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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 IVAN BARON, Individually and on
14 Behalf of All Others Similarly Situated,

15 Plaintiff,

16 v.

17 HYRECAR INC., JOSEPH FURNARI
18 and ROBERT SCOTT BROGI,

19 Defendants.

Case No. 2:21-cv-06918-FWS-JC

DECLARATION OF EX KANO S. SAMS II IN SUPPORT OF: (I) LEAD PLAINTIFF’S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION; AND (II) LEAD COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

Hearing Date: November 14, 2024
Hearing Time: 10:00 a.m.
Location: Courtroom 10D
Judge: Fred W. Slaughter

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TABLE OF EXHIBITS TO DECLARATION

EXHIBIT	TITLE
1	Declaration of Michael Criden in Support of: (I) Lead Plaintiff’s Motion for Final Approval of Class Action Settlement and Plan of Allocation, and (II) Lead Counsel’s Motion for an Award of Attorneys’ Fee and Reimbursement of Litigation Expenses
2	Declaration of Josephine Bravata Concerning: (A) Mailing/Emailing of Notice; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion and Objections
3	Lodestar Reports for Glancy Prongay & Murray LLP
4	Expense Report for Glancy Prongay & Murray LLP
5	Excerpts from Edward Flores and Svetlana Starykh, <i>Recent Trends in Securities Class Action Litigation: 2023 Full-Year Review</i> (NERA Jan. 23, 2024)
6	Table of Select Ninth Circuit Cases with 33% and Above Fee Awards
7	Table of Law Firm Billing Rates
8	Glancy Prongay & Murray LLP Firm Résumé
9	<i>In re Interlink Elec., Inc. Sec. Litig.</i> , No. 05-cv-08133 AG (SH), ECF No. 165 at 4 (C.D. Cal. June 1, 2009)

1 I, Ex Kano S. Sams II, hereby declare under penalty of perjury pursuant to 28
2 U.S.C. § 1746 as follows:

3 **I. INTRODUCTION**

4 1. I am an attorney admitted to practice before this Court. I am a partner
5 at the law firm of Glancy Prongay & Murray LLP (“GPM”), Court-appointed Lead
6 Counsel in the above-captioned action (the “Action”).¹ GPM represents Court-
7 appointed lead plaintiff Turton Inc. (“Turton” or “Lead Plaintiff”) and the proposed
8 Settlement Class. I have personal knowledge of the matters stated herein based
9 upon my participation in the prosecution and settlement of the claims asserted in the
10 Action.

11 2. I respectfully submit this declaration, together with the attached
12 exhibits, in support of Lead Plaintiff’s Motion for Final Approval of Class Action
13 Settlement and Plan of Allocation. As set forth in the Final Approval Memorandum,
14 Lead Plaintiff seeks final approval of the \$1.9 million Settlement for the benefit of
15 the Settlement Class, as well as final approval of the proposed Plan of Allocation of
16 the Net Settlement Fund to eligible Settlement Class Members.

17 3. I also respectfully submit this Declaration in support of Lead Counsel’s
18 Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses
19 (referred to herein as the “Fee and Expense Application”). The Fee and Expense
20 Application seeks an award of attorneys’ fees in the amount of 33⅓% of the
21 Settlement Fund (*i.e.*, \$633,333, plus interest earned at the same rate as the
22 Settlement Fund), and reimbursement of Litigation Expenses in the total amount of
23 \$124,016.12, which consists of GPM’s out-of-pocket litigation expenses in the
24 amount of \$114,016.12, plus \$10,000 to Lead Plaintiff pursuant to the Private
25 Securities Litigation Reform Act of 1995 (“PSLRA”) for its costs, including for
26

27 ¹ Unless otherwise defined herein, all capitalized terms have the same meaning as
28 set forth in the Stipulation and Agreement of Settlement dated March 20, 2024 (the
“Stipulation”), ECF No. 121-1.

1 time spent, incurred in connection with its representation of the Settlement Class.
2 As discussed in detail in the Fee and Expense Application, the requested 33⅓% fee
3 is well within the range of percentage awards granted by courts in this Circuit in
4 comparable securities class actions and is a fair and reasonable amount considering
5 the work performed and the result obtained. Moreover, the expenses were
6 necessarily incurred by Lead Counsel in litigating this Action and are of the type
7 that Courts routinely reimburse to counsel.

8 4. This is a securities class action brought pursuant to Sections 10(b) and
9 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) and Securities
10 and Exchange Commission (“SEC”) Rule 10b-5 promulgated thereunder. It arises
11 from Defendants’ alleged misrepresentations and omissions made between May 13,
12 2021 and August 10, 2021, inclusive (the “Settlement Class Period”).

13 5. The proposed Settlement provides for the resolution of all claims in the
14 Action in exchange for a non-reversionary, all cash payment of \$1,900,000 (the
15 “Settlement Amount”) for the benefit of the Settlement Class. As detailed herein,
16 Lead Counsel believes that the proposed Settlement represents an extremely
17 favorable result for the Settlement Class, especially when juxtaposed against the
18 significant risks of continued litigation, including serious ability-to-pay issues. In
19 other words, the Settlement is substantively fair.

20 6. It was also obtained through a procedurally fair process, demonstrating
21 that there was no collusion between the Parties. The Settlement was only achieved
22 after a hard-fought litigation, during which Lead Counsel, *inter alia*:

23 a. conducted a detailed and substantive investigation into the allegedly
24 wrongful acts, which included, among other things: (i) review and
25 analysis of HyreCar Inc.’s (“HyreCar” or the “Company”) filings with
26 the SEC, press releases, and other public statements made by
27 Defendants prior to, during, and after the Settlement Class Period, as
28 well as research reports prepared by securities and financial analysts

1 regarding HyreCar, and publicly available documents, reports,
2 announcements, and news articles concerning Defendants; (ii) retaining
3 and working with a private investigator who conducted an investigation
4 that involved, *inter alia*, numerous interviews of former Company
5 employees and other sources of relevant information; and (iii)
6 consulting with an accounting expert and an expert in loss causation,
7 damages, and market efficiency;

8 b. utilized the comprehensive investigation and additional research to
9 draft and file the 74-page (257-paragraph) Amended Complaint for
10 Violations of the Federal Securities Laws (“Amended Complaint”; ECF
11 No. 66), which asserted violations of the Exchange Act;

12 c. researched, drafted, and filed an opposition to Defendants’ motion to
13 dismiss the Amended Complaint (ECF No. 70), after which the Court
14 granted Defendants’ motion (*see Baron v. HyreCar Inc.*, 2022 WL
15 2102993, at *7 (C.D. Cal. Feb. 16, 2022));

16 d. conducted additional investigation and analysis, and then filing the 53-
17 page (200-paragraph) Second Amended Complaint for Violations of the
18 Federal Securities Laws (the “SAC”; ECF No. 75), which incorporated
19 the foregoing research and investigation efforts;

20 e. researched, drafted, and filed an opposition to Defendants’ motion to
21 dismiss the SAC (ECF No. 77), after which the Court denied
22 Defendants’ motion (*see Baron v. HyreCar Inc.*, 2022 WL 17413562, at
23 *17 (C.D. Cal. Dec. 5, 2022));

24 f. prepared for and participated in a Rule 26(f) Conference;

25 g. negotiated a protective order, which was subsequently entered by the
26 Court with minor modifications (ECF No. 110);

27 h. retained and consulted with bankruptcy counsel regarding HyreCar’s
28 bankruptcy filing;

- 1 i. initiated discovery of Defendants and third parties, which included
- 2 propounding comprehensive requests for production, reviewing
- 3 documents produced by a third-party, and negotiating with Defendants’
- 4 counsel over the scope and manner of document production and the
- 5 treatment of electronically stored information (“ESI”);
- 6 j. exchanged mediation briefs containing detailed analyses of the
- 7 strengths, risks, and potential issues in the litigation with Defendants,
- 8 participated in an unsuccessful full-day mediation session with a well-
- 9 respected mediator of complex cases—Jed Melnick, Esq. of JAMS—
- 10 and engaged in months of further negotiations that culminated in a
- 11 mediator’s recommendation to resolve the Action for \$1,900,000 in
- 12 cash for the benefit of the Settlement Class;
- 13 k. negotiated a detailed confidential settlement Term Sheet with
- 14 Defendants’ Counsel, which was fully executed as of December 9,
- 15 2023;
- 16 l. drafted and negotiated the terms of the Stipulation (including the
- 17 exhibits thereto) and Supplemental Agreement with Defendants’
- 18 Counsel;
- 19 m. worked with a damages expert to craft a plan of allocation that treats
- 20 Lead Plaintiff and all other members of the proposed Settlement Class
- 21 fairly; and
- 22 n. drafted the preliminary approval motion and supporting papers.

23 7. Based on the foregoing efforts, Lead Plaintiff and Lead Counsel are

24 well informed of the strengths and weaknesses of the claims and defenses in the

25 Action and believe the Settlement represents a favorable outcome for the Settlement

26 Class and is in the best interests of the Settlement Class Members. Because the

27 Settlement is substantively fair, and was achieved through a procedural fair process,

28

1 Lead Counsel believes that it is in the best interest of the Settlement Class and
2 should be approved.

3 8. The Court granted preliminary approval of the proposed Settlement by
4 Order dated July 19, 2024 (the “Preliminary Approval Order”). *See* ECF No. 128.
5 Pursuant to the Preliminary Approval Order, Strategic Claims Services (“SCS”), the
6 Court-approved Claims Administrator, implemented a comprehensive notice
7 program whereby Postcard Notice was given to potential Settlement Class Members
8 by mail and/or email and by publication. *See* ¶¶45-53, *infra* (detailing notice
9 program); *see also* Ex. 2 (Declaration of Josephine Bravata Concerning: (A)
10 Mailing/Emailing of Notice; (B) Publication of the Summary Notice; and (C) Report
11 on Requests for Exclusion and Objections (the “Initial Mailing Decl.”), ¶¶3-7, 9).

12 9. As of October 8, 2024, a total of 13,872 potential Settlement Class
13 Members and nominees were either mailed Postcard Notice or emailed the link to
14 the Notice and Claim Form. To date, not a single request for exclusion has been
15 received by Lead Counsel or the Claims Administrator. *See* Ex. 2 ¶12. Moreover,
16 no objections have been filed with Court to date.²

17 10. In addition to final approval of the Settlement, Lead Plaintiff seeks
18 approval of the proposed Plan of Allocation as fair and reasonable. As discussed in
19 further detail below, Lead Counsel developed the Plan of Allocation with the
20 assistance of a consulting damages expert. The Plan of Allocation provides for the
21 distribution of the Net Settlement Fund to Settlement Class Members who submit
22 Claim Forms that are approved for payment by the Court on a *pro rata* basis.
23 Specifically, an Authorized Claimant’s *pro rata* share shall be the Authorized
24 Claimant’s Recognized Claim divided by the total Recognized Claims of all
25 Authorized Claimants, multiplied by the total amount in the Net Settlement Fund.

26
27 _____
28 ² Lead Plaintiff and Lead Counsel will address any objections in the reply memorandum that will be filed after the objection and exclusion deadline.

1 Courts—including this one—have routinely approved similar allocation plans, and
2 Lead Counsel believes that the proposed plan should likewise be approved.

3 11. Finally, Lead Counsel seeks approval of the Fee and Expense
4 Application. As discussed in detail in the accompanying Fee Memorandum, the
5 requested 33⅓% fee is within the range of percentage awards granted by courts in
6 this Circuit in comparable securities class actions. Additionally, the fairness and
7 reasonableness of the request is confirmed by a lodestar cross-check and is
8 warranted considering the extent and quality of the work performed and the
9 substantial result achieved. Moreover, the out-of-pocket expenses incurred were all
10 reasonable and necessary for the prosecution of the Action and are considerably less
11 than the maximum figure proposed in the Postcard Notice sent to the Settlement
12 Class.

13 12. For these reasons and those discussed below, Lead Counsel respectfully
14 submits that the \$1.9 million Settlement is an extremely favorable result for the
15 Settlement Class and should be approved as fair, reasonable, adequate, that the
16 proposed Plan of Allocation is equitable and just, and that the requested attorneys’
17 fees of 33⅓% of the \$1.9 million Settlement Fund and reimbursement of Litigation
18 Expenses should be awarded in full.

19 **II. PROSECUTION OF THE ACTION**

20 **A. Commencement of the Instant Action and Appointment of Lead
21 Plaintiff and Lead Counsel**

22 13. On August 27, 2021, a class action complaint was filed in the United
23 States District Court for the Central District of California (“the Court”), styled *Ivan*
24 *Baron v. HyreCar Inc., et al.*, 2:21-cv-06918. ECF No. 1.

25 14. On October 25, 2021, Turton moved to be appointed lead plaintiff.
26 ECF Nos. 42-44. By Order dated November 19, 2021, the Court appointed Turton
27 as Lead Plaintiff and approved Lead Plaintiff’s selection of GPM as Lead Counsel
28

1 for the putative class. ECF No. 60; *Baron v. HyreCar Inc.*, 2021 WL 8820872 (C.D.
2 Cal. Nov. 19, 2021).

3 **B. The Comprehensive Pre-Filing Investigation and Preparation of**
4 **the Complaint**

5 15. Following Lead Counsel’s appointment, counsel conducted a
6 comprehensive investigation into Defendants’ allegedly wrongful acts, which
7 included, among other things: (a) reviewing and analyzing (i) HyreCar’s filings with
8 the SEC, (ii) public reports, press releases, blog posts, and news articles concerning
9 HyreCar, (iii) HyreCar’s investor call transcripts, and (iv) court filings and other
10 publicly available material related to HyreCar, including HyreCar’s filings in its
11 bankruptcy proceeding; and (b) retaining and working with a private investigator
12 who conducted an investigation that involved, *inter alia*, contacting former HyreCar
13 employees and other sources of relevant information. Lead Counsel also consulted
14 with a damages and market efficiency expert.

15 16. On December 3, 2021, Lead Plaintiff filed and served the Amended
16 Complaint based on the foregoing investigation. ECF No. 66. Among other things,
17 the Amended Complaint alleged that Defendants made materially false and
18 misleading statements by understating HyreCar’s insurance reserve expense and
19 liability, which, in turn, overstated HyreCar’s earnings. *Id.* Lead Plaintiff alleged
20 that this expense suppression scheme was enabled by close coordination between
21 Defendants and a conflicted third party. *Id.* According to the Amended Complaint,
22 the alleged misrepresentations proximately caused class member losses when the
23 truth was revealed. *Id.*

24 **C. Defendants’ Motions to Dismiss the Complaint and Lead Plaintiffs’**
25 **Responses**

26 17. On December 27, 2021, Defendants moved to dismiss the Amended
27 Complaint. ECF No. 67. On January 10, 2022, Lead Plaintiff opposed Defendants’
28 motion to dismiss (ECF No. 70), and on January 18, 2022, Defendants served their
reply papers (ECF No. 72). On January 27, 2022, Judge Percy Anderson notified

1 the Parties that the Court would take Defendants’ motion to dismiss under
2 advisement and vacated the hearing on Defendants’ motion. ECF No. 73. On
3 February 16, 2022, the Court granted Defendants’ motion to dismiss in a written
4 opinion. ECF No. 74; *Baron*, 2022 WL 2102993.

5 18. Following dismissal of the Amended Complaint, Lead Plaintiff sought
6 to address the pleading deficiencies identified by the Court. To that end, following
7 additional investigation and analysis, Lead Plaintiff filed its 53-page (200-
8 paragraph) SAC on March 21, 2022. ECF No. 75. On April 4, 2022, Defendants
9 moved to dismiss the SAC (ECF No. 76). Lead Plaintiff filed its opposition on
10 April 18, 2022 (ECF No. 77), and on April 25, 2022, Defendants filed their reply.
11 ECF No. 81. On April 20, 2022, the Action was reassigned from Judge Percy
12 Anderson to Judge Fred W. Slaughter. ECF No. 80.

13 19. On October 18, 2022, Judge Slaughter determined that the Court could
14 rule upon Defendants’ motion to dismiss without oral argument and vacated the
15 hearing on Defendants’ motion to dismiss. ECF No. 91. On December 5, 2022, the
16 Court denied Defendants’ motion to dismiss in its entirety. ECF No. 94; *Baron*,
17 2022 WL 17413562.

18 **D. The Government Initiates Investigations Involving HyreCar**

19 20. Also on December 5, 2022, HyreCar announced the receipt of a grand
20 jury subpoena in connection with a criminal investigation being conducted by the
21 U.S. Attorney’s Office for the Central District of California, and the Department of
22 Justice’s Criminal Fraud Section (“DOJ”). According to HyreCar, the criminal
23 investigation focused on “among other things . . . certain trades of the Company’s
24 company stock by Company insiders during 2021, including [CEO] Joseph Furnari
25 and two other members of the Company’s current Board of Directors, as well as
26 Michael Furnari, and the Company’s former Chief Financial Officer.” HyreCar also
27 announced its receipt of a subpoena from the SEC “concerning the trading of the
28 Company’s stock.”

1 **E. The Commencement of Discovery**

2 21. On January 5, 2023, the Parties submitted a Joint Report to the Court
3 pursuant to Rule 26(f) of the Federal Rules of Civil Procedure. ECF No. 102.
4 Defendants answered the SAC on January 9, 2023. ECF Nos. 105-07. On February
5 8, 2023, the Parties filed a Joint Stipulated Protective Order (ECF No. 109), which
6 the Court entered on February 13, 2023 (ECF No. 110). Following the denial of
7 Defendants’ motion to dismiss Plaintiff’s SAC, and negotiation over the scope and
8 manner of document production and the treatment of ESI, the Parties began
9 discovery pursuant to the Court’s Protective Order. Lead Plaintiff served discovery
10 on Defendants and third parties, including comprehensive requests for production,
11 and reviewed documents produced by a third-party.

12 **F. HyreCar’s Bankruptcy Filing**

13 22. On March 2, 2023, HyreCar filed a Notice of Bankruptcy Filing with
14 the Court, informing the Court and the Parties that the Company commenced a
15 Chapter 11 bankruptcy proceeding on February 24, 2023. ECF No. 111. On March
16 8, 2023, the Court issued an Order Re: Stay Pending Bankruptcy Proceeding in
17 which the Court stated that “all further proceedings in this action are STAYED.”
18 ECF No. 112.

19 **G. Mediation Efforts and Settlement Negotiations**

20 23. Subsequently, the Parties discussed the prospect of mediation. Lead
21 Plaintiff also drafted and considered filing a motion for clarification with respect to
22 the Court’s Order regarding the stay and its impact upon the Individual Defendants.
23 The Parties, however, eventually agreed to engage in mediation.

24 24. On September 27, 2023, the Parties held a virtual mediation session
25 that was overseen by a well-respected mediator of complex actions, Jed Melnick,
26 Esq. of JAMS. No agreement was reached during the mediation, but negotiations
27 continued, facilitated by Mr. Melnick, over a potential settlement.

28

1 25. The Parties continued to work towards a settlement with the assistance
2 of Mr. Melnick. These negotiations culminated in a recommendation by Mr.
3 Melnick that the Parties settle the Action for a \$1.9 million cash payment to the
4 Settlement Class. On November 2, 2023, the Parties accepted Mr. Melnick’s
5 recommendation.

6 **H. The Court Grants Preliminary Approval of Settlement**

7 26. On March 21, 2024, Lead Plaintiff filed its Motion for Preliminary
8 Approval of Class Action Settlement (“Preliminary Approval Motion”). ECF No.
9 120. On April 28, 2024, the Court held oral argument on the Preliminary Approval
10 Motion and took it under submission. ECF No. 125.

11 27. On July 19, 2024, the Court entered the Order Preliminarily Approving
12 Settlement And Providing For Notice. ECF No. 128; *Baron v. HyreCar Inc.*, 2024
13 WL 3504234 (C.D. Cal. July 19, 2024).

14 **III. THE RISKS OF CONTINUED LITIGATION**

15 28. The Settlement provides an immediate and certain benefit to the
16 Settlement Class in the form of a cash payment of \$1,900,000. As explained more
17 fully below, there were significant risks that the Settlement Class might recover
18 substantially less than the Settlement Amount—or nothing at all—if the case
19 proceeded through additional years of litigation to a potentially litigated verdict,
20 followed by the inevitable appeals. Indeed, HyreCar’s bankruptcy and Defendants’
21 limited insurance, which would be significantly reduced by defense costs –
22 particularly considering the governmental investigations – created the very real risk
23 that Lead Plaintiff would not be able to recover on a judgment as large as the
24 Settlement after trial and appeal. Defendants also had, or potentially had, substantial
25 arguments with respect to liability, loss causation, and damages in this case. These
26 risks, among many others, were carefully considered in evaluating whether the
27 Settlement was in the Settlement Class’s best interests. At the end of the day, there
28 was an extremely low probability, and certainly no guarantee, that Lead Plaintiff and

1 the Settlement Class would achieve any recovery, let alone one greater than \$1.9
2 million.

3 **A. Ability-to-Pay Risk**

4 29. As noted above, on March 2, 2023, HyreCar filed a Notice of
5 Bankruptcy Filing with the Court, informing the Court and the Parties that the
6 Company commenced a Chapter 11 bankruptcy proceeding on February 24, 2023.
7 ECF No. 111. On August 11, 2023, HyreCar filed a motion seeking to convert the
8 bankruptcy case to a case under Chapter 7, which, on August 29, 2023, the
9 Bankruptcy Court granted. HyreCar has now been liquidated, and there is nothing
10 that can be recovered from the Company.

11 30. Moreover, the limited insurance that was available to fund a settlement
12 was quickly wasting, and would only be further drained by continued defense costs
13 surrounding this Action and the other proceeding initiated by the DOJ and SEC.
14 Accordingly, it is highly unlikely that Lead Plaintiff could have recovered more than
15 the Settlement Amount by continuing to litigate the Action.

16 **B. Risks to Proving Liability**

17 31. Lead Plaintiff and Lead Counsel recognize that the risks of continued
18 litigation were considerable. Assuming, *arguendo*, that this Action were to proceed
19 through summary judgment and trial, in order to defeat a summary judgment motion
20 and to prevail at trial, Lead Plaintiff and Lead Counsel would have to prove, *inter*
21 *alia*, that: (i) Defendants made materially false or misleading statements;
22 (ii) Defendants acted with scienter (*i.e.*, that Defendants acted knowingly or with
23 deliberate recklessness); (iii) that Lead Plaintiff’s losses were caused by Defendants’
24 misrepresentations (*i.e.*, “loss causation”); and (iv) that Lead Plaintiff and the class
25 members suffered damages. Lead Plaintiff anticipates Defendants would present
26 strong arguments challenging Lead Plaintiff’s proof on all those elements in their
27 expected motion(s) for summary judgment and/or at trial.

28

1 32. The motion to dismiss process highlighted many of the risks of the
2 Action, including the potential to recover nothing. Indeed, in the Court’s order on
3 Defendants’ first motion to dismiss, the Court ruled that Lead Plaintiff had not
4 sufficiently alleged falsity under the PSLRA and dismissed the Amended
5 Complaint. Specifically, Judge Anderson held that Lead Plaintiff “appears to
6 conflate the pace at which claims were paid with the accuracy of the insurance
7 reserves periodically set and disclosed by HyreCar.” ECF No. 74. The Court held
8 further that “the speed with which claims were paid is not the same as setting
9 reserves for submitted claims and anticipating the number and value of future
10 claims.” *Id.* The Court reasoned that “[n]othing alleged in the 1st AC adequately
11 links these two distinct concepts or otherwise attempts to quantify the magnitude by
12 which HyreCar and its executives might have knowingly misstated the insurance
13 reserves or the risks posed by some unknown portion of the pool of drivers.” *Id.*

14 33. Moreover, the Court held that “HyreCar repeatedly disclosed both the
15 difficulty it faced in setting its insurance reserves and, as ultimately happened, the
16 risk that actual claims might exceed the insurance reserves.” *Id.* As a result, Judge
17 Anderson ruled that “[f]or these reasons, and in light of these disclosures for the
18 forward-looking statements on which the 1st AC bases its claims, as well as for
19 most of the reasons explained in Defendants’ Motion to Dismiss, none of the 1st
20 AC’s theories concerning allegedly material misrepresentations or omissions,
21 whether viewed individually or collectively, alleges sufficient well-pleaded facts to
22 satisfy the PSLRA’s pleading standard.” *Id.* While Lead Plaintiff was able to
23 overcome these hurdles following additional investigation and repleading—notably
24 without the benefit of discovery due to the PSLRA’s automatic stay—it still needed
25 to prove its case.

26 34. Indeed, Defendants argued in their motions to dismiss and at mediation
27 – and would undoubtedly argue in a motion for summary judgment and/or at trial –
28 that Lead Plaintiff failed to satisfy the applicable elements under the federal

1 securities laws. Specifically, Defendants argued – and would have continued to
2 argue that, among other things: (i) Lead Plaintiff would have been unable to prove
3 that Defendants made material misstatements; (ii) that Lead Plaintiff would not have
4 been able to prove scienter; and (iii) that Lead Plaintiff would not have survived
5 summary judgment or trial on the element of loss causation. In particular, proving
6 scienter in a securities case is often the most difficult element of proof and one
7 which is rarely supported by direct evidence or an admission.

8 35. These risks, moreover, were magnified by HyreCar’s bankruptcy filing.
9 The bankruptcy added another layer of complexity, created substantial obstacles for
10 discovery, and posed significant difficulties for recovery, particularly where the only
11 viable source of recovery – HyreCar’s \$10 million D&O insurance – was rapidly
12 depleting because of the costs associated with defending not only this Action, but
13 also the proceedings brought by the DOJ and SEC.

14 36. Finally, even if Lead Plaintiff prevailed on liability and the Settlement
15 Class was awarded damages, Defendants likely would appeal the verdict and award.
16 The appeals process would have likely spanned several years, including an appeal to
17 the Ninth Circuit, and, potentially, an *en banc* review from the Ninth Circuit or a
18 writ of certiorari to the Supreme Court, or both. During this time on potential
19 appeals, the Settlement Class would receive no distribution of any damage award.
20 In addition, an appeal of any judgment would carry the risk of reversal, in which
21 case the Settlement Class would receive no recovery.

22 **C. Risks Faced in Obtaining and Maintaining Class Action Status**

23 37. Defendants would have argued against class certification. Although
24 Lead Plaintiff had taken steps related to preparing a motion for class certification—
25 by, among other things, hiring and working with an expert in the field of market
26 efficiency—the Parties reached the Settlement before Lead Plaintiff filed a motion
27 for class certification. While Lead Counsel is confident that all of the Rule 23
28 requirements would have been met, and that the Court would have certified the

1 proposed class, Defendants would have undoubtedly raised arguments challenging
2 the propriety of class certification. *See, e.g.*, ECF No. 125, pp. 4-6. If the Court
3 accepted any of Defendants’ anticipated arguments in opposition to class
4 certification, that would have created significant hurdles for the proposed class to
5 overcome.

6 **D. Other Risks**

7 38. It is also noteworthy that Lead Plaintiff’s hard work led to a relatively
8 early settlement. Had the case not settled, Lead Plaintiff would have needed to
9 complete substantial discovery, including reviewing and analyzing documents
10 produced by Defendants, and other relevant third parties, taking fact depositions and
11 conducting all expert discovery, the costs of which are assuredly high and the fruits
12 of which are highly uncertain.

13 39. Lead Counsel know from painful experience that despite the most
14 vigorous and competent of efforts, attorneys’ success in contingent litigation such as
15 this case is never assured. For instance, Lead Counsel lost a six-week antitrust jury
16 trial in the Northern District of California after five years of litigation, which
17 included many overseas depositions, the expenditure of millions of dollars of
18 attorney and paralegal time, and the expenditure of more than a million dollars in
19 hard costs. *See In re: Korean Ramen Antitrust Litigation*, Case No. 3:13-cv-04115
20 (N.D. Cal.).

21 40. And, even if Lead Plaintiff had prevailed at trial, it would have had to
22 succeed on the post-trial appeals that would have surely followed. This process
23 could have extended for years and might have ultimately led to a smaller recovery—
24 or no recovery at all. Indeed, considering the ability-to-pay issues, even prevailing
25 at trial would not have guaranteed a recovery larger than the \$1.9 million
26 Settlement. In fact, considering HyreCar’s bankruptcy, it is virtually guaranteed that
27 the recovery would be less.

28

1 41. Given these significant litigation risks, I believe that the Settlement
2 represents an excellent result for the Settlement Class.

3 **E. The Settlement is Reasonable in Light of the Maximum Potential**
4 **Recovery in the Action**

5 42. In light of the attendant risks of continued litigation discussed above,
6 the Settlement is also fair and reasonable considering the potential recovery of
7 available damages. If Lead Plaintiff had fully prevailed on all of its claims at
8 summary judgment and after a jury trial, if the Court certified the same class period
9 as the Settlement Class Period, and if the Court and jury accepted Lead Plaintiff's
10 damages theory, including proof of loss causation—*i.e.*, Lead Plaintiff's *best-case*
11 *scenario*—estimated total maximum damages under the Plan of Allocation is
12 approximately \$96 million. Thus, the \$1.9 million Settlement Amount represents
13 approximately 2% of the total *maximum* damages *potentially* available in this
14 Action.

15 43. Given the circumstances of this case, a recovery of 2% of maximum
16 damages compares favorably to the median recovery of 1.8% for securities class
17 actions settled in 2023, and a median recovery of 3.8% for similar securities class
18 actions (with estimated damages of \$50- \$99 million) from 2014-2023. *See* Exhibit
19 5 (a true and correct copy of excerpts from Edward Flores and Svetlana Starykh,
20 Recent Trends in Securities Class Action Litigation: 2023 Full-Year Review (NERA
21 Jan. 23, 2024)), at p. 25, Fig. 21 and p. 26, Fig. 22.

22 44. Having evaluated the relative strengths and weaknesses of the Action,
23 considering Defendants' arguments, the stage of the litigation, and Defendants'
24 ability to pay, it is the informed judgment of Lead Counsel that the proposed
25 Settlement is fair, reasonable, and adequate and in the best interests of the
26 Settlement Class.
27
28

1 **IV. LEAD PLAINTIFF'S COMPLIANCE WITH THE COURT'S**
2 **PRELIMINARY APPROVAL ORDER REQUIRING ISSUANCE OF**
3 **NOTICE**

4 45. On July 19, 2024, the Court entered the Preliminary Approval Order.
5 ECF No. 128; *Baron*, 2024 WL 3504234. The Court set the deadline of October 24,
6 2024, for the receipt of objections to the Settlement, Plan of Allocation and/or the
7 application for attorneys' fees and expenses or to request exclusion from the
8 Settlement Class, and set a final fairness hearing date of November 14, 2024 (the
9 "Settlement Hearing").

