

IN THE DISTRICT COURT OF OKLAHOMA COUNTY, OKLAHOMA

GREG AND JANICE DEPEW
THOMAS MAASSEN
EARL AND SHANNON WHITE
SHARON STEWART
ROBERT AND DAPHNE TALBOT
LAJUANA DENNIS
JOHN AND BARBARA BUNT
CAROL COREY
KATHRYN AITKEN
ROBERT ALLEN
DAVINNA ALLENSWORTH
DENNIS ATKINSON
DENISE AUSTIN
DAVID BALL
BLAKE BARLOW
DAVID BEEBE
CHRISTINE AND DONALD BREWER
EDWIN AND DELORES CARR
J. PAT CARTER
BETTY CLAXTON
SHIRLEY COLEMAN
DEBRA COOPER
TROY CREWS
DAWN AND SAM CROTEAU
DENISE DERYCKE AND MICHAEL PRESTON
JAMES DOSS
STEVEN DUMMER
WILLIAM AND GLENDA FOGLEMAN
JULIA FRIAS
LARRY FRIEND
ARTHUR AND KATHERINE GANTHER
CHRIS GILLESPIE
RONA GOODEAGLE
JOHN GUADALUPE
ANTHONY AND LAURALEE HARTZ
SAM AND LYNN HARVEY
SHANNON HARWELL
RAYMOND HENNEHA
DARLENE RAE HITCHCOCK
MATTHEW AND MEGAN HODGE
JOY JONES
KASSIDY LAESCH
LINDA LAVENDER
ROLAND LOZIER

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

AUG 14 2019

RICK WARREN
COURT CLERK

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CASE NO. CJ-2019-

CJ-2019-4520

LAWRENCE MANTIN
ELLEN MAXWELL
THERESA AND EUGENE MCDANIEL
GARY AND SHANNON MCDONALD
LARRY AND KELLY MURPHREE
MICKEY NIXON
GARY AND SHANNON PIERSOL
JAMES PIKE
GARY PUTERKA
SAMUEL REYNOLDS
GLYN AND REBECCA RIDGEWELL
TONDA ROBINSON
SHERRY SAPPINGTON
JOHN AND ANGELA SCHWALL
SALLY SHUPACK
JOHN AND NANCY SIMPSON
JEREMY SMART
REBECCA SMITH
LARRY AND NANCY STARNES
SHARON STRONG
MICHAEL AND DAWNE SULLIVAN
DAVID SWANSON
ROBERT TRAYLOR
DAN VOGEL ON BEHALF OF FAIRFAX
HOMEOWNERS ASSOCIATION, INC.
SHIRLEY AND STAN WEISS
SHANNON AND ROBERT WILLIAMS

Plaintiffs,

vs.

SUNDANCE ENERGY OKLAHOMA LLC
MEADOWBROOK OIL CORPORATION
OF OKLAHOMA
GRAYHORSE OPERATING, INC.
PEDESTAL OIL COMPANY, INC.
NEW DOMINION LLC
R.C. TAYLOR OPERATING COMPANY, LLC
TNT OPERATING COMPANY, INC
WHITE OPERATING COMPANY
RAINBO SERVICE COMPANY
MARJO OPERATING MID-CONTINENT
LLC
CALLIE OIL COMPANY, LLC
BARON EXPLORATION COMPANY
DRYES CORNER LLC

CHESAPEAKE OPERATING LLC
DEVON ENERGY PRODUCTION CO LP
SPECIAL ENERGY PRODUCTION CO LP
ORCA OPERATING COMPANY LLC
EQUAL ENERGY US INC
ELDER CRAIG OIL AND GAS LLC
D&B OPERATING LLC
M M ENERGY INC
DAKOTA EXPLORATION LLC
WICKLUND PETROLEUM CORP
KIRKPATRICK OIL COMPANY INC
TOOMEY OIL COMPANY INC
CHAPARRAL ENERGY LLC
EASTOK PIPELINE LLC
MID-CON ENERGY OPERATING LLC
MIDSTATES PETROLEUM CO LLC
TERRITORY RESOURCES LLC,

Defendants.

PETITION

COMES NOW Plaintiffs Greg and Janice Depew, Thomas Maasen, Earl and Shannon White, Sharon Sue Stewart, Robert and Daphne Talbot, LaJuana Sue Dennis, John and Barbara R. Bunt, Carol Corey, Kathryn Aitken, Robert Allen, Davinna Allensworth, Dennis Atkinson, Denise Austin, David Ball, David Beebe, Christine and Donald Brewer, Edwin and Delores Carr, Betty Claxton, Debra Cooper, Troy Crews, Dawn and Sam Croteau, Denise DeRycke and Michael Preston. James Doss, Steven Dummer, Arthur and Katherine Ganther, Chris Gillespie, Rona Goodeagle, John Guadalupe, Sam and Lynn Harvey, Shannon Harwell, Raymond Henneha, Kassidy Laesch, Linda Lavender, Roland Lozier, Ellen Maxwell, Theresa and Eugene McDaniel, Larry and Kelly Murphree, Mickey Nixon, James Pike, Gary Puterka, Samuel Reynolds,

Glyn and Rebecca Ridgewell, Tonda Robinson, Sherry Sappington, Jeremy Smart, Sharon Strong, David Swanson, Robert Traylor, Shirley and Stan Weiss, and Shannon and Robert Williams for their petition against Defendants state as follows:

I. INTRODUCTION

1. This case is a re-filing of *Chacko, et al. v. Sundance Energy Oklahoma, LLC*, et al., Oklahoma County District Court, Case No. CJ-2017-7308. Several of the original plaintiffs have re-filed here, and additional plaintiffs have been added.

2. By disposing of fracking wastewater deep into the earth, Defendants introduced contaminants into the natural environment that caused an adverse change in the form of unnatural seismic activity. In other words, due to Defendants' pollution of the environment they caused the earthquakes at issue in this case.

3. This is an action to recover Plaintiffs' damages proximately caused by Defendants' pollution of the environment within and around Oklahoma County, Oklahoma through the disposal by Defendants of fracking wastewater into injection wells, which are the pollutants.

4. Plaintiffs seek damages from the Defendants in the form of the following:

- a. Physical damages to real and personal property;
- b. market value losses to their real property;
- c. emotional distress; and,
- d. punitive damages.

II. PARTIES

5. Plaintiffs are all citizens of the State of Oklahoma.

6. Based upon public records at the Secretary of State, Defendants are all citizens of the State of Oklahoma.

7. There is no diversity of citizenship. Further, Plaintiffs do not assert any federal claims and disavow any and all federal claims.

8. Plaintiffs own properties in central Oklahoma and all have suffered damages from past and ongoing induced seismicity occurring in places nearby, which is detailed within this pleading as having epicenters in Logan County, Payne County, Lincoln County, Creek County, Oklahoma County, Canadian County, Kingfisher County, Garfield County, or Noble County (“Area of Seismicity”).

