UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE KNOXVILLE DIVISION

IN RE MILLER ENERGY RESOURCES, INC. SECURITIES LITIGATION

Civil Action No. 3:11-cv-386-TAV-CCS

NOTICE OF (I) PROPOSED SETTLEMENT OF CLASS ACTION, (II) HEARING ON PROPOSED SETTLEMENT, AND (III) DEADLINE TO SUBMIT PROOFS OF CLAIM

If you purchased or otherwise acquired Miller Energy Resources, Inc. Common Stock between December 16, 2009 and August 8, 2011, inclusive, you might be a member of the settlement class in this action entitling you to a payment in connection with a settlement of the action.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

- This notice relates to a securities class action brought by investors who claim that the prices of Miller Energy Resources, Inc. ("Miller") publicly-traded common stock were artificially inflated as a result of false statements, non-disclosures, and fraudulent conduct in violation of the federal securities laws.
- On October 8, 2014, the Court preliminarily approved a settlement of this class action (the "Settlement"). This Settlement is with Defendants Miller, Scott M. Boruff, Paul W. Boyd, David J. Voyticky, David M. Hall and Deloy Miller ("Defendants").
- The Settlement provides that Miller will cause \$2,950,000 to be paid to the Class. After payment of attorneys' fees, costs and expenses, the settlement proceeds will be distributed to investors who are members of the Class and who submit a timely and valid proof of claim form. No determination has been made yet of the amount to be distributed.
- By submitting the enclosed proof of claim form, you will be submitting a claim to share in the proceeds of the Settlement, unless you request to be excluded from the Settlement.
- The two sides disagree on the amount of money that could have been recovered if the Lead Plaintiff won at trial. Lead Plaintiff estimates that the average recovery under the Settlement is \$0.13 per share of Miller common stock before deduction of Court-awarded attorneys' fees and expenses.
- In accordance with the fee agreement between Lead Plaintiff and the attorneys who have been appointed to represent the class, Plaintiffs' attorneys will ask the Court to award them a fee equal to 20.5% of the Class's net recovery, plus reimbursement of expenses incurred in prosecuting this lawsuit, to be paid from the Settlement proceeds, not to exceed \$300,000. In addition, Plaintiffs will request that the Court allow notice and administration expenses to be paid to the claims administrator, not to exceed \$110,000.00. If those applications are granted, Lead Plaintiff estimates that the amount of fees and costs will be approximately \$0.04 per share of Miller common stock.
- The Settlement was reached because it provides significant benefits to Class Members and avoids the costs and risks of continuing the lawsuit against Defendants.
- If you are a member of the Class and the Settlement is approved, your legal rights will be affected whether you act or not. Read this notice carefully to see what your options are in connection with the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT			
Submit a Proof of Claim Form (by March 6, 2015)	You must submit a timely and valid Proof of Claim form to share in the proceeds of the Settlement. If this Settlement is approved and you are a member of the Class, you may also be entitled to receive a payment from the Settlement. You must submit a Proof of Claim form to share in the Settlement's proceeds. A copy of the Proof of Claim form is available at www.millerenergysecuritiessettlement.com.		
	If you remain in the Class, you will be bound by the Settlement and will give up any "Released Claims" (as defined below) you may have against the Defendants and other "Defendant Releasees" (as defined below), so it is in your interest to submit a		
	Proof of Claim form.		
Exclude Yourself (by January 20, 2015)	If you exclude yourself, you will not get a payment from the Settlement and will not be bound by the Settlement.		
Object (by January 20, 2015)	If you do not exclude yourself, but you wish to object to any part of the Settlement, you may write to the Court about your objections.		
Attend the Hearing (on February 3, 2015)	If you have submitted a written objection to the Settlement to the Court, you may (but do not have to) attend the hearing about the Settlement and speak to the Court about your objections.		

- These rights and options -- **and the deadlines to exercise them** -- are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made only if the Court approves the Settlement and that approval is upheld in any appeals. Please be patient.

