02:39.930Z	1.4	13 km NW of Pawnee, Oklahoma
2016-09-29T08:33:59.000Z	2	14 km NW of Pawnee, Oklahoma
2016-09-29T18:03:37.510Z	2	14 km NW of Pawnee, Oklahoma
2016-09-30T07:54:04.310Z	1.8	9 km NNW of Pawnee, Oklahoma
2016-10-03T21:03:00.130Z	1.5	11 km NW of Pawnee, Oklahoma
2016-10-04T07:17:00.920Z	1.7	14 km NW of Pawnee, Oklahoma
2016-10-04T09:10:37.900Z	3.7	15 km NW of Pawnee, Oklahoma
2016-10-05T02:44:03.710Z	1.4	14 km NW of Pawnee, Oklahoma
2016-10-05T09:54:33.100Z	3	13 km NNE of Morrison, Oklahoma
2016-10-05T18:17:54.880Z	1.9	14 km NNE of Morrison, Oklahoma
2016-10-06T00:19:04.000Z	3.4	13 km NW of Pawnee, Oklahoma
2016-10-06T00:42:11.200Z	2.3	13 km NW of Pawnee, Oklahoma
2016-10-07T09:29:56.440Z	1.8	14 km NNE of Morrison, Oklahoma
2016-10-08T10:46:35.470Z	1.4	9 km NNW of Pawnee, Oklahoma

2016-10-08T16:23:26.110Z	2.1	11 km NW of Pawnee, Oklahoma
2016-10-09T04:51:14.000Z	1.4	12 km NW of Pawnee, Oklahoma
2016-10-09T12:23:05.100Z	3.5	11 km NW of Pawnee, Oklahoma
2016-10-09T12:33:24.230Z	1.8	12 km NW of Pawnee, Oklahoma
2016-10-09T12:41:04.280Z	1.9	12 km NW of Pawnee, Oklahoma
2016-10-09T13:09:49.490Z	1.9	12 km NW of Pawnee, Oklahoma
2016-10-09T15:02:17.860Z	1.9	12 km NW of Pawnee, Oklahoma
2016-10-09T16:37:59.070Z	2	12 km NW of Pawnee, Oklahoma
2016-10-10T17:53:22.400Z	2	14 km NW of Pawnee, Oklahoma
2016-10-10T20:27:55.000Z	3.2	14 km NW of Pawnee, Oklahoma
2016-10-10T21:11:02.400Z	2.2	13 km NW of Pawnee, Oklahoma
2016-10-12T11:45:29.690Z	1.4	13 km NW of Pawnee, Oklahoma
2016-10-12T15:16:21.000Z	2.1	11 km NW of Pawnee, Oklahoma
2016-10-13T06:42:02.310Z	1.5	14 km WSW of Ralston, Oklahoma
2016-10-14T03:50:39.190Z	1.9	14 km NNW of Pawnee, Oklahoma
2016-10-14T09:19:57.300Z	2.1	14 km NW of Pawnee, Oklahoma
2016-10-14T14:09:45.600Z	2.2	14 km NNW of Pawnee, Oklahoma
2016-10-14T14:12:00.000Z	2.6	Pawnee, Oklahoma
2016-10-14T19:41:06.300Z	2.7	9 km NW of Pawnee, Oklahoma
2016-10-14T22:03:33.050Z	2	10 km NW of Pawnee, Oklahoma
2016-10-15T01:43:04.400Z	2.4	9 km NW of Pawnee, Oklahoma
2016-10-16T09:58:54.570Z	2.1	13 km NW of Pawnee, Oklahoma
2016-10-17T03:48:37.400Z	2	14 km NNW of Pawnee, Oklahoma
2016-10-17T03:58:18.500Z	2.2	11 km NW of Pawnee, Oklahoma
2016-10-17T12:45:06.240Z	1.9	14 km NW of Pawnee, Oklahoma
2016-10-18T19:00:01.380Z	2.1	12 km NW of Pawnee, Oklahoma
2016-10-19T12:04:51.500Z	3	10 km NW of Pawnee, Oklahoma
2016-10-19T12:17:08.150Z	1.6	Pawnee, Oklahoma
2016-10-21T16:50:22.000Z	2.6	12 km NW of Pawnee, Oklahoma
2016-10-24T10:20:15.800Z	2	11 km NW of Pawnee, Oklahoma
2016-10-25T06:26:29.730Z	1.8	13 km NW of Pawnee, Oklahoma
2016-10-26T03:21:45.480Z	1.3	11 km NW of Pawnee, Oklahoma
2016-10-27T05:19:30.900Z	2.1	16 km NNE of Morrison, Oklahoma
2016-10-28T18:24:54.700Z	3.1	13 km NW of Pawnee, Oklahoma
2016-10-28T20:23:21.600Z	2.4	14 km NW of Pawnee, Oklahoma
2016-10-29T06:06:01.800Z	3.3	10 km NW of Pawnee, Oklahoma
2016-10-29T06:41:34.500Z	2.7	10 km NW of Pawnee, Oklahoma
2016-10-31T02:53:27.700Z	3	14 km NW of Pawnee, Oklahoma
2016-11-02T14:51:17.900Z	2.5	14 km NW of Pawnee, Oklahoma

