

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE GRISSOMS, LLC,

Plaintiff,

v.

ANTERO RESOURCES
CORPORATION,

Defendant.

Case Number 2:25-cv-349

Judge Edmund A. Sargus, Jr.

Magistrate Judge S. Courter M. Shimeall

OPINION AND ORDER

This matter is before the Court on Plaintiff The Grissoms, LLC's unopposed Motion for Preliminary Approval of Class Settlement. (ECF No. 17.) For the reasons stated below, the Motion is **GRANTED**.

BACKGROUND

Plaintiff brings this putative class action on behalf of itself and others who executed certain oil and gas leases with Defendant Antero Resources Corporation for mineral interests underlying a system of horizontal wells owned by Defendant, called the Seneca System, in Ohio. (ECF No. 1.) Plaintiff alleges that Defendant improperly deducted processing and fractionation costs from royalty payments owed to Plaintiff and the putative class for production months June 2023 through March 2025. (*Id.*; ECF No. 17.)

This case is related to *The Grissoms, LLC v. Antero Resources Corp.*, No. 2:20-cv-2028 (S.D. Ohio) ("*Grissoms P*"). There, Plaintiff alleged that Defendant took the same improper deductions in production months April 2016 to May 2023. (ECF No. 1, ¶ 3.) In that case, the Court certified the following class under Federal Rule of Civil Procedure 23(b)(3):

All persons who executed a lease with Antero for mineral interests underlying an Antero-owned horizontal well in the Seneca System from which streams of raw

liquids-rich natural gas can be extracted, which lease contains the Form 2012 Gas and Market Enhancements Clause and entitled its lessors to receive royalty payments from Antero within the last four years.

(*Grissoms I*, ECF No. 59.) On summary judgment, the Court found that Defendant breached the lease by taking improper deductions. (*Id.* ECF No. 99.) Subsequently, the parties stipulated to a damages amount of \$10,000,000 in lieu of trial. (*Id.* ECF Nos. 137, 138, 139, 140.) After the Court entered a final judgment, Defendant appealed the Court's summary judgment decision, which was ultimately affirmed by the Sixth Circuit. *The Grissoms, LLC v. Antero Res. Corp.*, 133 F.4th 605, 613 (6th Cir. 2025).

Plaintiff then filed this case over improper deductions for production months June 2023–March 2025. (ECF No. 1; *see also* ECF No. 17, PageID 95.) The Parties have agreed to settle the claims related to those production months for \$1,129,000. (ECF No. 17, PageID 81.)

Subsequently, Plaintiff filed the instant Motion. (ECF No. 17.)

ANALYSIS

Plaintiff moves the Court for an order: (1) preliminarily approving the proposed Settlement;¹ (2) certifying the proposed Settlement Class according to Federal Rule of Civil Procedure 23(b)(3); (3) appointing Class Counsel for the Settlement Class; (4) appointing Epperly Re: Solution as Settlement Administrator to perform required duties under the Settlement; (5) directing that the Settlement Class be notified of the proposed Settlement, according to Rules 23(c)(2)(A) and 23(e)(1); and (6) scheduling a final fairness hearing. (*Id.* PageID 79.)

Starting with the class certification, Plaintiff asks the Court to certify the following Settlement Class under Rule 23(b)(3):

¹ The Court uses defined terms in this Order as they are defined in the proposed Settlement Agreement. (*See* ECF No. 17-2.)

All persons who executed a lease with Antero for mineral interests underlying an Antero-owned horizontal well in the Seneca System from which streams of raw liquids-rich natural gas can be extracted, which lease contains the Form 2012 Gas and Market Enhancement Clause and entitled its lessors to receive royalty payments from Antero for production from their mineral interests after May 2023, who were class members in *The Grissoms, LLC v. Antero Resources Corporation*, Case No. 20-cv-2028 (S.D. Ohio) or are successors-in-interest to such class members.

(ECF No. 17, PageID 82.) Because the proposed Settlement Class in the instant case is nearly identical to the class previously certified in *Grissoms I*, except for the production months, and expressly incorporates the *Grissoms I* class, the Court sees no reason to undertake a separate class certification analysis. Accordingly, the Court adopts and incorporates the analysis and reasoning in its Opinion and Order certifying the class in *Grissoms I*, and for the same reasons, certifies the Settlement Class in the instant case. *See Grissom v. Antero Res. Corp.*, No. 2:20-cv-02028, 2022 WL 3139378 (S.D. Ohio Aug. 6, 2022).