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BASIC INFORMATION

1. Why did I get a Postcard Notice about this case?

The Court caused a Postcard Notice to be sent to people who may have purchased or acquired Miller common stock between December 16, 2009 and August 8, 2011, inclusive. The Court caused this notice to be sent out because, if you purchased or acquired those securities during that period, you have a right to know about the proposed Settlement of a class action lawsuit, and about all of your options, before the Court decides whether to approve the Settlement.

The purpose of this Notice is to provide you with a claim form and information regarding the deadline to submit that form if you wish to receive a payment from the Settlement.

This Notice describes the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of this case is the United States District Court for the Eastern District of Tennessee. The case is known *In re Miller Energy Resources, Inc. Securities Litigation*, Civil Action No. 3:11-cv-386-TAV-CCS.

2. What is a class action?

In a class action, one or more plaintiffs, called Lead Plaintiffs or class representatives, sue on behalf of people who have similar claims. All of the individuals and entities on whose behalf the class representatives are suing are known as class members. One court resolves the issues in the case for all class members, except for those who choose to exclude themselves from the class if exclusion is permitted by applicable rules of procedure.

3. What is this lawsuit about?

This lawsuit (the "Action") is a class action alleging violations of the federal securities laws by Miller and certain members of its senior management. The Court has appointed Oklahoma Firefighters Pension & Retirement System ("Lead Plaintiff") to serve as Lead Plaintiff in the Action, and has appointed the law firm of Grant & Eisenhofer P.A. to serve as Lead Counsel on behalf of the class.

The Corrected Consolidated Amended Class Action Complaint (the "Complaint"), which was filed in the Action on May 14, 2012, alleges that the Defendants violated the federal securities laws by improperly accounting for and publicly reporting the value of certain oil and gas reserves and related assets situated in Alaska ("Alaska Assets") that Miller had acquired as of December 16, 2009, and by improperly accounting for and publicly reporting royalty expenses, depletion, depreciation and amortization expenses related to wells and equipment, and income taxes, in violation of U.S. generally accepted accounting procedures, and that this improper accounting caused Miller's published financial statements during fiscal years 2010 and 2011 to be materially false and misleading.

As alleged in the Complaint, on July 28, 2011, a report was published that raised questions about Miller's reported value of the Alaska Assets. On July 29, 2011, the Company filed its Form 10-K for the 2011 fiscal year, disclosing that the Audit Committee had determined that the Company's three most recent quarterly statements should no longer be relied upon due to misreporting of royalty expenses, failure to record depletion, improper reporting of depletion, depreciation and amortization expenses related to wells and equipment, and failure to properly record income taxes. Miller then retracted the 10-K because it had been filed before its auditor had completed its review or given consent to use its audit opinion, and disclosed that its internal controls over financial reporting were inadequate. On August 9, 2011, Miller released a Form 10-K/A identifying the July 29, 2011 10-K as deficient, removing its external auditor's audit report and consent, and labeling its consolidated financial statements as unaudited. In the Form 10-K/A, Miller also expanded on certain of its earlier disclosures and also revealed that it had improperly restated 2010 expense data.

The Complaint asserts fraud-based claims under the Securities Exchange Act of 1934 ("Exchange Act") against the Defendants. The Complaint alleges that the Defendants knew or should have known in the exercise of due diligence that Miller had allegedly materially overstated the value of the Alaska Assets and improperly reported and accounted for Miller's assets, liabilities, revenues, expenses, net income and cash flow, in violation of U.S. accounting principles. The Complaint alleges that Defendants made materially false and misleading statements by allegedly overstating the value of the Alaska Assets and misreported Miller's assets liabilities, revenues, expenses, net income and cash flow on Miller's financial statements, and that these false and misleading statements caused the price of Miller common stock to be artificially inflated, causing investors who purchased such securities during the Class Period to suffer damages.

Defendants strongly deny all of the claims asserted, and moved to dismiss the claims asserted against them. By order dated February 4, 2014, the Court denied the motion to dismiss. While the Court has ruled that certain of Lead Plaintiff's claims should not be dismissed at this stage of the litigation, the Court has made no substantive determination on the merits of the claims against Defendants.