2016-11-11T00:44:27.100Z	2.7	13 km NNE of Morrison, Oklahoma
2016-12-17T22:05:27.380Z	2.5	15 km NNE of Morrison, Oklahoma
2016-12-29T09:49:14.800Z	2.8	14 km NW of Pawnee, Oklahoma
2016-12-31T16:05:10.600Z	2.9	14 km NNW of Pawnee, Oklahoma
2017-01-02T19:44:23.000Z	3.5	13 km NW of Pawnee, Oklahoma
2017-01-26T19:01:05.200Z	2.9	Pawnee, Oklahoma
2017-01-26T19:11:38.500Z	2.6	Pawnee, Oklahoma
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2017-03-10T23:54:59.500Z	2.9	16 km NNE of Morrison, Oklahoma
2017-03-11T02:10:32.200Z	2.6	14 km WSW of Ralston, Oklahoma
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2017-03-16T18:55:21.600Z	2.5	12 km NW of Pawnee, Oklahoma
2017-03-22T21:44:20.400Z	2.7	12 km NW of Pawnee, Oklahoma
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2017-05-24T17:45:37.800Z	2.7	14 km NW of Pawnee, Oklahoma
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2019-04-10T05:29:50.429Z	1.46	14 km NNW of Pawnee, Oklahoma
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2020-02-05T13:21:55.679Z	1.2	14 km NW of Pawnee, Oklahoma

2020-02-06T04:51:33.840Z	1.44	Pawnee, Oklahoma
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2020-02-28T06:25:46.780Z	1.56	15 km NW of Pawnee, Oklahoma
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2020-03-09T19:47:36.340Z	1.45	14 km NW of Pawnee, Oklahoma
2020-03-11T21:40:46.659Z	1.63	10 km NW of Pawnee, Oklahoma
2020-03-13T02:51:03.209Z	1.67	11 km NW of Pawnee, Oklahoma
2020-03-25T04:51:10.439Z	2.16	14 km WSW of Ralston, Oklahoma
2020-03-25T10:01:41.740Z	1.2	10 km NW of Pawnee, Oklahoma
2020-04-08T15:52:54.530Z	1.38	11 km NW of Pawnee, Oklahoma
2020-04-24T11:20:23.899Z	1.15	14 km NW of Pawnee, Oklahoma
2020-04-26T22:30:47.270Z	1.63	14 km NNW of Pawnee, Oklahoma
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2020-05-24T15:25:41.859Z	1.14	13 km NW of Pawnee, Oklahoma
2020-06-04T21:04:36.359Z	1.9	12 km NW of Pawnee, Oklahoma
2020-07-03T05:53:20.250Z	2.21	14 km NW of Pawnee, Oklahoma
2020-07-25T13:56:41.119Z	1.17	15 km NW of Pawnee, Oklahoma
2020-08-10T00:28:44.619Z	1.38	10 km NW of Pawnee, Oklahoma
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2020-09-21T00:13:23.559Z	1.03	10 km NW of Pawnee, Oklahoma
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2020-09-29T14:08:02.040Z	1.49	Pawnee, Oklahoma
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2020-11-13T23:18:29.050Z	1.11	Pawnee, Oklahoma
2020-11-20T00:36:39.649Z	1.16	16 km NW of Pawnee, Oklahoma
2020-11-22T08:04:27.940Z	1.26	10 km NW of Pawnee, Oklahoma
2020-11-29T13:54:06.230Z	1.53	15 km NNE of Morrison, Oklahoma
2020-11-29T14:28:39.659Z	2.41	15 km NW of Pawnee, Oklahoma
2020-12-06T20:07:08.000Z	1.86	Pawnee, Oklahoma
2020-12-12T10:49:46.859Z	1.96	11 km NW of Pawnee, Oklahoma
2020-12-24T03:32:49.710Z	1.4	10 km NW of Pawnee, Oklahoma
2021-01-28T11:49:52.880Z	1.31	12 km NNE of Morrison, Oklahoma

