

**Vivian K. Kershaw, David L. Covert, and Mina K. Covert, Individually and on Behalf of All Those Similarly Situated vs. Columbia Natural Resources, Inc., Columbia Gas Transmission Corporation, Columbia Energy Group, and Columbia Energy Resources, Inc.**

**Case No. K1-2000-170**

***State of New York Supreme Court : Chautauqua County***

This matter is a class action lawsuit in which Harris Beach PLLC represents all persons presently and formerly entitled to receive royalties on a 1/8<sup>th</sup> (.125) basis with respect to the sale of natural gas produced and sold from wells operated in the State of New York by defendants Columbia Natural Resources, Inc., Columbia Gas Transmission Corporation, Columbia Energy Group, and Columbia Energy Resources, Inc., but not including the defendants, their affiliates or overriding royalty interest owners.

This action is explained further in the Notice of Class Action and Proposed Settlement dated August 3, 2007 which is available for viewing and printing through the Link provided below. The time period covered for this action pertains to the royalties beginning on January 1, 1994 through May 31, 2007.

*Case Timeline:*

August 28-29, 2008:

Settlement checks were mailed to eligible members in this action. *PLEASE BE ADVISED:* Due to the anticipated volume of telephone calls from members at this time, we will be unable to respond to members telephone calls, emails, and/or other correspondence until AFTER September 15, 2008. Thank you for your patience.

August 3, 2007:

The Notice of Class Action and Proposed Settlement dated August 3, 2007 (the “Notice”) was signed and filed in the State of New York Supreme Court, Chautauqua County.

August 6, 2007:

The Notice was sent via standard first class United States Mail to all members who had been previously identified by the defendants as potential class members. The Notice will also be published in a local publication identified by the court on August 15, 2007.

At that time, potential class members could elect to be excluded from the class by completing and returning an Exclusion Request and following the instructions in said request form.

Potential class members were also provided with a Notice of Intent to Appear, in the event that they should elect to object to or comment on the proposed settlement hearing which must be submitted as per the instructions in said Notice of Intent to Appear.

October 2, 2007:

Settlement Hearing scheduled to be held in Chautauqua County Court as further indicated in the Notice.

PLEASE CONTACT OUR OFFICE AS SOON AS POSSIBLE to discuss any changes to the Royalty Owner Information such as name changes, address changes, death, change in marital status / divorce, or any change related to the transfer of property or well rights. **Any significant change to the Royalty Owner Information will require proper legal documentation which can be discussed further with a member of the Kershaw Class Action Litigation Team.**

A Kershaw Class Action Litigation Team Member can be reached via telephone, toll free at (800) 419-4527 or via email at [hbkershaw@harrisbeach.com](mailto:hbkershaw@harrisbeach.com)

Each class member MUST return a Royalty Owner Information Form and an Internal Revenue Service Form W-9 to the following address in order to receive their portion of the settlement proceeds:

HARRIS BEACH PLLC  
Attn: Marilyn DeLorme  
99 Garnsey Road  
Pittsford, NY 14534

Additional information and/or forms can be viewed and printed via the following *Links*:

- [Notice of Class Action and Proposed Settlement dated August 3, 2007](#)
- [Exclusion Request](#)
- [Notice of Intent to Appear](#)
- [Royalty Owner Information Form](#)
- [Internal Revenue Service Form W-9 - Request for Taxpayer Identification Number and Certification](#)