4. What should I do if my address changes, or if this notice was sent to the wrong address?

If this Notice was sent to you at the wrong address, or if your address changes in the future, please send prompt written notification of your correct address to the Claims Administrator at the following address:

Miller Energy Resources Securities Litigation Settlement c/o Angeion Group 1801 Market Street Suite 660 Philadelphia, PA 19103

WHO IS IN THE SETTLEMENT CLASS

5. How do I know whether I am part of the Settlement?

The Court has preliminarily certified for purposes of the Settlement a class that consists of, subject to certain exceptions identified below, the following individuals and entities:

All persons and entities who purchased or otherwise acquired publicly-traded common stock of Miller during the period between December 16, 2009 and August 8, 2011, inclusive, and who were damaged thereby.

6. Are there exceptions to being included?

Even if you fall within the Settlement Class definition, you are not a member of the Settlement Class if you are a Defendant in the Action; members of the immediate families of Defendants Scott M. Boruff, Paul W. Boyd, David J. Voyticky, David M. Hall; any subsidiaries of Defendants; any affiliate, as that term is defined by the federal securities laws, of Defendants, including the 401(k) plans of Miller; any person or entity who is a partner, executive officer, director or controlling person of any Defendant; any entity in which any Defendant has a controlling interest; Defendants' directors' and officers' liability insurance carriers, and any affiliates or subsidiaries thereof; and the legal representatives, heirs, successors and assigns of any such excluded party.

7. I am still not sure whether I am included.

If you are still not sure whether you are included, you can ask for help, which will be provided to you at no cost. You can call the Claims Administrator toll free at 1-800-586-3144, or write to the Claims Administrator at the address stated in the answer to Question #4 above.

SUMMARY OF SETTLEMENT

8. How and when was the Settlement reached?

Lead Plaintiff reached an agreement-in-principle with Defendants regarding the Settlement on July 11, 2014. Thereafter, Lead Plaintiffs and Settling Defendants executed a Stipulation and Agreement of Settlement (the "Stipulation") to formalize their agreement.

The Settlement was reached after arm's-length negotiation between Lead Counsel and counsel for Defendants, and only after Lead Counsel had (i) briefed a motion to dismiss and received a Court order denying that motion; (ii) receiving extensive written material from Defendants and certain non-parties for purposes of mediation; (iii) conducted a mediation with Defendants; and (iii) researched the applicable law with respect to the Class's claims against Defendants and the potential defenses thereto.

9. What does the Settlement provide?

In the Settlement, Defendants agree to cause \$2,950,000 to be paid to the Class (the "Settlement Amount"). The Settlement Amount is to be paid into escrow within ten (10) business days after the Court's preliminary approval of the Settlement.

The Settlement shall become effective when and if each of the following conditions is met: (a) the Court has entered a final judgment approving the Settlement, and (b) any appeals from that judgment have been finally resolved, or the time has expired in which to file such appeals (the "Effective Date").

If the Settlement is approved by the Court, then as of the Effective Date of the Settlement all members of the Class will be deemed to have released all claims against all defendants named in the Complaint that arise out of or relate to the allegations in the Complaint. This means that, upon the Effective Date, all Class members will be permanently barred from asserting any of the claims described above against all Defendants named in the Complaint. In addition, upon the Effective Date, all Defendants named in the Complaint will be precluded from suing the Lead Plaintiff, members of the Class, or Lead Counsel in connection with the Action.

10. What are the reasons for the Settlement?

Lead Plaintiff agreed to the Settlement because of the substantial monetary benefit it will provide to the Class, compared to the risk that recovery might not be achieved after a contested trial. Even if Lead Plaintiff was successful at trial, Defendants might well appeal the verdict, resulting in further uncertainty and delay.

Defendants agreed to the Settlement to settle and terminate all existing or potential claims against them, to eliminate the risk of a judgment against them, and to avoid the burden and expense of further litigation, without acknowledging any fault or liability.

11. What is the potential outcome of the lawsuit absent the Settlement?

Lead Plaintiff and Defendants do not agree on the average amount of damages per share that would have been recoverable from Defendants if Lead Plaintiff were to have prevailed on each claim asserted. The issues on which the parties disagree include: (1) whether Defendants engaged in conduct that would give rise to liability under the federal securities laws; (2) whether Defendants have valid defenses to any of the claims against them; and (3) the amount, if any, by which the prices of Miller common stock were artificially inflated as a result of Defendants' alleged violations of the federal securities laws.