2021-02-12T12:18:53.210Z	1.16	12 km NW of Pawnee, Oklahoma
2021-02-22T22:18:27.120Z	1.13	10 km NW of Pawnee, Oklahoma
2021-02-23T23:39:30.480Z	1.31	13 km NW of Pawnee, Oklahoma
2021-02-24T03:33:02.560Z	1.25	14 km NW of Pawnee, Oklahoma
2021-03-09T13:55:59.039Z	1.38	13 km NW of Pawnee, Oklahoma
2021-03-14T15:59:21.449Z	2.6	16 km NNE of Morrison, Oklahoma
2021-03-14T18:46:57.500Z	1.68	15 km NNE of Morrison, Oklahoma
2021-03-16T01:22:20.559Z	2.04	16 km NNE of Morrison, Oklahoma
2021-03-21T15:18:38.609Z	2.32	13 km NW of Pawnee, Oklahoma
2021-03-31T19:42:57.500Z	1.06	15 km NNE of Morrison, Oklahoma
2021-03-31T19:43:38.210Z	1.09	15 km NNE of Morrison, Oklahoma
2021-04-08T23:42:59.780Z	1.22	15 km NNE of Morrison, Oklahoma
2021-04-09T06:53:50.439Z	1.32	15 km NNE of Morrison, Oklahoma
2021-04-13T05:46:25.609Z	1.16	13 km NW of Pawnee, Oklahoma
2021-04-21T06:20:55.380Z	1.48	15 km NNE of Morrison, Oklahoma
2021-05-07T23:29:30.760Z	2.24	16 km NW of Pawnee, Oklahoma
2021-05-07T23:37:12.630Z	1.3	15 km NNE of Morrison, Oklahoma
2021-06-08T20:30:39.140Z	1.17	12 km NW of Pawnee, Oklahoma
2021-06-27T06:36:45.869Z	1.57	9 km NNW of Pawnee, Oklahoma

CLASS ALLEGATIONS

16. Plaintiff realleges each of the preceding paragraphs, and by this reference incorporates each such paragraph as though set forth here in full.

17. Plaintiff brings this action, on behalf of himself and all others similarly situated, as a class action pursuant to 12 O.S. § 2023.

18. The Class that Plaintiff seeks to represent (the “Class”) is defined as follows:

The Class Representative, Plaintiffs, and all persons municipalities, county governments, or tribal governments, who own or owned real property within the borders Oklahoma or have or had a property interest therein between November 15, 2014 through the Effective Date (the “Settlement Class Period”), and which suffered earthquake damages from earthquakes, foreshocks and aftershocks arising from the Cushing Earthquake and the Pawnee Earthquakes with epicenters within 50 miles of Pawnee, Oklahoma.

Excluded from the Settlement Class are the following:

- a) Any of the Settling Defendant or its owners, directors, officers, employees, and/or agents, the judge presiding over this action and his immediate family members;
- b) Any person that timely and properly excludes himself/herself/itself pursuant to the orders of the Court; or,
- c) Any person having filed their own legal action against Tarka alleging damages for the same seismicity at issue, except those named plaintiffs in the Individual Actions which are participating as members of the Settlement Class.

19. This action is brought and properly may be maintained as a class action pursuant to 12 O.S. § 2023, and satisfies the requirements of its provisions.

Numerosity

20. Media outlets have reported hundreds of homes and businesses were damaged just by the 5.8m earthquake striking the area on September 3, 2016, but potential Class members include any person having an ownership interest in a home or business located within the borders of Oklahoma. Thus, hundreds of thousands of Oklahomans are members of the Class.