10 46. Pursuant to the Preliminary Approval Order, Lead Counsel instructed
11 SCS, the Court-approved Claims Administrator, to begin mailing postcard notice of
12 the Settlement and to publish the Summary Notice. Contemporaneously with the
13 mailing, Lead Counsel instructed SCS to post downloadable copies of the Notice
14 and Claim Form online at www.HyreCarSecuritiesSettlement.com (the "Settlement
15 Website")

16 47. The Notice contains, among other things: a description of the Action;
17 the definition of the Settlement Class; a summary of the terms of the Settlement and
18 the proposed Plan of Allocation; and a description of Settlement Class Members'
19 right to participate in the Settlement, object to the Settlement, the Plan of Allocation
20 and/or the application for attorneys' fees and expenses, or to exclude themselves
21 from the Settlement Class. The Notice also informs Settlement Class Members of
22 Lead Counsel's intent to apply for an award of attorneys' fees in an amount not to
23 exceed 33⅓% of the Settlement Fund, and for reimbursement of Litigation Expenses
24 in an amount not to exceed \$163,500, which may include an application for
25 reimbursement of the reasonable costs and expenses incurred by Lead Plaintiff
26 directly related to his representation of the Settlement Class in an amount not to
27 exceed \$10,000. *See* Initial Mailing Decl., Ex. 2-C at ¶¶5, 71.

28 48. In addition, SCS maintains a proprietary database with the names and
addresses of the largest and banks, brokers, and other nominees. *See id.* at ¶4. At the

1 time of the initial mailing, SCS’s proprietary master mailing list consisted of 1,039
2 banks and brokerage companies, as well as 1,266 mutual funds, insurance
3 companies, pension funds, and money managers. *Id.* On August 15, 2024, SCS
4 caused a letter to be sent by First-Class Mail or e-mailed to the 2,305 nominees
5 contained in SCS’s master mailing list. *Id.* The letter notified the nominees of the
6 Settlement and requested that, within 7 calendar days from receipt of the letter, they
7 either: (a) request from SCS sufficient copies of the Postcard Notice to forward to
8 all such beneficial purchasers/owners and within seven (7) calendar days of receipt
9 of those Postcard Notices forward them to all such beneficial purchasers/owners; (b)
10 request from SCS a link to the Notice of (I) Pendency of Class Action and Proposed
11 Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of
12 Attorneys’ Fees and Reimbursement of Litigation Expenses (“Notice”) and Proof of
13 Claim and Release Form (“Claim Form”) and, within seven (7) calendar days of
14 receipt of the link from SCS, email the link to all such beneficial purchasers/owners
15 for whom valid email addresses are available; or (c) send a list of the names, mailing
16 addresses and email addresses (to the extent available) of all such beneficial
17 purchasers/owners to SCS at *Ivan Baron v. HyreCar Inc., et al.*, c/o Strategic Claims
18 Services, P.O. Box 230, Suite 205, Media, PA 19063, in which event SCS would
19 promptly mail the Postcard Notice, or email a link to the Notice and Claim Form, to
20 such beneficial purchasers/owners. *Id.* at ¶4 & Ex. 2-B (nominee letter).

21 49. As of October 24, 2024, a total of 13,872 potential Settlement Class
22 Members were notified by Postcard Notice and/or by email. *Id.* at ¶7.

23 50. On August 26, 2024, SCS caused the Summary Notice to be published
24 in *Investor’s Business Daily* and to be transmitted once over the *PR Newswire*. *See*
25 *id.* at ¶9 & Ex. 2-D.

26 51. Lead Counsel also caused SCS to establish the dedicated Settlement
27 Website, which became operational on August 15, 2024, to provide potential
28 Settlement Class Members with information concerning the Settlement. At the

1 Settlement Website, Settlement Class Members can submit a claim online, and
2 download copies of the Notice and Claim Form, as well as copies of the relevant
3 pleadings. *Id.* at ¶11.

4 52. The deadline for Settlement Class Members to object to the Settlement,
5 Plan of Allocation, and/or to the application for attorneys’ fees and expenses, or to
6 request exclusion from the Settlement Class is October 24, 2024. As of October 8,
7 2024, SCS had not received any requests for exclusion, and I am unaware of any
8 having been received since then. *Id.* at ¶12. SCS will file a supplemental affidavit
9 after the deadline addressing whether any additional requests for exclusion have
10 been received.

11 53. To date, no objections have been entered on this Court’s docket. No
12 other objections have been received by Lead Counsel, or SCS. *Id.* at ¶13. Lead
13 Counsel will address any objections received in its reply papers that are due after the
14 objection deadline has run.

15 **V. ALLOCATION OF THE NET PROCEEDS OF THE SETTLEMENT**

16 54. Pursuant to the Preliminary Approval Order and as set forth in the
17 Notice, all Settlement Class Members who want to participate in the distribution of
18 the Net Settlement Fund (*i.e.*, the \$1.9 million Settlement Amount plus any and all
19 interest earned thereon less: (a) all federal, state and/or local taxes on any income
20 earned by the Settlement Fund and the reasonable costs incurred in connection with
21 determining the amount of and paying taxes owed by the Settlement Fund (including
22 reasonable expenses of tax attorneys and accountants); (b) the costs and expenses
23 incurred in connection with providing notice to Settlement Class Members and
24 administering the Settlement on behalf of Settlement Class Members; and (c) any
25 attorneys’ fees and Litigation Expenses awarded by the Court) must submit a valid
26 Claim Form with all required information submitted online or postmarked no later
27 than December 14, 2024. *See* Ex. 2-B (Notice at p. 2 & ¶41). The Net Settlement
28

1 Fund will be distributed among Authorized Claimants according to the proposed
2 Plan of Allocation, as subject to approval by the Court.

3 55. The Plan of Allocation is detailed in the Notice. *See* Ex. 2-B (Notice at
4 pp. 9-12). The Notice is posted on, and downloadable from, the Settlement Website.
5 The Plan of Allocation’s objective is to equitably distribute the Net Settlement Fund
6 to those Settlement Class Members who suffered losses as a proximate result of the
7 alleged violations of the Exchange Act as opposed to losses caused by market,
8 industry, or Company-specific factors or factors unrelated to the alleged violations
9 of law. Under the Plan of Allocation, each Authorized Claimant will receive his,
10 her, or its *pro rata* share of the Net Settlement Fund based on his, her, or its total
11 Recognized Loss Amount as compared to the total Recognized Loss Amounts of all
12 Authorized Claimants. *See* Ex. 2-B (Notice at ¶¶61-62). Calculations under the Plan
13 of Allocation are not intended to be estimates of, nor indicative of, the amounts that
14 Settlement Class Members might have been able to recover after a trial or estimates
15 of the amounts that will be paid to Authorized Claimants pursuant to the Settlement.
16 Instead, the calculations under the Plan of Allocation are a method to weigh the
17 claims of Settlement Class Members against one another for the purposes of making
18 an equitable allocation of the Net Settlement Fund. *Id.* at ¶52.

19 56. The Plan of Allocation, developed by one of Lead Plaintiff’s consulting
20 damages experts, working in conjunction with Lead Counsel, is based on an out-of-
21 pocket theory of damages consistent with Section 10(b) of the Exchange Act, and
22 reflects an assessment of the damages that Lead Plaintiff contends could have been
23 recovered under the theories of liability and damages asserted in the Action. More
24 specifically, the Plan of Allocation reflects, and is based on, Lead Plaintiff’s
25 allegation that the prices of HyreCar common stock were artificially inflated due to
26 Defendants’ materially false and misleading statements and omissions.

27 57. The Plan of Allocation is based on the premise that the decrease in the
28 prices of HyreCar common stock on August 11, 2021 (the “Corrective Disclosure

1 Date”) may be used to measure the alleged artificial inflation in the price of HyreCar
2 common stock prior to these disclosures.

3 58. An individual Claimant’s recovery under the Plan of Allocation will
4 depend on several factors, including when the Claimant purchased, acquired, or sold
5 HyreCar common stock during the Settlement Class Period, in what amounts, and if
6 any common stock was sold, when it was sold and in what amounts, as well as the
7 number of valid claims filed by other Claimants.

8 59. If a Claimant has an overall market gain with respect to his, her, or its
9 overall transactions in HyreCar common stock during the Settlement Class Period,
10 the Claimant’s recovery under the Plan of Allocation will be zero.

11 60. If the prorated payment to be distributed to any Authorized Claimant is
12 less than \$10.00, no distribution will be made to that Authorized Claimant. Any
13 prorated amounts of less than \$10.00 will be included in the pool distributed to those
14 Authorized Claimants whose prorated payments are \$10.00 or greater. In Lead
15 Counsel’s experience, processing and sending a check for less than \$10.00 is cost
16 prohibitive.

17 61. In sum, the Plan of Allocation was designed to allocate the proceeds of
18 the Net Settlement Fund fairly among Settlement Class Members based on the
19 losses they suffered on transactions in HyreCar common stock that were attributable
20 to the conduct alleged in the SAC. Lead Counsel believes that the proposed Plan of
21 Allocation will result in a fair and equitable distribution of the Net Settlement Fund
22 among Settlement Class Members similar to the result if Lead Plaintiff prevailed at
23 trial.

24 **VI. LEAD COUNSEL’S REQUEST FOR ATTORNEYS’ FEES AND**
25 **REIMBURSEMENT OF LITIGATION EXPENSES**

26 62. In addition to seeking final approval of the Settlement and Plan of
27 Allocation, Lead Counsel are applying for a fee award of 33⅓% of the Settlement
28 Fund (*i.e.*, \$633,333, plus interest accrued thereon). Lead Counsel also requests

1 reimbursement in the amount of \$114,016.12 for out-of-pocket expenses incurred by
2 Lead Counsel in connection with the prosecution and resolution of the Action and
3 an award of \$10,000 for Lead Plaintiff for its costs, including for time spent, in
4 connection to its role as a representative plaintiff in the Action. The requested
5 Litigation Expenses of \$124,016.12 are below the maximum amount of \$163,500 set
6 forth in the Notice.

7 63. As set forth in the accompanying Fee Memorandum, the requested
8 33⅓% award is well within the range of fee awards in other comparable class action
9 settlements, and the resulting fractional multiplier on Lead Counsel's lodestar of
10 approximately 0.45 strongly supports the reasonableness of the requested attorneys'
11 fee. The legal authorities supporting the requested fees and expenses are set forth in
12 the concurrently filed Fee Memorandum. The primary factual bases for the
13 requested fees and expenses are set forth below.

14 **A. The Outcome Achieved Is the Result of the Significant Time and**
15 **Labor that Lead Counsel Devoted to the Action**

16 64. The work undertaken by Lead Counsel in investigating and prosecuting
17 the Action and arriving at the Settlement in the face of substantial risks has been
18 time-consuming and challenging. At all times throughout the pendency of the
19 Action, for a period of over three years, Lead Counsel's efforts were driven and
20 focused on advancing the Action to bring about the most successful outcome for the
21 Settlement Class, whether through settlement or trial. That work is summarized in
22 ¶6 above.

23 65. Attached as Exhibit 3 is a summary indicating the amount of time spent
24 by attorneys and professional support staff of my firm who billed ten or more hours
25 to the Action, and the lodestar calculation for those individuals based on Lead
26 Counsel's current billing rates. For personnel who are no longer employed by Lead
27 Counsel, the lodestar calculation is based upon the billing rates for such personnel in
28 his or her final year of employment. Included in Exhibit 3, pursuant to the Court's

1 Civil Standing Order (Sec. IX.g.), there are also charts breaking down the lodestar
2 by categories, and by billable rate for the year in which the work was performed.
3 The charts in Exhibit 3 were prepared from contemporaneous daily time records
4 regularly prepared and maintained by Lead Counsel.

5 66. Attorneys involved in this Action reviewed these daily time records in
6 connection with the preparation of this declaration. The purpose of this review was
7 to confirm both the accuracy of the records, as well as the necessity for, and
8 reasonableness of, the time committed to the litigation. As a result of this review,
9 Lead Counsel made reductions to certain of the firm's time entries such that the time
10 included in Exhibit 3 reflects that exercise of billing judgment. Based on this
11 review and the adjustments made, I believe that the time of Lead Counsel attorneys
12 and staff reflected in Exhibit 3 was reasonable and necessary for the effective and
13 efficient prosecution and resolution of the Action. No time expended on the Fee and
14 Expense Application has been included.

15 67. The hourly rates for the attorneys and professional support staff are
16 similar to the rates that have been accepted in other securities or shareholder
17 litigation in this District in the context of a lodestar cross-check. Additionally, the
18 2024 rates billed by Lead Counsel's attorneys are comparable to peer plaintiff and
19 defense firms litigating matters of similar magnitude. *See* Ex. 7 attached hereto
20 (table of peer law firm billing rates).

21 68. The total number of hours reflected in Exhibit 3 is 1,490.20 hours. The
22 total lodestar reflected in Exhibit 3 (using 2024 rates) is \$1,414,626.25, consisting of
23 \$1,358,623.75 for attorneys' time and \$56,002.50 for professional support staff
24 time. The requested fee amount of 33 $\frac{1}{3}$ % of the Settlement Fund equals \$633,333
25 (plus interest earned at the same rate as the Settlement Fund), and therefore
26 represents a fractional multiplier of 0.45 on Lead Counsel's lodestar.

27 69. Moreover, Lead Counsel will continue to work towards effectuating the
28 Settlement in the event the Court grants final approval. Among other things, Lead

1 Counsel will continue working with the Claims Administrator to resolve issues with
2 Settlement Class Member Claims, will respond to shareholder inquiries, will draft
3 and file a motion for distribution, and will oversee the distribution process. No
4 additional compensation will be sought for this work. Thus, the multiplier will be
5 smaller by the time the case concludes.

6 70. As detailed above, throughout this case, Lead Counsel devoted
7 substantial time to the prosecution of the Action. I personally devoted substantial
8 time to this case and was involved in drafting, reviewing, and editing pleadings and
9 other court filings, and communicating with other lawyers about the case on a
10 regular basis. Other experienced attorneys were also involved in drafting, reviewing
11 and/or editing pleadings, court filings, various informal discovery-related materials,
12 and the mediation submissions, participating in the mediation process, negotiating
13 the terms of the Stipulation, and other matters. Throughout the litigation, Lead
14 Counsel maintained an appropriate level of staffing that avoided unnecessary
15 duplication of effort and ensured the efficient prosecution of this litigation.

16 71. Based on the work performed and the quality of the results achieved,
17 Lead Counsel respectfully submits that a 33⅓% fee is fully merited under the
18 “percentage of the fund” methodology. Furthermore, as shown in Lead Counsel’s
19 accompanying Fee Memorandum, I also respectfully submit that the requested fee is
20 fully supported by a “lodestar multiplier cross-check” because the requested
21 multiplier is below the range of multipliers that courts often award in comparably
22 complex securities class actions, which is a strong indication that the percentage
23 request is fair and reasonable.

24 **B. The Risks of Litigation and the Need to Ensure the Availability of**
25 **Competent Counsel in High-Risk Contingent Securities Cases**

26 72. This prosecution was undertaken by Lead Counsel on a pure
27 contingency fee basis. From the outset, Lead Counsel understood that they were
28 embarking on a complex, expensive, and lengthy litigation with no guarantee of ever

1 being compensated for the substantial investment of time and money the case would
2 require. In undertaking that responsibility, Lead Counsel were obligated to ensure
3 that sufficient resources were dedicated to the prosecution of the Action, that funds
4 were available to compensate attorneys and staff, and to cover the considerable
5 litigation costs required by a case like this one.

6 73. With an average lag time of many years for complex cases like this
7 case to conclude, the financial burden on contingent-fee counsel is far greater than
8 on a firm that is paid on an ongoing basis. Indeed, Lead Counsel received no
9 compensation during more than three years of litigation and incurred \$114,016.12 in
10 out-of-pocket expenses in prosecuting the Action.

11 74. Lead Counsel also bore the risk that no recovery would be achieved.
12 As discussed above, from the outset, this case presented multiple risks and
13 uncertainties that could have prevented any recovery whatsoever. Despite the most
14 vigorous and competent of efforts, success in contingent-fee litigation like this one
15 is never assured. As set forth above, Lead Counsel knows from experience that the
16 commencement of a class action does not guarantee a settlement. To the contrary, it
17 takes hard work and diligence by skilled counsel to develop the facts and theories
18 that are needed to sustain a complaint or win at trial, or to induce sophisticated
19 defendants to engage in serious settlement negotiations at meaningful levels. And,
20 even when that effort is put forth, sometimes you lose.

21 75. Moreover, courts have repeatedly recognized that it is in the public
22 interest to have experienced and able counsel enforce the securities laws and
23 regulations pertaining to the duties of officers and directors of public companies.
24 *See Tellabs, Inc. v. Makor Issues & Rights, Ltd.*, 551 U.S. 308, 320 n.4 (2007)
25 (“private securities litigation is an indispensable tool with which defrauded investors
26 can recover their losses – a matter crucial to the integrity of domestic capital
27 markets.”) (internal quotation marks omitted). As recognized by Congress through
28 the passage of the PSLRA, vigorous private enforcement of the federal securities

1 laws can only occur if private investors take an active role in protecting the interests
2 of shareholders. If this important public policy is to be carried out, the courts should
3 award fees that adequately compensate plaintiffs' counsel, taking into account the
4 risks undertaken in prosecuting a securities class action.

5 **C. The Experience and Expertise of Lead Counsel, and the Standing
6 and Caliber of Defendants' Counsel**

7 76. As demonstrated by Lead Counsel's firm résumé, Lead Counsel have
8 extensive and significant experience in the specialized area of securities litigation.
9 *See* Ex. 8 (GPM firm résumé). The attorneys who were principally responsible for
10 leading the prosecution of this case have prosecuted securities claims throughout
11 their careers and have recovered tens of millions of dollars on behalf of investors.
12 This experience allowed Lead Counsel to develop and implement litigation
13 strategies to address the complex obstacles that are inherent in securities class
14 actions and those specific to this case that were raised by Defendants. I believe that
15 the recovery achieved here for the Settlement Class reflects the high quality of Lead
16 Counsel's representation.

17 77. Additionally, the quality of the work performed by Lead Counsel in
18 obtaining the Settlement should also be evaluated considering the quality of the
19 opposition. Here, Defendants have been vigorously represented by O'Melveny &
20 Myers LLP and Davis Wright Tremaine LLP during the Action and settlement
21 negotiations. Additionally, HyreCar was represented by Latham & Watkins LLP
22 before it filed for bankruptcy, and Latham & Watkins LLP represented HyreCar,
23 Joseph Furnari, and Robert Scott Brogi, before Furnari and Brogi obtained separate
24 counsel. All these firms are well-respected law firms that vigorously represented
25 the interests of their clients throughout this Action. In the face of this experienced
26 and formidable opposition, Lead Counsel were nonetheless able to persuade
27 Defendants to settle the case on terms that I believe are favorable to the Settlement
28 Class.

1 **D. The Reaction of the Settlement Class Supports Lead Plaintiff’s**
2 **Counsel’s Fee Request**

3 78. As noted above, as of October 8, 2024, 13,872 potential Settlement
4 Class Members were notified by Postcard Notice and/or by email that advised
5 Settlement Class Members that Lead Counsel would apply for an award of
6 attorneys’ fees in an amount not to exceed 33⅓% of the Settlement Fund. *See* Initial
7 Mailing Decl. ¶7 & Ex. 2-A (Postcard Notice) & 2-C (Notice at ¶¶5, 71). In
8 addition, on August 26, 2024, SCS caused the Summary Notice to be published in
9 *Investor’s Business Daily* and to be transmitted once over the *PR Newswire*. *See id.*
10 at ¶9 & Ex. 2-D.

11 79. The deadline for Settlement Class Members to object to the Settlement,
12 Plan of Allocation, and/or to the application for attorneys’ fees and expenses, or to
13 request exclusion from the Settlement Class is October 24, 2024. As of October 8,
14 2024, not a single request for exclusion has been received. *Id.* at ¶12. SCS will file
15 a supplemental affidavit after the deadline addressing whether any additional
16 requests for exclusion have been received. To date, no objections have been entered
17 on this Court’s docket. No other objections have been received by Lead Counsel.
18 Lead Counsel will address any objections received in its reply papers that are due
19 after the objection deadline has run.

20 80. In sum, Lead Counsel accepted this case on a fully contingent basis,
21 committed significant resources to it, and prosecuted the case for more than three
22 years without any compensation or guarantee of success. Based on the result
23 obtained, the quality of the work performed, the risks undertaken, and the contingent
24 nature of the representation, Lead Counsel respectfully submits that a fee award of
25 33⅓%, resulting in a fractional multiplier of 0.45, is fair and reasonable, and is
26 supported by the fee awards courts have granted in other comparable cases.

27
28

1 **E. Lead Plaintiff Supports Lead Counsel’s Fee Request**

2 81. As set forth in the declaration submitted by Michael Criden, the
3 President and a Director at Lead Plaintiff Turton, Lead Plaintiff has concluded that
4 Lead Counsel’s requested fee is fair and reasonable based on the work performed,
5 the recovery obtained for the Settlement Class, and the risks Lead Counsel bore
6 when prosecuting this Action. *See* Ex. 1 (Criden Decl.) at ¶¶10-11. Lead Plaintiff
7 has been intimately involved in this case since its early stages, and its endorsement
8 of Lead Counsel’s fee request supports the reasonableness of the request and should
9 be given weight in the Court’s consideration of the fee award.

10 **F. Reimbursement of the Requested Litigation Expenses is Fair and**
11 **Reasonable**

12 82. Lead Counsel seeks a total of \$124,016.12 in Litigation Expenses to be
13 paid from the Settlement Fund. This amount includes \$114,016.12 in out-of-pocket
14 expenses incurred by Lead Counsel in connection with commencing, litigating, and
15 settling the claims asserted in the Action, as well as a total of \$10,000 for Lead
16 Plaintiff directly related to its representation of the Settlement Class.

17 83. Lead Counsel’s out-of-pocket expenses—broken down by category—
18 are reflected on Exhibit 4 hereto. The litigation expenses incurred in the Action are
19 reflected on the books and records of my firm. These books and records are
20 prepared from expense vouchers, check records, and other source materials and are
21 an accurate record of the expenses incurred. The expenses reflected in Exhibit 4 are
22 the expenses actually incurred by my firm. I respectfully submit that the request for
23 reimbursement of Litigation Expenses is appropriate, fair, and reasonable and
24 should be approved in the amounts submitted herein.

25 84. From the inception of this Action, Lead Counsel were aware that they
26 might not recover any of the expenses incurred in prosecuting the claims against
27 Defendants, and, at a minimum, would not recover any expenses until the Action
28 was successfully resolved. Lead Counsel also understood that, even assuming the

1 Action was ultimately successful, an award of expenses would not compensate Lead
2 Counsel for the lost use or opportunity costs of funds advanced to prosecute the
3 claims against Defendants. Thus, Lead Counsel were motivated to, and did, take
4 significant steps to minimize expenses whenever practicable without jeopardizing
5 the vigorous and efficient prosecution of the Action.

6 85. As set forth in the Exhibit 4, the vast majority of expenses
7 (\$109,924.85, or approximately 96.4%) were for the retention of experts
8 (\$53,988.57), the mediator (\$15,891), and a private investigation firm (\$29,150.48),
9 as well as online research (\$10,894.80). Each of these expenses were critical to
10 Lead Counsel's success in achieving the Settlement and, like the other categories of
11 expenses for which counsel seek reimbursement, are the types of expenses routinely
12 charged to clients who pay hourly.

13 86. Finally, Lead Plaintiff seeks reimbursement of its reasonable costs and
14 expenses incurred directly in connection with representing the Settlement Class in
15 the amount of \$10,000. The efforts devoted to this Action by Lead Plaintiff is
16 detailed in its accompanying declaration. *See* Ex. 1, ¶¶3-6. Based on the time and
17 effort expended by Lead Plaintiff for the benefit of the Settlement Class (*see id.* at
18 ¶14), I would respectfully request that the Court grant Lead Plaintiff's request in
19 full.

20 **VII. CONCLUSION**

21 87. Considering the significant recovery for the Settlement Class under
22 difficult circumstances, and the substantial risks of inherent in the continued
23 litigation of this Action, as described herein and in the accompanying Final
24 Approval Memorandum, I respectfully submit that the Settlement should be
25 approved as fair, reasonable, and adequate and that the proposed Plan of Allocation
26 should be approved as fair and reasonable. I further submit that the requested fee in
27 the amount of 33⅓% of the Settlement Fund should be approved as fair and
28 reasonable, and the request for reimbursement of total Litigation Expenses in the

1 amount of \$124,016.12 (which includes \$10,000 for Lead Plaintiff) should also be
2 approved.

3 I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct. Executed on this, the 10th day of
5 October, 2024, at Los Angeles, California.

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PROOF OF SERVICE BY ELECTRONIC POSTING

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On October 10, 2024, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Central District of California, for receipt electronically by the parties listed on the Court’s Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 10, 2024.

s/ Ex Kano S. Sams II
Ex Kano S. Sams II

EXHIBIT 1

1 Robert V. Prongay (SBN 270796)
 2 Ex Kano S. Sams II (SBN 192936)
 3 Raymond D. Sulentic (SBN 316913)
 4 **GLANCY PRONGAY & MURRAY LLP**
 5 1925 Century Park East, Suite 2100
 6 Los Angeles, California 90067
 7 Telephone: (310) 201-9150
 8 Facsimile: (310) 201-9160
 9 Email: info@glancylaw.com

10 Counsel for Lead Plaintiff Turton Inc.

11 **UNITED STATES DISTRICT COURT**
 12 **CENTRAL DISTRICT OF CALIFORNIA**

13 IVAN BARON, Individually and on
 14 Behalf of All Others Similarly Situated,

15 Plaintiff,

16 v.

17 HYRECAR INC., JOSEPH FURNARI
 18 and ROBERT SCOTT BROGI,

19 Defendants.

20 Case No. 2:21-cv-06918-FWS-JC

21 **DECLARATION OF MICHAEL**
 22 **CRIDEN IN SUPPORT OF:**
 23 **(1) LEAD PLAINTIFF’S MOTION**
 24 **FOR FINAL APPROVAL OF**
 25 **CLASS ACTION SETTLEMENT**
 26 **AND PLAN OF ALLOCATION;**
 27 **AND (2) LEAD COUNSEL’S**
 28 **MOTION FOR AN AWARD OF**
ATTORNEYS’ FEES AND
REIMBURSEMENT OF
LITIGATION EXPENSES

Hearing Date: November 14, 2024
 Hearing Time: 10:00 a.m.
 Location: Courtroom 10D
 Judge: Fred W. Slaughter

1 I, Michael Criden, declare as follows:

2 1. I am the President and a Director of Turton Inc. (“Turton”), the Court-
3 appointed Lead Plaintiff in the above-captioned securities class action (the “Action”).¹
4 ECF No. 62. I have authority to act, and throughout this litigation did act, on Turton’s
5 behalf.

6 2. I respectfully submit this declaration in support of: (a) Lead Plaintiff’s
7 motion for final approval of the proposed Settlement and approval of the proposed
8 Plan of Allocation; and (b) Lead Counsel’s motion for an award of attorneys’ fees and
9 reimbursement of litigation expenses, including approval of my request to recover the
10 reasonable costs and expenses I incurred in connection with my representation of the
11 Settlement Class in the prosecution of this Action.

12 3. I am aware of and understand the requirements and responsibilities of a
13 representative plaintiff in a securities class action, including those set forth in the
14 Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u-4. I
15 have personal knowledge of the matters set forth herein, as I have been directly
16 involved in monitoring and overseeing the prosecution of the Action, as well as the
17 negotiations leading to the Settlement, and I could and would testify competently to
18 these matters.

19 **I. LEAD PLAINTIFF’S OVERSIGHT OF THE LITIGATION**

20 4. By Order dated November 19, 2021, the Court: (a) appointed Turton to
21 serve as Lead Plaintiff in the Action; and (b) approved its selection of Glancy Prongay
22 & Murray LLP (“GPM” or “Lead Counsel”) to serve as lead counsel. ECF No. 62.

23 5. In fulfillment of Turton’s responsibilities as a Lead Plaintiff, I have
24 worked closely with Lead Counsel regarding the litigation and resolution of this case.

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¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated March 20, 2024. ECF No. 121-1.

1 6. Throughout the litigation, I received status reports from Lead Counsel
2 on case developments and participated in regular discussions concerning the
3 prosecution of the Action, the strengths of and risks to the claims, and potential
4 settlement. In particular, I: (a) produced Turton’s trading records to its attorneys at
5 GPM; (b) moved for Turton to be appointed Lead Plaintiff in this Action; (c) regularly
6 communicated with GPM attorneys regarding the posture and progress of the case;
7 (d) reviewed all significant pleadings and briefs filed in this Action; (e) reviewed the
8 Court’s orders and discussed them with attorneys at GPM; (f) consulted with GPM
9 attorneys regarding the settlement negotiations; and (g) evaluated and approved the
10 proposed Settlement.

11 7. In short, I, on behalf of Turton, have done my best to vigorously promote
12 the interests of the Settlement Class and to obtain the largest recovery possible under
13 the circumstances.

14 **II. APPROVAL OF THE SETTLEMENT**

15 8. As detailed in the paragraphs above, through my active participation I
16 was both well-informed of the status and progress of the litigation, and the status and
17 progress of the settlement negotiations in this Action.

18 9. Based on my involvement in the prosecution and resolution of the claims
19 asserted in the Action, I believe that the proposed Settlement provides a fair,
20 reasonable, and adequate recovery for the Settlement Class, particularly in light of
21 HyreCar’s bankruptcy, the limited assets available to fund a settlement, and the risks
22 of continued litigation. Accordingly, I fully endorse approval of the Settlement by
23 the Court.

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1 **III. LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS'**
2 **FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

3 **A. Attorneys' Fees And Litigation Expenses**

4 10. I believe Lead Counsel's request for an award of attorneys' fees in the
5 amount of 33 $\frac{1}{3}$ % of the Settlement Fund is fair and reasonable in light of the work
6 Lead Counsel performed on behalf of the Settlement Class.

7 11. I have evaluated Lead Counsel's fee request by considering the quality
8 and amount of the work performed, the recovery obtained for the Settlement Class,
9 and the risks Lead Counsel bore in prosecuting this Action on behalf of myself and
10 the Settlement Class on a fully contingent basis, which included the fronting of all
11 expenses. I, on behalf of Turton, have authorized this fee request for the Court's
12 ultimate determination.

13 12. I further believe the out-of-pocket litigation expenses for which Lead
14 Counsel has requested reimbursement are reasonable, and represent costs and
15 expenses necessary for the prosecution and resolution of the claims in the Action.
16 Based on the foregoing, and consistent with my obligation to the Settlement Class to
17 obtain the best result at the most efficient cost, I, on behalf of Turton, fully support
18 Lead Counsel's motion for an award of attorneys' fees and reimbursement of
19 litigation expenses.

20 **B. Lead Plaintiff's Litigation-Related Costs And Expenses**

21 13. I understand that reimbursement of a class representative's reasonable
22 costs and expenses is authorized under the PSLRA, 15 U.S.C. § 78u-4(a)(4). For this
23 reason, in connection with Lead Counsel's request for reimbursement of Litigation
24 Expenses, I respectfully request reimbursement for the costs and expenses that Turton
25 incurred directly relating to its representation of the Settlement Class in the Action.

