

New Era Energy & Digital Announces Final Approval of Settlement Dismissing the State of New Mexico's Claims Against the Company

MIDLAND, Texas – July 9, 2026 – New Era Energy & Digital, Inc. (Nasdaq: NUAL) ("New Era" or the "Company"), a developer of next-generation digital infrastructure and integrated power assets, today announced that the United States Bankruptcy Court for the Western District of Texas has approved New Era's previously disclosed settlement with United States Trustee for the bankruptcy estates of Acacia Resources, LLC and Acacia Operating Company, LLC (the "Trustee").

As previously disclosed, this settlement resolves all trustee-controlled claims in the State of New Mexico's lawsuit against the Company and certain related parties (the "New Era Defendants"). On May 22, 2026, the Trustee filed a motion seeking Bankruptcy Court approval of the Trustee's settlement with the New Era Defendants. The Bankruptcy Court approved the settlement and granted the Trustee's motion entered on July 9, 2026, which renders the settlement final.

Pursuant to the settlement agreement, the New Era Defendants will make a total settlement payment of \$1.0 million. Of that amount, \$350,000 will be paid to the State of New Mexico and \$650,000 will be paid to the Trustee on behalf of the bankruptcy estate of Acacia Resources, LLC, with payment to be made within five business days of entry of the order granting approval of the settlement. Following receipt of the settlement payment, the Trustee will release the New Era Defendants from the trustee-controlled claims and take the actions necessary to dismiss those claims with prejudice. The settlement does not constitute an admission of liability or wrongdoing, and the New Era Defendants expressly deny liability.

For the sake of clarity, and as previously disclosed, while the settlement dismisses the State of New Mexico's five claims against the Company, the State continues to maintain three claims against E. Will Gray II in his individual capacity.

About New Era Energy & Digital, Inc.

New Era Energy & Digital is developing large-scale data centers across energy-rich U.S. markets to support AI training and inference workloads. New Era's flagship project, Texas Critical Data Centers, is a 492 acre site located in the Permian Basin, with anticipated capacity scaling to 1.4 GW over time. New Era's strategy is to combine large-acreage sites with flexible power solutions, including behind-the-meter power. New Era's approach is a modular, phased data center deployment model, utilizing best-in-class water efficiency and self-generated power to minimize community impact and accelerate time-to-power for hyperscale, enterprise and edge operators.

For more information, visit: www.newerainfra.ai and follow New Era Energy & Digital on [LinkedIn](#) and [X](#).

Forward-Looking Statements

This press release contains “forward-looking statements.” Forward-looking statements reflect the current view about future events. When used in this press release, the words “anticipate,” “believe,” “estimate,” “expect,” “future,” “intend,” “plan” or the negative of these terms and similar expressions, as they relate to us or our management, identify forward-looking statements. Such statements include, but are not limited to, statements contained in this press release relating to our business strategy, our future operating results and liquidity and capital resources outlook. Forward-looking statements are based on our current expectations and assumptions regarding our business, the economy and other future conditions. Because forward-looking statements relate to the future, they are subject to inherent uncertainties, risks and changes in circumstances that are difficult to predict. Our actual results may differ materially from those contemplated by the forward-looking statements. They are neither statements of historical fact nor guarantees of assurance of future performance. We caution you therefore against relying on any of these forward-looking statements. Important factors that could cause actual results to differ materially from those in the forward-looking statements include, without limitation: our ability to construct, develop, lease and maintain our flagship project; our ability to access adequate project financing, commercial borrowings and debt and equity capital markets to fund our significant anticipated capital expenditures; the impact of supply chain disruptions, labor availability, raw materials and input commodity costs and availability, and manufacturing and transportation; general business and economic conditions; environmental history, remediation, and associated risks; our ability to obtain and renew leases with our tenants on terms favorable to us, and manage our growth, business, financial results and results of operations; our ability to respond to price fluctuations and rapidly changing technology; the impact of tariffs and global trade disruptions on us and our tenants; changes in political conditions, geopolitical turmoil, political instability, civil disturbances, and restrictive governmental actions; the degree and nature of our competition; our failure to generate sufficient cash flows to service indebtedness; our expectations regarding the anticipated timeline of our cash, cash equivalents and short-term investments, future financial performance and our ability to continue as a going concern; material negative changes in the creditworthiness and the ability of our tenants to meet their contractual obligations; increases and volatility in interest rates; increased power, labor, equipment procurement, shipping, refurbishment or construction costs; a failure of our information technology systems, systems conversions and integrations, cybersecurity attacks or a breach of our information security systems, networks or processes; our inability to obtain and/or maintain necessary government or other required consents or permits; changes in, or the failure or inability to comply with, local, state, federal and applicable international laws and regulations, including related to taxation, real estate and zoning laws, and increases in real property tax rates; the impact of any financial, accounting, legal or regulatory issues or litigation that may affect us; and other factors (including the risks contained in the “Risk Factors” section of our Annual Report on Form 10-K for the fiscal year ended December 31, 2025). Should one or more of these risks or uncertainties materialize, or should the underlying assumptions prove incorrect, actual results may differ significantly from those anticipated, believed, estimated, expected, intended or planned. Factors or events that could cause our actual results to differ may emerge from time to time, and it is not possible for us to predict all of them. We cannot guarantee future results, levels of activity, performance or achievements. Except as required by applicable law, including the securities laws of the United States, we do not intend to update any of the forward-looking statements to conform these statements to actual results.

For investor inquiries, please contact:

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