

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

Supreme Court No. 20150170

Douglas J. Meyer, Pamela C. Handley, Stephen T. Meyer, Andrea K. Meyer, Emil J. Meyer, Jr.,

Plaintiffs and Appellants,

v.

Noman E. Engebretson, Sonja M. Eckert, Karen A. Bailey, Robert C. Engebretson, Stephanie C. McCall and Robert E. McCall Trustees of the Stephanie C. McCall Living Trust dated December 21, 2010, Karen E. Smith Personal Representative of the Estate of Caryl E. Smith, Henry M. Hanson, Dean C. Hanson, Angela Scott DeGrado, Myrna Elletson, Deanna Faye Asmus, Nancy Carlson, Debra Neff, Kristen Giuseffi, Dennis Meyer, Christie Meyer, North Dakota Minerals, LLC, Wilma Wiengart, Daniel Meyer, Sandra Spehar, Kay Malloy, Bruce R. Davis, Claude Dean Davis, Kelly Marie Fox, Michelle Annette Jefferson, James Ghames, John M. Pearsall, Jeanine Sanders, David O. Pearsall The Estate of Oliver O. Pearsall, c/o John M. Pearsall, Gary P. Hytrek, Pamela Hytrek, Cheryl D. Hytrek, Barbara June Nisley, Fred Louis Orchard, Eric J. (and Regina) Kaupanger, Elena M. Brady Trustee of the Mark A. Kaupanger 2008 Irrevocable Special Needs Trust, Heir of Arthur M. Kaupanger, Sonja M. Nelson, Kristiane Kaupanger f/k/a Chris Ellis, Karen L. Kaupanger, Karlene R. Dahlmeier, Cynthia K. Kaupanger, Kurt Kaupanger, American Oil and Gas, Inc., Evertson Energy Partners Royalty, LLC, Gary C. Stewart, Ann Marie Urban, LPI Holdings, LLC, Eagle Pass Properties, LLC, S&E Royalty, LLC, Rose Exploration, Inc., William R. LaCrosse and Tammy LaCrosse, Sundance Energy, Inc., XTO Energy, Inc., Whiting Oil and Gas Corporation, Northern Oil and Gas, Inc., Morganthaler Oil and Gas Properties, LLC, Charles J. Heringer III Trustee, Triangle USA Petroleum Corporation, Horizon Royalties, LLC, OGR Bakken Resources, LLC, Hess Corporation, WM ND Energy Resources II, LLC, and any individual or entity known and or unknown who may have or claim interest in mineral ownership in and to all oil gas and other minerals in the subject lands,

Defendants and Appellees.

JOINDER OF MALLOY DEFENDANTS/APPELLEES

Appeal from Summary Judgment
Order for Judgment dated April 28, 2015 and Judgment entered April 29, 2015 in the
District Court of Williams County, North Dakota, Northwest Judicial District
The Honorable David Nelson, Judge

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Angela Scott DeGrado, Mynna Elletson, Deanna
Faye Asmus, Nancy Carlson, Debra Neff, and
Kristen Giuseffi***

JOINDER OF MALLOY APPELLEES

¶1 PLEASE TAKE NOTICE that the following named Defendants/Appellees Kay Malloy, Bruce R. Davis, Dennis Meyer, Christie Meyer, Sonya M. Eckert, Karen A. Bailey, Robert C. Engebretson, Henry M. Hanson, Dean C. Hanson, Angela Scott DeGrado, Mynna Elletson, Deanna Faye Asmus, Nancy Carlson, Debra Neff, and Kristen Giuseffi (herein the “Malloy Appellees”); through their undersigned counsel, hereby join the Northern Defendants and their Brief of Defendants/Appellees Eagle Pass Properties LLC, William R. Lacrosse and Tammy Lacrosse, LPI Holdings LLC, Northern Oil and Gas Inc., David O. Pearsall, John M. Pearsall, Steve Pearsall, Rose Exploration Inc., Jeanine Sanders, Triangle USA Petroleum Corporation, and Ann Marie Urban (collectively the “Northern Defendants”) together with the arguments and authority in support thereof, which was filed and served in this matter.

¶2 For the reasons stated above, the Malloy Defendants/Appellees, request that this Court affirm the District Court’s judgment, and that the Malloy Defendants/Appellees be granted all other relief to which the Malloy Defendants/Appellees are entitled.

Dated this 19th day of August, 2015.

Respectfully submitted,

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