21. As such, the Class is sufficiently numerous and has members scattered across the State of Oklahoma so as to make joinder of all members of the Class in a single

action impracticable, and therefore, the resolution of their claims through the procedure of a class action will be to the benefit of the parties and the Court.

Commonality

22. Plaintiff's claims raise issues of fact or law which are common to the members of the putative Class. These common questions include, but are not limited to:

- a. Whether Tarka owed a duty to the Class to use ordinary care and not to operate or maintain their wastewater disposal wells in such a way to cause or contribute to seismic activity.
- b. Whether Tarka's wastewater disposal operations proximately caused the earthquakes at issue.
- c. Whether Tarka's wastewater disposal operations proximately caused the earthquakes at issue and constituted a private nuisance.
- d. Whether the Class have property rights and are privileged regarding the use and enjoyment of their homes and businesses, and land, and whether Tarka's wastewater disposal operations proximately caused the earthquakes at issue and interfered with those rights and privileges.
- e. Whether Tarka's wastewater disposal operations proximately caused the earthquakes at issue and constituted ultrahazardous activities warranting strict liability.
- f. Whether Tarka's wastewater disposal operations proximately caused the earthquakes at issue and constituted a trespass on Class members' properties.

Typicality

23. Plaintiff's claims are typical of the claims of the other members of the Class he seeks to represent because at bottom, all of the claims center upon whether Tarka's wastewater injection operations have caused the seismicity at issue.

Adequacy

24. Plaintiff is interested in the outcome of this litigation and understands the importance of adequately representing the Class.

25. Plaintiff will fairly and adequately protect the interests of the Class sought to be certified.

26. Plaintiff is an adequate representative of the Class because he has no interests that are adverse to the interests of the members of the Class. Plaintiff is committed to the vigorous prosecution of this action and, to that end, Plaintiff has retained counsel competent and experienced in handling class-action and complex tort litigation, which are also qualified to adequately represent the Class.

Predominance

27. Questions of law or fact common to the members of the Class predominate over questions affecting only individual members. *See Gentry v. Cotton Electric Cooperative, Inc.*, 2011 OK CIV APP 24, and *Cooper v. New Dominion*, Lincoln County District Court, CJ-2015-24, Journal Entry of July 13, 2018 (Judge Walkley by Supreme Court appointment).

Superiority

28. A class action is superior to other available methods for the fair and efficient adjudication of the controversy. The predicate issues relate to Tarka's wastewater injection operations, actions and activities, and whether these activities pose a nuisance, are an ultra-hazardous activity, were negligently performed, or caused trespasses. The focus of this action will be on the common and uniform conduct of Tarka in conducting their wastewater injection operations during the Class Period.

29. Absent class action relief, the putative Class Members would be forced to prosecute thousands of similar claims in different district court venues. Such an event would cause tremendous amounts of waste of judicial resources, but the prosecution of these claims as a class action will promote judicial economy.

30. The prosecution of separate actions by individual members of the Class would create a risk of:

- a. inconsistent or varying adjudications with respect to individual members of the Class, which would establish incompatible standards of conduct for the Tarka; and
- b. adjudications with respect to individual members of the Class, which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests.

31. Plaintiff is not aware of any difficulty which will be encountered in the management of this litigation which should preclude its maintenance as a class action. In fact, class certification is the superior method of adjudicating these claims. *See Gentry v. Cotton Electric Cooperative, Inc.*, 2011 OK CIV APP 24, and *Cooper v. New Dominion, Lincoln*

County District Court, CJ-2015-24, Journal Entry of July 13, 2018 (Judge Walkley by Supreme Court appointment).

CAUSES OF ACTION

COUNT I

ABSOLUTE LIABILITY

32. Plaintiff and the Class hereby re-allege and incorporate the foregoing Paragraphs as if fully set forth herein, word-for-word.

33. Tarka's actions described above are ultrahazardous activities that necessarily involve a risk of serious harm to a person that cannot be eliminated by the exercise of the utmost care and is not a matter of common usage.

34. Tarka conducted wastewater disposal operations in locations near Pawnee and Cushing. These operations contributed to the seismicity at issue.

