

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL KERNEN, on behalf of )  
himself and all others similarly situated, )

Plaintiff, )

v. )

Case No. CIV-18-00107-JD

CASILLAS OPERATING, LLC, )

Defendant. )

**CLASS COUNSEL’S MOTION FOR APPROVAL OF  
REIMBURSEMENT OF LITIGATION EXPENSES**

Class Counsel respectfully file this Motion for Approval of Reimbursement of Litigation Expenses, and hereby move this Court for entry of an Order approving Class Counsel’s request for Reimbursement of Litigation Expenses incurred by successfully prosecuting and resolving this Litigation in an amount not to exceed \$200,000.00 and Reimbursement of Administration, Notice and Distribution Costs actually incurred and not to exceed \$175,000.00—the amounts set forth in the Notice.

Class Counsel base this Motion on: (1) the Memorandum of Law in Support of this Motion and exhibits thereto; (2) the Declaration of Robert N. Barnes, Andrew G. Pate, and Patrick M. Ryan on Behalf of Class Counsel and exhibits thereto (attached to Final Approval Memorandum as Exhibit 2); (3) the Declarations of Robert N. Barnes, Patranell Britten Lewis, and Emily Nash Kitch on Behalf of Barnes & Lewis LLP; Andrew G. Pate on Behalf of Nix Patterson, LLP; Patrick M. Ryan on Behalf of Ryan Whaley Coldiron

Jantzen Peters & Webber; and Michael Burrage on Behalf of Whitten Burrage (attached to Fee Motion as Exhibit 1-4); (4) the Declaration of Michael Kernen (attached to Final Approval Memorandum as Exhibit 1); (5) the Declaration of Jennifer M. Keough on Behalf of Settlement Administrator JND Legal Administration LLC, Regarding Notice Mailing and Administration of Settlement (attached to Final Approval Memorandum as Exhibit 4); (6) the Affidavit of Barbara A. Ley, CPA, CITP, CFF (attached to Final Approval Memorandum as Exhibit 3); (7) the Affidavits of Absent Class Members: Robert E. Gonce, Jr., (“Castlerock Aff.”); Robert Abernathy (“Chieftain Aff.”); Robert Odom (“Odom Aff.”); Dan Little (“Little Aff.”); and Mike Weeks (“Pagosa Aff.”); (attached to the Final Approval Memorandum as Exhibits 6-10); and (8) the applicable law, and all pleadings, declarations, and records on file in this matter, which are respectfully incorporated by reference as if set forth fully herein.

Accordingly, Class Counsel respectfully request the Court enter the Proposed Order granting the relief stated above and grant any further relief to which the Court finds Class Counsel entitled.

DATED: October 20, 2021.

Respectfully submitted,

*s/Robert N. Barnes*

Robert N. Barnes, OBA No. 537  
Patranell B. Lewis, OBA No. 12279  
Emily Nash Kitch, OBA No. 22244  
**BARNES & LEWIS LLP**  
208 NW 60th Street

Oklahoma City, OK 73118  
Telephone: (405) 843-0363  
Facsimile: (405) 832-1007  
rbarnes@barneslewis.com  
plewis@barneslewis.com  
ekitch@barneslewis.com

Bradley E. Beckworth, OBA No. 19982  
Jeffrey J. Angelovich, OBA No. 19981  
Lisa P. Baldwin, OBA No. 32947  
Drew G. Pate  
Trey N. Duck, III  
Cody L. Hill  
Susan Whatley  
**NIX PATTERSON, LLP**  
3600 N. Capital of TX Hwy.  
Bldg. B, Suite 350  
Austin, TX 78746  
Telephone: (512) 328-5333  
Facsimile: (512) 328-5335  
bbeckworth@nixlaw.com  
jangelovich@nixlaw.com  
lbaldwin@nixlaw.com  
dpate@nixlaw.com  
tduck@nixlaw.com  
codyhill@nixlaw.com  
swhatley@nixlaw.com