9. Plaintiffs Greg and Janice Depew are citizens of Oklahoma. They reside in Logan County, Oklahoma.

10. Plaintiff Thomas Maassen is a citizen of Oklahoma. He resides in Oklahoma County, Oklahoma.

11. Plaintiffs Earl and Shannon White are citizens of Oklahoma. They reside in Logan County, Oklahoma.

12. Plaintiff Sharon Stewart is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

13. Plaintiffs Robert and Daphne Talbot are citizens of Oklahoma. They reside in Logan County, Oklahoma.

14. Plaintiffs LaJuana Dennis is a citizen of Oklahoma. She resides in Oklahoma County, Oklahoma.

15. Plaintiffs John and Barbara Bunt are citizens of Oklahoma. They reside in Oklahoma County, Oklahoma.

16. Plaintiffs Carol Corey is a citizen of Oklahoma. She resides in Oklahoma County, Oklahoma.

17. Plaintiff Kathryn Aitken is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

18. Plaintiff Kathryn Aitken is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

19. Plaintiff Robert Allen is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

20. Plaintiff Davinna Allensworth is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

21. Plaintiff Dennis Atkinson is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

22. Plaintiff Denise Austin is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

23. Plaintiff David Ball is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

24. Plaintiff Blake Barlow is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

25. Plaintiff David Beebe is a citizen of Oklahoma. He is a resident of Kingfisher County, Oklahoma.

26. Plaintiffs Christine and Donald Brewer are citizens of Oklahoma. They are residents of Lincoln County.

27. Plaintiffs Edwin and Delores Carr are citizens of Oklahoma. They are residents of Oklahoma County.

28. Plaintiff J. Pat Carter is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

29. Plaintiff Betty Claxton is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

30. Plaintiff Shirley R. Coleman is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

31. Plaintiff Debra Cooper is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

32. Plaintiff Troy Crews is a citizen of Oklahoma. He is a resident of Noble County, Oklahoma.

33. Plaintiffs Dawn and Sam Croteau are citizens of Oklahoma. They are residents of Logan County, Oklahoma.

34. Plaintiffs Denise DeRycke and Michael Preston are citizens of Oklahoma and residents of Payne County.

35. Plaintiff James Doss is a citizen of Oklahoma. He is a resident of Logan County, Oklahoma.

36. Plaintiff Steven Dummer is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

37. Plaintiffs William P. Fogleman, III and Glenda A. Fogleman are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

38. Plaintiff Julie Frias is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

39. Plaintiff Larry Friend is a citizen of Oklahoma. He is a resident of Kay, County Oklahoma.

40. Plaintiffs Arthur and Katherine Ganther are citizens of Oklahoma. They are residents of Oklahoma County.

41. Plaintiff Chris Gillespie is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

42. Plaintiff Rona Goodeagle is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

43. Plaintiff John Guadalupe is a citizen of Oklahoma. He is a resident of Logan County, Oklahoma.

44. Plaintiffs Anthony and Lauralee Hartz are citizens of Oklahoma. They are residents of Logan County, Oklahoma.

45. Plaintiffs Sam and Lynn Harvey are citizens of Oklahoma. They are residents of Payne County.

46. Plaintiff Shannon Harwell is a citizen of Oklahoma. She is a resident of Lincoln County, Oklahoma.

47. Plaintiff Raymond Henneha is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

48. Plaintiff Darlene Rae Hitchcock is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

49. Plaintiffs Matthew and Megan Hodge are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

50. Plaintiff Joy Jones is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

51. Plaintiff Kassidy Laesch is a citizen of Oklahoma. She is a resident of Payne County, Oklahoma.

52. Plaintiff Linda Lavender is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

53. Plaintiff Roland Lozier is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

54. Plaintiff Lawrence Martin is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

55. Plaintiff Chasten Maxwell as personal representative of the estate of Ellen Maxwell, a citizen of Oklahoma. Ms. Maxwell was a resident of Oklahoma County, Oklahoma.

56. Plaintiff Mark McCoy is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

57. Plaintiffs Theresa and Eugene McDaniel are citizens of Oklahoma. They are residents of Lincoln County, Oklahoma.

58. Plaintiffs Gary and Sharon McDonald are citizens of Oklahoma. They are residents of Logan County, Oklahoma.

59. Plaintiffs Larry and Kelly Murphree are citizens of Oklahoma. They are residents of Payne County, Oklahoma.

60. Plaintiff Mickey Nixon is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

61. Plaintiffs James and Christy Piersol are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

62. Plaintiff James Pike is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

63. Plaintiff Gary Puterka is a citizen of Oklahoma. He is a resident of Payne County, Oklahoma.

64. Plaintiff Samuel Reynolds is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

65. Plaintiffs Glyn and Rebecca Ridgewell are citizens of Oklahoma. They are residents of Payne County, Oklahoma.

66. Plaintiff Tonda Robinson is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

67. Plaintiff Sherry Sappington is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

68. Plaintiffs John and Angela Schwall are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

69. Plaintiff Sally Shupack is a citizen of Oklahoma. She is a resident of Oklahoma County, Oklahoma.

70. Plaintiffs John and Nancy Simpson are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

71. Plaintiff Jeremy Smart is a citizen of Oklahoma. He is a resident of Lincoln County, Oklahoma.

72. Plaintiff Rebeca Smith is a citizen of Oklahoma. She is a resident of Creek County, Oklahoma.

73. Plaintiffs Larry and Nancy Starns are citizens of Oklahoma. They are residents of Logan County, Oklahoma.

74. Plaintiff Sharon Strong is a citizen of Oklahoma. She is a resident of Logan County, Oklahoma.

75. Plaintiffs Michael and Dawne Sullivan are citizens of Oklahoma. They are residents of Oklahoma County, Oklahoma.

76. Plaintiff David Swanson is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

77. Plaintiff Robert Traylor is a citizen of Oklahoma. He is a resident of Oklahoma County, Oklahoma.

78. Plaintiff Dan Vogel, on behalf of Fairfax Homeowners Association, Inc., is a citizen of Oklahoma. Himself and the Association are residents of Oklahoma County, Oklahoma.

79. Plaintiffs Shirley and Stan Weiss are citizens of Oklahoma. They are residents of Lincoln County, Oklahoma.

80. Plaintiffs Shannon and Robert Williams are citizens of Oklahoma. They are residents of Garfield County, Oklahoma.

81. Each and every Plaintiff has suffered damages to their properties, the use of enjoyment of their properties, market value losses, emotional harm and other damages expressed in this pleading, and Defendants' wastewater disposal operations as detailed in this pleading has caused their damages. Further, every earthquake identified in this pleading is not a naturally occurring earthquake, but instead was induced by the Defendants and their wastewater disposal actions. Most disturbingly, each Defendant knew very well that their disposal operations were very likely to cause the earthquakes that they, in fact, caused. Again, every earthquake identified in this pleading has caused harm and damages to each Plaintiff through the constant shaking and wracking of their properties, and that continues to the present day.

82. Defendant Sundance Energy Oklahoma LLC ("Sundance") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Sundance's

wastewater disposal actions caused the seismicity within the Edmond Cluster. Its principal place of business is in Oklahoma City, Oklahoma. Its registered agent for service of process is the The Corporation Company, 1833 S. Morgan Rd., Oklahoma City, OK 73128.

83. Defendant Meadowbrook Oil Corporation of Oklahoma, Inc., (“Meadowbrook”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Meadowbrook’s wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Del City, Oklahoma. Its registered agent for service of process is Dale E. Cottingham, One Leadership Square, 15th Floor, 211 N. Robinson, Oklahoma City, OK 73102.