THE SETTLEMENT BENEFITS – WHAT YOU GET

12. How much will be distributed to investors?

The Settlement will create a cash settlement fund in the aggregate principal amount of \$2,950,000. After deduction of the costs of notice and administration, certain taxes and tax-related expenses, and any attorneys' fees and expenses that are approved by the Court, the balance of the settlement fund, plus accrued interest, will be available for distribution to members of the Settlement Class (the "Net Settlement Amount"). Lead Counsel will request attorneys' fees of up to 20.5% of the Net Settlement Amount, and reimbursement of expenses. Assuming no other recovery, Lead Counsel estimate that the net amount to be distributed to the Settlement Class will be approximately \$2 million.

13. How much will my payment be?

The amounts to be distributed to individual Class members will depend on a variety of factors, including: the number of other Class members who submit valid proof of claim forms; the number of shares of Miller common stock that you purchased; the prices and dates of those purchases; and the prices and dates of any sales of your Miller common stock. The manner of dividing the settlement proceeds has not yet been determined. Depending upon the timing of your transactions, you may be entitled to recover for all, none, or only some of the claims asserted in the Complaint.

The amount to be distributed to Class members on a per share basis will depend on future Court proceedings and factual and legal analysis, and it is therefore not possible to estimate the amount of any such distribution at the present time. After further notice to the Class and an opportunity to be heard, Lead Plaintiff will seek Court approval of a plan of allocation that will govern calculation of Class members' individual distributions.

HOW TO GET A PAYMENT

14. What do I have to do to receive a share of the Settlement?

To qualify for a settlement payment from the proceeds of the Settlement, you **must** send in a claim form. A claim form is attached to this Notice. You also may get a claim form on the Internet at www.millerenergysecuritiessettlement.com, or by calling the Claims Administrator. Read the instructions carefully, fill out the form, include all the documents the form asks for, sign the form, and mail it **postmarked no later than March 6, 2015.**

NOTICE TO INSTITUTIONAL FILERS. Institutions who file claims with 100 or more transactions, or who file claims on behalf of 20 or more different accounts, must submit their claims electronically, in the required filing format. Proper filing of claims electronically includes the submission of a manually signed paper (master) Proof of Claim form along with the electronically submitted data. Electronically submitted data must be submitted in the required file layout. To obtain the required file layout and details of the electronic filing requirements, you may visit the website at www.millerenergysecuritiessettlement.com.

The electronic file must be in accordance with the electronic filing format and include all purchase and sale transactions as well as beginning and unsold holdings as required in the claim form. Any file not in accordance with the required electronic filing format will be rejected. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues a written acknowledgement of receipt and acceptance of electronically submitted data.

15. When will I receive my payment?

Lead Plaintiff does not anticipate being able to distribute the settlement proceeds to members of the Class for at least 4-6 months from now. Distribution may be delayed in the interest of the Class in order to minimize the number and cost of distributions during the course of the Action.

Any settlement payments from the Settlement proceeds are also contingent upon the Court approving the Settlement and on such approval becoming final and no longer subject to any appeals.

The Net Settlement Amount will be kept in an interest-bearing account until it is ready for distribution, and the accrued interest will be added to the principal that will be distributed to the Settlement Class.

16. What am I giving up to get a payment or stay in the Class?

If you remain a member of the Class and do not exclude yourself, you will be bound by all orders, judgments and releases entered by the Court regarding the Settlement. If the Settlement is approved, you will not be able to sue, continue to sue, or be part of any other lawsuit involving any claims released in the Settlement. You will be bound by the releases whether or not you submit a proof of claim and/or receive a payment under the Settlement.