The Court next considers preliminary approval of the Settlement. The total Settlement Amount is \$1,129,000, with one third allocated to attorneys' fees, which will be submitted for the Court's consideration upon a separate motion. (ECF No. 17, PageID 94.) The remaining funds will be distributed to the Settlement Class members on a *pro rata* basis. (*Id.* PageID 95–96.) Upon review, the Court is satisfied that the Settlement is fair, adequate, and reasonable under the circumstances and was reached in good faith, following arm's-length negotiations and preliminarily approves the Settlement. *See In re Telectronics Pacing Sys., Inc.*, 137 F. Supp. 2d 985, 1008 (S.D. Ohio 2001) (Spiegel, J.). This finding is subject to a final determination to be made after the fairness hearing, which is scheduled below.

CONCLUSION

For the reasons stated above, (ECF No. 17) Plaintiff The Grissoms, LLC's Motion for Preliminary Approval of Class Settlement is **GRANTED**.

It is **ORDERED**:

1. The Settlement Agreement is **PRELIMINARILY APPROVED**.
2. Solely for the purposes of settlement, the Settlement Class is certified under Federal Rule of Civil Procedure 23(b)(3) consisting of the following:

All persons who executed a lease with Antero for mineral interests underlying an Antero-owned horizontal well in the Seneca System from which streams of raw liquids-rich natural gas can be extracted, which lease contains the Form 2012 Gas and Market Enhancement Clause and entitled its lessors to receive royalty payments from Antero for production from their mineral interests after May 2023, who were class members in *The Grissoms, LLC v. Antero Resources Corporation*, Case No. 20-cv-2028 (S.D. Ohio) or are successors-in-interest to such class members.

3. The Grissoms, LLC is designated as Class Representative.
4. Logan Trombley and Warner Mendenhall of Mendenhall Law Group, Daniel R. Karon of Karon LLC, and John W. Barrett, Brian R. Swiger, and Victor Woods of Bailey & Glasser LLP are appointed as Class Counsel.
5. Epperly Re: Solutions is appointed as Settlement Administrator.
6. The proposed schedule of events outlined in Plaintiff's Motion (ECF No. 17, PageID 99) is **APPROVED**.
7. The proposed notice to the Settlement Class is **APPROVED** with the following revisions:
 - a. All bracketed placeholders should be updated accordingly;
 - b. The Court's logo on page 1 should be removed;
 - c. The sentence "Your deadline to submit a claim form" on page 3 should be removed;
 - d. Courtroom 311 should be added to page 4 in the "Where" section;

- e. The sentence “The date of the hearing may change without further notice to the members of the class” on page 5 should be updated to state that any changes to the date of the fairness hearing will be posted on the case website;
 - f. The “Deciding What to Do” section on page 7 should be removed in its entirety;
 - g. The objection procedure should be updated to reflect that objections are to be mailed to the Settlement Administrator only;²
 - h. The “Doing Nothing” paragraph on page 10 should be corrected to reflect that class members will receive payment if they do nothing;
 - i. The “DO NOT CONTACT” parenthetical on page 11 should be deleted and the phone number for the Clerk of Courts, (614) 719-3000, should be added.
8. The Court will conduct a Rule 23 fairness hearing on **August 4, 2026, at 1:30 p.m.** at 85 Marconi Boulevard, Courtroom 311, Columbus, Ohio, 43215, before the Honorable Judge Edmund A. Sargus to determine the fairness of the Settlement Agreement. Class members requesting exclusion from the class and/or objecting to the Settlement Agreement must timely request exclusion and/or file objections in the time and manner set forth in the proposed notice.
9. Class Counsel will file their Motion for Final Approval of Class Settlement and Motion for Attorneys’ Fees and Expenses 30 days before the fairness hearing.

This case remains open.

IT IS SO ORDERED.

6/1/2026
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE

² Any objections received by the Class Administrator must be filed on Court’s docket.