84. Defendant Grayhorse Operating, Inc., (“Grayhorse”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Grayhorse’s wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Tulsa, Oklahoma. Its registered agent for service of process is Charles A. Ellis, 20 E. 5th Street, Suite 1100, Tulsa, Oklahoma 74103.

85. Defendant Pedestal Oil Company, Inc. (“Pedestal”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Pedestal’s wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Oklahoma City, Oklahoma. Its registered agent for service of process is David P. Singer, 204 N. Robinson, Suite 1700, Oklahoma City, OK 73102.

86. Defendant New Dominion LLC (“New Dominion”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically,

owns and operates certain wastewater disposal wells at issue in this case. New Dominion's wastewater disposal actions caused the seismicity within the Edmond Cluster, the Guthrie Cluster, and the Luther Cluster as alleged below. Its principal place of business is at 1307 S. Boulder Ave., Tulsa, Oklahoma 74119. Its registered agent for service of process is Mr. Fred Buxton at the same address.

87. Defendant R.C. Taylor Operating Company, LLC, ("R.C. Taylor") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. R.C. Taylor's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Oklahoma City, Oklahoma. Its registered agent for service of process is Mike Taylor, 5661 N. Classen Blvd., Oklahoma City, OK 73118.

88. Defendant TNT Operating Company ("TNT"), Inc. is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. TNT's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is at 10600 S. Pennsylvania Ave., Ste. 16-601, Oklahoma City, Oklahoma 73170. Its registered agent for service of process is Mr. Byron R. Neher at 920 South Fairmount Ave., Oklahoma City, Oklahoma 73128.

89. Defendant White Operating Company ("White Operating") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. White Operating's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged

below. Its principal place of business is at 1627 SW 96th St., Oklahoma City, Oklahoma 73159. Its registered agent for service of process is Mr. Lloyd White at the same address.

90. Defendant Rainbo Service Company ("Rainbo") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Rainbo's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is at 1839 SE 25th St., Oklahoma City, Oklahoma. Its registered agent for service of process is K.D. Lackey, 6 NE 63rd St., Suite 275, Oklahoma City, Oklahoma 73105.

91. Defendant Marjo Operating Mid-Continent, LLC ("Marjo") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Marjo's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Tulsa, Oklahoma. Its registered agent for service of process is W. Deke Canada, 320 South Boston Ave., Suite 200, Tulsa, OK 74103.

92. Defendant Callie Oil Company LLC ("Callie") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Callie's wastewater disposal actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Agra, Oklahoma. Its registered agent for service of process is Rory Jett, 344442 E. 790 Rd., Agra, OK 74824.

93. Defendant Baron Exploration Company ("Baron") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Baron's wastewater disposal

actions caused the seismicity within the Edmond Cluster as alleged below. Its principal place of business is in Edmond, Oklahoma. Its registered agent for service of process is Christopher T. Hoke, 107 S. Broadway, Edmond, OK 73034.

94. Defendant Dryes Corner LLC (“Dryes Corner”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Dryes Corner’s wastewater disposal actions caused the seismicity within the Guthrie Cluster and the Crescent Cluster as alleged below. Its principal place of business is at 7005 N. Robinson Ave., Oklahoma City, Oklahoma 73116. Its registered agent for service of process is Len Cason, 201 Robert S. Kerr, Ste. 1600, Oklahoma City, Oklahoma 73102.

95. Defendant Chesapeake Operating LLC (“Chesapeake”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Chesapeake’s wastewater disposal actions caused the seismicity within the Guthrie Cluster, the Covington Cluster, and the Perry Quake as alleged below. Its principal place of business is at 6100 North Western Ave., Oklahoma City, Oklahoma 73118. Its registered agent for service of process is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

96. Defendant Devon Energy Production Company, L.P. (“Devon”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Its principal place of business is at 333 W. Sheridan Ave., Oklahoma City, Oklahoma 73102. Devon’s wastewater disposal actions caused the seismicity within the Langston Cluster, the Crescent Cluster, the North Crescent Cluster, the Covington Cluster, and the Perry Quake as alleged

below. Its registered agent service of process is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

97. Defendant Special Energy Production Co LP ("Special Energy") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Special Energy's wastewater disposal actions caused the seismicity within the Langston Cluster and the Perry Quake as alleged below. Its principal place of business is at 4815 Perkins Road, Stillwater, Oklahoma 74076. Its registered agent for service of process is John. F. Special, 4815 Perkins Road, Stillwater, Oklahoma 74074.

98. Defendant Orca Operating Company LLC ("Orca") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Orca's wastewater disposal actions caused the seismicity within the Langston Cluster as alleged below. Its principal place of business is at 427 S. Boston Ave., Suite 929, Tulsa, Oklahoma 74114. Its registered agent for service of process is Orca Resources, LLC at the same address. Defendant Equal Energy US Inc. ("Equal Energy") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Equal Energy's wastewater disposal actions caused the seismicity within the Langston Cluster, the Luther Cluster, and the Stroud Quake as alleged below. Its principal place of business is at 15th West 6th Street, Suite 1100, Tulsa, Oklahoma 74119. Its registered agent for service is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

99. Defendant Equal Energy US Inc. ("Equal Energy") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically,

owns and operates certain wastewater disposal wells at issue in this case. Equal Energy's wastewater disposal actions caused the seismicity within the Langston Cluster, the Luther Cluster, and the Stroud Quake as alleged below. Its principal place of business is at 15th West 6th Street, Suite 1100, Tulsa, Oklahoma 74119. Its registered agent for service is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

100. Defendant Elder Craig Oil and Gas LLC ("Elder Craig") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Elder Craig's wastewater disposal actions caused the seismicity within the Langston Cluster. Its principal place of business is 1004 NW 139th Street Parkway, Edmond, Oklahoma 73013. Its registered agent is Craig J. Elder, 6632 NW 110th Street. Oklahoma City, Oklahoma 73162.

101. Defendant D&B Operating LLC ("D&B") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. D&B's wastewater disposal actions caused the seismicity within the Crescent Cluster. Its principal place of business is 223 W. Melrose, Ringwood, Oklahoma 73768. Its registered agent is Preston Jones, 46413 Beckham Road, Aline, Oklahoma 73716.

102. Defendant M M Energy Inc. ("M M Energy") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. M M Energy's wastewater disposal actions caused the seismicity within the North Crescent Cluster, the Covington Cluster, and the Perry Quake as alleged below. Its principal place of business is 13927 Quail Pointe Drive, Oklahoma City, Oklahoma 73134. Its registered agent is Mike Murphy, 2601 NW Expressway #904E, Oklahoma City, Oklahoma 73112.

103. Defendant Dakota Exploration LLC (“Dakota”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Dakota’s wastewater disposal actions caused the seismicity within the Covington Cluster as alleged below. Its principal place of business is 110 W. 7th Street, Suite 210, Tulsa, Oklahoma 74119. Its registered agent is Ezzell and Shepherd, PLLC, 1010 W. Maple, Enid, Oklahoma 73702.

104. Defendant Wicklund Petroleum Corporation (“Wicklund”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Wicklund’s wastewater disposal actions caused the seismicity within the Covington Cluster as alleged below. Wicklund is incorporated under the laws of the State of Oklahoma. Its registered agent is Scott M. Rayburn, 211 N. Robinson N1000, Oklahoma City, Oklahoma 73102.

