

Miller Energy-KPMG Securities Settlement
 P.O. Box 5024
 Portland, OR 97208-5024
 Toll-Free Number: (855) 604-1841
 Website: www.MillerEnergy-KPMGsecuritiessettlement.com

Objection/Exclusion Deadline: June 16, 2022
 Final Approval Hearing: June 30, 2022
 Deadline to File a Claim: August 18, 2022

PROOF OF CLAIM AND RELEASE FORM

Before completing this form, please read the detailed instructions on page 7. When filling out this form, type or print in the boxes below in **CAPITAL LETTERS**; do not use red ink, pencils or staples.

PART I: CLAIMANT INFORMATION

| | |
|-------------------------------|------------------------------|
| Beneficial Owner's First Name | Beneficial Owner's Last Name |
| | |

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|----------------------------------|---------------------------------|
| Co-Beneficial Owner's First Name | Co-Beneficial Owner's Last Name |
| | |

Entity Name (if claimant is not an individual)

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Representative or Custodian Name (if different from Beneficial Owner(s) listed above)

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Account Number (if filing for multiple accounts, file a separate Proof of Claim Form for each account)

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Address 1 (street name and number)

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Address 2 (apartment, unit, or box number)

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|------|-------|----------|
| City | State | ZIP Code |
| | | |

Foreign Country (only if not United States)

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|---|----|--------------------------------|---|---|--|--|---|--|---|--|
| Social Security Number | OR | Taxpayer Identification Number | | | | | | | | |
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| Telephone Number (Home) | Telephone Number (Work) | | | | | | | | | | |
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E-Mail Address

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Claimant Account Type (check appropriate):

| | | |
|---|--|--------------------------------|
| <input type="checkbox"/> Individual (includes joint owner accounts) | <input type="checkbox"/> Pension Plan | <input type="checkbox"/> Trust |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Estate | |
| <input type="checkbox"/> IRA/401(k) | <input type="checkbox"/> Other: _____ (please specify) | |

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PART II: SCHEDULE OF HOLDINGS AND TRANSACTIONS IN SHARES OF MILLER ENERGY COMMON STOCK OR SERIES C OR SERIES D PREFERRED STOCK

A. Number of shares of Miller Energy Common Stock

Beginning Holdings. For shares held before the opening of trading on August 29, 2011, please provide the quantity of shares held (if none, write zero):

Quantity of Shares: •

Incoming Shares. Purchases from August 29, 2011 through the end of trading on October 28, 2015 (inclusive). Please provide all data, and list each trade separately:

| Trade Date (MMDDYYYY) | Quantity of Shares Purchased | Purchase Price per Share | Total Price |
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Outgoing Shares. Sales from August 29, 2011 through the end of trading on October 28, 2015 (inclusive). Please provide all data, and list each trade separately:

| Trade Date (MMDDYYYY) | Quantity of Shares Sold | Sale Price per Share | Total Price |
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Unsold Shares. Shares held as of the end of trading on October 28, 2015. Please provide the quantity of shares held (if none, write zero):

Quantity of Shares: •

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

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B. Number of shares of Miller Energy Series C Preferred Stock

Beginning Holdings. For shares held before the opening of trading on October 8, 2012, please provide the quantity of shares held (if none, write zero):

Quantity of Shares: •

Incoming Shares. Purchases from October 8, 2012 through the end of trading on March 29, 2016 (inclusive). Please provide all data, and list each trade separately:

| Trade Date (MMDDYYYY) | Quantity of Shares Purchased | Purchase Price per Share | Total Price |
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Outgoing Shares. Sales from October 8, 2012 through the end of trading on March 29, 2016 (inclusive). Please provide all data, and list each trade separately:

| Trade Date (MMDDYYYY) | Quantity of Shares Sold | Sale Price per Share | Total Price |
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Unsold Shares. Shares held as of the end of trading on March 29, 2016. Please provide the quantity of shares held (if none, write zero):

Quantity of Shares: •

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

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C. Number of shares of Miller Energy Series D Preferred Stock

Beginning Holdings. For shares held before the opening of trading on October 1, 2013, please provide the quantity of shares held (if none, write zero):

Quantity of Shares: .

Incoming Shares. Purchases from October 1, 2013, through March 29, 2016 (inclusive). Please provide all data, and list each trade separately:

| Trade Date (MMDDYYYY) | Quantity of Shares Purchased | Purchase Price per Share | Total Price |
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Quantity of Shares: .

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

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PART III: CERTIFICATION, 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(s) 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 Action. I (We) agree to furnish additional information to the Claims Administrator to support this claim upon request. I (We) have not submitted any other claim covering the same purchases or acquisitions of shares of Miller Energy common stock or Series C or Series D preferred 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, suspected or unsuspected, that now exist or heretofore existed, or may have existed, without regard to the subsequent discovery of different or additional facts, each and all of the Defendant's Releasees, defined as KPMG LLP, and each and all of its past and present directors, officers, employees, partners, member firms or affiliates, principals, agents, representatives, stockholders, parents, subsidiaries, divisions, joint venture partners, attorneys, consultants, 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, including legal representatives, of any of the foregoing Persons or other entities, whether or not they were named, served with process or appeared in the Action, and shall forever be barred and enjoined from commencing, instituting or maintaining any of the Settled Claims against the Defendant Releasees.

"Settled Claims" means any and all claims, demands, losses, rights, and causes of action of every nature and description, whether known or unknown, including Unknown Claims, that (a) were or could have been asserted in a complaint in this Action, including but not limited to those asserted in the Class Action Complaint filed on March 14, 2016, the Amended Complaint filed on May 8, 2017, the Second Amended Class Action Complaint filed on September 15, 2017, and the Third Amended Consolidated Complaint filed on July 13, 2020 (collectively, the "Complaint"), (b) could have been asserted in this Action against KPMG, or (c) could in the future be asserted in any forum whether arising under federal, state, common or foreign law, by Lead Plaintiffs or any other member of the Classes, or their successors, assigns, executors, administrators, representatives, attorneys, and agents in their capacities as such, which (i) arise out of, are based upon, or relate in any way to any of the allegations, acts, transactions, facts, events, matters or occurrences, representations or omissions involved, set forth, alleged, or referred to in the Complaint or which could have been alleged in this Action; (ii) arise out of, are based upon, or relate in any way to the purchase, acquisition, holding, sale, or disposition of any Miller Energy securities; and (iii) could have been asserted against KPMG. Defendant shall release Lead Plaintiffs, the members of the Classes, and their counsel from any claims relating to the institution, prosecution, or settlement of this Action.

"Unknown Claims" means any and all Settled Claims which Lead Plaintiffs in the Action or any Settlement Class Member does not know to exist in his, her, or its favor at the time of the release of Defendant's Releasees, and any Defendant's Claims which Defendant 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 Defendant's Claims, the parties stipulate and agree that upon the Effective Date, Lead Plaintiffs and Defendant shall expressly, and each Settlement 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 § 1452, which provides:

Miller Energy-KPMG Securities Settlement
P.O. Box 5024
Portland, OR 97208-5024
Toll-Free Number: (855) 604-1841
Website: www.MillerEnergy-KPMGsecuritiessettlement.com

Objection/Exclusion Deadline: June 16, 2022
Final Approval Hearing: June 30, 2022
Deadline to File a Claim: August 18, 2022

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 Plaintiffs and Defendant acknowledge, and other Settlement 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 Defendant's 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 represent that I (we) have included information about all of my (our) transactions in shares of Miller Energy common stock or Series C or Series D preferred 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 in _____, _____
(Day) (Month/Year) (City) (State/Country)

(Signature of Claimant)

(Print Name of Claimant)

(Signature of Joint Claimant, if any)

(Print Name of Joint Claimant, if any)

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GENERAL INSTRUCTIONS

1. To recover as a Settlement Class Member based on your claims in the action entitled *Cosby, et al. v. KPMG, LLP*, Case No. 3:16-cv-121 (TAV) (the “Litigation”), you must complete and sign this Proof of Claim and Release Form. All capitalized words or terms not otherwise defined herein shall have the meaning of the words or terms set forth in the Notice of Proposed Settlement of Class Action (the “Notice”).

2. 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.

3. YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE FORM POSTMARKED ON OR BEFORE AUGUST 18, 2022, ADDRESSED AS FOLLOWS:

Miller Energy-KPMG Securities Settlement
P.O. Box 5024
Portland, OR 97208-5024

4. If you are NOT a Settlement Class Member (as defined in the Notice of Proposed Settlement of Class Action (“Notice”)), DO NOT submit a Proof of Claim and Release Form.

5. If you are a Settlement 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 Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE FORM.

6. If you purchased or otherwise acquired shares of common stock or Series C or Series D preferred stock of Miller Energy Resources, Inc. (“Miller Energy”) 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 Energy common stock or Series C or Series D preferred 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.

7. Use Part I of this form, entitled “Claimant Information” to identify each purchaser of record (“Nominee”), if different from the beneficial purchaser of the shares of Miller Energy common stock or Series C or Series D preferred 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 ENERGY COMMON STOCK OR SERIES C OR SERIES D PREFERRED STOCK UPON WHICH THIS CLAIM IS BASED.**

8. 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 verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

9. Use Part II of this form, entitled “Schedule of Transactions in Shares of Miller Energy Common Stock or Series C or Series D Preferred Stock,” to supply all required details of your transaction(s) in Miller Energy 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.

10. On the schedule, provide all of the requested information with respect to *all* of your purchases or acquisitions of shares of Miller Energy common stock or Series C or Series D preferred stock which took place at any time from August 29, 2011 through March 29, 2016, or your purchases of Series C or Series D preferred stock pursuant to or traceable to certain public offerings.

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11. 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.

12. Copies of broker confirmations or other documentation of your transactions in shares of Miller Energy common stock or Series C or Series D preferred 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.

13. NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request to, 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 855-604-1841 or info@MillerEnergy-KPMGsecuritiessettlement.com, or visit the website at www.MillerEnergy-KPMGsecuritiessettlement.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.

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 our claim form, please send it Certified Mail, Return Receipt Requested.

Accurate claims processing can take a significant amount of time. Thank you for your patience.