

**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

**PROOF OF CLAIM AND RELEASE FORM**

**GENERAL INSTRUCTIONS**

To recover as a Class Member based on your claims in the action entitled *In re Miller Energy Resources, Inc. Securities Litigation*, Civil Action No. 3:11-cv-386-TAV-CCS (the “Litigation”), you must complete and sign this Proof of Claim and Release Form.

If you fail to submit a timely and properly addressed Proof of Claim and Release Form, your claim may be rejected and you may not receive any recovery from the Settlement Fund created in connection with the proposed Settlement. Submission of this Proof of Claim and Release Form, however, does not assure that you will share in the proceeds of the settlement of the Litigation.

**YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE FORM POSTMARKED ON OR BEFORE MARCH 6, 2015 ADDRESSED AS FOLLOWS:**

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

If you are NOT a Class Member (as defined in the Notice of Proposed Settlement of Class Action (“Notice”)), DO NOT submit a Proof of Claim and Release Form. Also, NOTE THAT CLAIMS CALCULATING TO AN AWARD AMOUNT LESS THAN \$10.00 WILL NOT BE PAID.

If you are a Class Member and you do not timely request exclusion in connection with the proposed Settlement, you will be bound by the terms of any judgment entered in the Litigation, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE FORM.

## **CLAIMANT IDENTIFICATION**

If you purchased or otherwise acquired shares of common stock of Miller Energy Resources, Inc. (“Miller”) and held the shares in your name, you are the beneficial purchaser as well as the record purchaser. If, however, you purchased or otherwise acquired shares of Miller common stock and the shares were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser and the third party is the record purchaser.

Use Part I of this form, entitled “Claimant Identification” to identify each purchaser of record (“nominee”), if different from the beneficial purchaser of the shares of Miller common stock which form the basis of this claim. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE MILLER COMMON STOCK UPON WHICH THIS CLAIM IS BASED.**

All joint purchasers must sign this claim. Executors, administrators, guardians, conservators, and trustees must complete and sign this claim on behalf of persons represented by them and their authority must accompany this claim and their titles or capacities must be stated. The Social Security (or taxpayer identification) number and telephone number of the beneficial owner may be used in the verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

## **CLAIM FORM**

Use Part II of this form; entitled “Schedule of Transactions in Shares of Miller Common Stock,” to supply all required details of your transaction(s) in Miller common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

On the schedule, provide all of the requested information with respect to **all** of your purchases or acquisitions of shares of Miller common stock which took place at any time from December 16, 2009 through August 8, 2011, inclusive (the “Class Period”), and **all** of your sales of shares of Miller common stock which took place at any time from December 16, 2009 through August 8, 2011.

List each transaction separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

Copies of broker confirmations or other documentation of your transactions in shares of Miller common stock should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

**NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request, or may be requested to, submit information regarding their transactions in electronic files. All claimants **MUST** submit a manually signed paper Proof of Claim and Release Form whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Claims Administrator at 1-800-586-3144 or MillerEnergy@AngeionGroup.com, or visit their website at [www.MillerEnergySecuritiesSettlement.com](http://www.MillerEnergySecuritiesSettlement.com) to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgment of receipt and acceptance of electronically submitted data.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*IN RE MILLER ENERGY RESOURCES, INC. SECURITIES LITIGATION*  
Civil Action No. 3:11-cv-386-TAV-CCS

PROOF OF CLAIM AND RELEASE

Must be Postmarked No Later Than: March 6, 2015

Please Type or Print

**PART I: CLAIMANT IDENTIFICATION**

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Beneficial Owner's Name (First, Middle, Last)

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Joint Beneficial Owner (if applicable)

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Entity Name and Representative (if applicable)

---

Account Number

---

Street Address

---

City

---

State or Province

---

Zip Code or Postal Code

---

Country

---

Social Security Number or Taxpayer Identification Number

Individual     Corporation/Other     IRA     Trust

---

Telephone Number

---

Email Address

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Custodian Name (if different from beneficial owner listed above)

**PART II: SCHEDULE OF TRANSACTIONS IN SHARES OF MILLER COMMON STOCK**

Number of shares of Miller common stock **held at the close of trading on December 15, 2009:**

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**Shares held 12/15/2009**

**PURCHASE(S) OR ACQUISITIONS** of shares of Miller common stock (December 16, 2009

– August 8, 2011, inclusive):

Trade Date Month / Day / Year	Number of Shares Purchased or Acquired	Purchase Price Per Share	Total Purchase or Acquisition Price
1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____

(OVER)

**SALES** of shares of Miller common stock (December 16, 2009 – August 8, 2011, inclusive):

Trade Date Month / Day / Year	Number of Shares Sold	Sale Price Per Share	Total Sales Price
1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____

Number of shares of Miller common stock **held at the close of trading on August 8, 2011:**

**Shares held 8/8/2011**

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page. **NOTE THAT CLAIMS CALCULATING TO AN AWARD AMOUNT LESS THAN \$10.00 WILL NOT BE PAID.**

(OVER)

**YOU MUST READ AND SIGN THE RELEASE BELOW. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.**

**PART IV: SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGEMENTS**

I (We) submit this Proof of Claim and Release Form under the terms of the Stipulation described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Eastern District of Tennessee with respect to my (our) claim as a Class Member and for purposes of enforcing the releases set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Litigation. I (We) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (We) have not submitted any other claim covering the same purchases or acquisitions of shares of Miller common stock during the Class Period and know of no other person having done so on my (our) behalf.