105. Defendant Kirkpatrick Oil Company, Inc. (“Kirkpatrick”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Kirkpatrick’s wastewater disposal actions caused the seismicity within the Covington Cluster as alleged below. Its principal place of business is 1001 W. Wilshire Boulevard, Suite 202, Oklahoma City, Oklahoma 73116. Its registered agent is Crowe & Dunlevy, a Professional Corporation, Attn: Cynda Ottaway, 324 North Robinson Avenue, Suite 100, Oklahoma City, Oklahoma 73102.

106. Defendant Toomey Oil Company, Inc. (“Toomey”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Toomey’s wastewater disposal actions caused the seismicity within the Covington Cluster as alleged

below. Its principal place of business is 1126 S. Frankfort Avenue, Suite 200, P.O. Box 1090, Tulsa, Oklahoma 74101. Its registered agent is Toomey Oil Co., Inc., 1126 S. Frankfort Ave., Tulsa, Oklahoma 74120.

107. Defendant Chaparral Energy LLC (“Chaparral”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Chaparral’s wastewater disposal actions caused the seismicity within the Perry Quake as alleged below. Its principal place of business is 701 Cedar Lake Boulevard, Oklahoma City, Oklahoma 73114. Its registered agent is Capitol Document Services, Inc., 101 N. Robinson Avenue, 13th Floor, Oklahoma City, Oklahoma 73102.

108. Defendant EastOK Pipeline LLC (“EastOK”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. EastOK’s wastewater disposal actions caused the seismicity within the Perry Quake, the Luther Cluster, and the Stroud Quake as alleged below. EastOK is incorporated under the laws of the State of Oklahoma. Its registered agent is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

109. Defendant Mid-Con Energy Operating LLC (“Mid-Con”) is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Mid-Con’s wastewater disposal actions caused the Stroud Quake as alleged below. Its principle place of business is 2431 E. 61st Street, Suite 850, Tulsa, Oklahoma 74136. Its registered agent is Charles L. McLawhorn, 2431 E. 61st Street, Suite 850, Tulsa, Oklahoma 74136.

110. Defendant MidStates Petroleum Company, Inc. ("MidStates") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. MidStates' wastewater disposal actions caused the seismicity within the Luther Cluster, and the Stroud Quake as alleged below. Its principal place of business is 321 S. Boston, Suite 1000, Tulsa, Oklahoma 74103. Its registered agent is The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128.

111. Defendant Territory Resources LLC ("Territory Resources") is a citizen of Oklahoma. It owns and conducts oil and gas operations in this State, and more specifically, owns and operates certain wastewater disposal wells at issue in this case. Territory Resources' wastewater disposal actions caused the seismicity within the Luther Cluster as alleged below. Its principal place of business is 1511 S. Sangre Road, Stillwater, Oklahoma 74074. Its registered agent is Crowe & Dunlevy, a Professional Corporation, Attn: James H. Holloman, Jr., 324 North Robinson Avenue, Suite 100, Oklahoma City, Oklahoma 73102.

III. JURISDICTION AND VENUE

112. Jurisdiction in this Court is proper.

113. This Court also has personal jurisdiction over Defendants as they are citizens of Oklahoma, do substantial business in the State of Oklahoma and Oklahoma County, and further, operate the wastewater disposal wells at issue within and nearby this judicial district.

114. Venue is proper in this Court as a substantial part of the events giving rise to this claim occurred here, and Plaintiffs are citizens of Oklahoma and several are residents of Oklahoma County.

115. There is no diversity of citizenship here, and Plaintiffs do not assert and expressly disavow any federal claims. This action is not removable.

IV. FACTUAL ALLEGATIONS

116. In recent years, thousands of earthquakes have occurred in Oklahoma.

117. Oklahoma is now the most seismically active state in the continental United States.

118. Scientists have tied these earthquakes to the disposal of wastewater from fracking operations, which the oil and gas industry uses to release trapped oil and gas.

119. Over the years, the oil and gas industry has issued public statements to hide the seismic problems it is creating, and in fact has continued a mantra that their operations are not the cause of the earthquakes.

120. In truth, Oklahoma's earthquakes over the past five or so years have been caused by the oil and gas industry's disposal of fracking related waste. Some have termed these earthquakes as "induced," "man-made," "human-made," or "frackquakes."

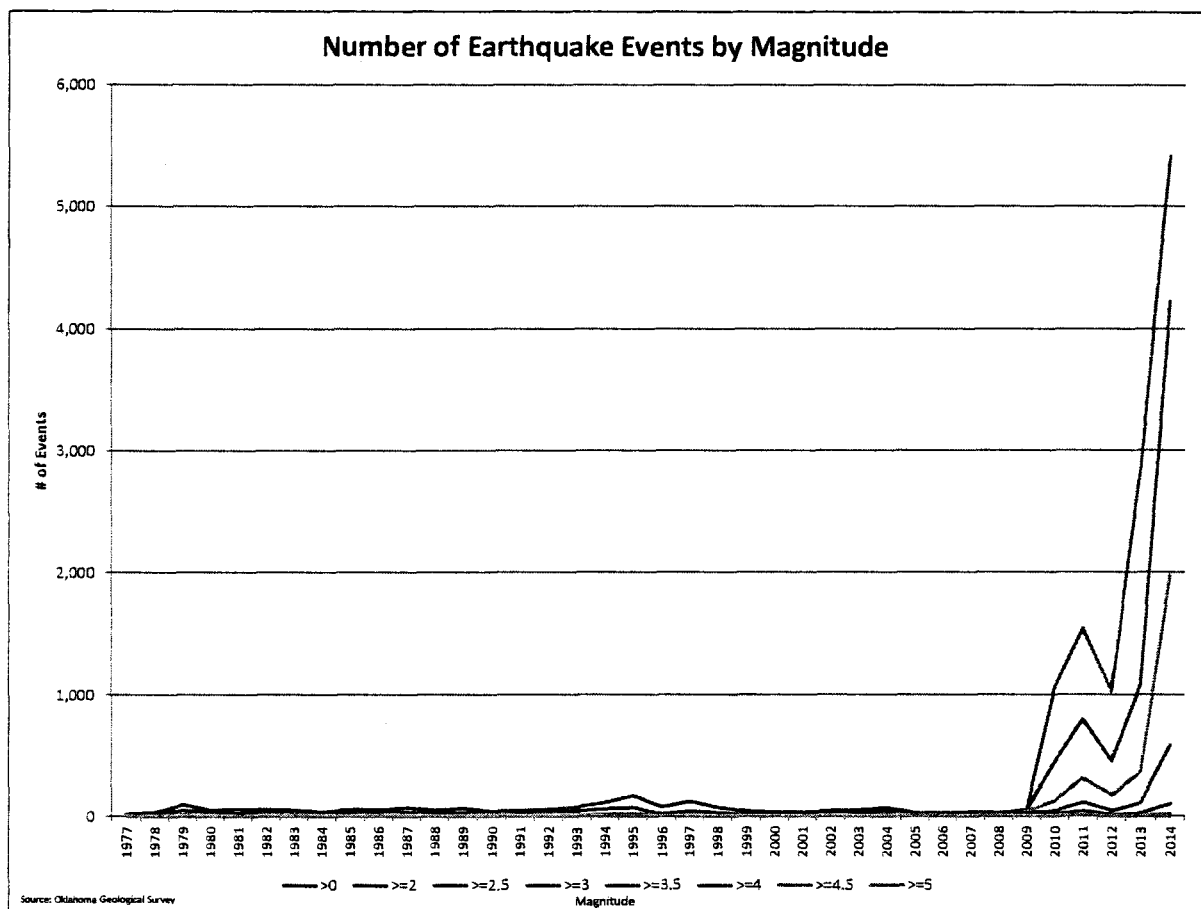
121. The waste fluids generated from fracking are disposed of by injecting the wastewater fluids back into the earth under extreme pressure in what are usually called wastewater disposal wells or injection wells.