Patrick M. Ryan, OBA No. 7864  
Jason A. Ryan, OBA No. 18824  
Paula M. Jantzen, OBA No. 20464  
**RYAN WHALEY COLDIRON JANTZEN  
PETERS & WEBBER PLLC**  
400 North Walnut Ave.  
Oklahoma City, OK 73104  
Telephone: (405) 239-6040  
Facsimile:(405) 239-6766  
pryan@ryanwhaley.com  
jryan@ryanwhaley.com  
pjantzen@ryanwhaley.com

**CLASS COUNSEL**

Michael Burrage, OBA No. 1350  
**WHITTEN BURRAGE**  
512 N. Broadway, Suite 300  
Oklahoma City, OK 73102  
Telephone: (405) 516-7800  
Facsimile: (405) 516-7859  
mburrage@whittenburrage.com

**LIASON LOCAL CLASS COUNSEL**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of October 2021, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send email notification of such filing to all registered parties.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

*/s/ Robert N. Barnes*

Robert N. Barnes

**Subject:** Activity in Case 5:18-cv-00107-JD Kernen v. Casillas Operating LLC et al Motion for Order  
**Date:** Wednesday, October 20, 2021 at 7:09:32 PM Central Daylight Time  
**From:** okwd\_ecf\_notice@okwd.uscourts.gov  
**To:** okwdecf@okwd.uscourts.gov

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Western District of Oklahoma[LIVE]

### Notice of Electronic Filing

The following transaction was entered by Barnes, Robert on 10/20/2021 at 7:09 PM CDT and filed on 10/20/2021

**Case Name:** Kernen v. Casillas Operating LLC et al  
**Case Number:** [5:18-cv-00107-JD](#)  
**Filer:** Michael Kernen  
**Document Number:** [110](#)

#### Docket Text:

[MOTION for Order Class Counsel's Motion for Approval of Reimbursement of Litigation Expenses by Michael Kernen. \(Barnes, Robert\)](#)

#### 5:18-cv-00107-JD Notice has been electronically mailed to:

Andrew G Pate dpate@nixlaw.com, ncameron@nixlaw.com

Bradley E Beckworth bbeckworth@nixlaw.com, sprince@nixlaw.com, swhatley@nixlaw.com, tduck@nixlaw.com

Cody L Hill codyhill@nixlaw.com

Dawson A Brotemarkle dbrotemarkle@hallestill.com, lwest@hallestill.com, sbaccus@hallestill.com

Emily N Kitch ekitch@barneslewis.com

J Kevin Hayes khayes@hallestill.com, ghambrick@hallestill.com, lwest@hallestill.com

Jason A Ryan jryan@ryanwhaley.com, jmickle@ryanwhaley.com, rharrison@ryanwhaley.com

Jeffrey J Angelovich jangelovich@nixlaw.com, codyhill@nixlaw.com, ncameron@nixlaw.com, sprince@nixlaw.com

Lisa P Baldwin lbaldwin@nixlaw.com, ncameron@nixlaw.com, sprince@nixlaw.com

Michael Burrage mburrage@whittenburrage.com, cnorman@whittenburrage.com, docketing@whittenburrage.com

Pamela S Anderson panderson@hallestill.com, lwest@hallestill.com, ssmock@hallestill.com

Patranell Britten Lewis plewis@barneslewis.com, abarnes@barneslewis.com, lbeebe@barneslewis.com, lrosales@barneslewis.com

Patrick M Ryan pryan@ryanwhaley.com, jmickle@ryanwhaley.com

Paula M Jantzen pbuchwald@ryanwhaley.com, jmickle@ryanwhaley.com, mkeplinger@ryanwhaley.com

Robert N Barnes rbarnes@barneslewis.com, abarnes@barneslewis.com, lbeebe@barneslewis.com

Susan R Whatley swhatley@nixlaw.com, sprince@nixlaw.com

Trey N Duck, III tduck@nixlaw.com, sprince@nixlaw.com

**5:18-cv-00107-JD Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1041971380 [Date=10/20/2021] [FileNumber=4623481-0] [1dc6a588c7192ff6588d2c01cc93a5ef0781a6b870e0422895ed74614866a0bf44749783e3cff5ca2bdb687ad0fe90575cddd1a64e111052ba2bfaf7e21503bd]]