**RELEASE**

I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, and discharge from the Settled Claims each and all of the “Defendant Releasees,” defined as Defendants Miller Energy Resources, Inc., Scott M. Boruff, Paul W. Boyd, David J. Voyticky, David M. Hall, Ford Graham and Deloy Miller, Defendants’ Counsel, and each and all of their past and present directors, officers, employees, partners, member firms or affiliates, principals, agents, representatives, stockholders, parents, subsidiaries, divisions, joint venture partners, attorneys, investment bankers, commercial bankers, underwriters, financial or investment advisors, advisors, consultants, accountants, insurers, co-insurers and reinsurers, spouses, heirs, associates, related or affiliated entities, general or limited partners or partnerships, limited liability companies, members, estates, administrators, predecessors, successors, assigns, immediate family members, or any trusts for which any of the foregoing are trustees, settlers or beneficiaries, or any Persons or other entities in which any Defendant Releasee has a controlling interest or which is related to or affiliated with any Defendant Releasee, and any other representatives of any of the foregoing Persons or other entities, whether or not they were named, served with process or appeared in the Action.

“Settled Claims” means any and all claims, rights, demands, obligations, controversies, debts, damages, losses, causes of action and liabilities of any kind or nature whatsoever in law or in equity, including both known and Unknown Claims, held at any point from the beginning of time to the date of the execution of this Stipulation, of every nature and description, asserted by or that could have been asserted by Plaintiffs arising out of or relating to investments in, purchases, acquisitions or sales of Miller

common stock during the Class Period, including without limitation claims asserted by or that could have been asserted by Plaintiffs in the Complaint, and including without limitation any claims based on allegedly intentional, reckless, or negligent conduct, whether arising under state, federal, or foreign statute or common law as claims, cross-claims, counterclaims, or third-party claims, whether asserted in the Complaint, in this Court, in any federal or state court, or in any other court, arbitration proceeding, administrative agency, or other forum in the United States or elsewhere.

“Unknown Claims” means any and all Settled Claims which Lead Plaintiff in the Action or any Class Member does not know to exist in his, her, or its favor at the time of the release of Defendants’ Releasees, and any Defendants’ Claims which Defendants did not know to exist in their favor at the time of the release of the Released Plaintiff Parties, which if known might have affected the decision to enter into the Settlement. With respect to any and all Settled Claims and Defendants’ Claims, the parties stipulate and agree that upon the Effective Date, Lead Plaintiff and Defendants shall expressly, and each Class Member shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights and benefits conferred by any law of any state or territory of the United States or principle of common law, which is similar, comparable, or equivalent to Cal. Civ. Code § 1542, which provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Lead Plaintiff and Defendants acknowledge, and other Class Members by operation of law shall be deemed to have acknowledged, that the inclusion of “Unknown Claims” in the definition of Settled Claims and Defendants’ Claims was separately bargained for and was a key element of this Settlement.

This release shall be of no force or effect unless and until the Court approves the Settlement and the Stipulation becomes effective.

I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any rights or claims released pursuant to this release or any other part or portion thereof.

I (We) hereby warrant and represented that I (we) have included information about all of my (our) transactions in shares of Miller common stock which are the subject of this claim, which occurred during the Class Period as well as the opening position in such shares held by me (us) on the dates requested in this claim form.



I declare under penalty of perjury under the laws of the United States of America that all of the foregoing information supplied on this Proof of Claim and Release Form by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_

(Month/Year)

in \_\_\_\_\_

(City)

(State/Country)

\_\_\_\_\_  
(Sign your name here) Beneficial Owner

\_\_\_\_\_  
(Type or print your name here) Beneficial Owner

\_\_\_\_\_  
(Sign your name here) Joint Beneficial Owner, if applicable

\_\_\_\_\_  
(Type or print your name here) Joint Beneficial Owner, if applicable

\_\_\_\_\_  
(Capacity of person(s) signing, e.g., beneficial purchaser,  
executor, or administrator)

ACCURATE CLAIMS PROCESSING TAKES A  
SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE.

REMINDER CHECKLIST

- Please sign the above release.
- Remember to attach supporting documentation, if available.
- Keep a copy of your claim form and all supporting documentation for your records.
- If you desire an acknowledgement of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.