122. The injection of wastewater into the earth is conducted by Defendants on oil lands. Compared with the overall population of Oklahoma, relatively few persons are engaged in this activity. The disposal well drilling and injection of pressurized toxic water at high volumes back into the earth is inappropriate in proximity to faults in Oklahoma County and surrounding counties.

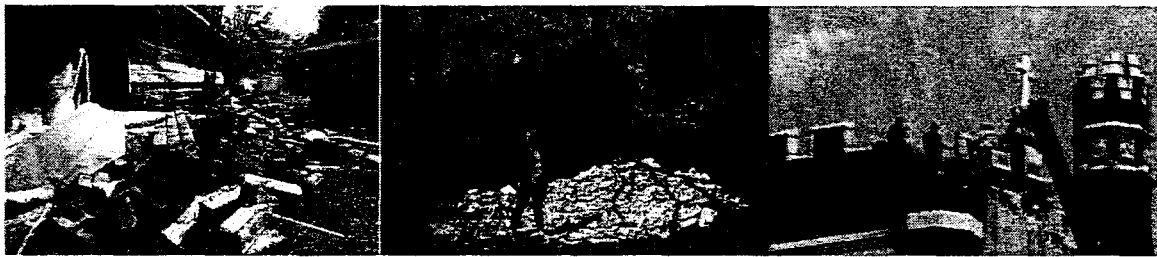
123. Indeed, this process of pollution causes earthquakes, and has caused the earthquakes shaking Oklahoma since at least 2011.

124. In fact, the number of earthquakes in Oklahoma has increased more than 300 fold, from a maximum of 167 before 2009 to 5,838 in 2015.

125. As the number of earthquakes has increased, so has their severity. For example, the number of magnitude 3.5 earthquakes has increased fifty fold from 4 in 2009 to 220 in 2015. The following chart produced by the Oklahoma Geological Survey illustrates the increased severity of Oklahoma's earthquakes in recent years:



126. These waste-induced earthquakes have toppled historic towers, caused parts of houses to fall and injure people, cracked walls, foundations, and basements, and shattered nerves, as people fear there could be worse to come.



127. On March 28, 2016, and revised on June 17, 2016, the United States Geological Survey (“USGS”) published a study quantifying these risks. It found that the earthquake risks in Oklahoma have risen rapidly as a result of deep disposal of production wastes. Oklahoma earthquake risks are now the highest in the nation. Maps included in the report show a broad swathe of the State of Oklahoma has a 5 to 12% likelihood of a highly damaging earthquake in the next year. Petersen, M.D., Mueller, C.S., Moschetti, M.P., Hoover, S.M., Llenos, A.L., Ellsworth, W.L., Michael, A.J., Rubinstein, J.L., McGarr, A.F., and Rukstales, K.S., 2016, *2016 One-year seismic hazard forecast for the Central and Eastern United States from induced and natural earthquakes*: U.S. Geological Survey Open File Report 2016–1035, 52 p., retrieved from: <http://dx.doi.org/10.3133/ofr20161035>.

A. The Earthquakes at Issue Were Caused By Defendants’ Wastewater Disposal

128. Plaintiffs bring this action for multiple clusters of earthquake swarms, or seismic events, caused by nearby wastewater injection operations by Defendants, which also caused the damages suffered by Plaintiffs.

129. This Petition focuses on Defendants’ induced earthquakes of magnitude (“M”) of 4.0 or greater, because these earthquakes are substantial and have resulted in damage to Plaintiffs’ real properties, as well as depriving Plaintiffs of their emotional wellbeing. “However, the earthquakes caused by Defendants’ wastewater injection operations as alleged in this Petition have resulted in ongoing and frequent earthquakes of

varying magnitudes that often overlap geographical areas and time frames. As a result of Defendants' conduct, Plaintiffs have suffered injuries in the form of property damages to their properties, physical damages and market losses, damages to their personal property, and emotional harm, all of which is continuing and ongoing.

130. Further, this Petition focuses exclusively on wastewater disposal injection into Oklahoma's Arbuckle formation, where scientists have confirmed that the seismic activity caused by Defendants is occurring.

131. The wastewater induced earthquake sequences at issue in this Petition are identified as follows:

a. The "Edmond Cluster" refers to five induced earthquakes hitting near Edmond, Oklahoma as follows:

- i. 4.5M on December 7, 2013;
- ii. 4.3M on June 16, 2014;
- iii. 4.1M on June 18, 2014;
- iii. 4.0M in June 20, 2015
- iv. 4.3M on December 29, 2015;
- v. 4.2M on January 1, 2016; and,
- vii. 4.2M on August 2, 2017.

b. The "Guthrie Cluster" refers to five induced earthquakes hitting near Guthrie, Oklahoma as follows:

- i. 4.4M on August 19, 2014;
- ii. 4.0M on April 10, 2014;
- iii. 4.0M on July 12, 2014;
- iv. 4.0M on April 8, 2015; and,

v. 4.0M on June 20, 2015.

c. The “Langston Cluster” refers to four induced earthquakes hitting near Langston, Oklahoma as follows:

- i. 4.2M on April 7, 2014;
- ii. 4.2M on April 19, 2015;
- iii. 4.1M on February 9, 2014; and,
- iv. 4.1M on April 27, 2015.

d. The “Crescent Cluster” refers to three induced earthquakes hitting near

Crescent, Oklahoma as follows:

- i. 4.5M on July 27, 2015;
- ii. 4.2M on March 29, 2016; and,
- iii. 4.1M on July 28, 2015.

e. The “North Crescent Cluster” refers to three induced earthquakes hitting north of Crescent, Oklahoma as follows:

- i. 4.2M on March 30, 2014;
- ii. 4.1M on March 30, 2014; and,
- iii. 4.1M on April 4, 2015.

f. The “Covington Cluster” refers to four induced earthquakes hitting near Covington, Oklahoma as follows:

- i. 4.3M on June 17, 2015;
- ii. 4.2M on July 17, 2016;
- iii. 4.0M on September 30, 2014; and,
- iv. 4.0M on June 14, 2015.

g. The “Perry Cluster” refers to the following induced earthquakes hitting near Perry, Oklahoma

- i. 4.2M on January 25, 2015.
- ii. 4.1M on December 12, 2017.
- iii. 4.6M on April 7, 2018.
- iv. 4.6M on April 9, 2018.

h. The “Luther Cluster” refers to two earthquakes hitting near Luther, Oklahoma as follows:

- i. 4.2M on April 7, 2014; and,
- ii. 4.0M on August 17, 2016.

i. The “Stroud Quake” refers to an induced earthquake hitting near Stroud, Oklahoma of 4.2M on July 14, 2017.

j. The “Medford Quake” refers to the 4.4M induced earthquake with an epicenter near Medford, Oklahoma of 4.4M on May 17, 2019.

k. The “Enid Cluster” refers to two earthquakes hitting near Luther, Oklahoma as follows:

- i. 4.2M on March 4, 2018; and,
- ii. 4.2M on March 5, 2018.