26 14. I have a J.D. from the University of Miami, and am a Partner with Criden
27 & Love, P.A., a law firm I founded in 2007. My billable rate is \$900 per hour. The
28 time I devoted to representing the Settlement Class in this Action was time that I

1 otherwise would have spent at working on behalf of Turton and, thus, represented a
2 cost to Turton. I respectfully request reimbursement in the amount of \$10,000 for the
3 time I devoted on behalf of Turton to participating in this Action. I make this request
4 based on the conservative estimate that I devoted approximately 11 hours in the
5 litigation-related activities described above. It is my belief that this request for
6 reimbursement is fair and reasonable and that the time and effort I devoted to this
7 litigation was necessary to help achieve a very favorable result for the Settlement
8 Class under the circumstances.

9 **IV. CONCLUSION**

10 15. In conclusion, I, on behalf of Turton, strongly endorse the Settlement as
11 fair, reasonable, and adequate. I appreciate the Court’s attention to the facts presented
12 in my declaration and respectfully request that the Court approve: (a) Lead Plaintiff’s
13 motion for final approval of the proposed Settlement and approval of the Plan of
14 Allocation; (b) Lead Counsel’s motion for an award of attorneys’ fees and
15 reimbursement of litigation expenses; and (c) Turton’s request for reimbursement of
16 the reasonable costs and expenses incurred in prosecuting the Action on behalf of the
17 Settlement Class.

18 I declare under penalty of perjury under the laws of the United States of
19 America that the foregoing is true and correct to the best of my knowledge.

20 Executed on 10/8/2024, in Miami, Florida.

21
22 *Michael Criden*

23 _____
24 Michael Criden
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EXHIBIT 2

1 Robert V. Prongay (SBN 270796)
2 Ex Kano S. Sams II (SBN 192936)
3 Raymond D. Sulentic (SBN 316913)
4 **GLANCY PRONGAY & MURRAY LLP**
5 1925 Century Park East, Suite 2100
6 Los Angeles, California 90067
7 Telephone: (310) 201-9150
8 Facsimile: (310) 201-9160
9 Email: info@glancylaw.com

10 *Counsel for Lead Plaintiff Turton Inc.*

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13 IVAN BARON, Individually and on
14 Behalf of All Others Similarly Situated,

Case No. 2:21-cv-06918-FWS-JC

15 Plaintiff,

Honorable Fred W. Slaughter

16 v.

17 HYRECAR INC., JOSEPH FURNARI
18 and ROBERT SCOTT BROGI,

Defendants.

19 **DECLARATION OF JOSEPHINE BRAVATA CONCERNING: (A)**
20 **MAILING/EMAILING OF NOTICE; (B) PUBLICATION OF THE**
21 **SUMMARY NOTICE; AND (C) REPORT ON REQUESTS FOR**
22 **EXCLUSION AND OBJECTIONS**

1 I, Josephine Bravata, declare as follows:

2 1. I am the Director of Quality Assurance at Strategic Claims Services
3 (“SCS”), a nationally recognized class action administration firm.¹ I have over twenty
4 years of experience specializing in the administration of class action cases. SCS was
5 established in April 1999 and has administered over five hundred and fifty (550) class
6 action cases since its inception. I have personal knowledge of the facts set forth
7 herein, and if called on to do so, I could and would testify competently thereto.

8 2. Pursuant to the Court’s Order Granting Lead Plaintiff’s Motion for
9 Preliminary Approval of Class Action Settlement, dated July 19, 2024 (ECF No. 128)
10 (the “Preliminary Approval Order”), SCS was appointed as the Claims Administrator
11 in the above-captioned Action. Among other things, SCS will administer the Court-
12 approved notice program, interface with Settlement Class Members, and process
13 Claims. I submit this declaration in order to provide the Court and the Parties with
14 information regarding the notice program, as well as updates concerning other aspects
15 of the Settlement administration process.

16 **MAILING/EMAILING OF NOTICE**

17 3. Pursuant to the Preliminary Approval Order, to provide actual notice to
18 those persons and entities that purchased or otherwise acquired publicly traded
19 common stock of HyreCar Inc. (“HyreCar”) during the period between May 13, 2021
20 and August 10, 2021, inclusive, SCS printed and mailed the Postcard Notice to
21 potential members of the Settlement Class. A true and correct copy of the Postcard
22 Notice is attached hereto as **Exhibit A**.

23 4. As in most class actions of this nature, the large majority of potential
24 Settlement Class Members are expected to be beneficial purchasers/owners whose
25 securities are held in “street name” — *i.e.*, the securities are purchased by brokerage
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27 ¹ All capitalized terms used herein that are not otherwise defined have the meanings
28 ascribed to them in the Stipulation and Agreement of Settlement, dated March 20,
2024 (ECF No. 121-1) (the “Stipulation”).

1 firms, banks, institutions, and other third-party nominees in the name of the nominee,
2 on behalf of the beneficial purchasers. The names and addresses of these beneficial
3 purchasers/owners are known only to the nominees. SCS maintains a proprietary
4 master list consisting of 1,039 banks and brokerage companies, as well as 1,266
5 mutual funds, insurance companies, pension funds, and money managers. On August
6 15, 2024, SCS caused a letter to be mailed or e-mailed to the 2,305 nominees on SCS
7 master mailing list. The letter notified the nominees of the Settlement and requested
8 that, within 7 calendar days from receipt of the letter, they either: (a) request from
9 SCS sufficient copies of the Postcard Notice to forward to all such beneficial
10 purchasers/owners and within seven (7) calendar days of receipt of those Postcard
11 Notices forward them to all such beneficial purchasers/owners; (b) request from SCS
12 a link to the Notice of (I) Pendency of Class Action and Proposed Settlement; (II)
13 Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and
14 Reimbursement of Litigation Expenses ("Notice") and Proof of Claim and Release
15 Form ("Claim Form") and, within seven (7) calendar days of receipt of the link from
16 SCS, email the link to all such beneficial purchasers/owners for whom valid email
17 addresses are available; or (c) send a list of the names, mailing addresses and email
18 addresses (to the extent available) of all such beneficial purchasers/owners to SCS at
19 *Ivan Baron v. HyreCar Inc., et al.*, c/o Strategic Claims Services, P.O. Box 230, Suite
20 205, Media, PA 19063, in which event SCS would promptly mail the Postcard Notice,
21 or email a link to the Notice and Claim Form, to such beneficial purchasers/owners.
22 To the extent a nominee chose to follow procedures (a) or (b), SCS requested that,
23 upon such mailing or emailing, the nominee send a statement to SCS confirming that
24 the mailing or emailing was made as directed. A copy of the letter sent to these
25 nominees is attached hereto as **Exhibit B**, and a copy of the Notice and Claim Form
26 are attached hereto as **Exhibit C**.

27 5. Following this mailing, SCS received 4,636 additional names and
28 addresses of potential Settlement Class Members from individuals or nominees

1 requesting that a Postcard Notice be mailed by SCS. SCS also received a request
2 from three nominees for 2,475 Postcard Notices so that the nominee could forward
3 them to their customers, and SCS was notified by one nominee that it mailed 124
4 Postcard Notices to its customers. To date, 7,235² Postcard Notices have been mailed
5 to potential Settlement Class Members.

6 6. Additionally, SCS was provided with three email addresses by Lead
7 Counsel and a nominee to email the link to the Notice and Claim Form, and SCS was
8 notified by one of the nominees that it emailed 6,634 of their customers to notify them
9 of this Settlement and provide the link to the Notice and Claim Form. To date, 6,637
10 emails have been sent to potential Settlement Class Members.

11 7. Accordingly, a total of 13,872 potential Settlement Class Members and
12 nominees were either mailed Postcard Notice or emailed the link to the Notice and
13 Claim Form.

14 8. SCS also sent the Depository Trust Company (“DTC”) a Notice and
15 Claim Form for the DTC to publish on its Legal Notice System (“LENS”) on August
16 16, 2024. LENS provides DTC participants the ability to search and download legal
17 notices as well as receive e-mail alerts based on particular notices or particular
18 CUSIPs once a legal notice is posted.

19 **PUBLICATION OF THE SUMMARY NOTICE**

20 9. Pursuant to the Preliminary Approval Order, the Summary Notice of (I)
21 Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing;
22 and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation
23 Expenses (“Summary Notice”) was published once in *Investor’s Business Daily* and
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26 ² Out of the 7,235 Postcard Notices mailed by SCS or a nominee, 86 were returned as
27 undeliverable. Of these, the United States Postal Service provided forwarding
28 addresses for six, and SCS immediately mailed another Postcard Notice to the updated
addresses. The remaining 80 Postcard Notices returned as undeliverable were “skip-
traced” to obtain updated addresses and 45 were re-mailed to updated addresses.

1 transmitted once over *the PR Newswire* on August 26, 2024, as shown in the
2 confirmations of publications attached hereto as **Exhibit D**.

3 **TOLL-FREE PHONE LINE**

4 10. SCS maintains a toll-free telephone number (1-866-274-4004) for
5 potential Settlement Class Members to call and obtain information about the
6 Settlement. Settlement Class Members may also request a Notice and Claim Form.
7 SCS has promptly responded to each telephone inquiry and will continue to address
8 Settlement Class Member inquiries.

9 **SETTLEMENT WEBSITE**

10 11. On August 15, 2024, SCS established a case-specific website dedicated
11 to the Settlement at www.HyreCarSecuritiesSettlement.com (“Settlement Website”).
12 The Settlement Website is accessible 24 hours a day, 7 days a week, allows for online
13 claim filing, and provides instructions and a claims filing template for institutional
14 investors. The Settlement Website contains a home page; an important documents
15 page with downloadable versions of the Notice, the Claim Form, the Postcard Notice,
16 the Preliminary Approval Order, and the Stipulation. To date, the Settlement Website
17 has received 2,526 pageviews from 985 unique users.

18 **REPORT ON EXCLUSIONS AND OBJECTIONS**

19 12. The Postcard Notice, Notice, Summary Notice, and Settlement Website
20 informed potential Settlement Class Members that written requests for exclusion are
21 to be mailed to SCS such that they are received no later than October 24, 2024. SCS
22 has monitored all mail delivered for this case. To date, SCS has not received any
23 exclusion requests.

24 13. The Postcard Notice, Notice, Summary Notice, and Settlement Website
25 further informed Settlement Class Members seeking to object to the Settlement, the
26 proposed Plan of Allocation or Lead Counsel’s motion for an award of attorneys’ fees
27 and reimbursement of Litigation Expenses, that objections must be filed with Lead
28 Counsel, Individual Defendants’ Counsel, as well as the Clerk of the Court, on or

1 before October 24, 2024. As of the date of this declaration, SCS has not been notified
2 of any objections or received any misdirected objections.

3 I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct.

5 Signed this 8th day of October 2024, in Media, Pennsylvania.

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8 Josephine Bravata

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Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
600 N. Jackson Street, Suite 205
Media, PA 19063

***COURT-ORDERED LEGAL
NOTICE***

**Important Notice about a Securities
Class Action Settlement.**

**You may be entitled to a CASH
payment. This Notice may affect
your legal rights. Please read it
carefully.**

*Ivan Baron v. HyreCar Inc. et al.,
Case No. 2:21-CV-06918-FWS-JC*

EXHIBIT A

**THIS CARD PROVIDES ONLY LIMITED INFORMATION ABOUT THE SETTLEMENT.
PLEASE VISIT WWW.HYRECARSECURITIESSETTLEMENT.COM FOR MORE INFORMATION.**

There has been a proposed Settlement of claims against Joseph Funari and Robert Scott Brogi (collectively, the "Individual Defendants"), former officers and/or a director of HyreCar Inc. ("HyreCar"). The Settlement would resolve a lawsuit in which the Lead Plaintiff alleges that the Individual Defendants disseminated materially false and misleading information to the investing public about HyreCar in violation of the federal securities laws. The Individual Defendants deny any wrongdoing. You received this Postcard Notice because you or someone in your family may have purchased or otherwise acquired the publicly traded common stock of HyreCar from May 13, 2021 through August 10, 2021, inclusive, and were damaged thereby.

The Settlement Amount is \$1.9 million. The Settlement provides that the Settlement Fund, after deduction of any Court-approved attorneys' fees and expenses, notice and administration costs, and taxes, is to be divided among all Settlement Class Members who submit a valid Claim Form, in exchange for the settlement of this case and the Releases by Settlement Class Members of claims related to this case. **For all details of the Settlement, including definitions of capitalized words in this notice, read the Stipulation and Agreement of Settlement and detailed Notice, available at www.HyreCarSecuritiesSettlement.com.**

Your share of the Settlement proceeds will depend on the number of valid Claims submitted, and the number, size and timing of your transactions in HyreCar common stock. If every eligible Settlement Class Member submits a valid Claim Form, the average recovery will be \$0.20 per eligible share before expenses and other Court-ordered deductions. Your award will be determined *pro rata* based on the number of claims submitted. This is further explained in the detailed Notice found on the Settlement website.

To qualify for payment, you must submit a Claim Form. The Claim Form can be found on the website www.HyreCarSecuritiesSettlement.com or will be mailed to you upon request to the Claims Administrator, Strategic Claims Services, at 866-274-4004. **Claim Forms must be filed online at www.HyreCarSecuritiesSettlement.com or postmarked by December 14, 2024 to the Claims Administrator.** If you do not want to be legally bound by the Settlement, you must exclude yourself by October 24, 2024, or you will not be able to sue the HyreCar, the Individual Defendants, or certain of their affiliates, directors, or officers about the legal claims in this case. If you exclude yourself, you cannot get money from this Settlement. If you want to object to the Settlement, you may file an objection by October 24, 2024. The detailed Notice explains how to submit a Claim Form, exclude yourself or object.

The Court will hold a hearing in this case on November 14, 2024, to consider whether to approve the Settlement and a request by the lawyers representing the Settlement Class for up to 33 $\frac{1}{3}$ % of the Settlement Fund in attorneys' fees, plus actual expenses up to \$163,500 for litigating the case and negotiating the Settlement, and reimbursement of Lead Plaintiff's costs and expenses related to its representation of the Settlement Class in an amount not to exceed \$10,000. You may attend the hearing and ask to be heard by the Court, but you do not have to. For more information, call the Claims Administrator toll-free at 866-274-4004 or visit the website at www.HyreCarSecuritiesSettlement.com and read the detailed Notice.

REQUEST FOR NAMES, EMAILS AND ADDRESSES OF CLASS MEMBERS

STRATEGIC CLAIMS SERVICES
600 N. JACKSON STREET, SUITE 205
MEDIA, PA 19063

PHONE: (610) 565-9202

EMAIL: info@strategicclaims.net

FAX: (610) 565-7985

August 15, 2024

This letter is being sent to all entities whose names have been made available to us, or which we believe may know of potential Settlement Class Members.

We request that you assist us in identifying any individuals/entities who fit the following description:

ALL PERSONS OR ENTITIES WHO PURCHASED OR ACQUIRED PUBLICLY TRADED COMMON STOCK OF HYRECAR INC. (“HYRECAR”) DURING THE PERIOD BETWEEN MAY 13, 2021 THROUGH AUGUST 10, 2021, BOTH DATES INCLUSIVE (“SETTLEMENT CLASS PERIOD”).

Excluded from the Settlement Class are: (a) persons who suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer and/or director of HyreCar during the Settlement Class Period, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of HyreCar; (iv) an entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settler of which is the benefit of an Individual Defendant and/or member(s) of their Immediate Families, (vi) Defendants’ liability insurance carries; and (vii) the legal representatives, heirs, successors, predecessors, and assigns of any person or entity excluded under provisions (i) through (vi) thereof.

The information below may assist you in finding the above requested information.

<i>Ivan Baron v. HyreCar Inc., et al.</i> Case No. 2:21-cv-06918-FWS-JC Exclusion Deadline: October 24, 2024 Objection Deadline: October 24, 2024 Settlement Hearing: November 14, 2024 Claim Filing Deadline: December 14, 2024	Cusip Number: 44916T107 ISIN: US44916T1079 SEDOL: BFZNZG9 Current Ticker Symbol: OTCMKTS: HYREQ Previous Ticker Symbol: HYRE
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PER COURT ORDER, PLEASE RESPOND WITHIN 7 CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

Please comply in one of the following ways:

1. If you have no beneficial purchasers/owners, please so advise us in writing; or
2. **Supply us with email addresses.** If email addresses are not available, provide us with names and last known addresses of your beneficial purchasers/owners and we will do the mailing of the Postcard Notice. Please provide this information electronically. If you are not able to do this, labels will be accepted, but it is important that a hardcopy list also be submitted of your clients; or
3. Advise us of how many beneficial purchasers/owners you have, and we will supply you with ample Postcard Notices to do the mailing. After the receipt of the postcards, you have seven (7) calendar days to mail them; or
4. Request a copy of the link to the Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (“Notice”) and Proof of Claim and Release Form (“Claim Form”) (collectively, the “Notice and Claim Form”) in electronic format and email the links to each of your beneficial purchases/owners within seven (7) calendar days.

You can bill us for any reasonable expenses actually incurred and **not to exceed:**

- **\$0.03 per Notice and Claim Form link emailed, OR**
- **\$0.03 per name, address and email address** if you are providing us the records, OR
- **\$0.03 per Postcard Notice mailed, plus postage at the current pre-sort rate used by the Claims Administrator** if you are requesting the Postcard Notice and performing the mailing.

All invoices must be received within 30 days of this letter.

You are on record as having been notified of the legal matter. A copy of the Notice and Claim Form and other important case-related documents are available on our website at www.HyreCarSecuritiesSettlement.com. You can also request a copy via email at info@strategicclaims.net.

Thank you for your prompt response.

Sincerely,

Claims Administrator
Ivan Baron v. HyreCar Inc., et al.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIAIVAN BARON, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

v.

HYRECAR INC., JOSEPH FURNARI and ROBERT
SCOTT BROGI,

Defendants.

Case No. 2:21-cv-06918-FWS-JC

Honorable Fred W. Slaughter

**NOTICE OF (I) PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT; (II) SETTLEMENT
FAIRNESS HEARING; AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF LITIGATION EXPENSES***A Federal Court authorized this Notice. This is not a solicitation from a lawyer.*

NOTICE OF PENDENCY OF CLASS ACTION: Please be advised that your rights may be affected by the above-captioned securities class action (the "Action") pending in the United States District Court for the Central District of California (the "Court"), if, during the period between May 13, 2021 through August 10, 2021, both dates inclusive (the "Settlement Class Period"), you purchased or otherwise acquired publicly traded common stock of HyreCar Inc. ("HyreCar" or the "Company") and were damaged thereby.¹

NOTICE OF SETTLEMENT: Please also be advised that the Court-appointed Lead Plaintiff, Turton Inc. ("Lead Plaintiff"), on behalf of itself and the Settlement Class (as defined in ¶ 27 below), has reached a proposed settlement of the Action for \$1,900,000.00 in cash that, if approved, will resolve all claims in the Action (the "Settlement").

PLEASE READ THIS NOTICE CAREFULLY. This Notice explains important rights you may have, including the possible receipt of cash from the Settlement. If you are a member of the Settlement Class, your legal rights will be affected whether or not you act.

If you have any questions about this Notice, the proposed Settlement, or your eligibility to participate in the Settlement, please DO NOT contact HyreCar, any of the Defendants in the Action, or their counsel. All questions should be directed to Lead Counsel or the Claims Administrator (see ¶ 88 below).

1. **Description of the Action and the Settlement Class:** This Notice relates to a proposed Settlement of claims in a pending securities class action brought by investors alleging, among other things, that defendant HyreCar (prior to its bankruptcy), Joseph Furnari and Robert Scott Brogi (collectively, "Defendants")² violated the federal securities laws by making false and misleading statements regarding HyreCar. A more detailed description of the Action is set forth in paragraphs 11-26 below. The proposed Settlement, if approved by the Court, will settle claims of the Settlement Class, as defined in paragraph 27 below.

2. **Statement of the Settlement Class's Recovery:** Subject to Court approval, Lead Plaintiff, on behalf of himself and the Settlement Class, has agreed to settle the Action in exchange for a settlement payment of \$1,900,000.00 in cash (the "Settlement Amount") to be deposited into an escrow account. The Net Settlement Fund (*i.e.*, the Settlement Amount plus any and all interest earned thereon (the "Settlement Fund") less (a) any Taxes, (b) any Notice and Administration Costs, (c) any Litigation Expenses awarded by the Court, and (d) any attorneys' fees awarded by the Court) will be distributed in accordance with a plan of allocation that is approved by the Court, which will determine how the Net Settlement Fund shall be allocated among members of the Settlement Class. The proposed plan of allocation (the "Plan of Allocation") is set forth on pages 9-12 below.

¹ All capitalized terms used in this Notice that are not otherwise defined herein shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated March 20, 2024 (the "Stipulation"), which is available at www.HyreCarSecuritiesSettlement.com.

² Defendants Furnari and Brogi are collectively referred to herein as the "Individual Defendants." The term "Parties" means the Individual Defendants and the Lead Plaintiff.

3. **Estimate of Average Amount of Recovery Per Share:** Based on Lead Plaintiff’s damages expert’s estimates of the number of shares of HyreCar common stock purchased during the Settlement Class Period that may have been affected by the conduct at issue in the Action, and assuming that all Settlement Class Members elect to participate in the Settlement, Lead Plaintiff estimates an average recovery (before the deduction of any Court-approved fees, expenses and costs as described herein) per eligible security is \$0.20. Settlement Class Members should note, however, that the foregoing average recovery per share is only an estimate. Some Settlement Class Members may recover more or less than this estimated amount depending on, among other factors, the number of shares of HyreCar common stock they purchased, when and at what prices they purchased/acquired or sold their HyreCar common stock, and the total number of valid Claim Forms submitted. Distributions to Settlement Class Members will be made based on the Plan of Allocation set forth herein (*see* pages 9-12 below) or such other plan of allocation as may be ordered by the Court.

4. **Average Amount of Damages Per Share:** The Parties do not agree on the average amount of damages per share or the amount that would be recoverable if Lead Plaintiff was to prevail in the Action. Among other things, the Individual Defendants do not agree with the assertion that they violated the federal securities laws or that any damages were suffered by any members of the Settlement Class as a result of their conduct.

5. **Attorneys’ Fees and Expenses Sought:** Plaintiff’s Counsel, which have been prosecuting the Action on a wholly contingent basis since its inception in 2021, have not received any payment of attorneys’ fees for their representation of the Settlement Class and have advanced the funds to pay expenses necessarily incurred to prosecute this Action. Court-appointed Lead Counsel, Glancy Prongay & Murray LLP, will apply to the Court for an award of attorneys’ fees for all Plaintiff’s Counsel in an amount not to exceed 33⅓% of the Settlement Fund. In addition, Lead Counsel will apply for reimbursement of litigation costs and expenses paid or incurred in connection with the institution, prosecution and resolution of the claims against the Defendants, in an amount not to exceed \$163,500, and an application for reimbursement of the reasonable costs and expenses incurred by Lead Plaintiff directly related to its representation of the Settlement Class in an amount not to exceed \$10,000. Any fees and expenses awarded by the Court will be paid from the Settlement Fund. Settlement Class Members are not personally liable for any such fees or expenses. Estimates of the average cost per affected share of HyreCar common stock, if the Court approves Lead Counsel’s fee and expense application, is \$0.08 per eligible share.

6. **Identification of Attorneys’ Representatives:** Lead Plaintiff and the Settlement Class are represented by Ex Kano Sams II, Esq. of Glancy Prongay & Murray LLP, 1925 Century Park East, Suite 2100, Los Angeles, CA 90067, (310) 201-9150, settlements@glancylaw.com.

7. **Reasons for the Settlement:** Lead Plaintiff’s principal reason for entering into the Settlement is the substantial immediate cash benefit for the Settlement Class without the risk or the delays inherent in further litigation. Moreover, the substantial cash benefit provided under the Settlement must be considered against the significant risk that a smaller recovery – or indeed no recovery at all – might be achieved after contested motions, a trial of the Action and the likely appeals that would follow a trial. This process could be expected to last several years. Individual Defendants, who deny all allegations of wrongdoing or liability whatsoever, are entering into the Settlement solely to eliminate the uncertainty, burden and expense of further protracted litigation.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
SUBMIT A CLAIM FORM ONLINE OR POSTMARKED NO LATER THAN DECEMBER 14, 2024.	This is the only way to be eligible to receive a payment from the Settlement Fund. If you are a Settlement Class Member and you remain in the Settlement Class, you will be bound by the Settlement as approved by the Court and you will give up any Released Plaintiff’s Claims (defined in ¶ 35 below) that you have against the Individual Defendants and the other Released Defendants’ Parties (defined in ¶ 36 below), so it is in your interest to submit a Claim Form.
EXCLUDE YOURSELF FROM THE SETTLEMENT CLASS BY SUBMITTING A WRITTEN REQUEST FOR EXCLUSION SO THAT IT IS RECEIVED NO LATER THAN OCTOBER 24, 2024.	If you exclude yourself from the Settlement Class, you will not be eligible to receive any payment from the Settlement Fund. This is the only option that allows you ever to be part of any other lawsuit against the Individual Defendants or the other Released Defendants’ Parties concerning the Released Plaintiff’s Claims.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
OBJECT TO THE SETTLEMENT BY SUBMITTING A WRITTEN OBJECTION SO THAT IT IS RECEIVED NO LATER THAN OCTOBER 24, 2024.	If you do not like the proposed Settlement, the proposed Plan of Allocation, or the request for attorneys’ fees and reimbursement of Litigation Expenses, you may write to the Court and explain why you do not like them. You cannot object to the Settlement, the Plan of Allocation or the fee and expense request unless you are a Settlement Class Member and do not exclude yourself from the Settlement Class.
GO TO A HEARING ON NOVEMBER 14, 2024 AT 10:00 A.M., AND FILE A NOTICE OF INTENTION TO APPEAR SO THAT IT IS RECEIVED NO LATER THAN OCTOBER 24, 2024.	Filing a written objection and notice of intention to appear by October 24, 2024 allows you to speak in Court, at the discretion of the Court, about the fairness of the proposed Settlement, the Plan of Allocation, and/or the request for attorneys’ fees and reimbursement of Litigation Expenses. If you submit a written objection, you may (but you do not have to) attend the hearing and, at the discretion of the Court, speak to the Court about your objection.
DO NOTHING.	If you are a member of the Settlement Class and you do not submit a valid Claim Form, you will not be eligible to receive any payment from the Settlement Fund. You will, however, remain a member of the Settlement Class, which means that you give up your right to sue about the claims that are resolved by the Settlement and you will be bound by any judgments or orders entered by the Court in the Action.

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WHY DID I GET THE POSTCARD NOTICE?

8. The Court directed that the Postcard Notice be mailed to you because you or someone in your family or an investment account for which you serve as a custodian may have purchased or otherwise acquired publicly traded HyreCar common stock during the Settlement Class Period. The Court also directed that this Notice be posted online at www.HyreCarSecuritiesSettlement.com and mailed to you upon request to the Claims Administrator. The Court has directed us to disseminate these notices because, as a potential Settlement Class Member, you have a right to know about your options before the Court rules on the proposed Settlement. Additionally, you have the right to understand how this class action lawsuit may generally affect your legal rights. If the Court approves the Settlement, and the Plan of Allocation (or some other plan of allocation), the claims administrator selected by Lead Plaintiff and approved by the Court will make payments pursuant to the Settlement after any objections and appeals are resolved.

9. The purpose of this Notice is to inform you of the existence of this case, that it is a class action, how you might be affected, and how to exclude yourself from the Settlement Class if you wish to do so. It is also being sent to inform you of the terms of the proposed Settlement, and of a hearing to be held by the Court to consider the fairness, reasonableness, and adequacy of the Settlement, the proposed Plan of Allocation and the motion by Lead Counsel for an award of attorneys' fees and reimbursement of Litigation Expenses (the "Settlement Hearing"). See paragraphs 76-77 below for details about the Settlement Hearing, including the date and location of the hearing.

10. The issuance of this Notice is not an expression of any opinion by the Court concerning the merits of any claim in the Action, and the Court still has to decide whether to approve the Settlement. If the Court approves the Settlement and a plan of allocation, then payments to Authorized Claimants will be made after any appeals are resolved and after the completion of all claims processing. Please be patient, as this process can take some time to complete.

WHAT IS THIS CASE ABOUT?

11. This litigation stems from alleged violations of the federal securities laws. The alleged violations arise out of various statements the Defendants allegedly made which Lead Plaintiff alleged were false and/or misleading. These alleged false statements concerned whether Defendants understated HyreCar's insurance reserve expense and liability, which, in turn, overstated HyreCar's earnings. Lead Plaintiff also alleged that the Individual Defendants also made opportunistic sales of HyreCar stock while it was artificially inflated following such allegedly false or misleading statements.

12. The procedural history of this Action follows below.

13. On August 27, 2021, a class action complaint was filed in the United States District Court for the Central District of California, styled *Ivan Baron v. HyreCar Inc., et al.*, Case No. 2:21-cv-06918.

14. Shortly thereafter, on October 25, 2021, Turton Inc. moved to be appointed lead plaintiff, which the Court granted by an Order dated November 19, 2021. At the same time, the Court approved Lead Plaintiff's selection of Glancy Prongay & Murray LLP as Lead Counsel for the putative class.

15. Following its appointment as Lead Plaintiff and Lead Counsel, Lead Counsel conducted an in-depth investigation into HyreCar and the Defendants and, on December 3, 2021, Lead Plaintiff filed and served its 75-page (257-paragraph) Amended Complaint (the "Amended Complaint"). The Individual Defendants take no position on the depth or scope of Lead Plaintiff's investigation.

16. Among other things, the Amended Complaint alleged that Defendants made materially false and misleading statements by understating HyreCar's insurance reserve expense and liability, which, in turn, overstated HyreCar's earnings. Lead Plaintiff alleged that this expense suppression scheme was enabled by close coordination between Defendants and a conflicted third party. According to the Amended Complaint, the alleged misrepresentations proximately caused class member losses when the truth was revealed.

17. In response to the filing of the Amended Complaint, the Defendants asked the Court to dismiss Lead Plaintiff's case in a motion to dismiss, which was filed on December 27, 2021. Lead Plaintiff opposed the Defendants' motion to dismiss, and Defendants filed reply papers. On February 16, 2022, the Court granted Defendants' motion to dismiss in a written opinion. See ECF No. 74; *Baron v. HyreCar Inc.*, No. 21-cv-6918 PA (JCX), 2022 WL 2102993 (C.D. Cal. Feb. 16, 2022) ("*Baron I*").

18. Following the Court's dismissal, Lead Plaintiff continued its investigation and sought to address the perceived pleading deficiencies identified by *Baron I*. To that end, Lead Plaintiff filed its 53-page (200-paragraph) Second Amended Complaint, or "SAC", on March 21, 2022.