35. Since 2015, it has been admitted by Oklahoma's government that all of Oklahoma's seismicity since 2009 is due to wastewater injection operations into Oklahoma's Arbuckle Formation, which resides very deep below Oklahoma's surface. Indeed, in early-August 2015, more than a year before the 5.8m Labor Day weekend quake near Pawnee, Governor Mary Fallin, the Oklahoma Secretary of Energy and Environment Michael Teague, and the Governor's Coordinating Counsel on Seismic Activity acknowledged a "direct correlation" between Oklahoma's seismicity and wastewater disposal.

36. Tarka's wastewater disposal operations into the Arbuckle near Pawnee and Cushing created a high degree of risk of some harm to persons, commercial buildings, homes, and/or the chattels of others in these areas.

- a. It is known that earthquakes can cause substantial injuries to people, and in fact prior to the 5.8m earthquake near Pawnee, Sandra Ladra of Prague, Oklahoma, sued two oil and gas companies for substantial personal injuries to her knees when rocks on her fireplace fell during a 5.7m wastewater disposal induced earthquake near Prague hit in November of 2011. With respect to Oklahoma's largest earthquake, the 5.8m quake at issue here and near Pawnee, Anna Mercer sustained substantial injuries during it and is permanently disabled.
- b. Moreover, after the Governor, the Secretary of Energy and Environment, and the Seismicity Council acknowledged the "direct correlation" between Oklahoma's seismicity and fracking wastewater disposal, several schools in Oklahoma began to educate their students on earthquake preparedness, and also implemented safety drills - further support that wastewater induced seismicity involves a substantial risk of harm.
- c. Oklahoma's seismicity, all of which since 2009 has been determined to be induced by wastewater injection, has caused millions of dollars in damages to properties around the state. High profile cases involve over \$2 million in damages to St. Gregory's iconic building Benedictine Hall, and the Lions Club's building in Cushing. The Prague induced quakes of November 2011

toppled one of St. Gregory's Benedictine Hall's four towers. And the Cushing induced earthquakes of November 2016 resulted in the total destruction of the Lions Club's century-old building in Cushing.

- d. In Pawnee, for example, these induced earthquakes have totaled the home of Johnny and Janice Bryant, and have caused more than \$400,000.00 in damages to government buildings of the Pawnee Nation.
- e. Thus, there is an obvious high degree of risk of some damage to persons, homes, and other properties due to wastewater disposal operations that create earthquakes, and the likelihood that harm will result from induced seismicity is great.

37. There is an inability to eliminate the risks detailed above with the exercise of reasonable care. Even Tarka's compliance with government licensing and/or regulations does not eliminate the risk of causing seismicity and resulting harm to persons and property, and moreover, is no bar to the application of absolute liability principles under Oklahoma law.

38. Wastewater disposal operations, especially into Oklahoma's Arbuckle and near faults, are not a matter of common usage, and indeed, are analogous to activities routinely considered as ultrahazardous such as blasting, demolition operations, the use, transport, or storing of hazardous chemicals, and the controlled burning of fields. All of these activities involve inherent risks, and are certainly not "normal to the average man."

39. It is inappropriate to dispose of millions of gallons of fracking wastewater into Oklahoma's Arbuckle Formation, especially in areas where there are fault lines nearby. Such activity unavoidably involves unreasonable risk.

40. While fracking wastewater disposal is a necessary part of oil and gas exploration and is of a value to the community, such is outweighed by its dangerous attributes - especially when such operations involve such huge volumes of wastewater, disposed of deep into the Arbuckle Formation, and near fault lines, and that result in devastating seismicity.

41. Indeed, two geophysicists have opined that wastewater disposal into Oklahoma's Arbuckle Formation is an ultrahazardous activity. The first geophysicist to render such an opinion was the State of Oklahoma's seismologist during the years of all of this induced seismicity, Dr. Austin Holland. In the fall of 2017, Dr. Holland opined, under oath in deposition testimony in another induced seismicity class action case related to the Prague earthquakes of November 2011, that wastewater disposal into the Arbuckle Formation was an ultrahazardous act. Likewise, Dr. Wayne Pennington, also a geophysicist, has the same opinion that disposal of fracking waste into the Arbuckle constitutes an ultrahazardous activity. His opinion has been offered in his deposition taken by Eagle Road and Cummings Oil in May of 2018.