B. Responsibility for the Edmond Cluster and Resulting Damages:

132. The Edmond Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by the following Defendants, as follows:

a. Historically, New Dominion has injected hundreds of thousands of barrels (one barrel is equal to 42 gallons) of wastewater into the Arbuckle each month through its disposal wells near Edmond. More specifically, its Wishon

SWD, Chambers, Sweetheart, Deep Throat, Peyton SWD, and Flower Power wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these New Dominion wells polluted the Arbuckle formation with fracking waste of about 200 million barrels or 8.4 billion gallons of waste. New Dominion's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, TNT has injected hundreds of thousands of barrels of wastewater each month into the Arbuckle through its Baker-Townsend disposal well near Edmond. Publicly available data reveals that the Baker-Townsend well polluted the Arbuckle formation with fracking waste of about 10 million barrels or 420 million gallons of waste. TNT's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, White Operating has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Edmond. More specifically, its Walnut Grove and Mary Unsell wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these White Operating wells polluted the Arbuckle formation with fracking waste of about 9 million barrels or about 380 million gallons of waste. White Operating's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond

Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

d. Historically, Rainbo has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its Brady-Teller and Pesthouse disposal wells near Edmond. Publicly available data reveals that Rainbo's disposal wells polluted the Arbuckle formation with fracking waste of about 1 million barrels or about 42 million gallons of waste. Rainbo's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

e. Sundance owned and operated wells in the area around Edmond, and particularly the Cornforth 15-3-9 #1SWD (API 3508324112), the Berg Trust 16-3-23 #1SWD (API 3508324160), Rother 16-4-11 #1SWD (API 3508324026) which disposed of at least 54 million gallons of waste in recent years and contributing the this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

f. White owned and operated wells in the area around Edmond, and particularly the Walnut Grove (Community #6) SWD-1 (API 3510935632), Claude Yount 1 (API 3510935841), Walnut Grove D-2 (API 3510935841), Hemmer 2 (API 3510935453), which disposed of at least 670 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes

within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

g. Pedestal owned and operated wells in the area around Edmond, and particularly the C.J. Judy 1 (API 3510922126), which disposed of at nearly 20 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

h. TNT owned and operated wells in the area around Edmond, and particularly the Baker-Townsend 6 (API 3510937682), which disposed of at about 529 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

i. R.C. Taylor owned and operated wells in the area around Edmond, and particularly the Dahl SWD Facility 1 (API 3510922387), which disposed of at nearly 108 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

j. Marjo owned and operated wells in the area around Edmond, and particularly the West Carney Extension 2 (API 3508323634), which disposed of at

nearly 50 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

k. Callie owned and operated wells in the area around Edmond, and particularly the McCoon 3 (API 3510921994), and Old Hadson Ohio Walker (API 3510920163), which disposed of at over 51 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

l. Meadowbrook owned and operated wells in the area around Edmond, and particularly the McGrew 1-A (API 3510920193), which disposed of at nearly 10 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

m. Grayhorse owned and operated wells in the area around Edmond, and particularly the McGrew 1-A (API 351092019), which disposed of at nearly 10 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and

resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

n. Baron owned and operated wells in the area around Edmond, and particularly the Commander SWD 2-17 (API 3510922305) and Carson SWD (API 3510922303), which disposed of at over 114 million gallons of waste in recent years and contributing to this cluster of seismicity. Its disposal of these substantial amounts of fracking waste into the Arbuckle formation near Edmond caused the earthquakes within the Edmond Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

C. Responsibility for the Guthrie Cluster and Resulting Damages:

133. The Guthrie Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants New Dominion, Dryes Corner, and Chesapeake.

a. Historically, New Dominion has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Guthrie. More specifically, its Wishon SWD disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that the Wishon SWD well polluted the Arbuckle formation with fracking waste of about 7 million barrels or 294 million gallons of waste. New Dominion's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Guthrie caused the earthquakes within the Guthrie Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, Dryes Corner has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well near Guthrie.

More specifically, its Safair wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that the Safair well polluted the Arbuckle formation with fracking waste of about 2.6 million barrels or over 109 million gallons of waste. Dryes Corner's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Guthrie caused the earthquakes within the Guthrie Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, Chesapeake has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Guthrie. More specifically, its West Edmond wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 1.5 million barrels or over 63 million gallons of waste. Chesapeake's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Guthrie caused the earthquakes within the Guthrie Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

D. Responsibility for the Langston Cluster and Resulting Damages:

134. The Langston Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants Devon, Special Energy, Orca, White Star, Equal Energy, and Elder Craig.

a. Historically, Devon has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston. More specifically, its Cunningham 23-1, Hopkins, Dudek 12-18N-3W, Frank SWD, Eavenson 24-9N, Woodard, Lenora 29-18N-1W, Winney, Adkisson, and Peach wastewater

disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these Devon wells polluted the Arbuckle formation with fracking waste of about 25 million barrels or about 1 billion gallons of waste. Devon's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, Special Energy has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston. More specifically, its Ramsey Unit 1-17, Ramsey Unit 1-18, Iconium SWD, and Ramsey Unit 1-19 wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these Special Energy wells polluted the Arbuckle formation with fracking waste of about 13 million barrels or 546 million gallons of waste. Special Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, Orca has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston. More specifically, its Northcut SWD wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 2.5 million barrels or 105 million gallons of waste. Orca's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the

Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

d. Historically, White Star has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston. More specifically, its Boyce SWD, Bode SWD, Hopkins SWD, and Katz wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these White Star wells polluted the Arbuckle formation with fracking waste of about 5.8 million barrels or about 250 million gallons of waste. White Star's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

e. Historically, Equal Energy has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston. More specifically, its Goodnight SWD 3, Goodnight SWD 4, and Goodnight SWD 1 wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that, collectively, these Equal Energy wells polluted the Arbuckle formation with fracking waste of about 2.6 million barrels or about 109 million gallons of waste. Equal Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

f. Historically, Elder Craig has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Langston.

More specifically, its Meridian wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 834,000 barrels or about 35 million gallons of waste. Elder Craig's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Langston caused the earthquakes within the Langston Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

E. Responsibility for the Crescent Cluster and Resulting Damages:

135. The Crescent Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants Dryes Corner, Devon, and D&B.

a. Historically, Dryes Corner has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well near Crescent. More specifically, its Safair wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 2.7 million barrels or about 113 million gallons of waste. Dryes Corner's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Crescent caused the earthquakes within the Crescent Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, Devon has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells near Crescent. More specifically, its Fuxa 25-19N-4W, Eavenson 24-19N, Adkisson, Dudek 12-18N-3W, Cunningham 23-1, Frank SWD, Hopkins, Lena 15-19N-3W, Peach,

Lemmons 14-19N-3W, Wilma SWD, Lenora 29-18N-1W, Winney, Woodard, and Smith wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 33 million barrels or nearly 1.4 billion gallons of waste. Devon's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Crescent caused the earthquakes within the Crescent Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, D&B has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal well near Crescent. More specifically, its Oak Valley SWD wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 2.1 million barrels or nearly 84 million gallons of waste. D&B's disposal of these substantial amounts of fracking waste into the Arbuckle formation near Crescent caused the earthquakes within the Crescent Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

F. Responsibility for the North Crescent Cluster and Resulting Damages:

136. The North Crescent Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants Devon, and M M Energy.

a. Historically, Devon has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the north Crescent area. More specifically, its Fuxa 25-19N-4W, Eavenson 24-19N, Adkisson, Cunningham 23-1, Smith, Lena 15-19N-3W, Lemmons 14-19N-3W, Hopfer, Limestone SWD, Dudek

12-18N-3W, Frank SWD, Hopkins, Peach, Williams, Olmstead 21-21N-15WD, Wilma SWD, and Geihlsler wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 30 million barrels or nearly 1.3 billion gallons of waste. Devon's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the north Crescent area caused the earthquakes within the North Crescent Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, M M Energy has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the north Crescent area. More specifically, its School Land 64 wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 31.5 million barrels or nearly 1.3 billion gallons of waste. M M Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the north Crescent area caused the earthquakes within the North Crescent Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

G. Responsibility for the Covington Cluster and Resulting Damages:

137. The Covington Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants M M Energy, Devon, Chesapeake, Dakota Exploration, Wicklund, Kirkpatrick Oil, and Toomey Oil.

a. Historically, M M Energy has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Covington area. More specifically, its School Land 64 and Gregg wastewater

disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 34 million barrels or nearly 1.4 billion gallons of waste. M M Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, Devon has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the Covington area. Morespecifically, its Fuxa 25-19N-4W, Eavenson 24-19N, Buffington 29-22, Big Iron

4-4-21N-1E, Vargas 3-20N-1E, Olmstead 21-21N-15WD, Janice 7-21N-3W, Williams, Sebranek, Limestone SWD, Smith, Geihlsler, Frank SWD, Dudek 12-18N-3W, and Bontrager wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 34.6 million barrels or nearly 1.5 billion gallons of waste. Devon's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, Chesapeake has injected nearly a million barrels of wastewater into the Arbuckle each month through its disposal wells in the Covington area. More specifically, its O'Neil, Yost, Gerken, and Sara Yost wastewater disposal wells have injected large volumes of waste into the Arbuckle.

Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 30 million barrels or nearly 1.3 billion gallons of waste. Chesapeake's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

d. Historically, Dakota has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Covington area. More specifically, its Oberlender and PLC wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 1 million barrels or nearly 42 million gallons of waste. Dakota's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

e. Historically, Wicklund has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Covington area. More specifically, its SWDW wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 1.9 million barrels or nearly 84 million gallons of waste. Wicklund's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

f. Historically, Kirkpatrick has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Covington area. More specifically, its Little Beaver SWD wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 772,000 barrels or nearly 32 million gallons of waste. Kirkpatrick's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

g. Historically, Toomey has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Covington area. More specifically, its Ruth wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 3 million barrels or nearly 126 million gallons of waste. Toomey's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Covington area caused the earthquakes within the Covington Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

H. Responsibility for the Perry Cluster and Resulting Damages:

138. The Perry Cluster was caused by nearby wastewater injection operations conducted by Defendants Devon, Chaparral, EastOK, Chesapeake, Special Energy, and M M Energy.

a. Historically, Devon has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the Perry area. More

specifically, its Big Iron 4-4-21N-1E, Vargas 3-20N-1E, Bontrager, H. Voise 14-21N-1E, Buffington 29-22, Rains 5-20N-2E, Eavenson 24-19N, Thomason 15-20N, Leigh 8-19N-3E, Cunningham 23-1, Hicks, Singleton SWD, Cedar Grove, Vitek, Hopkins, Gilbert, and Frank SWD wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 61.8 million barrels or nearly 2.7 billion gallons of waste. Devon's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, Chaparral has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Perry area. More specifically, its Suplex SWD wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 4.9 million barrels or nearly 205 million gallons of waste. Chaparral's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, EastOK has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Perry area. More specifically, its EastOK-Steichen, EastOK, EastOK-Ruark, EastOK- Cabernet, and EastOK-Drummond wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the

Arbuckle formation with fracking waste of about 16.8 million barrels or about 705 million gallons of waste. EastOK's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

d. Historically, Chesapeake has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the Perry area. More specifically, its Yost, O'Neil, Sara Yost, and Gerken wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 30 million barrels or about 1.2 billion gallons of waste. Chesapeake's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

e. Historically, Special Energy has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Perry area. More specifically, its Ramsey Unit wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 9.3 million barrels or nearly 390 million gallons of waste. Special Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

f. Historically, M M Energy has injected nearly a million barrels of wastewater into the Arbuckle each month through its disposal well in the Perry area. More specifically, its School Land 64 wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 31.6 million barrels or nearly 1.3 billion gallons of waste. M M Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Perry area caused the earthquakes within the Perry Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

I. Responsibility for the Luther Cluster and Resulting Damages:

139. The Luther Cluster of human-induced earthquakes were caused by nearby wastewater injection operations conducted by Defendants New Dominion, MidStates, Territory Resources, and Equal Energy.

a. Historically, New Dominion has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Luther area. More specifically, its Peyton SWD and Wishon wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 20 million barrels or nearly 2.7 billion gallons of waste. New Dominion's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Luther area caused the earthquakes within the Luther Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

b. Historically, MidStates has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Luther

area. More specifically, its East Wellston, Hazel, Fire, and Chase wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 28 million barrels or nearly 1.17 billion gallons of waste. MidStates' disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Luther area caused the earthquakes within the Luther Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, Territory Resources has injected tens of thousands of barrels of wastewater into the Arbuckle each month through its disposal well in the Luther area. More specifically, its Octagon wastewater disposal well has injected large volumes of waste into the Arbuckle. Publicly available data reveals that this well polluted the Arbuckle formation with fracking waste of about 1.5 million barrels or nearly 63 million gallons of waste. Territory Resources' disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Luther area caused the earthquakes within the Luther Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

d. Historically, Equal Energy has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the Luther area. More specifically, its Twin Cities 1, 2, and 3, Twin Cities North 1 and 2, West Carney, and CD wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 71 million barrels or nearly 3 billion gallons of waste. Equal Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Luther area caused the earthquakes within the Luther

Cluster and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

J. Responsibility for the Stroud Quake and Resulting Damages:

140. The Stroud Quake was a human-induced earthquake. It occurred on July 14, 2017, and was of 4.2M. The Stroud Quake was caused by nearby wastewater injection operations conducted by Defendants Equal Energy, Mid-Con, and MidStates.

a. Historically, Equal Energy has injected millions of barrels of wastewater into the Arbuckle each month through its disposal wells in the Stroud area. More specifically, its Twin Cities North 2, Twin Cities North 1-24, Twin Cities 1, Twin Cities 2, CD 1, Twin Cities 3, and CD 2 wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 101 million barrels or nearly 4.3 billion gallons of waste. Equal Energy's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Stroud area caused the Stroud Quake and resulted in damages to Plaintiffs and the Class. b. Historically, Mid-Con has injected millions of barrels of wastewater

into the Arbuckle each month through its disposal wells in the Stroud area. More specifically, its G.W. Fisher, Miller, B. Wilson, Fisher G.W. SWD, Amy Simpson, and McBride wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 43 million barrels or nearly 1.8 billion gallons of waste. Mid-Con's disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Stroud area caused the Stroud Quake,

and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

c. Historically, MidStates has injected hundreds of thousands of barrels of wastewater into the Arbuckle each month through its disposal wells in the Stroud area. More specifically, its Fire and Hazel wastewater disposal wells have injected large volumes of waste into the Arbuckle. Publicly available data reveals that these wells polluted the Arbuckle formation with fracking waste of about 21.7 million barrels or nearly 911 million gallons of waste. MidStates' disposal of these substantial amounts of fracking waste into the Arbuckle formation in the Stroud area caused the Stroud Quake, and resulted in damages to Plaintiffs with persistent shakes and wracking of their properties.