19. While Lead Plaintiff felt the SAC addressed the issues raised by the Court in *Baron I*, Defendants filed another motion to dismiss on April 4, 2022, which Lead Plaintiff opposed on April 18, 2022. Two days after Lead Plaintiff filed its opposition to Defendants' then pending motion to dismiss, the Action was reassigned from Judge Percy Anderson to Judge Fred W. Slaughter. Five days later, Defendants filed their reply brief and the motion to dismiss was fully briefed.

20. On December 5, 2022, the Court denied Defendants' motion to dismiss. See ECF No. 94; *Baron v. HyreCar Inc.*, No. 2:21-CV-06918-FWS-JC, 2022 WL 17413562 (C.D. Cal. Dec. 5, 2022).

21. Following the denial of Defendants' second motion to dismiss the case entered discovery until March 2, 2023, when HyreCar filed a Notice of Bankruptcy Filing with the Court, informing the Court and the Parties that the Company filed for Chapter 11 bankruptcy protection on February 24, 2023. That notice resulted in the Court issuing an order staying the proceedings, pending HyreCar's bankruptcy, as is typical when corporations file for bankruptcy.

22. Notwithstanding the bankruptcy stay as to HyreCar, Lead Plaintiff sought to engage with the Individual Defendants to preserve what limited resources may have been available to fund a possible settlement. To that end, on September 27, 2023,

Lead Plaintiff and the Individual Defendants held a virtual mediation session that was overseen by a well-respected mediator of complex actions, Jed Melnick, Esq. of JAMS. No settlement agreement was reached at the mediation.

23. Lead Plaintiff and the Individual Defendants continued to work towards a settlement with the assistance of Mr. Melnick. These negotiations culminated in a recommendation by Mr. Melnick that Lead Plaintiff and the Individual Defendants settle the Action for a \$1,900,000.00 cash payment to the Settlement Class, in return for a release of the Settlement Class's claims against the Defendants and various affiliates and former officers and directors. On November 2, 2023, Lead Plaintiff and the Individual Defendants accepted Mr. Melnick's recommendation.

24. Based on the investigation and mediation of the case and Lead Plaintiff's direct oversight of the prosecution of this matter and with the advice of its counsel, Lead Plaintiff has agreed to settle and release the claims raised in the Action pursuant to the terms and provisions of the Stipulation, after considering, among other things, (a) the substantial financial benefit that Lead Plaintiff and the other members of the Settlement Class will receive under the proposed Settlement; (b) HyreCar's bankruptcy and the limited assets and insurance available to fund a settlement or judgment; and (c) the significant risks and costs of continued litigation and trial.

25. The Individual Defendants are entering into the Stipulation solely to eliminate the uncertainty, burden and expense of further protracted litigation. Each Individual Defendant denies any wrongdoing, and the Stipulation shall in no event be construed or deemed to be evidence of or an admission or concession on the part of either of the Individual Defendants, or any other of the Released Defendants' Parties (defined in ¶ 36 below), with respect to any claim or allegation of any fault or liability or wrongdoing or damage whatsoever, or any infirmity in the defenses that the Defendants have, or could have, asserted. Similarly, the Stipulation shall in no event be construed or deemed to be evidence of or an admission or concession on the part of Lead Plaintiff of any infirmity in any of the claims asserted in the Action, or an admission or concession that any of the Individual Defendants' defenses to liability had any merit.

26. On July 19, 2024, the Court preliminarily approved the Settlement, authorized the Postcard Notice to be mailed to potential Settlement Class Members and this Notice to be posted online and mailed to potential Settlement Class Members upon request, and scheduled the Settlement Hearing to consider whether to grant final approval to the Settlement.

**HOW DO I KNOW IF I AM AFFECTED BY THE SETTLEMENT?
WHO IS INCLUDED IN THE SETTLEMENT CLASS?**

27. If you are a member of the Settlement Class, you are subject to the Settlement, unless you timely request to be excluded. The Settlement Class consists of:

all persons and entities that purchased or otherwise acquired the publicly traded common stock of HyreCar Inc. from May 13, 2021 through August 10, 2021, both dates inclusive (the "Settlement Class Period"), and were damaged thereby.

Excluded from the Settlement Class are: (a) persons who suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer and/or director of HyreCar during the Settlement Class Period, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of HyreCar; (iv) any entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settler or which is for the benefit of an Individual Defendant and/or member(s) of their Immediate Families; (vi) Defendants' liability insurance carriers; and (vii) the legal representatives, heirs, successors, predecessors, and assigns of any person or entity excluded under provisions (i) through (vi) hereof. Also excluded from the Settlement Class are any persons and entities who or which submit a request for exclusion from the Settlement Class in accordance with the requirements set forth in this Notice. *See* "What If I Do Not Want To Be A Member Of The Settlement Class? How Do I Exclude Myself," on page 12 below.

PLEASE NOTE: RECEIPT OF THE POSTCARD NOTICE DOES NOT MEAN THAT YOU ARE A SETTLEMENT CLASS MEMBER OR THAT YOU WILL BE ENTITLED TO RECEIVE PROCEEDS FROM THE SETTLEMENT.

If you are a Settlement Class Member and you wish to be eligible to participate in the distribution of proceeds from the Settlement, you are required to submit the Claim Form that is available online at www.HyreCarSecuritiesSettlement.com or which can be mailed to you upon request to the Claims Administrator, and the required supporting documentation as set forth therein, online or postmarked no later than December 14, 2024.

WHAT ARE LEAD PLAINTIFF'S REASONS FOR THE SETTLEMENT?

28. Lead Plaintiff and Lead Counsel believe that the claims asserted against the Individual Defendants have merit. But, in their judgment, the risks and expense of continued litigation substantially outweigh the likely benefit, if any, of continued litigation. Such risks include, for example, significant delay as a result of HyreCar's bankruptcy, risks to prevailing on the merits of Lead Plaintiff's claims, risk to proving loss causation, summary judgment, trial and appellate risks, and, even if such risks could be overcome, the risk of collecting from the Individual Defendants and the depleting insurance coverage. In light of these risks, the amount of the settlement and the immediacy of recovery to the Settlement Class, Lead Plaintiff and Lead Counsel believe that the proposed Settlement, namely \$1,900,000 in cash, less the various deductions described in this Long Notice, is fair, reasonable and adequate, and in the best interests of the Settlement Class. Indeed, had the litigation continued, Lead Plaintiff and Lead Counsel believe there is a substantial risk that the claims in the Action would produce a smaller recovery, or no recovery at all, after class certification, summary judgment, trial and appeals, many years in the future.

29. The Individual Defendants have denied the claims asserted against them in the Action and deny having engaged in any wrongdoing or violation of law of any kind whatsoever. The Individual Defendants have agreed to the Settlement solely to eliminate the burden and expense of continued litigation. Accordingly, the Settlement may not be construed as an admission of any wrongdoing by the Individual Defendants.

WHAT MIGHT HAPPEN IF THERE WERE NO SETTLEMENT?

30. If there were no Settlement and Lead Plaintiffs failed to establish any essential legal or factual element of their claims against Individual Defendants, neither Lead Plaintiff nor the other members of the Settlement Class would recover anything from Defendants. Also, if Individual Defendants were successful in proving any of their defenses, either at summary judgment, at trial or on appeal, the Settlement Class could recover substantially less than the amount provided in the Settlement, or nothing at all.

HOW ARE SETTLEMENT CLASS MEMBERS AFFECTED BY THE ACTION AND THE SETTLEMENT?

31. As a Settlement Class Member, you are represented by Lead Plaintiff and Lead Counsel, unless you enter an appearance through counsel of your own choice at your own expense. You are not required to retain your own counsel, but if you choose to do so, such counsel must file a notice of appearance on your behalf and must serve copies of his or her appearance on the attorneys listed in the section entitled, "When And Where Will The Court Decide Whether To Approve The Settlement?," on page 13 below.

32. If you are a Settlement Class Member and do not wish to remain a Settlement Class Member, you may exclude yourself from the Settlement Class by following the instructions in the section entitled, "What If I Do Not Want To Be A Member Of The Settlement Class? How Do I Exclude Myself?," on page 12 below.

33. If you are a Settlement Class Member and you wish to object to the Settlement, the Plan of Allocation, or Lead Counsel's application for attorneys' fees and reimbursement of Litigation Expenses, and if you do not exclude yourself from the Settlement Class, you may present your objections by following the instructions in the section entitled, "When And Where Will The Court Decide Whether To Approve The Settlement?," below.

34. If you are a Settlement Class Member and you do not exclude yourself from the Settlement Class, you will be bound by any orders issued by the Court. If the Settlement is approved, the Court will enter a judgment (the "Judgment"). The Judgment will dismiss with prejudice the claims against the Individual Defendants and will provide that, upon the Effective Date of the Settlement, Lead Plaintiff and the other members of the Settlement Class, on behalf of themselves, and on behalf of any other person or entity legally entitled to bring Released Plaintiff's Claims (as defined in ¶ 35 below) on behalf of the respective Settlement Class Member in such capacity only, shall be deemed to have, and by operation of law and of the judgment shall have, fully, finally and forever compromised, settled, released, resolved, relinquished, waived and discharged each and every Released Plaintiff's Claim against the Individual Defendants and the other Released Defendants' Parties (as defined in ¶ 36 below), and shall forever be barred and enjoined from prosecuting any or all of the Released Plaintiff's Claims against any of the Released Defendants' Parties.

35. "Released Plaintiff's Claims" means all claims and causes of action of every nature and description, whether known claims or Unknown Claims, whether arising under federal, state, common or foreign law, that Lead Plaintiff or any other member of the Settlement Class: (i) asserted in the Second Amended Complaint for Violations of the Federal Securities Laws; or (ii) could have asserted in any forum that arise out of or are based upon the allegations, transactions, facts, matters or

occurrences, representations or omissions involved, set forth, or referred to in the Complaint and that relate to the purchase and/or acquisition of publicly traded HyreCar common stock during the Settlement Class Period. Released Plaintiff's Claims do not include: (i) any claims relating to the enforcement of the Settlement; (ii) any derivative claims of the type asserted in the draft but unfiled action captioned *Allen J. Wiesenfeld, derivatively on behalf of HyreCar, Inc. v. Joseph Furnari, et al.*; (iii) any claims belonging to any bankruptcy trustee for HyreCar or HC Liquidating including claims for breach of fiduciary duty; and (iv) any claims of any person or entity who or which submits a request for exclusion that is accepted by the Court.

36. "Released Defendants' Parties" means: (i) the Individual Defendants; (ii) the Immediate Family members of the Individual Defendants; (iii) HyreCar; (iv) direct or indirect parent entities, subsidiaries, related entities, and affiliates of HyreCar; (v) the D&O Insurers; (vi) any trust of which any Individual Defendant is the settler or which is for the benefit of any Individual Defendant and/or his or her immediate family members; (vii) for any of the entities listed in parts (i) through (vi), their respective past and present general partners, limited partners, principals, shareholders, joint venturers, officers, directors, managers, managing directors, supervisors, employees, contractors, consultants, experts, auditors, accountants, financial advisors, insurers, trustees, trustors, agents, attorneys, predecessors, successors, assigns, heirs, executors, administrators, and any controlling person thereof; and (viii) any entity in which an Individual Defendant has a controlling interest; all in their capacities as such.

37. "Unknown Claims" means any Released Plaintiff's Claims which Lead Plaintiff, any other Settlement Class Member, or any other person or entity legally entitled to bring Released Plaintiff's Claims on behalf of any Settlement Class Member in such capacity only, does not know or suspect to exist in his, her or its favor at the time of the release of such claims, and any Released Defendants' Claims which any Individual Defendant, or any other person or entity legally entitled to bring Released Defendants' Claims on behalf of the Individual Defendants in such capacity only, does not know or suspect to exist in his, her, or its favor at the time of the release of such claims, which, if known by him, her or it, might have affected his, her or its decision(s) with respect to this Settlement. With respect to any and all Released Claims, the Parties stipulate and agree that, upon the Effective Date of the Settlement, Lead Plaintiff and Individual Defendants shall expressly waive, and each of the other Settlement Class Members and each of the other releasing parties shall be deemed to have waived, and by operation of the Judgment or the Alternate Judgment, if applicable, 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 or foreign law, which is similar, comparable, or equivalent to California Civil Code §1542, which provides:

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

Lead Plaintiff and the Individual Defendants acknowledge, and each of the other releasing parties shall be deemed by operation of law to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the Settlement.

38. The Judgment will also provide that, upon the Effective Date of the Settlement, the Individual Defendants, and any person or entity that can assert claims on their behalf, in such capacity only, shall be deemed to have, and by operation of law and of the judgment shall have, fully, finally and forever compromised, settled, released, resolved, relinquished, waived and discharged each and every Released Defendants' Claim (as defined in ¶ 39 below) against Lead Plaintiff and the other Released Plaintiff's Parties (as defined in ¶ 40 below), and shall forever be barred and enjoined from prosecuting any or all of the Released Defendants' Claims against any of the Released Plaintiff's Parties

39. "Released Defendants' Claims" means all claims and causes of action of every nature and description, whether known claims or Unknown Claims, whether arising under federal, state, common or foreign law, that arise out of or are based upon the institution, prosecution, or settlement of the claims asserted in the Action. Released Defendants' Claims do not include any claims relating to the enforcement of the Settlement or any claims against any person or entity who or which submits a request for exclusion from the Settlement Class that is accepted by the Court.

40. "Released Plaintiff's Parties" means (i) Lead Plaintiff, all Settlement Class members, any other plaintiffs in the Action, Lead Plaintiff's Counsel, any other counsel for plaintiffs in the Action, and (ii) each of their respective family members, and their respective partners, general partners, limited partners, principals, shareholders, joint venturers, members, officers, directors, managing directors, supervisors, employees, contractors, consultants, experts, auditors, accountants, financial advisors, insurers, trustees, trustors, agents, attorneys, predecessors, successors, assigns, heirs, executors, administrators, and any controlling person thereof; all in their capacities as such.

HOW DO I PARTICIPATE IN THE SETTLEMENT? WHAT DO I NEED TO DO?

41. To be eligible for a payment from the proceeds of the Settlement, you must be a member of the Settlement Class and you must timely complete and return the Claim Form with adequate supporting documentation **postmarked no later than December 14, 2024 to the Claims Administrator at the address in paragraph 88 below, or file a claim online at**

www.HyreCarSecuritiesSettlement.com, no later than December 14, 2024. A Claim Form is available on the website maintained by the Claims Administrator for the Settlement, www.HyreCarSecuritiesSettlement.com, or you may request that a Claim Form be mailed to you by calling the Claims Administrator toll free at 866-274-4004. Please retain all records of your ownership of and transactions in HyreCar common stock, as they may be needed to document your Claim. If you request exclusion from the Settlement Class or do not submit a timely and valid Claim Form, you will not be eligible to share in the Net Settlement Fund.

HOW MUCH WILL MY PAYMENT BE?

42. At this time, it is not possible to make any determination as to how much any individual Settlement Class Member may receive from the Settlement.

43. Pursuant to the Settlement, the Individual Defendants have agreed to cause their D&O Insurers to pay one million nine hundred thousand dollars (\$1,900,000.00) in cash. The Settlement Amount will be deposited into an escrow account. The Settlement Amount plus any interest earned thereon is referred to as the “Settlement Fund.” If the Settlement is approved by the Court and the Effective Date occurs, the “Net Settlement Fund” (that is, the Settlement Fund less (a) all federal, state and/or local taxes on any income earned by the Settlement Fund and the reasonable costs incurred in connection with determining the amount of and paying taxes owed by the Settlement Fund (including reasonable expenses of tax attorneys and accountants); (b) the costs and expenses incurred in connection with providing notice to Settlement Class Members and administering the Settlement on behalf of Settlement Class Members; and (c) any attorneys’ fees and Litigation Expenses awarded by the Court) will be distributed to Settlement Class Members who submit valid Claim Forms, in accordance with the proposed Plan of Allocation or such other plan of allocation as the Court may approve.

44. The Net Settlement Fund will not be distributed unless and until the Court has approved the Settlement and a plan of allocation, and the time for any petition for rehearing, appeal or review, whether by certiorari or otherwise, has expired.

45. Neither the Individual Defendants nor any other person or entity that paid any portion of the Settlement Amount on their behalf are entitled to get back any portion of the Settlement Fund once the Court’s order or judgment approving the Settlement becomes Final. The Individual Defendants shall not have any liability, obligation or responsibility for the administration of the Settlement, the disbursement of the Net Settlement Fund or the plan of allocation.

46. Approval of the Settlement is independent from approval of a plan of allocation. Any determination with respect to a plan of allocation will not affect the Settlement, if approved.

47. Unless the Court otherwise orders, any Settlement Class Member who fails to submit a Claim Form online or postmarked on or before December 14, 2024 shall be fully and forever barred from receiving payments pursuant to the Settlement but will in all other respects remain a Settlement Class Member and be subject to the provisions of the Stipulation, including the terms of any Judgment entered and the releases given. This means that each Settlement Class Member releases the Released Plaintiff’s Claims (as defined in ¶ 35 above) against the Released Defendants’ Parties (as defined in ¶ 36 above) and will be enjoined and prohibited from filing, prosecuting, or pursuing any of the Released Plaintiff’s Claims against any of the Released Plaintiff’s Parties whether or not such Settlement Class Member submits a Claim Form.

48. Participants in and beneficiaries of a plan covered by ERISA (“ERISA Plan”) should NOT include any information relating to their transactions in HyreCar common stock held through the ERISA Plan in any Claim Form that they may submit in this Action. They should include ONLY those shares that they purchased or acquired outside of the ERISA Plan. Claims based on any ERISA Plan’s purchases or acquisitions of HyreCar common stock during the Settlement Class Period may be made by the plan’s trustees. To the extent any of the Individual Defendants or any of the other persons or entities excluded from the Settlement Class are participants in the ERISA Plan, such persons or entities shall not receive, either directly or indirectly, any portion of the recovery that may be obtained from the Settlement by the ERISA Plan.

49. The Court has reserved jurisdiction to allow, disallow, or adjust on equitable grounds the Claim of any Settlement Class Member.

50. Each Claimant shall be deemed to have submitted to the jurisdiction of the Court with respect to his, her or its Claim Form.

51. Only Settlement Class Members, *i.e.*, persons and entities who purchased or otherwise acquired HyreCar common stock during the Settlement Class Period and were damaged as a result of such purchases or acquisitions will be eligible to share in the distribution of the Net Settlement Fund. Persons and entities that are excluded from the Settlement Class by definition or that exclude themselves from the Settlement Class pursuant to request will not be eligible to receive a distribution from the Net Settlement Fund and should not submit Claim Forms.

PROPOSED PLAN OF ALLOCATION

52. The objective of the Plan of Allocation is to equitably distribute the Settlement proceeds to those Settlement Class Members who suffered economic losses as a proximate result of the alleged wrongdoing. The calculations made pursuant to the Plan of Allocation are not intended to be estimates of, nor indicative of, the amounts that Settlement Class Members might have been able to recover after a trial. Nor are the calculations pursuant to the Plan of Allocation intended to be estimates of the amounts that will be paid to Authorized Claimants pursuant to the Settlement. The computations under the Plan of Allocation are only a method to weigh the claims of Authorized Claimants against one another for the purposes of making *pro rata* allocations of the Net Settlement Fund.

53. The Plan of Allocation generally measures the amount of loss that a Settlement Class Member can claim for purposes of making *pro rata* allocations of the cash in the Net Settlement Fund to Authorized Claimants. The Plan of Allocation is not a formal damage analysis. Recognized Loss Amounts, as defined below, are based primarily on the price declines observed over the period which plaintiffs allege corrective information was entering the marketplace. In the Action, Lead Plaintiff alleges that the Defendants made false statements and omitted material facts during the Settlement Class Period (*i.e.*, May 13, 2021 through August 10, 2021, inclusive) which had the effect of artificially inflating the price of HyreCar common stock.³ The estimated alleged artificial inflation in the price of HyreCar common stock during the Settlement Class Period is reflected in Table 1 below. The computation of the estimated alleged artificial inflation in the price of HyreCar common stock during the Settlement Class Period is based on certain misrepresentations alleged by Lead Plaintiff and the price change in the stock, net of market- and industry-wide factors, in reaction to the public announcements that allegedly corrected the misrepresentations alleged by Lead Plaintiff. The Individual Defendants take no position on, and played no role in developing, the Plan of Allocation or Recognized Loss Amount.

54. In order to have recoverable damages, disclosures correcting the alleged misrepresentations must be the cause of the decline in the price of HyreCar common stock. In the Action, Lead Plaintiff alleges that a corrective disclosure removed the artificial inflation from the price of HyreCar common stock on August 11, 2021 (the “Corrective Disclosure Date”). Accordingly, in order to have a Recognized Loss Amount, HyreCar common stock must have been purchased or acquired during the Settlement Class Period and held through the Corrective Disclosure Date.

55. To the extent a Claimant does not satisfy the conditions set forth in the preceding paragraph, his, her or its Recognized Loss Amount for those transactions will be zero.

Table 1		
Artificial Inflation in HyreCar Common Stock*		
From	To	Per-Share Price Inflation
May 13, 2021	May 13, 2021 ⁴	\$0.00
May 14, 2021	August 10, 2021	\$9.42
August 11, 2021	Thereafter	\$0.00

* For each day during the Settlement Class Period, the artificial inflation in HyreCar common stock shall be limited to that day’s closing price for the stock.

56. The “90-day look back” provision of the Private Securities Litigation Reform Act of 1995 (“PSLRA”) is incorporated into the calculation of the Recognized Loss Amount for HyreCar common stock. The limitations on the calculation of the Recognized Loss Amount imposed by the PSLRA are applied such that losses on HyreCar common stock purchased during the Settlement Class Period and held as of the close of the 90-day period subsequent to the Settlement Class Period (the “90-Day Lookback Period”) cannot exceed the difference between the purchase price paid for such stock and its average price during the 90-Day Lookback Period. The Recognized Loss Amount on HyreCar common stock purchased during the Settlement Class Period and sold during the 90-Day Lookback Period cannot exceed the difference between the purchase price paid for such stock and its rolling average price during the portion of the 90-Day Lookback Period elapsed as of the date of sale.

57. In the calculations below, all purchase and sale prices shall exclude any fees, taxes and commissions. If a Recognized Loss Amount is calculated to be a negative number, that Recognized Loss Amount shall be set to zero. Any transactions in HyreCar common stock executed outside of regular trading hours for the U.S. financial markets shall be deemed to have occurred during the next regular trading session.

³ During the Settlement Class Period, HyreCar common stock was listed on the Nasdaq stock market under the ticker symbol “HYRE.” After the Settlement Class Period, in February 2023, the Company’s common stock was delisted from the Nasdaq and began trading over-the-counter (“OTC”) under the ticker symbol “HYREQ.”

⁴ The earliest alleged false and/or misleading misstatement in this matter occurred after market close on May 13, 2021.

CALCULATION OF RECOGNIZED LOSS AMOUNTS

58. Based on the formula set forth below, a “Recognized Loss Amount” shall be calculated for each purchase or acquisition of HyreCar common stock during the Settlement Class Period (*i.e.*, May 13, 2021 through August 10, 2021, inclusive) that is listed in the Claim Form and for which adequate documentation is provided.

- I. For each share of HyreCar common stock that was purchased on May 13, 2021, the Recognized Loss Amount is \$0.00.
- II. For each share of HyreCar common stock that was purchased during the period from May 14, 2021 through August 10, 2021, inclusive:
 - a. that was sold prior to August 11, 2021, the Recognized Loss Amount is \$0.00.
 - b. that was subsequently sold during the period August 11, 2021 through November 8, 2021, inclusive (*i.e.*, sold during the 90-Day Lookback Period), the Recognized Loss Amount is *the lesser of*:
 - i. \$9.42; or
 - ii. the purchase price *minus* the sale price; or
 - iii. the purchase price *minus* the “90-Day Lookback Value” on the date of sale as appears in Table 2 below.
 - c. that was still held as of the close of trading on November 8, 2021, the Recognized Loss Amount is *the lesser of*:
 - i. \$9.42; or
 - ii. the purchase price *minus* the average closing price for HyreCar common stock during the 90-Day Lookback Period, which is \$9.01.

Sale/ Disposition Date	90-Day Lookback Value	Sale/ Disposition Date	90-Day Lookback Value	Sale/ Disposition Date	90-Day Lookback Value
8/11/2021	\$9.85	9/10/2021	\$10.79	10/11/2021	\$9.82
8/12/2021	\$9.84	9/13/2021	\$10.85	10/12/2021	\$9.78
8/13/2021	\$9.82	9/14/2021	\$10.83	10/13/2021	\$9.74
8/16/2021	\$9.76	9/15/2021	\$10.79	10/14/2021	\$9.69
8/17/2021	\$9.65	9/16/2021	\$10.75	10/15/2021	\$9.65
8/18/2021	\$9.67	9/17/2021	\$10.70	10/18/2021	\$9.60
8/19/2021	\$9.66	9/20/2021	\$10.62	10/19/2021	\$9.56
8/20/2021	\$9.55	9/21/2021	\$10.55	10/20/2021	\$9.51
8/23/2021	\$9.61	9/22/2021	\$10.48	10/21/2021	\$9.47
8/24/2021	\$9.79	9/23/2021	\$10.43	10/22/2021	\$9.42
8/25/2021	\$9.90	9/24/2021	\$10.37	10/25/2021	\$9.37
8/26/2021	\$10.05	9/27/2021	\$10.32	10/26/2021	\$9.33
8/27/2021	\$10.18	9/28/2021	\$10.26	10/27/2021	\$9.28
8/30/2021	\$10.26	9/29/2021	\$10.19	10/28/2021	\$9.24
8/31/2021	\$10.32	9/30/2021	\$10.14	10/29/2021	\$9.20
9/1/2021	\$10.38	10/1/2021	\$10.10	11/1/2021	\$9.16
9/2/2021	\$10.44	10/4/2021	\$10.05	11/2/2021	\$9.13
9/3/2021	\$10.51	10/5/2021	\$10.00	11/3/2021	\$9.10
9/7/2021	\$10.61	10/6/2021	\$9.95	11/4/2021	\$9.06
9/8/2021	\$10.65	10/7/2021	\$9.91	11/5/2021	\$9.03
9/9/2021	\$10.73	10/8/2021	\$9.86	11/8/2021	\$9.01

ADDITIONAL PROVISIONS

59. The Net Settlement Fund will be allocated among all Authorized Claimants whose Distribution Amount (defined in paragraph 62 below) is \$10.00 or greater.

60. **FIFO Matching:** If a Settlement Class Member has more than one purchase/acquisition or sale of HyreCar common stock, all purchases/acquisitions and sales shall be matched on a First In, First Out (“FIFO”) basis. Settlement Class Period sales will be matched first against any holdings at the beginning of the Settlement Class Period, and then against purchases/acquisitions in chronological order, beginning with the earliest purchase/acquisition made during the Settlement Class Period.

61. **Calculation of Claimant’s “Recognized Claim”:** A Claimant’s “Recognized Claim” under the Plan of Allocation shall be the sum of his, her or its Recognized Loss Amounts for all shares of HyreCar common stock.

62. **Determination of Distribution Amount:** The Net Settlement Fund will be distributed to Authorized Claimants on a *pro rata* basis based on the relative size of their Recognized Claims. Specifically, a “Distribution Amount” will be calculated for each Authorized Claimant, which shall be the Authorized Claimant’s Recognized Claim divided by the total Recognized Claims of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund. If any Authorized Claimant’s Distribution Amount calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to such Authorized Claimant.

63. **“Purchase/Sale” Dates:** Purchases or acquisitions and sales of HyreCar common stock shall be deemed to have occurred on the “contract” or “trade” date as opposed to the “settlement” or “payment” date. The receipt or grant by gift, inheritance or operation of law of HyreCar common stock during the Settlement Class Period shall not be deemed a purchase, acquisition or sale of HyreCar common stock for the calculation of an Authorized Claimant’s Recognized Loss Amount, nor shall the receipt or grant be deemed an assignment of any claim relating to the purchase/acquisition of any HyreCar common stock unless (i) the donor or decedent purchased or otherwise acquired such HyreCar common stock during the Settlement Class Period; (ii) no Claim Form was submitted by or on behalf of the donor, on behalf of the decedent, or by anyone else with respect to such HyreCar common stock; and (iii) it is specifically so provided in the instrument of gift or assignment.

64. **Short Sales:** The date of covering a “short sale” is deemed to be the date of purchase or acquisition of HyreCar common stock. The date of a “short sale” is deemed to be the date of sale of HyreCar common stock. Under the Plan of Allocation, however, the Recognized Loss Amount on “short sales” is zero. In the event that a Claimant has an opening short position in HyreCar common stock, the earliest Settlement Class Period purchases or acquisitions shall be matched against such opening short position, and not be entitled to a recovery, until that short position is fully covered.

65. **Option Contracts:** Option contracts are not securities eligible to participate in the Settlement. With respect to HyreCar common stock purchased through the exercise of an option, the purchase date of the stock shall be the exercise date of the option, and the purchase price of the stock shall be the closing price of HyreCar common stock on the date of exercise. Any Recognized Loss Amount arising from purchases of HyreCar common stock acquired during the Settlement Class Period through the exercise of an option on HyreCar common stock shall be computed as provided for other purchases of HyreCar common stock in the Plan of Allocation.

66. **Market Gains and Losses:** To the extent a Claimant had a market gain with respect to his, her, or its overall transactions in HyreCar common stock during the Settlement Class Period, the value of the Claimant’s Recognized Claim shall be zero. To the extent that a Claimant suffered an overall market loss with respect to his, her, or its overall transactions in HyreCar common stock during the Settlement Class Period, but that market loss was less than the total Recognized Claim calculated above, then the Claimant’s Recognized Claim shall be limited to the amount of the actual market loss.

67. For purposes of determining whether a Claimant had a market gain with respect to his, her, or its overall transactions in HyreCar common stock during the Settlement Class Period or suffered a market loss, the Claims Administrator shall determine the difference between (i) the Total Purchase Amount⁵ and (ii) the sum of the Total Sales Proceeds⁶ and the Holding Value.⁷ If the Claimant’s Total Purchase Amount *minus* the sum of the Total Sales Proceeds and the Holding Value is a positive number, that number will be the Claimant’s market loss on such securities; if the number is a negative number or zero, that number will be the Claimant’s market gain on such securities.

68. After the initial distribution of the Net Settlement Fund, the Claims Administrator shall make reasonable and diligent efforts to have Authorized Claimants cash their distribution checks. To the extent any monies remain in the fund nine (9) months after the initial distribution, if Lead Counsel, in consultation with the Claims Administrator, determines that it is cost-effective to do so, the Claims Administrator shall conduct a re-distribution of the funds remaining after payment of any unpaid fees and expenses incurred in administering the Settlement, including for such re-distribution, to Authorized Claimants who have cashed their initial distributions and who would receive at least \$10.00 from such re-distribution. Additional re-

⁵ The “Total Purchase Amount” is the total amount the Claimant paid (excluding commissions and other charges) for all HyreCar common stock purchased or acquired during the Settlement Class Period.

⁶ The Claims Administrator shall match any sales of HyreCar common stock during the Settlement Class Period, first against the Claimant’s opening position in HyreCar common stock (the proceeds of those sales will not be considered for purposes of calculating market gains or losses). The total amount received (excluding commissions and other charges) for the remaining sales of HyreCar common stock sold during the Settlement Class Period shall be the “Total Sales Proceeds.”

⁷ The Claims Administrator shall ascribe a “Holding Value” to shares of HyreCar common stock purchased or acquired during the Settlement Class Period and still held as of the close of trading on August 10, 2021, which shall be \$9.85 (*i.e.*, the closing price of the stock on the Corrective Disclosure Date). The total calculated holding values for all HyreCar stock shall be the Claimant’s “Total Holding Value.”

distributions to Authorized Claimants who have cashed their prior checks and who would receive at least \$10.00 on such additional re-distributions may occur thereafter if Lead Counsel, in consultation with the Claims Administrator, determines that additional re-distributions, after the deduction of any additional fees and expenses incurred in administering the Settlement, including for such re-distributions, would be cost-effective. At such time as it is determined that the re-distribution of funds remaining in the Net Settlement Fund is not cost-effective, the remaining balance shall be contributed to non-sectarian, not-for-profit organization(s), to be recommended by Lead Counsel and approved by the Court.

69. Payment pursuant to the Plan of Allocation, or such other plan of allocation as may be approved by the Court, shall be conclusive against all Authorized Claimants. No person shall have any claim against Lead Plaintiff, Lead Counsel, Plaintiff's Counsel, Plaintiff's consulting damages expert, the Individual Defendants, Individual Defendants' Counsel, or any of the other Released Parties, or the Claims Administrator or other agent designated by Lead Counsel arising from distributions made substantially in accordance with the Stipulation, the plan of allocation approved by the Court, or further Orders of the Court. Lead Plaintiff, the Individual Defendants and their respective counsel, and all other Released Defendants' Parties, shall have no responsibility or liability whatsoever for the investment or distribution of the Settlement Fund, the Net Settlement Fund, the plan of allocation, or the determination, administration, calculation, or payment of any Claim Form or nonperformance of the Claims Administrator, the payment or withholding of taxes owed by the Settlement Fund, or any losses incurred in connection therewith.

70. The Plan of Allocation set forth herein is the plan that is being proposed to the Court for its approval by Lead Plaintiff after consultation with its consulting damages expert. The Court may approve this plan as proposed or it may modify the Plan of Allocation without further notice to the Settlement Class. Any Orders regarding any modification of the Plan of Allocation will be posted on the settlement website, www.HyreCarSecuritiesSettlement.com.

**WHAT PAYMENT ARE THE ATTORNEYS FOR THE SETTLEMENT CLASS SEEKING?
HOW WILL THE LAWYERS BE PAID?**

71. Plaintiff's Counsel have not received any payment for their services in pursuing claims against the Defendants on behalf of the Settlement Class, nor have Plaintiff's Counsel been reimbursed for their out-of-pocket expenses. Before final approval of the Settlement, Lead Counsel will apply to the Court for an award of attorneys' fees for all Plaintiff's Counsel in an amount not to exceed 33⅓% of the Settlement Fund. At the same time, Lead Counsel also intends to apply for reimbursement of litigation costs and expenses in an amount not to exceed \$163,500, and an application for reimbursement of the reasonable costs and expenses incurred by Lead Plaintiff directly related to its representation of the Settlement Class in an amount not to exceed \$10,000. The Court will determine the amount of any award of attorneys' fees or reimbursement of Litigation Expenses. Such sums as may be approved by the Court will be paid from the Settlement Fund. Settlement Class Members are not personally liable for any such fees or expenses.

**WHAT IF I DO NOT WANT TO BE A MEMBER OF THE SETTLEMENT CLASS?
HOW DO I EXCLUDE MYSELF?**

72. Each Settlement Class Member will be bound by all determinations and judgments in this lawsuit, whether favorable or unfavorable, unless such person or entity mails or delivers a written Request for Exclusion from the Settlement Class, addressed to *Baron v. HyreCar Inc.*, EXCLUSIONS, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson Street, Suite 205, Media, PA 19063. The exclusion request must be **received** no later than October 24, 2024. You will not be able to exclude yourself from the Settlement Class after that date. Each Request for Exclusion must: (a) state the name, address and telephone number of the person or entity requesting exclusion, and in the case of entities the name and telephone number of the appropriate contact person; (b) state that such person or entity "requests exclusion from the Settlement Class in *Baron v. HyreCar Inc.*, Case No.: 2:21-cv-06918-FWS-JC"; (c) state the number of shares of publicly traded HyreCar common stock that the person or entity requesting exclusion purchased/acquired and/or sold during the Settlement Class Period, as well as the dates and prices of each such purchase/acquisition and sale; and (d) be signed by the person or entity requesting exclusion or an authorized representative. A Request for Exclusion shall not be valid and effective unless it provides all the information called for in this paragraph and is received within the time stated above, or is otherwise accepted by the Court.

73. If you do not want to be part of the Settlement Class, you must follow these instructions for exclusion even if you have pending, or later file, another lawsuit, arbitration, or other proceeding relating to any Released Plaintiff's Claim against any of the Released Plaintiff's Parties.

74. If you ask to be excluded from the Settlement Class, you will not be eligible to receive any payment out of the Net Settlement Fund.

75. The Individual Defendants have the right to terminate the Settlement if valid requests for exclusion are received from

persons and entities entitled to be members of the Settlement Class in an amount that exceeds an amount agreed to by Lead Plaintiff and Defendants.

WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT? DO I HAVE TO COME TO THE HEARING? MAY I SPEAK AT THE HEARING IF I DON'T LIKE THE SETTLEMENT?

76. **Settlement Class Members do not need to attend the Settlement Hearing. The Court will consider any submission made in accordance with the provisions below even if a Settlement Class Member does not attend the hearing. You can participate in the Settlement without attending the Settlement Hearing.**

77. The Settlement Hearing will be held on November 14, 2024 at 10:00 a.m., before the Honorable Fred W. Slaughter at the United States District Court for the Central District of California, Ronald Reagan Federal Building and United States Courthouse, Courtroom 10D, 411 West 4th Street, Santa Ana, CA 92701. The Court reserves the right to approve the Settlement, the Plan of Allocation, Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses and/or any other matter related to the Settlement at or after the Settlement Hearing without further notice to the members of the Settlement Class.

78. Any Settlement Class Member who or which does not request exclusion may object to the Settlement, the proposed Plan of Allocation or Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses. Objections must be in writing. You must file any written objection, together with copies of all other papers and briefs supporting the objection, with the Clerk's Office at the United States District Court for the Central District of California at the address set forth below on or before October 24, 2024. You must also serve the papers on Lead Counsel and on Individual Defendants' Counsel at the addresses set forth below so that the papers are **received on or before October 24, 2024**.

Clerk's Office

United States District Court
Central District of California
Clerk of the Court
United States Courthouse
411 West 4th Street
Santa Ana, CA 92701

Lead Counsel

Glancy Prongay & Murray LLP
Ex Kano S. Sams II, Esq.
1925 Century Park East, Suite 2100
Los Angeles, CA 90067

Individual Defendants' Counsel

O'Melveny and Myers LLP
Matthew W. Close, Esq.
400 South Hope Street, 18th
Floor
Los Angeles, CA 90071

Davis Wright Tremaine LLP
James H. Moon, Esq.
865 South Figueroa Street, Suite
2400
Los Angeles, CA 90017

79. Any objection: (a) must state the name, address and telephone number of the person or entity objecting and must be signed by the objector; (b) must contain a statement of the Settlement Class Member's objection or objections, and the specific reasons for each objection, including any legal and evidentiary support the Settlement Class Member wishes to bring to the Court's attention; and (c) must include documents sufficient to prove membership in the Settlement Class, including the number of shares of publicly traded HyreCar common stock that the objecting Settlement Class Member purchased/acquired and/or sold during the Settlement Class Period, as well as the dates and prices of each such purchase/acquisition and sale. You may not object to the Settlement, the Plan of Allocation or Lead Counsel's motion for attorneys' fees and reimbursement of Litigation Expenses if you exclude yourself from the Settlement Class or if you are not a member of the Settlement Class.

80. You may file a written objection without having to appear at the Settlement Hearing. You may not, however, appear at the Settlement Hearing to present your objection unless you first file and serve a written objection in accordance with the procedures described above, unless the Court orders otherwise.

81. If you wish to be heard orally at the hearing in opposition to the approval of the Settlement, the Plan of Allocation or Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses, and if you timely file and serve a written objection as described above, you must also file a notice of appearance with the Clerk's Office and serve it on Lead Counsel and Individual Defendants' Counsel at the addresses set forth above so that it is **received on or before October 24, 2024**. Persons who intend to object and desire to present evidence at the Settlement Hearing must include in their written objection or notice of appearance the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the hearing. Such persons may be heard orally at the discretion of the Court.

82. You are not required to hire an attorney to represent you in making written objections or in appearing at the Settlement Hearing. However, if you decide to hire an attorney, it will be at your own expense, and that attorney must file a notice of appearance with the Court and serve it on Lead Counsel and Individual Defendants' Counsel at the addresses set forth in ¶ 78 above so that the notice is *received on or October 24, 2024*.

83. The Settlement Hearing may be adjourned by the Court without further written notice to the Settlement Class. If you intend to attend the Settlement Hearing, you should confirm the date and time with Lead Counsel.

84. **Unless the Court orders otherwise, any Settlement Class Member who does not object in the manner described above will be deemed to have waived any objection and shall be forever foreclosed from making any objection to the proposed Settlement, the proposed Plan of Allocation or Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses. Settlement Class Members do not need to appear at the Settlement Hearing or take any other action to indicate their approval.**

WHAT IF I BOUGHT SHARES ON SOMEONE ELSE'S BEHALF?

85. If you purchased or otherwise acquired publicly traded HyreCar common stock during the Settlement Class Period for the beneficial interest of persons or organizations other than yourself, within seven (7) calendar days of receipt of the Claims Administrator's notice of the Settlement, you must either: (a) request from the Claims Administrator sufficient copies of the Postcard Notice to forward to all such beneficial owners and within seven (7) calendar days of receipt of those Postcard Notices forward them to all such beneficial owners; (b) request from the Claims Administrator a link to the Notice and Claim Form and, within seven (7) calendar days of receipt of the link, email the link to all such beneficial owners for whom valid email addresses are available; or (c) provide a list of the names and addresses of all such beneficial owners to *Ivan Baron v. HyreCar Inc., et al., c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson Street, Suite 205, Media, PA 19063, info@strategicclaims.net*. If you choose option (c), the Claims Administrator will send a copy of the Postcard Notice to the beneficial owners. Nominees that choose to follow procedures (a) or (b) shall also send a statement to the Claims Administrator confirming that the mailing or emailing was made as directed.

86. Upon full compliance with these directions, nominees may seek reimbursement of their reasonable expenses actually incurred up to a maximum of \$0.03 per name and address provided to the Claims Administrator; up to \$0.03 per Postcard Notice actually mailed, plus postage at the rate used by Claims Administrator; or up to \$0.03 per link to the Notice and Claim Form transmitted by email, by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought. **YOU ARE NOT AUTHORIZED TO PRINT THE POSTCARD NOTICE YOURSELF. POSTCARD NOTICES MAY ONLY BE PRINTED BY THE COURT-APPOINTED CLAIMS ADMINISTRATOR.**

CAN I SEE THE COURT FILE? WHOM SHOULD I CONTACT IF I HAVE QUESTIONS?

87. This Notice contains only a summary of the terms of the proposed Settlement. For more detailed information about the matters involved in this Action, you are referred to the papers on file in the Action, including the Stipulation, which may be inspected during regular office hours at the Office of the Clerk, United States District Court for the Central District of California, Ronald Reagan Federal Building and United States Courthouse, 411 West 4th Street, Santa Ana, CA 92701-4516. Additionally, copies of the Stipulation and any related orders entered by the Court will be posted on the website maintained by the Claims Administrator, www.HyreCarSecuritiesSettlement.com.

88. All inquiries concerning this Notice and the Claim Form should be directed to the Claims Administrator or Lead Counsel at:

<i>Ivan Baron v. HyreCar Inc., et al.</i>	and/or	Ex Kano S. Sams II, Esq.
c/o Strategic Claims Services		GLANCY PRONGAY & MURRAY
P.O. Box 230		LLP
600 N. Jackson Street, Suite 205		1925 Century Park East Suite 2100
Media, PA 19063		Los Angeles, CA 90067
866-274-4004		(310) 201-9150
info@strategicclaims.net		esams@glancylaw.com
www.HyreCarSecuritiesSettlement.com		

DO NOT CALL OR WRITE THE COURT, THE OFFICE OF THE CLERK OF THE COURT, HYRECAR, THE INDIVIDUAL DEFENDANTS OR THEIR COUNSEL REGARDING THIS NOTICE.

Dated: July 19, 2024

By Order of the Court
United States District Court
Central District of California

Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson Street, Suite 205
Media, PA 19063
866-274-4004

Settlement Website: www.HyreCarSecuritiesSettlement.com
Email: info@strategicclaims.net

PROOF OF CLAIM AND RELEASE FORM

To be eligible to receive a share of the Net Settlement Fund in connection with the Settlement of this Action, you must be a Settlement Class Member and complete and sign this Proof of Claim and Release Form (“Claim Form”) and submit it online at www.HyreCarSecuritiesSettlement.com or mail it by first-class mail to the above address, **submitted online or postmarked no later than December 14, 2024.**

Failure to submit your Claim Form by the date specified will subject your claim to rejection and may preclude you from being eligible to recover any money in connection with the Settlement.

Do not mail or deliver your Claim Form to the Court, the settling parties or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above.

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PART I – CLAIMANT INFORMATION

(Please read General Instructions below before completing this page.)

The Claims Administrator will use this information for all communications regarding this Claim Form. If this information changes, you MUST notify the Claims Administrator in writing at the address above.

Beneficial Owner’s Name

Co-Beneficial Owner’s Name

Entity Name (if Beneficial Owner is not an individual)

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

Address1 (street name and number)

Address2 (apartment, unit or box number)

City

State

Zip Code

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Foreign Country (only if not USA)

Last four digits of Social Security Number or Taxpayer Identification Number

Telephone Number (home)

Telephone Number (work)

<input type="text"/>	<input type="text"/>
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Email address (Email address is not required, but if you provide it you authorize the Claims Administrator to use it in providing you with information relevant to this claim.):

Account Number (account(s) through which the securities were traded)¹:

Claimant Account Type (check appropriate box):

- Individual (includes joint owner accounts)
- Corporation
- IRA/401K
- Pension Plan
- Estate
- Other _____ (please specify)
- Trust

¹ If the account number is unknown, you may leave blank. If the same legal entity traded through more than one account you may write “multiple.” Please see paragraph 11 of the General Instructions for more information on when to file separate Claim Forms for multiple accounts, *i.e.*, when you are filing on behalf of distinct legal entities.

PART II – GENERAL INSTRUCTIONS

1. It is important that you completely read and understand the Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “Notice”) that accompanies this Claim Form, including the Plan of Allocation of the Net Settlement Fund set forth in the Notice. The Notice describes the proposed Settlement, how Settlement Class Members are affected by the Settlement, and the manner in which the Net Settlement Fund will be distributed if the Settlement and Plan of Allocation are approved by the Court. The Notice also contains the definitions of many of the defined terms (which are indicated by initial capital letters) used in this Claim Form. By signing and submitting this Claim Form, you will be certifying that you have read and that you understand the Notice, including the terms of the releases described therein and provided for herein.

2. This Claim Form is directed to all persons and entities who or which purchased or otherwise acquired publicly traded HyreCar Inc. (“HyreCar”) common stock (“HyreCar Stock”) between May 13, 2021 through August 10, 2021, both dates inclusive (the “Settlement Class Period”), and were damaged thereby (the “Settlement Class”). All persons and entities that are members of the Settlement Class are referred to as “Settlement Class Members.”

3. Excluded from the Settlement Class are: (a) persons who suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer and/or director of HyreCar during the Settlement Class Period, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of HyreCar; (iv) any entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settler or which is for the benefit of an Individual Defendant and/or member(s) of their Immediate Families; (vi) Defendants’ liability insurance carriers; and (vii) the legal representatives, heirs, successors, predecessors, and assigns of any person or entity excluded under provisions (i) through (vi) hereof. Also excluded from the Settlement Class are any persons and entities who or which submit a request for exclusion from the Settlement Class that is accepted by the Court. For the avoidance of doubt, “affiliates” are persons or entities that directly, or indirectly through one or more intermediaries, control, are controlled by or are under common control with one of the Defendants.

4. If you are not a Settlement Class Member do not submit a Claim Form. YOU MAY NOT, DIRECTLY OR INDIRECTLY, PARTICIPATE IN THE SETTLEMENT IF YOU ARE NOT A SETTLEMENT CLASS MEMBER. THUS, IF YOU ARE EXCLUDED FROM THE CLASS (AS SET FORTH IN PARAGRAPH 3 ABOVE), ANY CLAIM FORM THAT YOU SUBMIT, OR THAT MAY BE SUBMITTED ON YOUR BEHALF, WILL NOT BE ACCEPTED.

5. If you are a Settlement Class Member, you will be bound by the terms of any judgments or orders entered in the Action WHETHER OR NOT YOU SUBMIT A CLAIM FORM, unless you submit a request for exclusion from the Settlement Class. Thus, if you are a Class Member, the Judgment will release, and you will be barred and enjoined from commencing, instituting, prosecuting or continuing to prosecute any action or other proceeding in any court of law or equity, arbitration tribunal or administrative forum, asserting each and every Released Plaintiff’s Claims (including Unknown Claims) against Released Defendants’ Parties.

6. You are eligible to participate in the distribution of the Net Settlement Fund only if you are a member of the Settlement Class and if you complete and return this form as specified below. If you fail to submit a timely, properly addressed, and completed Claim Form with the required documentation, your claim may be rejected and you may be precluded from receiving any distribution from the Net Settlement Fund.

7. Submission of this Claim Form does not guarantee that you will share in the proceeds of the Settlement. The distribution of the Net Settlement Fund will be governed by the Plan of Allocation set forth in the Notice, if it is approved by the Court, or by such other plan of allocation approved by the Court.

8. Use the Schedules of Transactions in Part III of this Claim Form to supply all required details of your transaction(s) (including free transfers) in and holdings of the applicable HyreCar Stock. On the Schedules of Transactions, please provide all of the requested information with respect to your holdings, purchases, acquisitions and sales of the applicable HyreCar Stock, whether such transactions resulted in a profit or a loss. Failure to report all transaction and holding information during the requested time periods may result in the rejection of your claim.

9. Please note: Only HyreCar Stock purchased/acquired during the Settlement Class Period (*i.e.*, from May 13, 2021 through August 10, 2021, inclusive) are eligible under the Settlement. However, because the PSLRA provides for a “90-Day Lookback Period” (described in the Plan of Allocation set forth in the Notice), you must provide documentation related to your purchases and sales of HyreCar Stock during the period from August 11, 2021 through and including November 8, 2021 (*i.e.*, the 90-Day Lookback Period) in order for the Claims Administrator to calculate your Recognized Loss Amount under the Plan of Allocation and process your claim.

10. You are required to submit genuine and sufficient documentation for all of your transactions and holdings of the applicable HyreCar Stock set forth in the Schedules of Transactions in Part III of this Claim Form. Documentation may consist of copies of brokerage confirmation slips or monthly brokerage account statements, or an authorized statement from your broker containing the transactional and holding information found in a broker confirmation slip or account statement. The Parties and the Claims Administrator do not independently have information about your investments in HyreCar Stock. **IF SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN COPIES OR EQUIVALENT CONTEMPORANEOUS DOCUMENTS FROM YOUR BROKER. FAILURE TO SUPPLY THIS DOCUMENTATION MAY RESULT IN THE REJECTION OF YOUR CLAIM. DO NOT SEND ORIGINAL DOCUMENTS. Please keep a copy of all documents that you send to the Claims Administrator. Also, please do not highlight any portion of the Claim Form or any supporting documents.**

11. Separate Claim Forms should be submitted for each separate legal entity (*e.g.*, a claim from joint owners should not include separate transactions through an account that is in the name of just one of the joint owners, and an individual should not

combine his or her IRA transactions with transactions made through an account in the individual's name). Conversely, a single Claim Form should be submitted on behalf of one legal entity including all transactions made by that entity on one Claim Form, no matter how many separate accounts that entity has (e.g., a corporation with multiple brokerage accounts should include all transactions made in all accounts on one Claim Form).

12. All joint beneficial owners must sign this Claim Form. If you purchased or otherwise acquired HyreCar Stock during the Settlement Class Period and held the securities in your name, you are the beneficial owner as well as the record owner and you must sign this Claim Form to participate in the Settlement. If, however, you purchased or otherwise acquired HyreCar Stock during the Settlement Class Period and the securities were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial owner of these securities, but the third party is the record owner. The beneficial owner, not the record owner, must sign this Claim Form.

13. Agents, executors, administrators, guardians, and trustees must complete and sign the Claim Form on behalf of persons represented by them, and they must:

- (a) expressly state the capacity in which they are acting;
- (b) identify the name, account number, Social Security Number (or taxpayer identification number), address and telephone number of the beneficial owner of (or other person or entity on whose behalf they are acting with respect to) the HyreCar Stock; and
- (c) furnish herewith evidence of their authority to bind to the Claim Form the person or entity on whose behalf they are acting. (Authority to complete and sign a Claim Form cannot be established by stockbrokers demonstrating only that they have discretionary authority to trade stock in another person's accounts.)

14. By submitting a signed Claim Form, you will be swearing that you:

- (a) own(ed) the HyreCar Stock you have listed in the Claim Form; or
- (b) are expressly authorized to act on behalf of the owner thereof.

15. By submitting a signed Claim Form, you will be swearing to the truth of the statements contained therein and the genuineness of the documents attached thereto, subject to penalties of perjury under the laws of the United States of America. The making of false statements, or the submission of forged or fraudulent documentation, will result in the rejection of your claim and may subject you to civil liability or criminal prosecution.

16. If the Court approves the Settlement, payments to eligible Authorized Claimants pursuant to the Plan of Allocation (or such other plan of allocation as the Court approves) will be made after the completion of all claims processing. This could take substantial time. Please be patient.

17. PLEASE NOTE: As set forth in the Plan of Allocation, each Authorized Claimant shall receive his, her or its pro rata share of the Net Settlement Fund. If the prorated payment to any Authorized Claimant, however, calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Authorized Claimant.

18. If you have questions concerning the Claim Form, or need additional copies of the Claim Form or the Notice, you may contact the Claims Administrator: *Ivan Baron v. HyreCar Inc., et al.*, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson Street, Suite 205, Media, PA 19063, by email at info@strategicclaims.net, or by toll-free phone at (866) 274-4004 or you may download the documents from the Settlement website, www.HyreCarSecuritiesSettlement.com.

19. NOTICE REGARDING INSTITUTIONAL FILERS: Certain filers submitting claims on behalf of other beneficial owners ("Representative Filers") with large numbers of transactions may request to, or may be asked to, submit information regarding their transactions in electronic files. (This is different than the online claim portal at: www.HyreCarSecuritiesSettlement.com.) All such Representative Filers MUST also submit a manually signed paper Claim Form whether or not they also submit electronic copies. Claims should be combined on a legal entity basis, where applicable. Sub-accounts should be rolled up into a parent account if the sub-accounts contain the same tax identification number. If you are a Representative Filer and wish to submit your claim electronically, you must contact the Claims Administrator at (866) 274-4004 or by email at efile@strategicclaims.net or visit their website at <https://www.strategicclaims.net/institutional-filers/> 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. Do not assume that your file has been received or processed until you receive this email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at efile@strategicclaims.net to inquire about your file and confirm it was received and acceptable.

20. NOTICE REGARDING ONLINE FILING: Claimants who are not Representative Filers may submit their claims online using the electronic version of the Claim Form hosted at www.HyreCarSecuritiesSettlement.com. If you are not acting as a Representative Filer, you do not need to contact the Claims Administrator prior to filing; you will receive an automated e-mail confirming receipt once your Claim Form has been submitted. If you are unsure if you should submit your claim as a Representative Filer, please contact the Claims Administrator at info@strategicclaims.net or (866) 274-4004. If you are not a Representative Filer, but your claim contains a large number of transactions, the Claims Administrator may request that you also submit an electronic spreadsheet showing your transactions to accompany your Claim Form.

IMPORTANT: PLEASE NOTE

YOUR CLAIM IS NOT DEEMED FILED UNTIL YOU RECEIVE AN ACKNOWLEDGEMENT POSTCARD. THE CLAIMS ADMINISTRATOR WILL ACKNOWLEDGE RECEIPT OF YOUR CLAIM FORM BY MAIL WITHIN 60 DAYS. IF YOU DO NOT RECEIVE AN ACKNOWLEDGEMENT POSTCARD WITHIN 60 DAYS, PLEASE CALL THE CLAIMS ADMINISTRATOR TOLL FREE AT (866) 274-4004.

PART III – SCHEDULE OF TRANSACTIONS IN HYRECAR STOCK

Complete this Part III if and only if you purchased/acquired HyreCar Stock during the period from May 13, 2021, through and including August 10, 2021. Please include proper documentation with your Claim Form as described in detail in Part II – General Instructions, Paragraph 10, above. Do not include information in this section regarding securities other than HyreCar Stock purchased.

1. BEGINNING HOLDINGS – State the total number of shares of HyreCar Stock held as of the close of trading on May 12, 2021. (Must be documented.) If none, write “zero” or “0.” _____			
2. PURCHASES/ACQUISITIONS DURING THE SETTLEMENT CLASS PERIOD THROUGH NOVEMBER 8, 2021 – Separately list each and every purchase/acquisition (including free receipts) of HyreCar Stock from after the opening of trading on May 13, 2021, through and including the close of trading on November 8, 2021. (Must be documented.)			
Date of Purchase/Acquisition (List Chronologically) (Month/Day/Year)	Number of Shares Purchased/ Acquired	Purchase/ Acquisition Price Per Share	Total Purchase/ Acquisition Price (excluding taxes, commissions, and fees)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
3. SALES DURING THE SETTLEMENT CLASS PERIOD THROUGH NOVEMBER 8, 2021 – Separately list each and every sale/disposition (including free deliveries) of HyreCar Stock from after the opening of trading on May 13, 2021, through and including the close of trading on November 8, 2021. (Must be documented.)			IF NONE, CHECK HERE ○
Date of Sale (List Chronologically) (Month/Day/Year)	Number of Shares Sold	Sale Price Per Share	Total Sale Price (excluding taxes, commissions, and fees)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
4. ENDING HOLDINGS – State the total number of shares of HyreCar Stock held as of the close of trading on November 8, 2021. (Must be documented.) If none, write “zero” or “0.” _____			

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST
PHOTOCOPY THIS PAGE AND CHECK THIS BOX
IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL NOT BE REVIEWED**

PART IV – RELEASE OF CLAIMS AND SIGNATURE

YOU MUST ALSO READ THE RELEASE AND CERTIFICATION BELOW AND SIGN ON PAGE 6 OF THIS CLAIM FORM.

I (we) hereby acknowledge that as of the Effective Date of the Settlement, pursuant to the terms set forth in the Stipulation, I (we), on behalf of myself (ourselves) and my (our) successors and assigns, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally and forever compromised, settled, released, resolved, relinquished, waived and discharged each and every Released Plaintiff’s Claim (as defined in the Stipulation and in the Notice) against the Individual Defendants and the other Released Defendants’ Parties (as defined in the Stipulation and in the Notice) and shall forever be barred and enjoined from prosecuting any or all of the Released Plaintiff’s Claims against any of the Released Defendants’ Parties.

CERTIFICATION

By signing and submitting this Claim Form, the Claimant(s) or the person(s) who represent(s) the Claimant(s) certifies (certify), as follows:

1. that I (we) have read and understand the contents of the Notice and this Claim Form, including the releases provided for in the Settlement and the terms of the Plan of Allocation;
2. that the Claimant(s) is a (are) Settlement Class Member(s), as defined in the Notice and in paragraph 2 on page 3 of this Claim Form, and is (are) not excluded from the Settlement Class by definition or pursuant to request as set forth in the Notice and in paragraph 3 on page 3 of this Claim Form;
3. that I (we) own(ed) the HyreCar Stock identified in the Claim Form and have not assigned the claim against the Released Defendants' Parties to another, or that, in signing and submitting this Claim Form, I (we) have the authority to act on behalf of the owner(s) thereof;
4. that the Claimant(s) has (have) not submitted any other claim covering the same purchases/acquisitions of HyreCar Stock and knows (know) of no other person having done so on the Claimant's (Claimants') behalf;
5. that the Claimant(s) submit(s) to the jurisdiction of the Court with respect to Claimant's (Claimants') claim and for purposes of enforcing the releases set forth herein;
6. that I (we) agree to furnish such additional information with respect to this Claim Form as Lead Counsel, the Claims Administrator or the Court may require;
7. that the Claimant(s) waive(s) the right to trial by jury, to the extent it exists, and agree(s) to the Court's summary disposition of the determination of the validity or amount of the claim made by this Claim Form;
8. that I (we) acknowledge that the Claimant(s) will be bound by and subject to the terms of any judgment(s) that may be entered in the Action; and
9. that the Claimant(s) is (are) NOT subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code because (a) the Claimant(s) is (are) exempt from backup withholding or (b) the Claimant(s) has (have) not been notified by the IRS that he/she/it is subject to backup withholding as a result of a failure to report all interest or dividends or (c) the IRS has notified the Claimant(s) that he/she/it is no longer subject to backup withholding. **If the IRS has notified the Claimant(s) that he, she or it is subject to backup withholding, please strike out the language in the preceding sentence indicating that the claim is not subject to backup withholding in the certification above.**

UNDER THE PENALTIES OF PERJURY, I (WE) CERTIFY THAT ALL OF THE INFORMATION PROVIDED BY ME (US) ON THIS CLAIM FORM IS TRUE, CORRECT, AND COMPLETE, AND THAT THE DOCUMENTS SUBMITTED HERewith ARE TRUE AND CORRECT COPIES OF WHAT THEY PURPORT TO BE.

Signature of Claimant Date

Print your name here

Signature of joint Claimant, if any Date

Print your name here

If the Claimant is other than an individual, or is not the person completing this form, the following also must be provided:

Signature of person signing on behalf of Claimant Date

Print your name here

CAPACITY OF PERSON SIGNING ON BEHALF OF CLAIMANT, IF OTHER THAN AN INDIVIDUAL, *E.G.*, EXECUTOR, PRESIDENT, TRUSTEE, CUSTODIAN, *ETC.* (MUST PROVIDE EVIDENCE OF AUTHORITY TO ACT ON BEHALF OF CLAIMANT – SEE PARAGRAPH 13 ON PAGE 4 OF THIS CLAIM FORM.)

REMINDER CHECKLIST:

1. Please sign the above release and certification. If this Claim Form is being made on behalf of joint Claimants, then both must sign.
2. Remember to attach only **copies** of acceptable supporting documentation as these documents will not be returned to you.
3. Please do not highlight any portion of the Claim Form or any supporting documents.
4. Do not send original security certificates or documentation. These items cannot be returned to you by the Claims Administrator.
5. Keep copies of the completed Claim Form and documentation for your own records.
6. The Claims Administrator will acknowledge receipt of your Claim Form by mail, within 60 days. Your claim is not deemed filed until you receive an acknowledgement postcard. **If you do not receive an acknowledgement postcard within 60 days, please call the Claims Administrator toll free at (866) 274-4004.**
7. If your address changes in the future, or if this Claim Form was sent to an old or incorrect address, please send the Claims Administrator written notification of your new address. If you change your name, please inform the Claims Administrator.
8. If you have any questions or concerns regarding your claim, please contact the Claims Administrator at the address below, by email at info@strategicclaims.net, or toll-free at 866-274-4004, or visit www.HyreCarSecuritiesSettlement.com. Please **DO NOT** call HyreCar, the Individual Defendants or their counsel with questions regarding your claim.

THIS CLAIM FORM MUST BE MAILED TO THE CLAIMS ADMINISTRATOR BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN DECEMBER 14, 2024, ADDRESSED AS FOLLOWS:

Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson Street, Suite 205
Media, PA 19063

OR SUBMITTED ONLINE AT WWW.HYRECARSECURITIESSETTLEMENT.COM ON OR BEFORE DECEMBER 14, 2024.

A Claim Form received by the Claims Administrator shall be deemed to have been submitted when posted, if a postmark date on or before December 14, 2024 is indicated on the envelope and it is mailed First Class, and addressed in accordance with the above instructions. In all other cases, a Claim Form shall be deemed to have been submitted when actually received by the Claims Administrator.

You should be aware that it will take a significant amount of time to fully process all of the Claim Forms. Please be patient and notify the Claims Administrator of any change of address.

Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
600 N. Jackson Street, Suite 205
Media, PA 19063

IMPORTANT LEGAL NOTICE – PLEASE FORWARD

AFFIDAVIT

STATE OF NEW JERSEY)
) ss:
CITY OF MONMOUTH JUNCTION, in the COUNTY OF MIDDLESEX)

I, Keith Oechsner, being duly sworn, depose and say that I am the advertising clerk of the Publisher of INVESTORS BUSINESS DAILY, a weekly national newspaper of general circulation throughout the United States, and that the notice attached to this Affidavit has been regularly published in INVESTORS BUSINESS DAILY for National distribution for

1 insertion(s) on the following date(s):

AUG-26-2024;

ADVERTISER: HYRECAR INC;

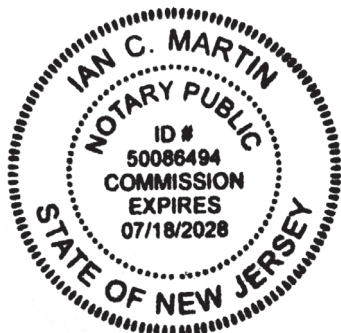
and that the foregoing statements are true and correct to the best of my knowledge.

Keith Oechsner

Sworn to before me this
26 day of August 2024

[Signature]

Notary Public



v.

Honorable Fred W. Slaughter

HYRECAR INC., JOSEPH FURNARI and ROBERT SCOTT BRUCE

Defendants.

ID # 2613

**SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT;
(II) SETTLEMENT FAIRNESS HEARING; AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: All persons and entities that purchased or otherwise acquired the publicly traded common stock of HyreCar Inc. from May 13, 2021 through August 10, 2021, both dates inclusive, and were damaged thereby¹ (the "Settlement Class"):

PLEASE READ THIS NOTICE CAREFULLY, YOUR RIGHTS WILL BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Central District of California, that the above-captioned litigation (the "Action") has been certified as a class action on behalf of the Settlement Class, except for certain persons and entities who are excluded from the Settlement Class by definition as set forth in the full Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice").

YOU ARE ALSO NOTIFIED that Lead Plaintiff in the Action has reached a proposed settlement of the Action for \$1,900,000.00 in cash (the "Settlement"), that, if approved, will resolve all claims in the Action.

A hearing will be held on November 14, 2024 at 10:00 a.m., before the Honorable Fred W. Slaughter at the Ronald Reagan Federal Building and United States Courthouse, Courtroom 10D, 411 West 4th Street, Santa Ana, CA 92701, to determine: (i) whether the proposed Settlement should be approved as fair, reasonable, and adequate; (ii) whether the Action should be dismissed with prejudice, and the Releases specified and described in the Stipulation (and in the Notice) should be granted; (iii) whether the proposed Plan of Allocation should be approved as fair and reasonable; and (iv) whether Lead Counsel's application for an award of attorneys' fees and reimbursement of expenses should be approved.

If you are a member of the Settlement Class, your rights will be affected by the pending Action and the Settlement, and you may be entitled to share in the Settlement Fund. The Notice and Proof of Claim and Release Form ("Claim Form") can be downloaded from the website maintained by the Claims Administrator, www.HyreCarSecuritiesSettlement.com. You may also obtain copies of the Notice and Claim Form by contacting the Claims Administrator at *Ivan Baron v. HyreCar Inc. et al.*, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson Street, Suite 205, Media, PA 19063, 866-274-4004.

If you are a member of the Settlement Class, in order to be eligible to receive a payment under the proposed Settlement, you must submit a Claim Form online at www.HyreCarSecuritiesSettlement.com or *postmarked* no later than December 14, 2024. If you are a Settlement Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement, but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a member of the Settlement Class and wish to exclude yourself from the Settlement Class, you must submit a request for exclusion such that it is *received* no later than October 24, 2024, in accordance with the instructions set forth in the Notice. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Action and you will not be eligible to share in the proceeds of the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, or Lead Counsel's motion for attorneys' fees and reimbursement of expenses, must be filed with the Court and delivered to Lead Counsel and Individual Defendants' Counsel such that they are *received* no later than October 24, 2024, in accordance with the instructions set forth in the Notice.

Please do not contact the Court, the Clerk's office, HyreCar, the Individual Defendants, or Individual Defendants' Counsel regarding this notice. All questions about this notice, the proposed Settlement, or your eligibility to participate in the Settlement should be directed to Lead Counsel or the Claims Administrator.

Inquiries, other than requests for the Notice and Claim Form, should be made to Lead Counsel:

GLANCY PRONGAY & MURRAY LLP
Ex Kano S. Sams II, Esq.
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
(310) 201-9150
info@glancylaw.com

Requests for the Notice and Claim Form should be made to:

Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson St., Ste. 205
Media, PA 19063
Tel.: 866-274-4004
www.HyreCarSecuritiesSettlement.com

By Order of the Court

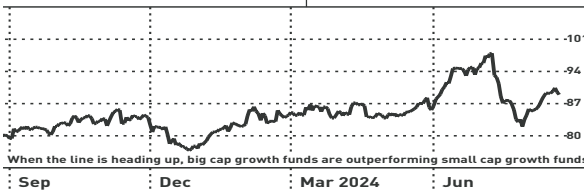
¹ All capitalized terms used in this Summary Notice that are not otherwise defined herein shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated March 20, 2024 (the "Stipulation"), which is available at www.HyreCarSecuritiesSettlement.com.

MUTUAL FUND PERFORMANCE

Table with columns: BIG CAP GROWTH ETF (SPYG) VS SMALL CAP GROWTH ETF (SLYG). Rows include Apple Inc (AAPL), Microsoft Corp (MSFT), Amazon.com Inc (AMZN), Facebook Inc (FB), Tesla Inc (TSLA).

Table with columns: GROWTH ETF (IUSG) VS VALUE ETF (IUSV). Rows include Apple Inc (AAPL), Microsoft Corp (MSFT), Amazon.com Inc (AMZN), Facebook Inc (FB), Tesla Inc (TSLA).

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include Franklin Allocation A, Franklin Multi Asset A, Franklin Mutual A, Franklin Tax Free A1, Franklin Templeton A.



Top Growth Funds

Last 3 months (all total returns)

Table listing Top Growth Funds with columns: Mutual Fund, Performance Change, Rating, \$ Net Assets. Includes Kinetics:Paradigm, Kinetics:SC Oppty, Hennessy:Focus, etc.

Top Growth Funds

Last 3 years (all total returns)

Table listing Top Growth Funds with columns: Mutual Fund, Performance Change, Rating, \$ Net Assets. Includes Profunds:Semiconduct, Hennessy:Crnst MdCp, Hennessy:Crnst Gro, etc.

Table with columns: U.S. Stock Fund Cash Position, High (11/00), 6.2%, Low (12/21), 1.5%. Rows include 22-Nov, 22-Dec, 23-Jan, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A+ Intl Value, B IntlVectorE, B+ LargeCapInt, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A- TotalIntld, A+ TotalMarket, A+ USBondIndex, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A+ Intl Value, B IntlVectorE, B+ LargeCapInt, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A- TotalIntld, A+ TotalMarket, A+ USBondIndex, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A+ Intl Value, B IntlVectorE, B+ LargeCapInt, etc.

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A- TotalIntld, A+ TotalMarket, A+ USBondIndex, etc.

Large table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include A- EqtyDivInc, A Equity-Inv, A- FloatRateHl, etc.

-G-H-I-

Table with columns: 36 Mo Performance Rating, YTD 12Wk 5Yr Net Asset NAV. Rows include Cabelli Funds, Gartmore Funds, GEUF/S&S, GMo Trust Class III, etc.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA. IVAN BARON, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. HYRECAR INC., JOSEPH FURNARI and ROBERT SCOTT BROGI, Defendants. SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT; (II) SETTLEMENT FAIRNESS HEARING; AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES.

2024 ONLINE MASTER TRADER PROGRAM. SUPERPERFORMANCE WORKSHOP WITH MARK MINERVINI. 2-TIME U.S. INVESTING CHAMPION. 4 DAYS OF LEARNING, LIVE TRADING DAY WITH MARK MINERVINI. 500+ PAGE WORKBOOK WITH HUNDREDS OF EXAMPLES. NOVEMBER 2-3 & 9-11. SPECIAL GUEST INSTRUCTOR MARK RITCHIE II. Dramatically improve your performance. Learn to trade like a champion. The greatest learning experience on earth for stock traders.



Josephine Bravata <jbravata@strategicclaims.net>

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1 message

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To: jbravata@strategicclaims.net

Mon, Aug 26, 2024 at 9:00 AM

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US1
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Glancy Prongay & Murray LLP Announces Proposed Settlement on Behalf of Purchasers of HyreCar Inc. Publicly Traded Common Stock - HYREQ

NEWS PROVIDED BY
Glancy Prongay & Murray LLP →
Aug 26, 2024, 09:00 ET

SANTA ANA, Calif., Aug. 26, 2024 /PRNewswire/ -- Glancy Prongay & Murray LLP announces that the United States District Court for the Central District of California has approved the following announcement of a proposed settlement that would benefit purchasers of HyreCar Inc. publicly traded common stock (OTCMKTS: HYREQ):

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case No. 2:21-cv-06918-FWS-JC

Honorable Fred W. Slaughter

IVAN BARON, Individually and on Behalf of All Others Similarly Situated,
Plaintiff,

v.

HYRECAR INC., JOSEPH FURNARI and ROBERT SCOTT BROGI,
Defendants.

**SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION AND
PROPOSED SETTLEMENT; (II) SETTLEMENT FAIRNESS HEARING;
AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: All persons and entities that purchased or otherwise acquired the publicly traded common stock of HyreCar Inc. from May 13, 2021 through August 10, 2021, both dates inclusive, and were damaged thereby[1] (the "Settlement Class"):

PLEASE READ THIS NOTICE CAREFULLY, YOUR RIGHTS WILL BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Central District of California, that the above-captioned litigation (the "Action") has been certified as a class action on behalf of the Settlement Class, except for certain persons and entities who are excluded from the Settlement Class by definition as set forth in the full Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice").

YOU ARE ALSO NOTIFIED that Lead Plaintiff in the Action has reached a proposed settlement of the Action for \$1,900,000.00 in cash (the "Settlement"), that, if approved, will resolve all claims in the Action.

A hearing will be held on November 14, 2024 at 10:00 a.m., before the Honorable Fred W. Slaughter at the Ronald Reagan Federal Building and United States Courthouse, Courtroom 10D, 411 West 4th Street, Santa Ana, CA 92701, to determine: (i) whether the proposed Settlement should be approved as fair, reasonable, and adequate; (ii) whether the Action should be dismissed with prejudice, and the Releases specified and described in the Stipulation (and in the Notice) should be granted; (iii) whether the proposed Plan of Allocation should be approved as fair and reasonable; and (iv) whether Lead Counsel's application for an award of attorneys' fees and reimbursement of expenses should be approved.

If you are a member of the Settlement Class, your rights will be affected by the pending Action and the Settlement, and you may be entitled to share in the Settlement Fund. The Notice and Proof of Claim and Release Form ("Claim Form") can be downloaded from the website maintained by the Claims Administrator, www.HyreCarSecuritiesSettlement.com. You may also obtain copies of the Notice and Claim Form by contacting the Claims Administrator at *Ivan Baron v. HyreCar Inc. et al.*, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson Street, Suite 205, Media, PA 19063, 866-274-4004.

If you are a member of the Settlement Class, in order to be eligible to receive a payment under the proposed Settlement, you must submit a Claim Form online at www.HyreCarSecuritiesSettlement.com or postmarked no later than December 14, 2024. If you are a Settlement Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement, but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a member of the Settlement Class and wish to exclude yourself from the Settlement Class, you must submit a request for exclusion such that it is *received* no later than October 24, 2024, in accordance with the instructions set forth in the Notice. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Action and you will not be eligible to share in the proceeds of the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, or Lead Counsel's motion for attorneys' fees and reimbursement of expenses, must be filed with the Court and delivered to Lead Counsel and Individual Defendants' Counsel such that they are received no later than October 24, 2024, in accordance with the instructions set forth in the Notice.

Please do not contact the Court, the Clerk's office, HyreCar, the Individual Defendants, or Individual Defendants' Counsel regarding this notice. All questions about this notice, the proposed Settlement, or your eligibility to participate in the Settlement should be directed to Lead Counsel or the Claims Administrator.

Inquiries, other than requests for the Notice and Claim Form, should be made to Lead Counsel:

GLANCY PRONGAY & MURRAY LLP
Ex Kano S. Sams II, Esq.
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
(310) 201-9150
info@glancylaw.com

Requests for the Notice and Claim Form should be made to:

Ivan Baron v. HyreCar Inc., et al.
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson St., Ste. 205
Media, PA 19063
Tel.: 866-274-4004
www.HyreCarSecuritiesSettlement.com

By Order of the Court

¹ All capitalized terms used in this Summary Notice that are not otherwise defined herein shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated March 20, 2024 (the "Stipulation"), which is available at www.HyreCarSecuritiesSettlement.com.

SOURCE Glancy Prongay & Murray LLP

EXHIBIT 3

Ivan Baron v. HyreCar Inc., et al., Case No.: 2:21-cv-06918-FWS-JC
 Glancy Prongay & Murray LLP
 LODESTAR REPORT, 2024 RATES

TIMEKEEPER	STATUS	HOURS	2024 RATE	LODESTAR
ATTORNEYS:				
ROBERT PRONGAY	P	294.60	1,050.00	309,330.00
EX KANO SAMS	P	554.90	1,125.00	624,262.50
JOSEPH COHEN	P	46.25	1,195.00	55,268.75
RAYMOND SULENTIC*	A/P	410.20	875.00	358,925.00
FERNANDA GALBES	SA	25.50	425.00	10,837.50
ATTORNEY TOTALS		1,331.45		1,358,623.75
LEGAL SUPPORT:				
		HOURS	2024 RATE	LODESTAR
MICHAELA LIGMAN	RA	10.20	400.00	4,080.00
JOHN BELANGER	RA	42.00	365.00	15,330.00
GABRIELLE ZAVALETA	RA	12.80	350.00	4,480.00
HARRY KHARADJIAN	SP	54.25	350.00	18,987.50
ALEXIA SHIRI	SP	11.50	350.00	4,025.00
PAUL HARRIGAN	SP	28.00	325.00	9,100.00
LEGAL SUPPORT TOTAL:		158.75		56,002.50
GRAND TOTALS				
HOURS/LODESTAR		HOURS		LODESTAR
ATTORNEY TIME		1,331.45		1,358,623.75
LEGAL SUPPORT TIME		158.75		56,002.50
GRAND TOTALS		1,490.20		1,414,626.25

STATUS LEGEND:
P = PARTNER
A = ASSOCIATE
SA = STAFF ATTORNEY
RA = RESEARCH ANALYST
SP = SENIOR PARALEGAL
C = CLERICAL
* MADE PARTNER IN 2024

Ivan Baron v. HyreCar Inc., et al., Case No.: 2:21-cv-06918-FWS-JC

Glancy Prongay & Murray LLP

LODESTAR REPORT BY CATEGORY

TIMEKEEPER	STATUS	RATE (2024)	1	2	3	4	5	6	7	TOTAL	LODESTAR
ATTORNEYS:											
ROBERT PRONGAY	P	1,050.00	181.20	0.00	0.00	75.00	26.80	0.00	11.60	294.60	309,330.00
EX KANO SAMS	P	1,125.00	3.20	3.80	12.10	175.30	196.60	22.20	141.70	554.90	624,262.50
JOSEPH COHEN	P	1,195.00	0.00	0.00	0.00	0.00	0.00	0.00	46.25	46.25	55,268.75
RAYMOND SULENTIC*	A/P	875.00	53.70	0.00	16.80	199.40	81.00	4.80	54.50	410.20	358,925.00
FERNANDA GALBES	SA	425.00	0.00	0.00	25.50	0.00	0.00	0.00	0.00	25.50	10,837.50
TOTAL ATTORNEY		TOTAL	238.10	3.80	54.40	449.70	304.40	27.00	254.05	1,331.45	1,358,623.75
LEGAL SUPPORT:											
MICHAELA LIGMAN	RA	400.00	5.00	0.00	1.10	2.60	0.00	0.00	1.50	10.20	4080
JOHN BELANGER	RA	365.00	42.00	0.00	0.00	0.00	0.00	0.00	0.00	42.00	15,330.00
GABRIELLE ZAVALTA	RA	350.00	12.80	0.00	0.00	0.00	0.00	0.00	0.00	12.80	4,480.00
HARRY KHARADJIAN	SP	350.00	0.00	0.00	0.00	54.25	0.00	0.00	0.00	54.25	18,987.50
ALEXIA SHIRI	SP	350.00	0.00	0.00	2.50	5.50	0.50	0.00	3.00	11.50	4,025.00
PAUL HARRIGAN	SP	325.00	0.00	0.00	0.00	28.00	0.00	0.00	0.00	28.00	9,100.00
TOTAL LEGAL SUPPORT		TOTAL	59.80	0.00	3.60	90.35	0.50	0.00	4.50	158.75	56,002.50
TOTAL LODESTAR		TOTAL	297.90	3.80	58.00	540.05	304.90	27.00	258.55	1,490.20	1,414,626.25

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* MADE PARTNER IN 2024

CATEGORY LEGEND:
1 = FACTUAL RESEARCH
2 = DISCOVERY OF PLAINTIFFS
3 = DISCOVERY OF DEFENDANTS & THIRD PARTIES
4 = PLEADINGS, BRIEFS, MOTIONS
5 = LITIGATION STRATEGY, ANALYSIS, MANAGEMENT
6 = COURT APPEARANCES AND PREP/TRAVEL
7 = SETTLEMENT

Ivan Baron v. Hyreca Inc., et al. , Case No.: 2:21-cv-06918-FWS-JC
 Glancy Prongay & Murray LLP
 LODESTAR REPORT, HISTORICAL RATES

LODESTAR 2021-2024		2021			2022			2023			2024			TOTAL	TOTAL
TIMEKEEPER	STATUS	HOURS	RATE	LODESTAR	HOURS	RATE	LODESTAR	HOURS	RATE	LODESTAR	HOURS	RATE	LODESTAR	HOURS	LODESTAR
ATTORNEYS:															
ROBERT PRONGAY	P	81.30	850.00	69,105.00	137.90	875.00	120,662.50	75.40	900.00	67,860.00				294.60	257,627.50
EX KANO SAMS	P	82.70	925.00	76,497.50	283.70	950.00	269,515.00	99.20	1,000.00	99,200.00	89.30	1,125.00	100,462.50	554.90	545,675.00
JOSEPH COHEN	P							4.75	1,100.00	5,225.00	41.50	1,195.00	49,592.50	46.25	54,817.50
RAYMOND SULENTIC*	A/P	87.50	645.00	56,437.50	164.80	645.00	106,296.00	136.90	645.00	88,300.50	21.00	875.00	18,375.00	410.20	269,409.00
FERNANDA GALBES	SA							25.50	410.00	10,455.00				25.50	10,455.00
ATTORNEY TOTALS		251.50		202,040.00	586.40		496,473.50	341.75		271,040.50	151.80		168,430.00	1,331.45	1,137,984.00
LEGAL SUPPORT:															
MICHAELA LIGMAN	RA	6.00	310.00	1,860.00	0.40	350.00	140.00	2.30	350.00	805.00	1.50	400.00	600.00	10.20	3,405.00
JOHN BELANGER	RA	36.50	290.00	10,585.00	5.50	350.00	1,925.00							42.00	12,510.00
GABRIELLE ZAVALTA	RA	12.80	250.00	3,200.00										12.80	3,200.00
HARRY KHARADJIAN	SP	4.75	295.00	1,401.25	10.25	325.00	3,331.25	6.75	325.00	2,193.75	32.50	350.00	11,375.00	54.25	18,301.25
ALEXIA SHIRI	SP							2.10	325.00	682.50	9.40	350.00	3,290.00	11.50	3,972.50
PAUL HARRIGAN	SP	5.20	295.00	1,534.00	7.60	310.00	2,356.00	15.20	325.00	4,940.00				28.00	8,830.00
LEGAL SUPPORT:		65.25		18,580.25	23.75		7,752.25	26.35		8,621.25	43.40		15,265.00	158.75	50,218.75
YEAR															
HOURS/LODESTAR		2021			2022			2023			2024			GRAND TOTALS	
ATTORNEY TIME		251.50		202,040.00	586.40		496,473.50	341.75		271,040.50	151.80		168,430.00	1,331.45	1,137,984.00
LEGAL SUPPORT TIME		65.25		18,580.25	23.75		7,752.25	26.35		8,621.25	43.40		15,265.00	158.75	50,218.75
GRAND TOTALS		316.75		220,620.25	610.15		504,225.75	368.10		279,661.75	195.20		183,695.00	1,490.20	1,188,202.75

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* MADE PARTNER IN 2024

EXHIBIT 4

Ivan Baron v. Hyreca Inc., et al., Case No.: 2:21-cv-06918-FWS-JC
GLANCY PRONGAY & MURRAY LLP
FIRM EXPENSES REPORT
INCEPTION THROUGH OCTOBER 3, 2024

CATEGORY OF EXPENSES	AMOUNT PAID
COURIER AND SPECIAL POSTAGE	\$94.41
DOCUMENT MANAGEMENT	\$2,562.50
EXPERTS - ECONOMETRIC (DAMAGES, LOSS CAUSATION, MARKET EFFICIENCY)	\$30,290.00
EXPERTS - ECONOMETRIC (PLAN OF ALLOCATION)	\$6,821.00
EXPERTS (ACCOUNTING)	\$11,333.57
EXPERTS (BANKRUPTCY COUNSEL)	\$5,544.00
MEDIATORS	\$15,891.00
ONLINE RESEARCH	\$10,894.80
PHOTOIMAGING	\$38.75
PRIVATE INVESTIGATOR	\$29,150.48
SERVICE OF PROCESS	\$982.71
TRANSCRIPTS	\$412.90
GRAND TOTAL	\$114,016.12

EXHIBIT 5



RECENT TRENDS IN SECURITIES CLASS ACTION LITIGATION: 2023 FULL-YEAR REVIEW

By Edward Flores and Svetlana Starykh¹

23 January 2024

FOREWORD

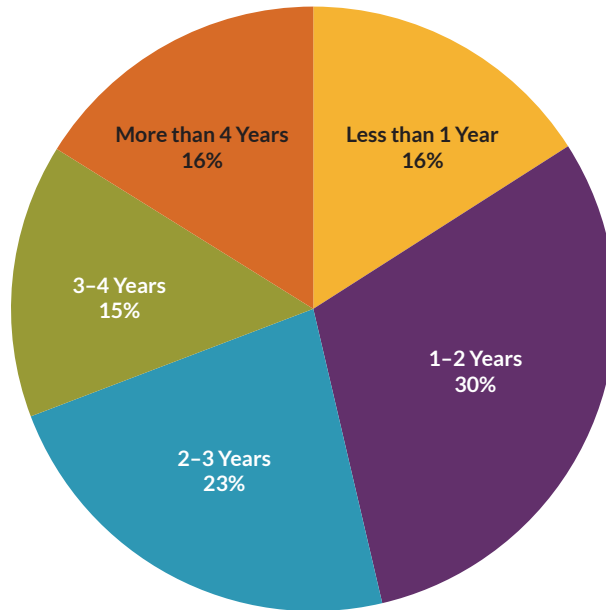
I am excited to share NERA's "Recent Trends in Securities Class Action Litigation: 2023 Full-Year Review" with you. This year's edition builds on work carried out over more than three decades by many of NERA's securities and finance experts. Although space does not permit us to present all the analyses the authors have undertaken while working on this year's edition or to provide details on the statistical analysis of settlement amounts, we hope you will contact us if you want to learn more about our research or our work in securities litigations. On behalf of NERA's securities and finance experts, I thank you for taking the time to review this year's report and hope you find it informative.

DAVID TABAK, PhD

Senior Managing Director



Figure 13. **Time from First Complaint Filing to Resolution**
Excluding Merger Objections and Crypto Unregistered Securities
Cases Filed January 2004–December 2019 and Resolved January 2004–December 2023



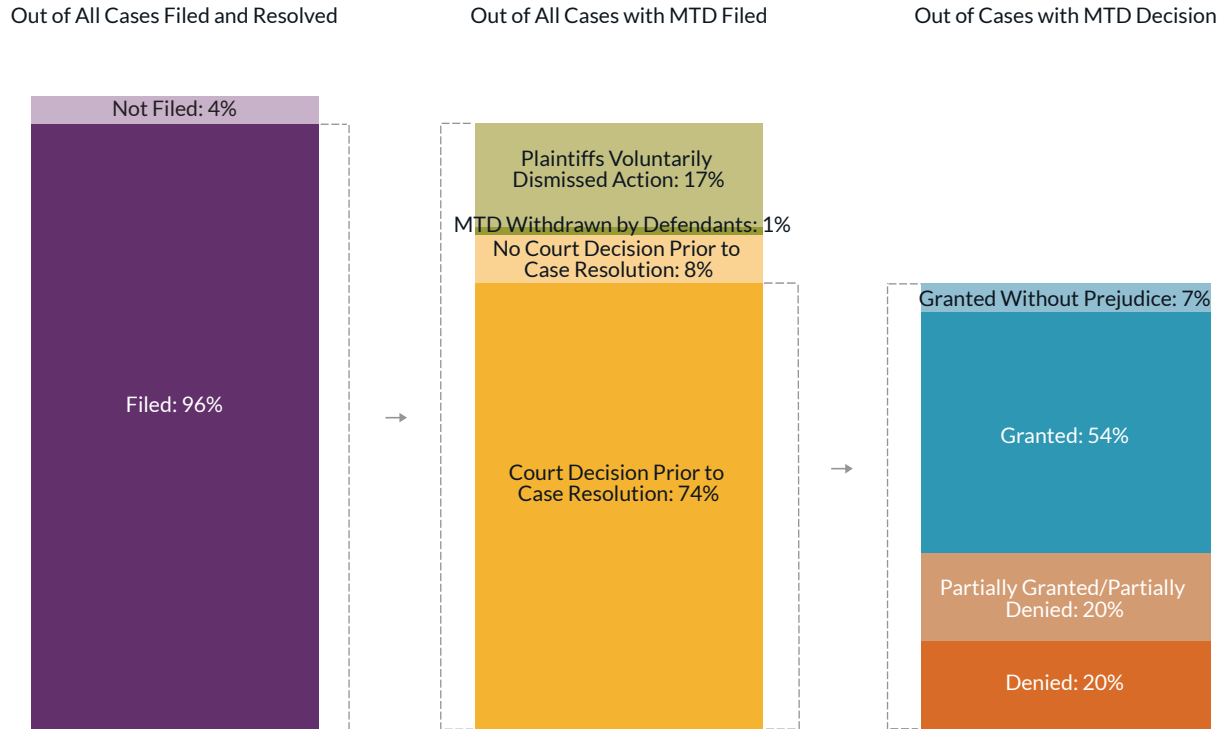
ANALYSIS OF MOTIONS

NERA's federal securities class action database tracks filing and resolution activity as well as decisions on motions to dismiss, motions for class certification, and the status of any motion as of the resolution date. For this analysis, we include securities class actions that were filed and resolved over the 2014–2023 period in which purchasers of common stock are part of the class and in which a violation of Rule 10b-5, Section 11, and/or Section 12 is alleged.

Motion to Dismiss

A motion to dismiss was filed in 96% of the securities class action suits filed and resolved. A decision was reached in 74% of these cases, while 17% were voluntarily dismissed by plaintiffs, 8% settled before a court decision was reached, and 1% of motions were withdrawn by defendants. Among the cases in which a decision was reached, 60% of motions were granted (with or without prejudice) while 40% were denied either in part or in full. See Figure 14.

Figure 14. Filing and Resolutions of Motions to Dismiss
 Cases Filed and Resolved January 2014–December 2023

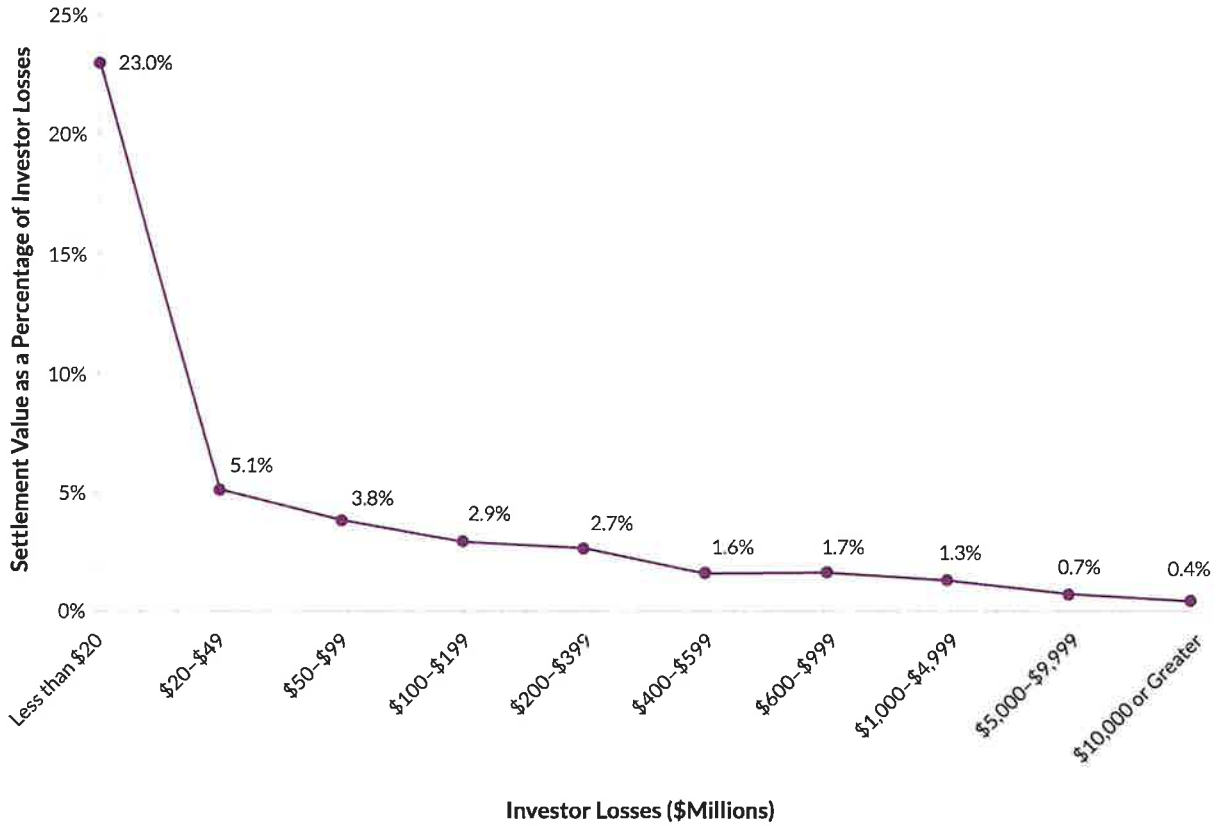


Motion for Class Certification

A motion for class certification was filed in only 18% of the securities class action suits filed and resolved, as most cases are either dismissed or settled before the class certification stage is reached. A decision was reached in 60% of the cases in which a motion for class certification was filed, while nearly all remaining 40% of cases were resolved with a settlement. Among the cases in which a decision was reached, the motion for class certification was granted (with or without prejudice) in 86% of cases. See Figure 15.

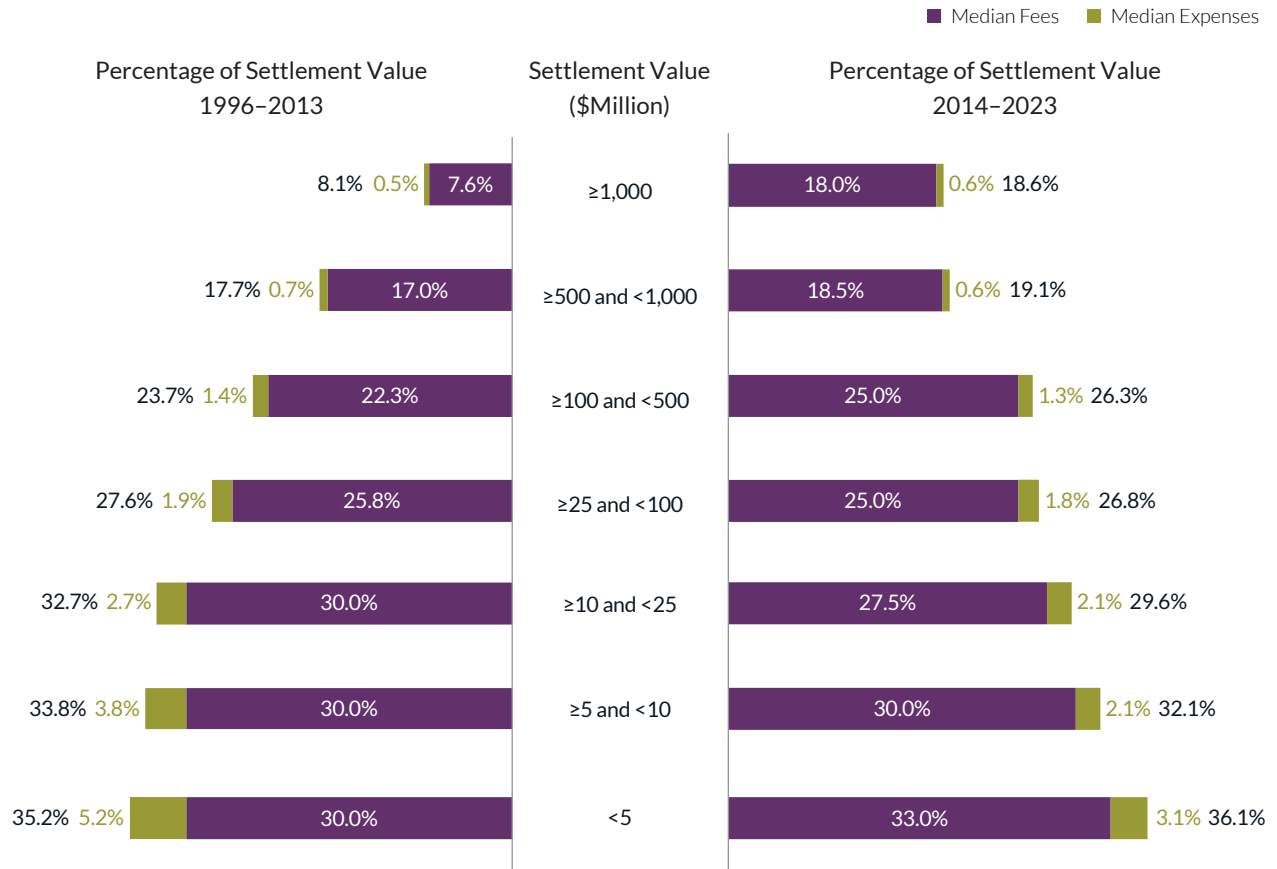
Approximately 64% of decisions on motions for class certification occur within three years of the filing of the first complaint, with nearly all decisions occurring within five years (see Figure 16). The median time is about 2.7 years.

Figure 21. Median Settlement Value as a Percentage of NERA-Defined Investor Losses
 By Level of Investor Losses
 Cases Settled January 2014–December 2023



The median Investor Losses were \$923 million, a 6% decline relative to 2022 and the second highest recorded value during the 2014–2023 period.

Figure 25. Median of Plaintiffs’ Attorneys’ Fees and Expenses by Size of Settlement
Excludes Merger Objections, Crypto Unregistered Securities, and Settlements for \$0 to the Class



Note: Component values may not add to total value due to rounding.

CONCLUSION

In 2023, federal filings increased by 11% from 206 in 2022 to 228 in 2023, ending a four-year period of annual declines in filings from 2019 to 2022. Of the 228 cases filed in 2023, 206 were standard cases with alleged violations of Rule 10b-5, Section 11, and/or Section 12, and 18.9% of standard cases were against foreign companies. Filings against companies in the information technology and technology services, health technology and services, and the finance sectors accounted for 59% of non-merger objections, non-crypto unregistered securities filings.

The number of resolved cases declined by 15% from 223 in 2022 to 190 in 2023. There were 90 settlements and 100 dismissals, marking the lowest level of both settlements and dismissals in the last 10 years. Excluding the presence of settlements of \$1 billion or higher, the average settlement value for 2023 was \$34 million and the median settlement value was \$14 million. Aggregate settlements totaled \$3.9 billion in 2023, with aggregate plaintiffs’ attorneys’ fees and expenses accounting for \$972 million, or 24.9%, of the 2023 aggregate settlement value. Over the last 10 years, the median plaintiffs’ attorneys’ fees and expenses as a percentage of settlement value has ranged from 18.6% for settlements of \$1 billion or higher to 36.1% for settlements of \$5 million or lower.

RELATED EXPERTS



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The opinions expressed herein do not necessarily represent the views of NERA or any other NERA consultant.

ABOUT NERA

Since 1961, NERA has provided unparalleled guidance on the most important market, legal, and regulatory questions of the day. Our work has shaped industries and policy around the world. Our field-leading experts and deep experience allows us to provide rigorous analysis, reliable expert testimony, and data-powered policy recommendations for the world's leading law firms and corporations as well as regulators and governments. Our experience, integrity, and economic ingenuity mean you can depend on us in the face of your biggest economic and financial challenges.



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EXHIBIT 6

Select Ninth Circuit Cases with 33% and Above Fee Awards		
Case	Settlement Amount	Fee Award
Perez v. Rash Curtis & Assocs., No. 16-cv-03396, 2020 WL 1904533 at *15 (N.D. Cal. Apr. 17, 2020)	\$267,000,000	33½%
In re Apollo Grp. Inc. Sec. Litig., No. 04-cv-02147, 2012 WL 1378677, at *7 (D. Ariz. Apr. 20, 2012)	\$145,000,000	33.33%
In re Lidoderm Antitrust Litig., No. 14-md-02521, 2018 WL 4620695, at *4 (N.D. Cal. Sept. 20, 2018)	\$104,750,000	33½%
Meijer, Inc. v. Abbott Labs., No. 07-cv-05985, 2011 WL 13392313, at *2 (N.D. Cal. Aug. 11, 2011)	\$52,000,000	33.33%
Beaver v. Tarsadia Hotels, No. 11-cv-01842, 2017 WL 4310707 at *12, (S.D. Cal. Sept. 28, 2017)	\$51,150,000	33½%
Hageman v. AT&T Mobility LLC, No. 13-cv-00050, 2015 WL 9855925, at *4 (D. Mon. Feb. 11, 2015)	\$45,000,000	33½%
Carlin v. DairyAmerica, Inc., 380 F.Supp.3d 998, at *1023 (E.D. Cal. 2019)	\$40,000,000	33.30%
Thomas & Thomas Rodmakers Inc. v. Newport Adhesives and Composites, Inc., No. 99-cv-07796, ECF No. 802, (C.D. Cal. Oct. 18, 2005)	\$36,250,000	33.00%
In re Public Service Co., No. 91-cv-00536, 1992 U.S. Dist. LEXIS 16326, at *9 (S.D. Cal. July 28, 1992)	\$33,000,000	33.00%
Bickley v. Schneider Nat'l Carriers, Inc., No. 08-cv-05806, 2016 WL 6910261, at *3-4 (N.D. Cal. Oct. 13, 2016)	\$28,000,000	33½%
In re Heritage Bond Litig., No. 02-ml-1475, 2005 WL 1594403, at *23 (C.D. Cal. June 10, 2005)	\$27,783,000	33.33%
Wren v. RGIS Inventory Specialists, No. 06-cv-05778, 2011 WL 1230826, at *29	\$27,000,000	42.00%
In re Tezos Sec. Litig., No. 17-cv-06779, 2020 WL 13699946, at *1 (N.D. Cal. Aug 28, 2020)	\$25,000,000	33.33%
Dakota Medical, Inc. v. RehabCare Grp., Inc., No. 14-cv-02081, 2017 WL 4180497, at *9-10 (E.D. Cal. Sept. 21, 2017)	\$25,000,000	33½%
Davis v. Yelp, Inc. et al., No. 18-cv-00400, 2023 WL 3063823 at *2 (N.D. Cal. Jan 27, 2023)	\$22,250,000	33.3%
NECA-IBEW Pension Trust Fund v. Precision Castparts Corp., No. 16-cv-01756, ECF No. 169 (D. Or. May 7, 2021)	\$21,000,000	33.30%
Abdullah v. U.S. Security Associates, Inc., No. 09-cv-09554, 2017 WL 11630767 (C.D. Cal. Dec 4, 2017)	\$20,613,339	33½%
Alvarez v. XPO Logistics Cartage, LLC, No. 18-cv-03736, ECF No. 584, (C.D. Cal. Feb. 17, 2022)	\$20,000,000	33.33%
In re Banc of Cal. Sec. Litig., No. 17-cv-00118, 2020 WL 1283486, at *1 (C.D. Cal. Mar. 16, 2020)	\$19,750,000	33.00%
Waldbuesser v. Northrop Grumman Corp., No. 06-cv-06213, 2017 WL 9614818, at *3 (C.D. Cal. Oct. 24, 2017)	\$16,750,000	33½%
Bolding v. Banner Bank, No. 17-cv-00601, 2024 WL 755903, at *2 (W.D. Wash. Feb. 23, 2024)	\$15,000,000	33.00%
In re Zillow Group, Inc. Sec. Litig., No. 17-cv-01387, ECF No. 186 (W.D. Wash. Aug. 8, 2023)	\$15,000,000	33.33%
Morris v. Lifescan, Inc., 54 Fed. App'x 663, 664 (9th Cir. 2003)	\$14,800,000	33.00%
Good Morning to You Prods. Corp. v. Warner/Chappell Music, Inc., No. 13-cv-04460, ECF No. 349, (C.D. Cal. June 30, 2016)	\$14,000,000	33.00%
In re Allied Nevada Gold Corp. Sec. Litig., No. 14-cv-00175, ECF No. 215 (D. Nev. Nov. 16, 2020)	\$14,000,000	33½%
Ruiz v. XPO Last Mile, Inc., No. 05-cv-02125, 2017 WL 6513962, at *9 (S.D. Cal. Dec 20, 2017)	\$13,900,000	35.00%
Tawfilis v. Allergan, Inc., No. 15-cv-00307, 2018 WL 4849716, at *7 (C.D. Cal. Aug. 27, 2018)	\$13,450,000	33½%
Kendall v. Odonate Therapeutics, Inc., No. 20-cv-01828, 2022 WL 1997530, at *6-7 (S.D. Cal. June 6, 2022)	\$12,750,000	33½%
Marshall v. Northrop Grumman Corp., No. 16-cv-06794, 2020 WL 5668935, at *8 (C.D. Cal. Sept. 18, 2020)	\$12,375,000	33½%
In re Pacific Enters. Sec. Litig., 47 F.3d at 373 at *10 (9th Cir. 1995)	\$12,000,000	33.00%
Singh v. Roadrunner Intermodal Servs., LLC, No. 15-cv-01497, 2019 WL 316814 at *9 (E.D. Cal. Jan. 24, 2019)	\$9,250,000	33½%
Vigueras v. Red Robin Inter'l, Inc., No. 17-cv-01422, ECF No. 182 (C.D. Cal. Dec. 2, 2020)	\$8,500,000	33.33%
Fernandez v. Victoria Secret Stores, LLC, No. 06-cv-04149, 2008 WL 8150856, at *16	\$8,500,000	34.00%
Jenson v. First Tr. Corp., No. CV 05-03124, 2008 WL 11338161 (C.D. Cal. June 9, 2008)	\$8,500,000	33½%
McMorrow v. Mondelez International, Inc., No. 17-cv-02327, 2022 WL 1056098, at *8 (S.D. Cal. Apr. 8, 2022)	\$8,000,000	33.33%
Ziegler v. GW Pharmaceuticals, PLC, No. 21-cv-01019, 2024 WL 1470532, at *11 (S.D. Cal. Apr. 3, 2024)	\$7,750,000	33.33%
Jones v. CertifiedSafety, Inc., No. 17-cv-02229, ECF No. 232 (N.D. Cal. June 1, 2020)	\$6,000,000	33.33%
Linney v. Cellular Alaska P'ship, No. 96-cv-03008, 1997 WL 450064, at *7 (N.D. Cal. July 18, 1997)	\$6,000,000	33½%
Boyd v. Bank of Am. Corp., No. 13-cv-00561, 2014 WL 6473804, at *9 (C.D. Cal. Nov. 18, 2014)	\$5,800,000	33½%

Select Ninth Circuit Cases with 33% and Above Fee Awards		
Case	Settlement Amount	Fee Award
In re First Regional Bancorp Sec. Litig., No. 10-cv-00537, ECF No. 4964 (C.D. Cal. July 21, 2014)	\$5,500,000	33.30%
Berry v. Urban Outfitters Wholesale, Inc., No. 13-cv-02628, ECF No. 114 (N.D. Cal. Apr. 7, 2016)	\$5,000,000	33.33%
In re Interlink Elec., Inc. Sec. Litig., No. 05-cv-08133, ECF No. 165 (C.D. Cal. June 1, 2009)	\$5,000,000	33½%
In re Orexigen Therapeutics, Inc. Sec. Litig., No. 15-cv-00540, ECF No. 155 (S.D. Cal. Nov. 30, 2021)	\$4,800,000	33.00%
Hodges v. Akeena Solar, Inc., No. 09-cv-02147, ECF No. 167 (N.D. Cal. Dec. 15, 2011)	\$4,770,000	33½%
Aguilar v. Wawona Frozen Foods, No. 15-cv-00093, 2017 WL 2214936, at *6	\$4,500,000	33½%
West v. Cal. Serv. Bureau, Inc., No. 16-cv-03124, ECF No. 128 (N.D. Cal. Jan. 23, 2019)	\$4,100,000	33.33%
Larson v. Harman-Mgmt. Corp., No. 16-cv-00219, 2020 WL 3402406 at *8	\$4,000,000	33½%
Schroeder v. Envoy Air, Inc., No. 16-cv-04911, 2019 WL 2000578, at *8 (C.D. Cal. May 6, 2019)	\$3,555,941	33.00%
Cook v. Atossa Genetics, Inc., No. 13-cv-01836, ECF No. 98 (W.D. Wash. July 20, 2018)	\$3,500,000	33.00%
In re K12 Inc. Sec. Litig., No. 16-cv-04069, 2019 WL 3766420, at *1 (N.D. Cal. July 10, 2019)	\$3,500,000	33.00%
Mathein v. Pier 1 Imports (U.S.), Inc., No. 16-cv-00087, 2018 WL 1993727 (E.D. Cal. Apr. 27, 2018)	\$3,500,000	33½%
Wise v. Ultra Salon, Cosmetics & Fragrance, Inc., No. 17-cv-00853, 2020 WL 1492672 (E.D. Cal. Mar. 27, 2020)	\$3,500,000	33½%
Vandervort v. Balboa Cap. Corp., 8 F.Supp.3d 1200, 1210 (C.D. Cal. Mar. 27, 2014)	\$3,300,000	33.00%
Gonzalez v. CoreCivic of Tenn., LLC, No. 16-cv-01891, 2020 WL 1475991 at *10 (E.D. Cal. Mar. 26, 2020)	\$3,200,000	33½%
Howell v. Advantage RN, LLC, No. 17-cv-00883, 2020 WL 5847565 at *5 (S.D. Cal. Oct 1, 2020)	\$3,200,000	33½%
Byrne v. Westpac Banking Corporation, No. 20-cv-00171, ECF No. 52 (D. Or. May 12, 2021)	\$3,100,000	33.33%
Antonopoulos v. N. Am. Thoroughbreds, Inc., No. 87-cv-00979, 1991 WL 427893, at *4, (S.D. Cal. May 6, 1991)	\$3,098,000	33½%
Schmitt v. Kaiser Found. Health Plan of Wash., 17-cv-01611, 2024 U.S. Dist. Lexis 71166, at *7 (W.D. Wash. Apr. 18, 2024)	\$3,000,000	33½%
In re Mikohn Gaming Corp. Sec. Litig., No. 05-cv-1410, ECF No. 96, (D. Nev. June 6, 2007)	\$2,800,000	33.33%
In re Resonant Inc. Sec. Litig., No. 15-cv-01970, 2017 WL 11681028 at *7 (C.D. Cal. July 13, 2017)	\$2,750,000	33.00%
Garnett v. ADT, LLC, No. 14-cv-02851, 2016 WL 3538354 at *6 (E.D. Cal. June 28, 2016)	\$2,700,000	33.00%
In re 2TheMart.com, Inc. Sec. Litig., No. 99-cv-1127, ECF No. 161 (C.D. Cal. July 8, 2002)	\$2,700,000	33½%
Plant v. Jaguar Animal Health, Inc., No. 17-cv-04102, ECF No. 97 (N.D. Cal. May 27, 2021)	\$2,600,000	33.33%
Figueroa v. Allied Building Products Corp., No. 16-cv-02249, 2018 WL 4860034, at *3 (C.D. Cal. Sept. 24, 2018)	\$2,500,000	33.33%
Brulee v. DAL Global Servs., LLC, No. 17-cv-06433, ECF No. 51 (C.D. Cal. Dec. 13, 2018)	\$2,500,000	33.33%
In re Merix Corp. Sec. Litig., No. 04-cv-00826, ECF No. 236 (D. Or. Jan. 3, 2011)	\$2,500,000	33.33%
Elliot v. China Green Agric. Inc., No. 10-cv-00648, ECF No. 166 (D. Nev. Aug. 12, 2014)	\$2,500,000	33½%
Emmons v. Quest Diagnostics Clinical Labs., Inc., No. 13-cv-00474, 2017 WL 749018 (E.D. Cal. Feb. 27, 2017)	\$2,350,000	33½%
Cheng Jiangchen v. Rentech, Inc., No. 17-cv-01490, 2019 WL 5173771, at *9 (C.D. Cal. Oct 10, 2019)	\$2,050,000	33½%
Yaron v. Intersect ENT, Inc., No. 19-cv-02647, ECF No. 80 (N.D. Cal. Nov. 5, 2021)	\$1,900,000	33½%
Likas v. ChinaCache Int'l Holdings Ltd., No. 19-cv-06942, ECF No. 95 (C.D. Cal. Mar. 14, 2022)	\$1,800,000	33.30%
In re Mego Fin. Corp. Sec. Litig., 213 F.3d 454, 463 (9th Cir. 2000)	\$1,725,000	33½%
In re AudioEye, Inc. Sec. Litig., No. 15-cv-00163, ECF No. 100 (D. Ariz. May 8, 2017)	\$1,525,000	33.33%
In re Ring LLC Privacy Litig., No. 19-cv-10899, 2024 WL 2845978, at *6 (C.D. Cal. May 28, 2024)	\$1,425,000	33.33%
Antoine de Sejournet v. Goldman Kurland Mohidin LLP, No. 13-cv-01682, ECF No. 114 (C.D. Cal. Mar. 18, 2016)	\$1,425,000	33.33%
Morgan v. Childtime Childcare, Inc., No. 17-cv-01641, 2020 WL 218515, at *4 (C.D. Cal. Jan. 6, 2020)	\$1,250,000	33.20%
In re Vivint Solar, Inc. Sec. Litig., No. 20-cv-00919, ECF No. 99 (D. Utah May 9, 2022)	\$1,250,000	33.33%

EXHIBIT 7

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Bernstein Litowitz Berger & Grossman LLP	In re Wells Fargo & Company Securities Litigation, No. 1:20-cv-04494	(S.D.N.Y.) (Aug. 2023) (Dkt. No. 190-9)	Senior Counsel: \$775 - \$825 Associate: \$425 - \$650 Staff Attorney: \$350 - \$450 Case Manager & Paralegal: \$325 - \$400	\$900 - \$1,300
	In re Myriad Genetics, Inc. Securities Litigation, No. 2:19-cv-00707	(D.Utah) (Nov. 2023) (Dkt. No. 290)	Senior Counsel: \$775 - \$825 Associate: \$450 - \$600 Staff Attorney: \$425 - \$450 Paralegal: \$300 - \$400	\$900 - \$1,250
	Lord Abbett Affiliated Fund, Inc., et al. v. Navient Corp., et al., No. 1:16-cv-00112--MN	(D.Del.) (Feb. 2022) (Dkt. No. 347-5)	Senior Counsel: \$775 Associate: \$425 - \$700 Staff Attorney: \$350 - \$400 Paralegal: \$325 - \$350	\$900 - \$1,300
Boies, Schiller & Flexner LLP	In re Grupo Televisa Securities Litigation, No. 1:18-cv-01979	(S.D.N.Y.) (Jul. 2023) (Dkt. No. 356)	Counsel: \$940 - \$970 Associate: \$670 - \$830 Summer Associate: \$450 Staff Attorney: \$380 - \$460 Paralegal: \$350	\$1,140 - \$2,110
	Brown et al. v. Google LLC, No. 4:30-cv-03664-YGR-SVK	(N.D.Cal.) (Jun. 2022) (Dkt. No. 597)	Associate: \$475 - \$950 Paralegal: \$225 - \$380	\$725 - \$1,950

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Cohen Milstein Sellers & Toll, PLLC	In re Wells Fargo & Company Securities Litigation, No. 1:20-cv-04494	(S.D.N.Y.) (Aug. 2023) (Dkt. No. 190-9)	Senior Counsel: \$925 Associate: \$525 - \$700 Staff Attorney: \$600 - \$650 Discovery Attorney: \$245 - \$495	\$750 - \$1,225
Hausfeld LLP	In re TikTok, Inc., Consumer Privacy Litigation, MDL No. 2948	(N.D.Ill.) (Mar. 2022) (Dkt. No. 197-20)	Of Counsel: \$875 Associate: \$500 - \$610 Paralegal: \$300 - \$325	\$725 - \$1,525
	In re Foreign Exchange Benchmark Rates Antitrust Litigation, No. 1:13-cv-07789-LGS	(S.D.N.Y.) (Jan. 2018) (Dkt. No. 939-3)	Associate: \$350 - \$500 Staff Attorney: \$350 - \$600 Contract Attorney: \$350 - \$425 Paralegal: \$75 - \$280	\$630 - \$1,375
Keker, Van Nest & Peters LLP	OpenGov, Inc. v. GTY Technology Holdings Inc. et al, No. 3:18-cv-07198-JSC	(N.D.Cal.) (Mar. 2019) (Dkt. No. 40-1)	Of Counsel: \$775 - \$1,075 Paralegal: \$250 - \$290	\$700 - \$1,500
Labaton Sucharow LLP	Boston Retirement System v. Alexion Pharmaceuticals, Inc. et al., No. 3:16-cv-02127-AWT	(D.Conn.) (Nov. 2023) (Dkt. No. 319-10)	Of Counsel: \$650 - \$875 Associate: \$475 - \$625 Staff Attorney: \$375 - \$475 Paralegal: \$325 - \$390	\$700 - \$1,325
	In re The Allstate Corporation Securities Litigation, No. 1:16-cv-10510	(N.D.Ill.) (Nov. 2023) (Dkt. No. 555)	Of Counsel: \$650 - \$875 Associate: \$425 - \$625 Staff Attorney: \$335 - \$475 Paralegal: \$150 - \$390	\$900 - \$1,375

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Levi & Korsinsky LLP	In re Nutanix, Inc. Securities Litigation, No. 3:21-cv-04080	(N.D.Cal.) (Aug. 2023) (Dkt. No. 318-2)	Of Counsel: \$450 - \$850 Associate: \$500 - \$675 Staff Attorney: \$475	\$900 - \$1,050
	In re U.S. Steel Consolidated Casts, No. 2:17-cv-00579-CB	(W.D.Penn.) (Mar. 2023) (Dkt. No. 351)	Of Counsel: \$450 - \$850 Associate: \$425 - \$850	\$765 - \$1,050
Lieff Cabraser Heimann & Bernstein, LLP	In re BofI Holding, Inc. Securities Litigation, No. 3:15-cv-02324-GPC-KSC	(S.D.Cal) (Jul. 2022) (Dkt. No. 383-2)	Associate: \$395 - \$535 Staff Attorney: \$415	\$555 - \$1,150
Motley Rice LLC	Boston Retirement System v. Alexion Pharmaceuticals, Inc. et al., No. 3:16-cv-02127-AWT	(D.Conn.) (Nov. 2023) (Dkt. No. 319-10)	Senior Counsel: \$860 - \$950 Associate: \$550 - \$680 Staff Attorney: \$400 - \$500 Contract Attorney: \$325 - \$410 Paralegal: \$200 - \$425	\$895 - \$1,315 ("Member" Rates)
Pomerantz LLP	Solomon v. Sprint Corporation et al., No. 1:19-cv-05272	(S.D.N.Y.) (Jul. 2023) (Dkt. No. 95)	Associate: \$425 - \$650 Paralegal: \$120 - \$365	\$875 - \$1,250
Quinn Emanuel Urquhart & Sullivan, LLP	Alaska Electrical Pension Fund, et al., v. Bank of America, N.A., et al., No. 14-cv-07126-JMF-OTW	(S.D.N.Y.) (Mar. 2018) (Dkt. No. 617-1)	Of Counsel: \$885 - \$920 Associate: \$630 - \$875 Staff Attorney: \$350 - \$535 Paralegal: \$300 - \$320 Litigation Support: \$175 - \$365	\$940 - \$1,375
Robbins Geller Rudman & Dowd LLP	Oregon Laborers Employers Pension Trust Fund v. Maxar Technologies, Inc. et al., No. 1:19-cv-00124	(D.Colo.) (Oct. 2023) (Dkt. No. 201-1)	Of Counsel: \$960 - \$1,080 Associate: \$465 - \$535 Staff Attorney: \$450 - \$460	\$760 - \$1,250

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Robbins Geller Rudman & Dowd LLP	Flynn v. Exelon Corporation et al., No. 1:19-cv-08209	(N.D.Ill.) (Aug. 2023) (Dkt. No. 207)	Associate: \$400 - \$595 Staff Attorney: \$390 - \$460 Research Analyst: \$315 Economic Analyst: \$355 - \$450	\$760 - \$1,315
	Purple Mountain Trust, Individually and on Behalf of All Others Similarly Situated v. Wells Fargo & Company et al., No. 3:18-cv-03948	(N.D.Cal.) (Jul. 2023) (Dkt. No. 232-1)	Of Counsel: \$600 - \$1,110 Associate: \$250 - \$550 Staff Attorney: \$300 - \$450 Research Analyst: \$315	\$735 - \$1,375
	Azar v. Grubhub Inc., et al., No. 1:19-cv-07665	(N.D.Ill.) (Dec. 2022) (Dkt. No. 2279)	Of Counsel: \$955 Associate: \$375 - \$650 Staff Attorney: \$410 - \$445 Research Analyst: \$295 Investigator: \$290	\$675 - \$1,350
	Gordon v. Vanda Pharmaceuticals, Inc. and Mihael H Polymeropoulos, No. 1:19-cv-01108-FB-LB	(E.D.N.Y.) (Dec. 2022) (Dkt. No. 104-6)	Of Counsel: \$1,090 Associate: \$375 - \$630 Staff Attorney: \$420 - \$445 Litigation Support: \$300 Investigator: \$290	\$785 - \$1,350
Scott+Scott, Attorneys at Law, LLP	Abadilla, et al. v. Precigen, Inc. et al., No. 5:20-cv-06936-BLF	(N.D.Cal.) (Sep. 2023) (Dkt. No. 138)	Of Counsel: \$1,050 Associate: \$625 - \$795 Staff Attorney: \$675 Paralegal: \$395 - \$415	\$1,095 - \$1,595

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Scott+Scott, Attorneys at Law, LLP	In re Infinity Q Diversified Alpha Fund Securities Litigation, No. 651295/2021	(New York County, New York) (Dec. 2022) (Dkt. No. 230)	Associate: \$675 - \$795 Staff Attorney: \$650 Research Analyst: \$395 Paralegal: \$395	\$995 - \$1,395

