



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

ROBOTTI & COMPANY, LLC,)
)
 Plaintiff Individually and On Behalf)
 of All Others Similarly Situated and)
 Derivatively on Behalf of Gulfport)
 Energy Corporation,)
)
 v.)
)
 MIKE LIDDELL, ROBERT E. BROOKS,)
 DAVID L. HOUSTON, MICKEY LIDDELL)
 and DAN NOLES and CD HOLDINGS, L.L.C.,)
)
 Defendants,)
)
 v.)
)
 GULFPORT ENERGY CORPORATION,)
)
 Nominal Defendant.)

Civil Action No. 3128-VCN

**DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED
VERIFIED CLASS ACTION AND DERIVATIVE COMPLAINT**

Defendants Gulfport Energy Corporation, Mike Liddell, Robert E. Brooks, David L. Houston, Mickey Liddell and Dan Noles hereby move to dismiss Plaintiff's Second Amended Verified Class Action and Derivative Complaint (i) pursuant to Court of Chancery Rule 12(b)(6) for failure to state a claim upon which relief can be granted, (ii) pursuant to Court of Chancery Rule 23.1 for failure to make a demand, and (iii) because plaintiff's claims are barred by the applicable statute of limitations and the doctrine of laches.

The grounds for this motion will be more fully set forth in briefs in support hereof to be filed in accordance with a schedule agreed upon by counsel.

PRICKETT, JONES & ELLIOTT, P.A.

By: /s/ Laina M. Herbert
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Mickey Liddell and Dan Noles*

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