EXCLUDING YOURSELF FROM THE SETTLEMENT

17. What if I want to be excluded from the Settlement?

To exclude yourself from the Settlement, you must send a letter by mail to the Claims Administrator saying that you want to be excluded from *In re Miller Energy Resources, Inc. Securities Litigation*. Be sure to include your name, address, telephone number; your Social Security Number or Taxpayer Identification Number; a list stating the number of shares of Miller common stock purchased and sold between December 16, 2009 and August 8, 2011, inclusive, and the dates of each purchase and sale; as well as your signature. Mail your exclusion request *postmarked no later than January 20, 2015*, to:

Miller Energy Resources Securities Litigation Settlement c/o Angeion Group Attn: Exclusions 1801 Market Street Suite 660 Philadelphia, PA 19103 If you request exclusion on behalf of any person or entity other than yourself (such as, for example, a trust, a minor, or a pension fund), you also must state the basis of your legal authority to make a request for exclusion on behalf of that person or entity.

You cannot exclude yourself on the phone or by e-mail. If you do not follow the above procedures – including meeting the postmark deadline – you will not be excluded from the Class, and you will be bound by all of the orders and judgments entered by the Court regarding the Settlement. You must exclude yourself even if you already have a pending case against Defendants based on the claims being released.

If you ask to be excluded, you will not get any payment from the Settlement, you cannot object to the Settlement, and you will not be legally bound by anything that happens in this lawsuit. You might be able to sue Defendants in the future.

18. If I don't exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendants for the claims that the Settlement resolves. If you have a pending lawsuit, speak to your lawyer in that case immediately. You must exclude yourself from *this* Class to continue your own lawsuit.

19. If I exclude myself, can I get money from the Settlement?

No. Only Class members who do not exclude themselves will be eligible to recover money in the Settlement.

THE LAWYERS REPRESENTING YOU

20. Do I have a lawyer in this case?

The Court has appointed the law firm of Grant & Eisenhofer P.A. as Lead Counsel to represent Lead Plaintiff and all other Settlement Class members in the Action. If you have any questions about the proposed Settlement, you may contact Lead Counsel as follows: Daniel L. Berger, Grant & Eisenhofer P.A., 485 Lexington Avenue, 29th Floor, New York, NY 10017.

If you want to be represented by your own lawyer, you may hire one at your own expense.

21. How will the lawyers be paid?

You will be not charged directly for the fees or expenses of the Lead Counsel appointed by the Court. Instead, those lawyers may apply to the Court for payment of fees and expenses out of the proceeds of any recoveries achieved in the Action.

When this case began, Lead Plaintiff negotiated a fee agreement with Lead Counsel which permits Lead Counsel to apply for fees of up to 20.5% of any recovery achieved by the Class plus out of pocket expenses. For the Settlement, Lead Counsel intends to request a fee of 20.5% of the net recovery to the Class, plus reimbursement of out-of-pocket expenses. The fees would pay the lawyers for investigating the facts, actively litigating the case for more than a year, and negotiating the Settlement.

OBJECTING TO THE SETTLEMENT OR THE ATTORNEYS' FEES

22. How do I tell the Court that I don't like the Settlement?

If you are member of the Class and you do not exclude yourself, you can object to the Settlement or any part of it, including Lead Counsel's application for attorneys' fees, and give reasons why you think the Court should not approve it. To object, you must send a letter or other filing saying that you object to the proposed Settlement and/or the attorneys' fee application in *In re Miller Energy Resources, Inc. Securities Litigation*, Civil Action No. 3:11-cv-386-TAV-CCS. Be sure to include your name, address, telephone number, signature, and the reasons for your objection, as well as a list of your purchases and sales of Miller common stock made during the Class Period, including the dates, the number of shares purchased or sold, the price(s) paid or received per share for each such purchase or sale, and whether you continue to hold the shares at the time your objection is submitted. Your written objection must be sent to the following counsel no later than January 20, 2015:

Counsel for Defendants Miller Energy Resources, Inc. Deloy Miller, Paul W. Boyd, David M.Hall, and David J. Voyticky:

Robert D.Weber DLA PIPER US LLP 2000 Avenue of the Stars Suite 400 North Tower Los Angeles, CA 90067 Stephen A. Marcum MARCUM & PETROFF Three Courthouse Square P.O. Box 240 Huntsville, Tennessee 37756

Counsel for Defendant Scott Boruff:

Lawrence P. Leibowitz LEIBOWITZ LAW FIRM PLLC 608 South Gay Street Knoxville, TN 37902 Lead Counsel:

Daniel L. Berger, Esq. GRANT & EISENHOFER P.A. 485 Lexington Avenue 29th Floor New York, NY 10017

You must **also** file your objection with the clerk of the United States District Court for the Eastern District of Tennessee, so it is *postmarked no later than January 20*, 2015. The address is:

Clerk of the U.S. District Court for the Eastern District of Tennessee Howard H. Baker, Jr. United States Courthouse 800 Market Street, Suite 130 Knoxville, TN 37902 Any member of the Class who does not object in the manner provided above will be deemed to have waived all objections to the Settlement and to Lead Counsel's application for attorneys' fees.

23. What's the difference between objecting and requesting exclusion?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you are a Class member.

Excluding yourself is telling the Court that you do not want to be part of the Class for purposes of the Settlement. If you exclude yourself, you have no basis to object, because the case no longer affects you. If you do not exclude yourself, you will be bound by the Settlement and all orders and judgments entered by the Court regarding the Settlement, regardless of whether the Court accepts or denies your objection.

24. When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a hearing on the proposed Settlement for February 3, 2015, at 10:00 a.m., before the Honorable Thomas A. Varlan in the U.S. District Court for the Eastern District of Tennessee, United States Courthouse, 800 Market Street, Knoxville, TN 37902. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will consider Lead Counsel's application for attorneys' fees. If there are objections, the Court will consider them. At or after the hearing, the Court will decide whether to approve the Settlement.

Please note that the date of the Court hearing is subject to change without further notice. If you plan to attend the hearing, you should check with Lead Counsel to be sure no change to the date and time of the hearing has been made.

25. Do I have to come to the hearing?

No. Lead Counsel will answer any questions the Court might have. But you are welcome to come at your own expense. If you send an objection, you do not have to come to the Court to talk about it. As long as you mailed your written objection so it was received by the deadline, it will be before the Court when the Court considers whether to approve the Settlement. You may also pay your own lawyer to attend the hearing, but attendance is not necessary.

26. May I speak at the hearing?

If you are a Class member who has not asked to be excluded from the Class, you may ask the Court for permission to speak at the hearing. To do so, you must send a letter or other paper called a "Notice of Intention to Appear at Fairness Hearing in *In re Miller Energy Resources, Inc. Securities Litigation*" Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be filed with the Clerk of the Court and sent to the counsel listed above in the answer to Question #22 so it is received by the Court and counsel no later than January 20, 2015. You cannot speak at the hearing if you have asked to be excluded from the Class.

IF YOU DO NOTHING

27. What happens if I do nothing at all?

If you do nothing in response to this Notice, you will remain a member of the Class and will be bound by the Settlement. You will not be able to start, continue, or be part of any other lawsuit or arbitration against Defendants based on the claims in the Action. If you do not submit a proof of claim, you will not receive a payment from the Settlement.

GETTING MORE INFORMATION

28. Are there more details about the Settlement?

This Notice contains only a summary of the proposed Settlement. The complete Settlement is set out in a Stipulation and Agreement of Settlement dated September 29, 2014. You may request a copy of the Stipulation in writing to *Miller Energy Resources Securities Litigation Settlement*, c/o Angeion Group, 1801 Market Street, Suite 660, Philadelphia, PA 19103. There may be a charge for copying and mailing the Stipulation. Copies of the Stipulation may be obtained for free at www.millerenergysecuritiessettlement.com.

29. How do I get more information?

You can also call the Claims Administrator toll free at 1-800-586-3144, write to the Claims Administrator the above address, visit website at or www.millerenergysecuritiessettlement.com, where you will find a copy of the Stipulation, the Complaint, and certain other documents relating to the Action and the Settlement. Anyone interested in more detail regarding the Action is invited to visit the Office of the Clerk of the United States District Court for the Eastern District of Tennessee at the United States 800 Market Street, Suite 130, Knoxville, TN 37902, during regular business hours, to inspect the Stipulation, the pleadings, and the other papers maintained there in Case No. 3:11-cv-386-TAV-CCS.

Dated: November 6, 2014 BY ORDER OF THE COURT

Hon. Thomas A. Varlan UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE