



Driver, Bob Rutherford and Jason Davis work to get the motor running again while Chance Miller looks on. Bob raced his IMCA Stock Car at last Saturday's races at Elmwood Park Speedway. —Telegram photo by Dana Paxton

One night of racing at Elmwood proves to be a winner for some

By Mike Hughes

With the caution flag only being waved one time during the 5 feature events, it was a fast paced racing program at Elmwood Park Speedway in Norton, KS, Saturday evening, August 21.

The lone caution during the main events came in the IMCA Northern Sport Mod feature when race leader and heat race winner Wade Wagenblast's motor let go on lap 6 of the 12-lap race. That gave point leader Brian Conness the lead on the restart, but on the following lap, Gaylord's Troy Attwood got past Conness and held on the remaining distance for his first feature win at Norton this season. Conness tried to get under Attwood in turn 4 on the last lap, but spun out and that allowed Kenny Schmidt and John LaShell to get by to finish second and third, with Conness recovering to finish fourth.

Lenora's Jay Hachmeister led all 12 laps to win his fourth IMCA

Stock Car feature at Norton. Point leader Dustin McClurg and hometown driver Jason Davis stayed close but could not mount a serious threat and settled for second and third. Bob Rutherford finished fourth. Hachmeister also won the heat race.

Hometown driver Kelly Karnopp continued his domination in the IMCA Hobby Stock division as he led all 12 laps for his 6th win in 8 outings for that division this season. Cody Graham, Daniel Irwin, Rick Maynard and Blaine Buchholz rounded out the top five. Rhett 'The Rocket' Kingsbury won the heat race.

Tim Watts of Beloit took advantage of his outside front row starting spot to jump to the lead of the 12-lap IMCA Modified feature and lead from green to checkered for his third win this season on the half-mile oval. Heat race winner Brian Calhoon finished second, followed by Rick Schwab and Jerry Teel.

Clay Center's Howard Van Dyke also led from green to checkered in the IMCA 305 Sprint Car main event, his second win in a row at Norton. He was followed by Randy Bantam and Bill Hays. Van Dyke was also victorious in the heat race.

Racing action returns to Norton for the annual Vintage Car meet on Saturday & Sunday, September 4-5. The IMCA Northern Sport Mods and 305 Sprint Cars will also be on hand both days.

All 5 regular divisions return for the final night of racing on Saturday, September 18.

RESULTS

IMCA Hobby Stocks
Heat: 1. Rhett Kingsbury, 2. Kelly Karnopp, 3. Daniel Irwin, 4. Rick Maynard.

Feature: 1. Karnopp, 2. Cody Graham, 3. Irwin, 4. Maynard, 5. Blaine Buchholz, 6. Kingsbury (DNF).

IMCA Northern Sport Mods
Heat: 1. Wade Wagenblast, 2.

Brian Conness, 3. Kenny Schmidt, 4. John LaShell.

Feature: 1. Troy Attwood, 2. Schmidt, 3. LaShell, 4. Conness, 5. Tyler Watts (DNF), 6. Wagenblast (DNF).

IMCA Stock Cars
Heat: 1. Jay Hachmeister, 2. Jason Davis, 3. Dustin McClurg, 4. Chase Conaway.

Feature: 1. Hachmeister, 2. McClurg, 3. Davis, 4. Bob Rutherford, 5. Conaway (DNF), 6. Dan Lauer (DNS), 7. Brett Sander (DNS).

IMCA Modifieds
Heat: 1. Brian Calhoon, 2. Rick Schwab, 3. Tim Watts, 4. Jerry Teel.

Feature: 1. Watts, 2. Calhoon, 3. Schwab, 4. Teel.

IMCA 305 Sprint Cars
Heat: 1. Howard Van Dyke, 2. Randy Bantam, 3. Bill Hays.

Feature: 1. Van Dyke, 2. Bantam, 3. Hays.

With school underway, bike safety is a must

"Sharing the road with bicyclists is very important, especially when commuting on busy city streets," writes security guru Ken Bower, Vice President and General Manager for Allied Barton Security Services, the industry's premier provider of highly trained security personnel.

"Today, bicycling has become popular as an environmentally friendly and cost effective transportation alternative as well as a fun and healthy recreational activity. Novice and experienced cyclists need to make safety a top priority."

Ken Bower offers the following tips:

1. Cyclists must obey traffic laws - Do you think that riding on the sidewalk is safer than riding in the street? Cycling on the sidewalk means having to dodge pedestri-

ans, pets, garbage cans, parking meters and signs. Bicycles are considered vehicles and cyclists should obey the same traffic laws as motorists. Travel on the right side of the road with traffic, and do not ride on the sidewalk. Obey all stop signs, traffic lights and lane markings. Use proper hand signals before making any lane changes or turns.

2. Choose a route that is safe for cyclists - When considering your route, don't think like a motorist. Think like a cyclist. Pick the most pleasant route.

3. Maintenance and repair make for a safer commute - Make sure all parts are in good repair, and check your brakes, tires and gears often. Your bicycle should be equipped with reflectors and lights. The most common repair you will encounter as a bike com-

muter will be a flat tire. You should also monitor brake wear. Replace your chain every 2,000 miles or so. Clean and oil your chain frequently, especially after riding in the rain, and replace it regularly.

4. Parking your bike securely - Where do you leave your bike once you get to where you are going? More than half of the one million bikes stolen every year weren't locked. Find a solid object, a street sign or post and secure your bike onto it with a good lock (or more than one, to further discourage theft). Make sure that the pole has something on top that will prevent your bike from being slid over it. The safest object to lock your bike onto is a bike rack.

5. Safety equipment - Safety equipment begins with the helmet. Wearing an approved helmet can reduce the risk of a head injury by

up to 85-percent in the event of an accident.

6. Try to avoid riding your bike at night - However, if you must commute in the dark, you will need effective lighting and reflective equipment. Most states require some kind of front illumination, and it is safer to have a headlight and rear flashers. There are a variety of inexpensive flashers available. Additionally, your clothing should be bright and have reflective strips.

It is also important to carry small repair and first aid kits with you. For the minor repairs you might expect with everyday bike commuting carry a patch kit, a spare inner tube, an air pump and a multitool.

•PUBLIC NOTICE• NOTICE OF CERTIFICATION OF CLASS ACTION AGAINST DEFENDANT OXY USA INC.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

David and Donna Schell, Howard Pickens,)
And Ron Oliver, Individually, and as)
Representative Parties on Behalf of a)
Class of Surface Owners,)
Plaintiffs,) Case Number 07-1258-JTM-KMH
v.)
OXY USA Inc.,)
Defendant.)

**NOTICE OF CERTIFICATION OF CLASS ACTION
AGAINST DEFENDANT OXY USA INC.**

TO: THE MEMBERS OF THE CERTIFIED CLASS

IF YOU HAVE RECEIVED OR HAVE THE RIGHT TO RECEIVE FREE GAS FOR HOUSE USE FROM OXY USA, INC. ON AN OXY-OPERATED KANSAS WELL, THIS NOTICE MAY AFFECT YOUR RIGHTS.

A CLASS ACTION HAS BEEN CERTIFIED IN A PENDING LAWSUIT AGAINST DEFENDANT OXY. THE CLASS ACTION LAWSUIT (THE "LAWSUIT") SEEKS A DECLARATORY JUDGMENT TO ESTABLISH THAT OXY OWES THE DUTY TO MAKE THE GAS USEABLE FOR HOUSE GAS USE. THE LAWSUIT IS PENDING IN THE UNITED STATES DISTRICT COURT OF KANSAS IN WICHITA, KANSAS. THE LAWSUIT HAS BEEN BROUGHT AGAINST OXY BY FOUR HOUSE GAS USERS ACTING ON BEHALF OF THEMSELVES AND OTHER SIMILARLY SITUATED OWNERS OF THE RIGHT TO USE HOUSE GAS.

THE COURT HAS NOT RULED ON THE MERITS OF THE CLAIMS ASSERTED BY THE PLAINTIFFS, OR THE DEFENSES ASSERTED BY DEFENDANT OXY.

PLEASE READ THIS NOTICE CAREFULLY

1. Why Is This Notice Being Sent To You?

You are being sent this Notice because you may be a member of the Class in the Lawsuit described below. OXY's records reflect that you may be a surface owner on an oil and gas lease that contains a right to use house gas. This Notice is not intended to be, and should not be construed as, an expression of any opinion with respect to the merits of the allegations in the Complaint filed in this action. This Notice explains the claims being asserted in the Lawsuit, and also explains your right to remain a member of the Class (as explained in Section 7 of this Notice), and your right to opt out of the certified Class (as explained in Section 8 of this Notice).

2. The Lawsuit

The Lawsuit is pending in the United States District Court of Kansas and is captioned as set forth above. The Honorable Judge J. Thomas Marten is presiding over the Lawsuit. On July 29, 2009, Judge Marten entered an Order certifying the Lawsuit as a class action. On August 11, 2010, Judge Marten entered an order allowing notice to the class to proceed.

3. The Class. The Order certifying the Lawsuit as a class action defined the Class as follows:

All surface owners of Kansas land burdened by oil and gas leases held or operated by OXY USA Inc. which contain a free gas clause.

Judge Marten's Order certifying the Class appointed the attorneys for the Plaintiffs to act as the attorneys for the Class ("Class Counsel"). The names and addresses of the Class Counsel are listed in Section 9 of this Notice.

4. What Is A Class Action?

A class action is a type of lawsuit in which the named plaintiffs bring a suit on behalf of other similarly situated persons seeking to recover relief on behalf of other persons they represent, without the necessity of each person incurring the expense of filing a separate lawsuit, or joining in the lawsuit. Class actions are brought when issues of fact or law are common, making it fair to bind all Class members to the orders and judgments in the case, without the necessity of litigating multiple lawsuits involving similar claims.

5. What Is The Lawsuit Against OXY About?

House gas use is threatened by low pressure and/or high concentrations of hydrogen sulfide which may require compression and/or treatment to make the house gas useable. The Lawsuit against OXY seeks to establish that OXY owes the duty to make house gas useable at its expense. OXY denies that it owes that duty, denies that an implied duty exists in all leases, and contends its obligations are governed by the terms of the oil and gas leases.

A more complete description of the Lawsuit, its status, and the rulings made in the Lawsuit are available in the pleadings and other papers maintained by the United States District Court Clerk for the District of Kansas located at 401 N. Market, 204 U.S. Courthouse, Wichita, KS 67202, in the file for Case No. 07-1258-JTM-KMH. Should you have questions regarding the status, rulings or issues in the Lawsuit, such questions can be submitted in writing to Class Counsel at the addresses provided in Section 9 of this Notice.

6. Who is Included?

If you are surface owner on land in which minerals are leased to OXY under an oil and gas lease containing a house gas clause, you may be a Class Member, even if you are not currently living in or renting a house to others on the land and even if you are also a royalty owner on the same land.

7. Remaining A Member Of The Class.

If you choose to remain a Class member, **YOU DO NOT NEED TO TAKE ANY ACTION WHATSOEVER.** Class Counsel will represent your interests as a member of the Class. You will not be charged for their services or costs, other than as may be deducted from any settlement amount or judgment, as approved by the Court. You also have the option of entering your appearance in the Lawsuit through your own counsel, at your sole cost, if you so desire. However, you will be bound by the result of the Lawsuit, regardless of the outcome, even if no recovery is had. Class members will be barred from bringing any separate legal action against OXY for the claims described in this Notice. If you remain a member of the Class, you will receive notices of, and may participate in, any relief obtained on behalf of the Class. For this reason, you should notify Class Counsel (in writing at the addresses provided in Section 9 of this Notice) of any corrections to, or changes in, your name or address.

8. Requesting To Be Excluded From The Class.

If you are a member of the Class, you may elect to be excluded from the Class ("Opt Out"). If you elect to be excluded from the Class, you will not be bound by the judgment and final disposition of the Lawsuit. You will retain, and will be free to pursue, any claims, you may have on your own behalf against OXY. OXY may assert any defenses or counterclaims it may have against you. You may consult with your own attorney, at your sole cost, regarding your rights as well as any defenses and counterclaims available to OXY as to your claims. To be excluded from the Class, you must provide a written Opt Out election to be excluded from the Class to Rex A. Sharp, P.O. Box 8553, Prairie Village, KS 66208. The Opt Out election must contain your full name, current address, telephone number, and the property description of the Section (or portion thereof), Township, Range, and County in Kansas where you own the surface rights to land leased by OXY, and either your signature or the signature of a person authorized on your behalf to request exclusion from the Class. Your Opt Out must be postmarked no later than midnight on the 18th day of October, 2010.

9. Class Counsel

If you do not exclude yourself as described in paragraph 8 above, your interest will be represented by the Class Representatives and their counsel, as counsel for the Class ("Class Counsel"), which are:

Rex A. Sharp
Gunderson, Sharp & Walke, LLP
5301 W. 75th Street
Prairie Village, KS 66208
(913) 901-0500
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Lee Thompson
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M. Moran Tomson
111 North Main
PO Box 310
Johnson, KS 67855
(620) 492-6800
(620) 492-6801 fax
law@pld.com

In any written correspondence with the Class Counsel, it is important that the envelope and any documents include the following case name and identifying numbers for the Lawsuit: *David Schell, et al. v. OXY USA Inc.*, Case No. 07-1258-JTM-KMH. In addition, you should include your full name, address, email address, and telephone number.

DO NOT WRITE OR TELEPHONE THE CLERK'S OFFICE if you have any questions about this Notice. ANY QUESTIONS CONCERNING THIS NOTICE OR THE LAWSUIT SHOULD BE DIRECTED TO CLASS COUNSEL.

PLEASE DO NOT CALL OXY, THE COURT OR THE COURT CLERK

ORDERED: August 13th, 2010.

S/ Karen M. Humphreys

KAREN M. HUMPHREYS
UNITED STATES MAGISTRATE JUDGE

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