20180017

FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT

APR 11 2018

STATE OF NORTH DAKOTA

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

Gerrity Bakken, LLC,

Plaintiff and Appellee,

vs.

Oasis Petroleum North America LLC, Zavanna, LLC, Zenergy, Inc., Zeneco, Inc., RoDa Drilling, LP, Split Creek Enterprises, LLC, Wild Basin Oil and Gas, LLC, Cody Oil & Gas Corporation, Mirada Energy, LLC, Mirada Wild Basin Holding Company, LLC, Admiral A. Holding L.P., TE Admiral A. Holding, L.P., Zeneco IV, LLC, Wild Basin Fund, LLC, Orrion Energy, LLC, Mescalero Minerals, LLC, Robert McNamara, Tracey S. McNamara, Michele R. Knotts, Roanie Ponie, LLC, Crown Coast Investments, LLC, Richard E. Siler, Deborah J. Siler, BWAMM II, LLC, MMCDT, LLC, Julie A. Finegan, Pamela Cortese, Glenn E. Land, Keith M. Crouch, Jeanne E. Crouch, Devereux Foundation, Pacific Oaks College and Children's School, Family Counseling Service of West San Gabriel Valley, Patricia A. Murray and John S. Murray, Trustees Murray Oil Trust Two, Bridgepoint Mineral Acquisition Fund 2, LLC, Hat Creek Royalty, Ltd. and All Other Persons Unknown Claiming Any Estate Or Interest In, Or Lien Or Encumbrance Upon, The Property Described In The Complaint,

Defendants,

and

Herma C. Altshule and Joel Altshule, Trustees of the Altshule 1988 Trust Dated March 3, 1998, Wood River Investment Co., LLC, Richard D. and Carole J.

Supreme Court No. 20180017

McKenzie County District Court
Case No. 27-2015-CV-00267

Sukman, Trustees of the Sukman Family Trust Dated 5/1/1991, Murray Oil Trust Two, Nancy A. Murray trustee,	)
Defendants and Appellants,	)
and	)
Zenergy, Inc., Zavanna, LLC, Zeneco, Inc., Michele R. Knotts, Roanie Ponie, LLC, Crown Coast Investments, LLC, Richard E. Siler, Deborah J. Siler, RoDa Drilling, LP, Zeneco IV, LLC, Mescalero Minerals, LLC, Robert McNamara, Tracey S. McNamara, Mirada Wild Basin Holding Company, LLC, Orrion Energy, LLC, Wild Basin Fund, LLC, and Mirada Energy Fund I, LLC,	)
Appellees.	)

Appeal from Judgment dated November 8, 2017
Case No. 27-2015-CV-00267
County of McKenzie, Northwest Judicial District
The Honorable Daniel El-Dweek, Presiding

JOINDER IN APPELLANTS BRIEF

[¶1] Appellees Zenergy, Inc., Zavanna, LLC, Zeneco, Inc., Orrion Energy, LLC, Mirada Energy, LLC, RoDa Drilling, LP, Zeneco IV, LLC, Mirada Wild Basin Holding Company, LLC, Wild Basin Fund, LLC, Mirada Energy Fund I, LLC, Michele R. Knotts, Roanie Ponie, LLC, Crown Coast Investments, LLC, Richard E. Siler, Deborah J. Siler, Mescalero Minerals, LLC, Robert McNamara, Tracey S. McNamara, TE Admiral A. Holding L.P., Wild Basin Oil and Gas, LLC, Admiral A. Holding, L.P., and Split Creek Enterprises LLC hereby join in, on the merits, the Brief of Appellants Herma C. Altshule and Joel Altshule, Trustees of the Altshule 1988 Trust Dated March 3, 1998, Wood River Investment Co., LLC, Richard D. and Carole J. Sukman, Trustees of

the Sukman Family Trust Dated 5/1/1991, and Murray Oil Trust Two, Nancy A. Murray, trustee filed with this Court on February 8, 2018 and adopt all relevant arguments set forth therein.

Dated this 11th day of April, 2018.

FREDRIKSON & BYRON, P.A.

By: /s/ Lawrence Bender

LAWRENCE BENDER, ND Bar #03908
DANIELLE M. KRAUSE, ND Bar #06874
1133 College Drive, Suite 1000
Bismarck, ND 58501-1215
Telephone: 701.221.8700
lbender@fredlaw.com
dkrause@fredlaw.com

Attorneys for Appellees Zenergy, Inc., Zavanna, LLC, Zeneco, Inc., Orrion Energy, LLC, Mirada Energy, LLC, RoDa Drilling, LP, Zeneco IV, LLC, Mirada Wild Basin Holding Company, LLC, Wild Basin Fund, LLC, Mirada Energy Fund I, LLC, Michele R. Knotts, Roanie Ponie, LLC, Crown Coast Investments, LLC, Richard E. Siler, Deborah J. Siler, Mescalero Minerals, LLC, Robert McNamara, Tracey S. McNamara, TE Admiral A. Holding L.P., Wild Basin Oil and Gas, LLC, Admiral A. Holding, L.P., and Split Creek Enterprises LLC

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2018, I electronically filed with the Clerk of the North Dakota Supreme Court the foregoing Joinder in Appellants Brief and served the same electronically upon the following:

Brent D. Chicken
bchicken@foxrothschild.com

Jacob J. Baer
jbaer@foxrothschild.com

David Bolda
dbolda@bwenergylaw.com

Karen L. Spaulding
klspaulding@bwenergylaw.com

Ariston E. Johnson
ari@dakotalawdogs.com

/s/ Lawrence Bender
Lawrence Bender

63762307.2