42. As a direct and proximate result of Tarka's ultrahazardous activities, Plaintiff and the Class members have suffered damages, to which Tarka are strictly liable.

43. As a direct and proximate result of Tarka's ultrahazardous activities, Plaintiff and Class members have suffered damages to their homes in the form of physical damages and market losses, and also damages to their personal property.

44. As a direct and proximate result of Tarka's ultrahazardous activities, Plaintiff and Class members have suffered and continue to suffer emotional harm.

COUNT II

NEGLIGENCE

45. Plaintiff and the Class hereby re-allege and incorporate the foregoing Paragraphs, as if fully set forth herein, word-for-word.

46. Tarka owed a duty to Plaintiff and the Class to use ordinary care and not to operate or maintain their injection wells in such a way as to cause or contribute to seismic activity. Tarka, experienced in these operations, were well aware of the connection between injection wells and seismic activity, and acted in disregard of these facts.

47. As a direct and proximate result of these facts, omissions, and fault of the Tarka, the Plaintiff and the Class have suffered injuries reasonably foreseeable to the Tarka in the form of property damages to their homes (in the form of physical damages and market losses), damages to their personal property, and emotional harm that is continuing.

COUNT III

PRIVATE NUISIANCE

48. Plaintiff and the Class re-allege and incorporate the foregoing Paragraphs, as if fully set forth herein, word-for-word.

49. Tarka's conduct constitutes a private nuisance.

50. Plaintiff and the Class have property rights and are privileged regarding the use and enjoyment of their home, land and businesses. Tarka's actions and operations as described above have unlawfully and unreasonably interfered with those rights and privileges.

51. Plaintiff and the Class have suffered harm and damages because of Tarka's creation of a nuisance, including:

- a. Damages to their personal and real property;
- b. interference with their use and enjoyment of property;
- c. annoyance, discomfort and inconvenience on their property caused by Tarka's nuisance;
- d. loss of peace of mind and emotional distress; and
- e. diminution of property value.

COUNT IV

TRESPASS

52. Plaintiff and the Class re-allege and incorporate the foregoing Paragraphs, as if set forth herein, word-for-word.

53. Plaintiff and the Class are and have been lawfully entitled to possession of their property.

54. Tarka, without the permission or consent of Plaintiff and the Class and without legal right, intentionally engaged in activities that resulted in concussions or vibrations entering Plaintiff's and the Class members' property. Such unauthorized invasion of Plaintiff's and the Class members' property constitutes a trespass.

55. Because of Tarka's trespass, Plaintiffs and the Class have suffered damages, including:

- a. Damages to personal and real property;
- b. interference with their use and enjoyment of property;
- c. annoyance, discomfort and inconvenience on their property caused by Tarka's trespass;
- d. loss of peace of mind and emotional distress; and
- e. diminution of real estate property value.

DEMAND FOR JURY TRIAL

Plaintiff and the Class respectfully demand a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and the Class respectfully request the following relief:

- i. A judgment against Tarka awarding real and personal property damages (for physical damage and market loss), and emotional harm caused by and continuing by the conduct of the Tarka in an amount to be proven at trial;

- ii. pre-judgment and post-judgment interest; and,
- iii. all other relief to which Plaintiff and the Class are entitled or that the Court deems just and proper.

DATED: August __, 2022

Respectfully Submitted,

Scott E. Poynter, OBA #34220
POYNTER LAW GROUP
407 President Clinton Ave., Suite 201
Little Rock, AR 72201
Ph. (501) 812-3943
scott@poynterlawgroup.com

Billy Joe Ellington
Attorney at Law
613 Illinois
P.O. Box 491
Pawnee, OK 74058
Ph. (918) 762-2589
bjelaw33@gmail.com

Diana Gjonaj
WEITZ & LUXENBERG, P.C.
700 Broadway
New York, NY 10003
Tel: (212) 558-5500
Fax: (212) 344-5461
Email: dgjonaj@weitzlux.com

Richard N. Laminack
Russ Brudner
LAMINACK, PIRTLE & MARTINES, LLP
5020 Montrose Boulevard, 9th Floor
Houston, Texas 77006
Tel: 713-292-2750
Fax: 713-292-2755
rickl@lpm-triallaw.com
russb@lpm-triallaw.com

Counsel for Plaintiffs