

DISTRICT COURT, LA PLATA COUNTY,  
COLORADO  
Court Address: 1060 E. 2<sup>nd</sup> Ave., Durango, CO 81301  
Phone Number: (970)247-2304

**Plaintiff(s):** RICHARD PARRY, LINDA PARRY,  
EVELYN L. PAYNE, and DAVID G. GROBLEBE,  
individually and as representative Plaintiffs on behalf of  
persons similarly situated, (94CV111)

(Consolidated with other cases as 94CV105)

v.

**Defendant(s):** AMOCO PRODUCTION COMPANY, a  
Delaware corporation

**Attorney or Party Without Attorney:**

G.R. Miller  
MCDANIEL, BATY, MILLER, AGRO. WALES &  
ROBBINS. LLC  
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**and of counsel:**

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ORIGINAL FILED/REC'D  
IN COMBINED COURT  
LA PLATA COUNTY COLORADO

DEC 19 2005

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Case Number: 94CV105

Div.:

Ctrm.:

**CLASS COUNSEL'S NOTICE OF NON-FILING AND REQUEST TO TAKE  
JUDICIAL NOTICE**

Class Counsel have received Objector United Dairy Farmers, Inc. Notice of  
Withdrawal of Objection dated December 16, 2005. Because of the withdrawal of the sole  
objection, Class Counsel will not file a supplemental memorandum in support of their

application for reasonable attorney's fees.


Class Counsel had intended to point out to the Court, in their supplemental memorandum and at the December 21, 2005 hearing, that the eight royalty owners who appeared at the December 7, 2005 Fairness Hearing in support of the requested attorney's fee award, testified on behalf of royalty interests collectively amounting to approximately ten percent of the settlement fund (based on the Preliminary Distribution Schedule filed with the Court under seal). Class Counsel respectfully request that the Court take judicial notice of this fact.

Respectfully submitted,

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-and-

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By:   
\_\_\_\_\_  
G. R. Miller - #8406  
*Attorneys for Plaintiffs and Plaintiff Class*

CERTIFICATE OF SERVICE

I hereby certify that on this <sup>19<sup>th</sup></sup> day of December, 2005, I mailed a true and correct copy of the above and foregoing **Class Counsel's Notice of Non-Filing and Request to Take Judicial Notice**, postage prepaid and properly addressed, to the following persons:

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