V. CAUSES OF ACTION

COUNT I

STRICT LIABILITY FOR ULTRAHAZARDOUS ACTIVITY

141. Plaintiffs reallege and incorporate by reference all allegations contained in the preceding paragraphs as if fully set forth herein.

142. Defendants' 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 are not matters of common usage.

143. Defendants conducted wastewater disposal operations at the locations identified in this pleading and contributed to the seismicity that is the subject of this petition.

144. Defendants' disposal wells at issue inject billions upon billions of gallons of wastewater into Oklahoma's Arbuckle.

145. Since the 1960s, and the events surrounding the induced seismicity near the Rocky Mountain Arsenal, those engaged in wastewater disposal have known that earthquakes can be caused by such activity, including the Defendants.

146. Defendants have also been aware since as early as 2009 that substantial increase in disposal of wastewater into Oklahoma's Arbuckle formation was causing earthquakes, but they ignored it and continued to pump billions of gallons of waste into the Class Area – and continue to cause substantial seismic events.

147. 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 (the largest quake to shake Oklahoma), 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. Yet, Defendants' unreasonably dangerous activities continued within the Class Area.

148. Defendants' billions of gallons of wastewater disposal operations into the Arbuckle created a high degree of risk of some harm to persons, commercial buildings, homes, and/or the chattels of others.

a. It is known that earthquakes can cause substantial injuries to people, and in fact, 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. Anna Mercer of the Pawnee suffered permanent injuries from the 5.8m

induced earthquake near Pawnee on September 3, 2016, and also filed suit. These facts are well known within the oil and gas industry, and to the Defendants.

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.

d. The Labor Day 2016 weekend quake near Pawnee, for example, Defendants’ 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.

149. There is an inability to eliminate the risks detailed above with the exercise of reasonable care as to the Defendants’ actions of disposing of billions of gallons of

wastewater in the Arbuckle – the induced earthquakes are inevitable and a known consequence to those that dispose of these wastes in this manner, scientifically.

150. Even Defendants' 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.

151. 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."

152. It is inappropriate to dispose of billions 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.

153. While fracking wastewater disposal is 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.

154. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiffs have suffered damages to which Defendants are strictly liable.

155. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiffs have suffered damages to their properties in the form of physical damages, market losses, and damages to their personal property.

156. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiffs have suffered, and continue to suffer, emotional harm for which Defendants should be held strictly liable.

COUNT II NEGLIGENCE

157. Plaintiffs reallege and incorporate by reference all allegations contained in the preceding paragraphs as if fully set forth herein.

158. The Defendants owed a duty to Plaintiffs to use ordinary care and to operate or maintain their injection wells without causing or contributing to harmful seismic activity. Defendants were experienced in these operations and were well aware of the connection between injection wells and seismic activity and acted in disregard of the known facts.

159. As a direct and proximate result of the acts, omissions, and faults of the Defendants, the Plaintiffs have suffered injuries, reasonably foreseeable to the Defendants, in the form of property damages to their properties, physical damages and market losses, damages to their personal property, and emotional harm, all of which is continuing and ongoing.

COUNT III

PRIVATE NUISANCE

160. Plaintiffs reallege and incorporate by reference all allegations contained in the preceding paragraphs as if fully set forth herein.

161. Defendants' conduct constitutes a private nuisance.

162. Plaintiffs have property rights and are privileged regarding the use and enjoyment of their properties. Defendants' actions and operations as described herein have unlawfully and unreasonably interfered with those rights and privileges.

163. As a result of Defendants' creation of this nuisance, Plaintiffs have suffered harm and damages, 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

Defendants' nuisance;

- d. loss of peace of mind and emotional distress; and,
- e. diminution of property value.

COUNT IV TRESPASS

164. Plaintiffs reallege and incorporate by reference all allegations contained in the preceding paragraphs as if fully set forth herein.

165. Plaintiffs are, and were, lawfully entitled to possession of their property.

166. Defendants, without permission, consent, or legal right, intentionally engaged in activities that resulted in concussions or vibrations entering Plaintiffs' properties. Each such unauthorized invasion of property constitutes a trespass.

167. Because of Defendants' trespass, Plaintiffs 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

Defendants' trespass;

- d. loss of peace of mind and emotional distress; and,

- e. diminution of real estate property value.

VI. PUNITIVE DAMAGES

168. The Defendants' actions, in knowingly causing seismic activity through their harmful disposal practices, constitute wanton or reckless disregard for public and private safety, and Defendants are therefore subject to a claim for punitive damages, for which Plaintiffs seek in an amount sufficient to punish the Defendants and to deter them from such conduct in the future.

CONTINUING NATURE OF WRONGDOING AND HARM TO PLAINTIFFS

169. Defendants' injections of fracking waste continue within the Area of Seismicity, their wrongdoing is continuing, and moreover, the harm caused by their operations as alleged in this Petition continues to cause Plaintiffs to suffer the damages alleged in this Petition.

DEMAND FOR JURY TRIAL

170. Plaintiffs respectfully demand a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request the following relief:

- a. Judgments against each of the Defendants for their individual wrongdoing;
- b. an award for real and personal property damages, physical damages, market losses, loss of use and enjoyment of real property, and for emotional harm in an amount to be proven at trial;
- c. punitive damages;

- d. pre-judgment and post-judgment interest; and,
- e. all other relief to which Plaintiffs are entitled and the Court deems just and proper.

DATED: August 14, 2019

Respectfully Submitted,



David A. Poarch, OBA #7197
BAILEY & POARCH
dpoarch@baileyandpoarch.com
301 E. Eufaula St.
Norman, OK 73069
Telephone: (405) 329-6600
Facsimile: (405) 329-6634

Scott Poynter
scott@poynterlawgroup.com
Everett Clarke Tucker
clarke@clarketucker.com
POYNTER TUCKER
407 President Clinton Ave., Suite 201
Little Rock, Arkansas 72201
Telephone: (501) 812-3943
scott@poynterlawgroup.com

Robin L. Greenwald
rgreenwald@weitzlux.com
Curt D. Marshall
cmarshall@weitzlux.com
WEITZ & LUXENBERG, PC
700 Broadway
New York, New York 10003
Telephone: (212) 558-5500
Facsimile: (212) 344-5461

Attorneys for Plaintiffs