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Akin Gump Strauss Hauer & Feld LLP	In re Yellow Corporation, <i>et al.</i> , Debtors, No. 23-11069 (CTG)	(Bankr. D.Del.) (Oct. 2023) (Dkt. No. 889)	Senior Counsel and Counsel: \$1,055 - \$1,500 Associate: \$790 - \$1,125 Paralegal: \$435 - \$510	\$1,420 - \$1,995
	In re Pipeline Health System, LLC, <i>et al.</i> , Debtors, No. 22-90291 (MI)	(Bankr. S.D.Tex.) (Mar. 2023) (Dkt. No. 1169)	Senior Counsel: \$1,105 - \$1,300 Counsel: \$1,025 - \$1,190 Associate: \$670 - \$880 Paraprofessional: \$510	\$1,400 - \$1,775
Cleary Gottlieb Steen & Hamilton LLP	In re ViewRay, Inc., <i>et al.</i> , Debtors, No. 23-10935 (KBO)	(Bankr. D.Del.) (Nov. 2023) (Dkt. No. 428-2)	Associate: \$965 - \$1,105 Paralegal: \$430 Non-Legal: \$370	\$1,305 - \$1,930
	In re Genesis Global Holdco, LLC, <i>et al.</i> , Debtors, No. 23-10063 (SHL)	(Bankr. S.D.N.Y.) (May 2023) (Dkt. No. 316)	Counsel: \$1,280 - \$1,765 Associate: \$845 - \$1,400 Contract Attorney: \$300 - \$375 Litigation Paralegal: \$370 - \$430	\$1,305 - \$2,135
Cooley LLP	In re Whittaker, Clark & Daniels, Inc., <i>et al.</i> , Debtors, No. 23-13575-MBK	(Bankr. D.N.J.) (Jun. 2024) (Dkt. No. 1145)	Counsel: \$1,395 - \$1,400 Associate: \$760 - \$1,375 eDiscovery Review Attorney: \$425 Paralegal: \$420	\$1,540 - \$1,925

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Cooley LLP	In re CR Holding Liquidating, Inc., <i>et al.</i> , Debtors, No. 19-10210-LSS	(Bankr. D.Del.) (May 2023) (Dkt. No. 1820)	Senior Counsel: \$1,650 Associate: \$1,235 - \$1,245 Law Clerk: \$670 Paralegal: \$380 - \$605 ("2023" Rates)	\$1,285 - \$1,895 ("2023" Rates)
Davis Wright Tremaine LLP	Securities Exchange Commission, Plaintiff, v. Infinity Q Diversified Alpha Fund, Defendant, No. 22 Civ. 9608 (PKC)	(S.D.N.Y.) (Jun. 2024) (Dkt. No. 98)	Counsel: \$1,180 Associate: \$945 Paralegal: \$500	\$1,215
Dechert LLP	In re Bintago Inc., <i>et al.</i> , Debtors, No. 23-11394 (SHL)	(Bankr. S.D.N.Y.) (Nov. 2023) (Dkt. No. 220)	Counsel: \$1,175 Associate: \$775 - \$1,140 Legal Assistant: \$435 - \$490	\$1,275 - \$1,650
	In re PURDUE PHARMA L.P., <i>et al.</i> , Debtors, No. 19-23649-shl	(Bankr. S.D.N.Y.) (Aug. 2023) (Dkt. No. 5840)	Associate: \$880 - \$1,050 Paralegal: \$300	\$1,125 - \$1,650
DLA Piper LLP (US)	In re Vestoo Ltd., <i>et al.</i> , Debtors, No. 23-11160 (MFW)	(Bankr. D.Del.) (Jan. 2024) (Dkt. No. 619)	Associate: \$730 - \$1,215 Law School Graduate: \$730 Research Analyst: \$500 Paralegal: \$340 - \$475	\$1,215 - \$1,800
	In re Instant Brands Acquisition Holdings Inc, <i>et al.</i> , Debtors, No. 23-90716 (DRJ)	(Bankr. S.D.Tex.) (Nov. 2023) (Dkt. No. 724-1)	Associate: \$670 - \$1,080 Law School Graduate: \$730 Research Analyst: \$500 Case Manager: \$380 - \$475	\$1,200 - \$1,640
Freshfields Bruckhaus Deringer LLP	In re Talen Energy Supply, LLC, <i>et al.</i> , Debtors, No. 22-90054 (MI)	(Bankr. S.D.Tex.) (Jun. 2023) (Dkt. No. 2114-2)	Counsel: \$1,425 Associate: \$980 - \$1,200	\$1,690 - \$1,945

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Freshfields Bruckhaus Deringer LLP	In re Revlon, Inc. <i>et al.</i> , Debtors, No. 22-10760 (DSJ)	(Bankr. S.D.N.Y.) (Apr. 2023) (Dkt. No. 1835)	Counsel: \$843 Associate: \$321 - \$1,323 Paralegal/Non-Legal Staff: \$320 - \$525	\$1,057 - \$1,723
Gibson, Dunn & Crutcher LLP	In re Stimwave Technologies Incorporated, <i>et al.</i> , Debtors, No. 22-10541 (TMH)	(Bankr. D.Del.) (May 2023) (Dkt. No. 901)	Associate: \$1,105 - \$1,210	\$1,860
	In re Sequential Brands Group, Inc., <i>et al.</i> , Debtors, No. 21-11194 (JTD)	(Bankr. D.Del.) (Sep. 2021) (Dkt. No. 95)	Counsel: \$1,025 - \$1,210 Associate: \$610 - \$1,060	\$1,095 - \$1,645
Goodwin Procter LLP	In re Party City Holdco Inc., Debtor, No. 23-90005	(Bankr. S.D.Tex.) (Nov. 2023) (Dkt. No. 1939-2)	Counsel: \$1,150 Associate: \$710 - \$1,095 Paralegal: \$520	\$1,250 - \$1,775
	In re Clarus Therapeutics Holdings, Inc., Debtor, No. 22-10845-MFW	(Bankr. D.Del.) (Mar. 2023) (Dkt. No. 354-1)	Counsel: \$1,075 Associate: \$675 - \$945 Paralegal: \$355 - \$495	\$1,095 - \$1,800
Greenberg Traurig LLP	In re Vesttoo Ltd., <i>et al.</i> , Debtors, No. 23-11160 (MFW)	(Bankr. D.Del.) (Nov. 2023) (Dkt. No. 399)	Senior Counsel: \$1,645 Of Counsel: \$855 - \$900 Associate: \$650 - \$895 Paralegal: \$390 - \$475	\$880 - \$1,665 ("Shareholder" Rates)
	In re Kabbage, Inc. d/b/a Kservicing, <i>et al.</i> , Debtors, No. 22-10951 (CTG)	(Bankr. D.Del.) (Jun. 2023) (Dkt. No. 855)	Associate: \$870 Paralegal: \$435	\$1,255 - \$1,540 ("Shareholder" Rates)

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Hogan Lovells US LLP	In re Mallinckrodt PLC, <i>et al.</i> , Debtors, No. 23-11258 (JTD)	(Bankr. D.Del.) (Dec. 2023) (Dkt. No. 744)	Senior Counsel: \$1,444 Of Counsel: \$1,135 - \$1,175 Senior Associate: \$1,065 - \$1,110 Associate: \$650 - \$890 Senior Research Analyst: \$390 Paralegal: \$390	\$885 - \$1,585
	In re LTL Management LLC, Debtor, No. 21-30589 (JCW)	(Bankr. D.N.J.) (May 2022) (Dkt. No. 2240-1)	Counsel: \$910 - \$1,735 Associate: \$605 - \$1,055 Paralegal: \$275 - \$550	\$950 - \$2,465
Jones Day	In re LTL Management LLC, Debtor, No. 23-12825 (MBK)	(Bankr. D.N.J.) (Sep. 2023) (Dkt. 1327)	Of Counsel: \$925 - \$1,275 Associate: \$325 - \$925 Staff Attorney: \$600 - \$625 Paralegal: \$213 - \$500	\$563 - \$1,800
	In re Purdue Pharma L.P., <i>et al.</i> , Debtors, No. 19-23649 (SHL)	(Bankr. S.D.N.Y.) (Jun. 2023) (Dkt. No. 5669)	Associate: \$650 - \$880 Paralegal and Staff: \$325 - \$450	\$1,050 - \$1,418
	In re Capstone Green Energy Corporation, <i>et al.</i> , Debtors, No. 23-11634 (LSS)	(Bankr. D.Del.) (Dec. 2023) (Dkt. No. 148-2)	Of Counsel: \$735 - \$1,440 Counsel and Special Staff: \$460 - \$1,230 Associate: \$300 - \$935 Paralegal: \$90 - \$650	\$835 - \$1,795
	In re Voyager Digital Holdings, Inc. <i>et al.</i> , Debtors, No. 22-10943 (MEW)	(Bankr. S.D.N.Y.) (Mar. 2023) (Dkt. No. 1147)	Associate: \$765 - \$815	\$1,040 - \$1,755
King & Spalding LLP	In re DCL Holdings (USA), Inc., <i>et al.</i> , Debtors, No. 22-11319 (JKS)	(Bankr. D.Del.) (May 2023) (Dkt. No. 442)	Associate: \$685 - \$1,315 Project Assistant: \$250	\$1,340 - \$1,780

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
King & Spalding LLP	In re Briggs & Stratton Corporation, <i>et al.</i> , Debtors, No. 20-43597	(Bankr. E.D.Mo.) (Jul. 2020) (Dkt. No. 194)	Counsel: \$750 - \$1,005 Associate: \$440 - \$750 Paraprofessional: \$190 - \$325	\$820 - \$1,290
Kirkland & Ellis, LLP	In re MVK Farmco LLC, <i>et al.</i> , Debtors, No. 23-11721 (LSS)	(Bankr. D.Del). (Dec. 2023) (Dkt. No. 353)	Associate: \$715 - \$1,295	\$1,245 - \$2,045
	In re: Celsius Network LLC, No. 22- 10964	(Bankr. S.D.N.Y.) (Aug. 2022) (ECF No. 360)	Of Counsel: \$805 - \$1,845 Associate: \$650 - \$1,245	\$1,135 - \$1,995
Latham & Watkins LLP	In re: Purdue Pharma L.P., <i>et al.</i> , Debtors, No. 19-23649 (RDD)	(Bankr. S.D.N.Y.) (May 2024) (Dkt. No. 6360)	Associate: \$890 - \$1,345	\$1,860 - \$2,035
	In re: Sorrento Therapeutics Inc., <i>et al.</i> , Post Effective Date Debtors, No. 23-90085 (CML)	(Bankr. S.D.Tex.) (May 2024) (Dkt. No. 2181)	Counsel: \$1,470 - \$1,605 Associate: \$760 - \$1,340 Financial Analyst: \$570 Paralegal: \$355 - \$525	\$1,495 - \$2,240
Mayer Brown LLP	In re GWG Holdings, Inc., <i>et al.</i> , Debtors, No. 22-90032 (MI)	(Bankr. S.D.Tex.) (Dec. 2022) (Dkt. No. 1220)	Counsel: \$1,025 to \$1,250 Associate: \$590 - \$1,075 Paraprofessional: \$210 - \$475	\$1,120 - \$1,940
McDermott Will & Emery LLP	In re OSG Holdings, Inc., <i>et al.</i> , Debtors, No. 23-90799 (CML)	(Bankr. S.D.Tex.) (Dec. 2023) (Dkt. No. 223)	Associate: \$655 - \$1,170 Paralegal: \$295 - \$670	\$1,215 - \$1,860
	In re: Voyager Digital Holdings, Inc., No. 22-0943	(Bankr. S.D.N.Y.) (Aug. 2022) (Dkt. No. 317)	Of Counsel: \$755 - \$1,300 Associate: \$545 - \$1,190	\$875 - \$1,510
Milbank LLP	In re Voyager Aviation Holdings, LLC <i>et al.</i> , Debtors, No. 23-11177 (JPM)	(Bankr. S.D.N.Y.) (Jan. 2024) (Dkt. No. 662)	Of Counsel: \$1,625 Special Counsel: \$1,425 Associate: \$575 - \$1,300 Case Manager: \$450 Legal Assistant: \$300 - \$390	\$1,495 - \$2,045

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Milbank LLP	In re Talen Energy Supply, LLC, <i>et al.</i> , Debtors, No. 22-90054 (MI)	(Bankr. S.D.Tex.) (Mar. 2023) (Dkt. No. 1931)	Special Counsel: \$1,320 Associate: \$695 - \$1,200 Legal Assistant: \$270 - \$390	\$1,495 - \$2,045
O'Melveny & Myers LLP	In re Millenkamp Cattle, Inc., Debtors, No. 24-40158-NGH	(Bankr. D.Idaho) (Aug 2024) (Dkt. No. 585)	Counsel: \$1,265 Associate: \$860 - \$1,070 Paralegal: \$510 Summer Associate: \$370	\$1,385 - \$1,585
	In re Ebix, Inc., <i>et al.</i> , Debtors, No. 23-80004-swe11	(Bankr. N.D.Tex.) (May 2024) (Dkt. No. 595)	Counsel: \$1,265 Associate: \$1,200	\$1,885
Paul, Weiss, Rifkind, Wharton & Garrison LLP	In re Proterra Inc, <i>et al.</i> , Debtors, No. 23-11120 (BLS)	(Bankr. D.Del.) (Oct. 2023) (Dkt. No. 428)	Counsel: \$1,650 Associate: \$825 - \$1,380 Staff Attorney: \$595 - \$625 Senior Research Analyst: \$380 Paralegal: \$410 - \$470	\$1,815 - \$2,175
	In re Mallinckrodt PLC, <i>et al.</i> , Debtors, No. 20-12522 (JTD)	(Bankr. D.Del.) (Apr. 2022) (Dkt. No. 7037)	Counsel: \$1,525 Associate: \$1,040 - \$1,135	\$1,605 - \$2,025
Perkins Coie LLP	In re Endo International plc, <i>et al.</i> , Debtors, No. 22-22549 (JLG)	(Bankr. S.D.N.Y.) (Jun. 2023) (Dkt No. 2222)	Senior Counsel: \$745 - \$952 Of Counsel: \$974 Associate: \$493 - \$750 E-Discovery Attorney: \$179 - \$356	\$868 - \$1,185
Proskauer Rose LLP	In re Off Lease Only LLC, <i>et al.</i> , Debtors, No. 23-11388 (CTG)	(Bankr. D.Del.) (Nov. 2023) (Dkt. No. 206)	Senior Counsel: \$1,395 - \$1,425 Associate: \$995 - \$1,215 Paralegal: \$340 - \$530	\$1,550 - \$1,950

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Proskauer Rose LLP	In re Alpha Media Holdings LLC, <i>et al.</i> , Debtors, No. 21-30209 (KRH)	(Bankr. E.D.Va.) (Mar. 2021) (Dkt. No. 197)	Senior Counsel: \$1,150 - \$1,375 Associate: \$730 - \$1,195	\$1,225 - \$1,795
Quinn Emanuel Urquhart & Sullivan, LLP	In re FTX Trading LTD, <i>et al.</i> , Debtors, No. 22-11068 (JTD)	(Bankr. D.Del.) (Sep. 2023) (Dkt. No. 2531)	Counsel: \$1,215 Associate: \$747 - \$1,337 Paralegal: \$432	\$1,247 - \$1,917
Ropes & Gray LLP	In re VH Legacy/Liquidation, LLC, <i>et al.</i> , Debtors, No. 22-11019 (LSS)	(Bankr. D.Del.) (May 2023) (Dkt. No. 417)	Associate: \$900 - \$1,310 Law Clerk: \$770 Paralegal: \$320 - \$565	\$1,520 - \$1,900
	In re Vewd Software USA, LLC, <i>et al.</i> , Debtors, No. 21-12065 (MEW)	(Bankr. S.D.N.Y.) (Jan. 2022) (Dkt. No. 62)	Counsel: \$770 - \$1,140 Associate: \$700 - \$1,270 Paraprofessional: \$290 - \$485	\$1,400 - \$2,100
Shearman & Sterling LLP	In re Venus Liquidation Inc., <i>et al.</i> , Debtors, No. 23-10738 (JPM)	(Bankr. S.D.N.Y.) (Jan. 2024) (Dkt. No. 727)	Counsel: \$1,300 Associate: \$1,215 - \$1,415 Law Clerk: \$225 - \$995	\$1,975 - \$2,130
	In re Carlson Travel, Inc., <i>et al.</i> , Reorganized Debtors, No. 21-90017 (MI)	(Bankr. S.D.Tex.) (Jan. 2022) (Dkt. No. 249)	Associate: \$435 - \$1,210 Paralegal: \$395	\$1,195 - \$1,825
Sheppard, Mullin, Richter & Hampton LLP	In re Mariner Health Central, Inc., <i>et al.</i> , Debtors, No. 22-41079	(Bankr. N.D.Cal.) (Apr. 2023) (Dkt. No. 522)	Associate: \$700 - \$945	\$1,355 - \$1,555
Sidley Austin LLP	In re Legacy IMDBS, Inc., <i>et al.</i> , Debtors, No. 23-10852 (KBO)	(Bankr. D.Del.) (Nov. 2023) (Dkt. No. 782)	Associate: \$960 - \$1,230 Paralegal: \$555	\$1,625 - \$1,800
	In re Tricida, Inc., Debtor, No. 23-10024 (JTD)	(Bankr. D.Del.) (Apr. 2023) (Dkt. No. 419)	Associate: \$700 - \$1,275 Paralegal: \$540	\$1,300 - \$1,850
Simpson Thacher & Bartlett LLP	In re Zymergen Inc., <i>et al.</i> , Debtors, No. 23-11661 (KBO)	(Bankr. D.Del.) (Jan. 2024) (Dkt. No. 314)	Counsel: \$1,525 Associate: \$745 - \$1,290 Paralegal: \$545	\$1,795 - \$2,195

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Skadden, Arps, Slate, Meagher & Flom LLP	In re: Armstrong Flooring, Inc., No. 22-bk-10426	(Bankr. D.Del. May 2022) (ECF No. 187)	Of Counsel: \$1,300 - \$1,495 Associate: \$550 - \$1,275	\$1,465 - \$1,980
	In re VIVUS, Inc. <i>et al.</i> , Reorganized Debtors, No. 20-bk-11779 (LSS)	(Bankr. D.Del.) (Jan. 2021) (Dkt. No. 443)	Of Counsel: \$1,260 Associate: \$695 - \$1,120 (\$495 for Associate Pending Admission)	\$1,425 - \$1,565
Sullivan & Cromwell LLP	In re SVB Financial Group, Debtor, No. 23-10367 (MG)	(Bankr. S.D.N.Y.) (Sep. 2023) (Dkt. No. 543)	Senior Counsel: \$2,165 Special Counsel: \$1,575 - \$1,790 Associate: \$775 - \$1,475 Paralegal: \$425 - \$595 Legal Analyst: \$595	\$1,083 - \$2,165
	In re FTX Trading LTD, <i>et al.</i> , Debtors, No. 22-11068 (JTD)	(Bankr. D.Del.) (Aug. 2023) (Dkt. No. 2271)	Of Counsel: \$2,165 Special Counsel: \$1,575 - \$1,825 Associate: \$775 - \$1,475 Law Clerk: \$550 Paralegal: \$425 - \$595 Legal Analyst: \$595	\$1,595 - \$2,165
Vinson & Elkins LLP	In re Core Scientific, Inc., <i>et al.</i> , Debtors, No. 22-90341 (DRJ)	(Bankr. S.D.Tex.) (Sep. 2023) (Dkt. No. 1251)	Counsel: \$1,590 Associate: \$730 - \$1,220 Paralegal: \$420	\$1,425 - \$1,920
	In re Heartbrand Holdings, Inc., <i>et al.</i> , Reorganized Debtors, No. 22-90127 (CML)	(Bankr. S.D.Tex.) (Nov. 2023) (Dkt. No. 339)	Counsel: \$1,040 - \$1,130 Senior Associate: \$1,005 Associate: \$615 - \$950 Paralegal: \$385 - \$480	\$1,130 - \$1,810

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Weil, Gotshal & Manges LLP	In re Pacificco Inc., <i>et al.</i> , Reorganized Debtors, No. 23-10620 (KBO)	(Bankr. D.Del.) (Jan. 2024) (Dkt. No. 21-4)	Counsel: \$1,375 - \$1,425 Associate: \$750 - \$1,345 Paralegal: \$460 - \$530 (Excluding German Counsel and German Associate Rates)	\$1,450 - \$2,095 (Excluding German Partner Rates)
Willkie Farr & Gallagher LLP	In re Western Global Airlines, Inc., <i>et al.</i> , Debtors, No. 23-11093 (KBO)	(Bankr. D.Del.) (Nov. 2023) (Dkt No. 440-1)	Counsel: \$1,380 Associate: \$680- \$1,315 Paralegal: \$315 - \$540	\$1,500 - \$2,050
Wilmer Cutler Pickering Hale and Dorr LLP	In re INFINITY PHARMACEUTICALS, INC., Debtor, No. 23-11640 (BLS)	(Bankr. D.Del.) (Feb. 2024) (Dkt. No. 216)	Associate: \$865 - \$1,120 Senior Paralegal: \$575 - \$710	\$1,650 - \$1,865 ("2024 Rate")
	In re DIAMOND SPORTS GROUP, LLC, <i>et al.</i> , Debtors, No. 23-90116 (CML)	(Bankr. S.D.Tex.) (Aug. 2023) (Dkt. No. 1070-4)	Counsel: \$1,195 Senior Associate: \$940 - \$1,195 Associate: \$850 Senior Paralegal: \$650 - \$660	\$1,205 - \$1,920
Wilson Sonsini Goodrich & Rosati, P.C.	In re Potrero Medical, Inc., Debtor, No. 23-11900 (LSS)	(Bankr. D.Del.) (Mar. 2024) (Dkt. No. 200)	Associate: \$705 - \$1,090 Senior Paralegal: \$445	\$1,085 - \$1,400
	In re Tonopah Solar Energy, LLC, Debtor, No. 20-11884 (KBO)	(Bankr. D. Del.) (Jul. 2020) (Dkt. No. 43)	Counsel: \$440 - \$1,350 Associate: \$510 - \$920 Legal Staff: \$120 - \$480	\$925 - \$1,750 ("Member" Rates)

EXHIBIT 8



FIRM RESUME

Glancy Prongay & Murray LLP (the “Firm”) has represented investors, consumers and employees for over 35 years. Based in Los Angeles, with offices in New York City and Berkeley, the Firm has successfully prosecuted class action cases and complex litigation in federal and state courts throughout the country. As Lead Counsel, Co-Lead Counsel, or as a member of Plaintiffs’ Counsel Executive Committees, the Firm’s attorneys have recovered billions of dollars for parties wronged by corporate fraud, antitrust violations and malfeasance. Indeed, the Institutional Shareholder Services unit of RiskMetrics Group has recognized the Firm as one of the top plaintiffs’ law firms in the United States in its Securities Class Action Services report for every year since the inception of the report in 2003. The Firm’s efforts have been publicized in major newspapers such as the *Wall Street Journal*, the *New York Times*, and the *Los Angeles Times*.

Glancy Prongay & Murray’s commitment to high quality and excellent personalized services has boosted its national reputation, and we are now recognized as one of the premier plaintiffs’ firms in the country. The Firm works tenaciously on behalf of clients to produce significant results and generate lasting corporate reform.

The Firm’s integrity and success originate from our attorneys, who are among the brightest and most experienced in the field. Our distinguished litigators have an unparalleled track record of investigating and prosecuting corporate wrongdoing. The Firm is respected for both the zealous advocacy with which we represent our clients’ interests as well as the highly-professional and ethical manner by which we achieve results. We are ideally positioned to pursue securities, antitrust, consumer, and derivative litigation on behalf of our clients. The Firm’s outstanding accomplishments are the direct result of the exceptional talents of our attorneys and employees.

SECURITIES CLASS ACTION SETTLEMENTS

Appointed as Lead or Co-Lead Counsel by judges throughout the United States, Glancy Prongay & Murray has achieved significant recoveries for class members in numerous securities class actions, including:

In re Mercury Interactive Corporation Securities Litigation, USDC Northern District of California, Case No. 05-3395-JF, in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$117 million.

In re Real Estate Associates Limited Partnership Litigation, USDC Central District of California, Case No. 98-7035-DDP, in which the Firm served as local counsel and plaintiffs achieved a \$184 million jury verdict after a complex six week trial in Los Angeles, California and later settled the case for \$83 million.

In Re Yahoo! Inc. Securities Litigation, USDC Northern District of California, Case No. 5:17-cv-00373-LHK, in which the Firm served as Co-Lead Counsel and achieved an \$80 million settlement.

The City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A., USDC District of Minnesota, Case No. 10-cv-04372-DWF/JJG, in which the Firm served as Co-Lead Counsel and achieved a settlement valued at \$62.5 million.

Shah v. Zimmer Biomet Holdings, Inc., USDC Northern District of Indiana, Case No. 3:16-cv-815-PPS-MGG, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$50 million.

Schleicher v. Wendt, (Conseco Securities Litigation), USDC Southern District of Indiana, Case No. 02-1332-SEB, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of over \$41 million.

Robb v. Fitbit, Inc., USDC Northern District of California, Case No. 3:16-cv-00151, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$33 million.

Yaldo v. Airtouch Communications, State of Michigan, Wayne County, Case No. 99-909694-CP, in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$32 million for defrauded consumers.

Lapin v. Goldman Sachs, USDC Southern District of New York, Case No. 03-0850-KJD, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$29 million.

In re Heritage Bond Litigation, USDC Central District of California, Case No. 02-ML-1475-DT, where as Co-Lead Counsel, the Firm recovered in excess of \$28 million for defrauded investors and continues to pursue additional defendants.

In re Livent, Inc. Noteholders Litigation, USDC Southern District of New York, Case No. 99 Civ 9425-VM, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of over \$27 million.

Mild v. PPG Industries, Inc., USDC Central District of California, Case No. 18-cv-04231, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$25 million.

Davis v. Yelp, Inc., USDC Northern District of California, Case No. 18-cv-0400, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$22.5 million.

In re ECI Telecom Ltd. Securities Litigation, USDC Eastern District of Virginia, Case No. 01-913-A, in which the Firm served as sole Lead Counsel and recovered almost \$22 million for defrauded ECI investors.

In re Sesen Bio, Inc. Securities Litigation, USDC Southern District of New York, Case No. 21-cv-07025, a securities fraud class action, in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$21 million.

Senn v. Sealed Air Corporation, USDC New Jersey, Case No. 03-cv-4372-DMC, a securities fraud class action, in which the Firm acted as Co-Lead Counsel for the Class and achieved a settlement of \$20 million.

In re Gilat Satellite Networks, Ltd. Securities Litigation, USDC Eastern District of New York, Case No. 02-1510-CPS, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$20 million.

In re Lumenis, Ltd. Securities Litigation, USDC Southern District of New York, Case No. 02-CV-1989-DAB, in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$20 million.

Wilson v. LSB Industries, Inc., USDC Southern District of New York, Case No. 15-cv-07614, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$18.45 million.

In re Infonet Services Corporation Securities Litigation, USDC Central District of California, Case No. CV 01-10456-NM, in which as Co-Lead Counsel, the Firm achieved a settlement of \$18 million.

Pierrelouis v. Gogo Inc., USDC Northern District of Illinois, Case No. 18-cv-04473, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$17.3 million.

In re ESC Medical Systems, Ltd. Securities Litigation, USDC Southern District of New York, Case No. 98 Civ. 7530-NRB, a securities fraud class action in which the Firm served as sole Lead Counsel for the Class and achieved a settlement valued in excess of \$17 million.

Macovski v. Groupon, Inc., USDC Northern District of Illinois, Case No. 20-cv-02581, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$13.5 million.

In re Musicmaker.com Securities Litigation, USDC Central District of California, Case No. 00-02018-CAS, a securities fraud class action in which the Firm was sole Lead Counsel for the Class and recovered in excess of \$13 million.

In re Lason, Inc. Securities Litigation, USDC Eastern District of Michigan, Case No. 99 76079-AJT, in which the Firm was Co-Lead Counsel and recovered almost \$13 million for defrauded Lason stockholders.

In re Inso Corp. Securities Litigation, USDC District of Massachusetts, Case No. 99 10193-WGY, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement valued in excess of \$12 million.

In re National TechTeam Securities Litigation, USDC Eastern District of Michigan, Case No. 97-74587-AC, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement valued in excess of \$11 million.

Taft v. Ackermans (KPNQwest Securities Litigation), USDC Southern District of New York, Case No. 02-CV-07951-PKL, a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement worth \$11 million.

Derr v. RA Medical Systems, Inc., USDC Southern District of California, Case No. 19-cv-01079, a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$10 million.

Jenson v. First Trust Corporation, USDC Central District of California, Case No. 05-cv-3124-ABC, in which the Firm was appointed sole lead counsel and achieved an \$8.5 million settlement in a very difficult case involving a trustee's potential liability for losses incurred by investors in a Ponzi scheme. Kevin Ruf of the Firm also successfully defended in the 9th Circuit Court of Appeals the trial court's granting of class certification in this case.

ANTITRUST PRACTICE GROUP AND ACHIEVEMENTS

Glancy Prongay & Murray's Antitrust Practice Group focuses on representing individuals and entities that have been victimized by unlawful monopolization, price-fixing, market allocation, and other anti-competitive conduct. The Firm has prosecuted significant antitrust cases and has helped individuals and businesses recover billions of dollars. Prosecuting civil antitrust cases under federal and state laws throughout the country, the Firm's Antitrust Practice Group represents consumers, businesses, and Health and Welfare Funds and seeks injunctive relief and damages for violations of antitrust and commodities laws. The Firm has served, or is currently serving, as Lead Counsel, Co-Lead Counsel or Class Counsel in a substantial number of antitrust class actions, including:

In re Nasdaq Market-Makers Antitrust Litigation, USDC Southern District of New York, Case No. 94 C 3996-RWS, MDL Docket No. 1023, a landmark antitrust lawsuit in which the Firm filed the first complaint against all of the major NASDAQ market makers and served on Plaintiffs' Counsel's Executive Committee in a case that recovered \$900 million for investors.

Sullivan v. DB Investments, USDC District of New Jersey, Case No. No. 04-cv-2819, where the Firm served as Co-Lead Settlement Counsel in an antitrust case against DeBeers relate to the pricing of diamonds that settled for \$295 million.

In re Korean Air Lines Antitrust Litig., USDC Central District of California, Master File No. CV 07-05107 SJO(AGRx), MDL No. 07-0189, where the Firm served as Co-Lead Counsel in a case related to fixing of prices for airline tickets to Korea that settled for \$86 million.

In re Urethane Chemical Antitrust Litig., USDC District of Kansas, Case No. MDL 1616, where the Firm served as Co-Lead counsel in an antitrust price fixing case that settled \$33 million.

In re Western States Wholesale Natural Gas Litig., USDC District of Nevada, Case No. MDL 1566, where the Firm served as Class Counsel in an antitrust price fixing case that settled \$25 million.

In re Aggrenox Antitrust Litig., USDC District of Connecticut, Case No. 14-cv-2516, where the Firm played a major role in achieving a settlement of \$54,000,000.

In re Solodyn Antitrust Litig., USDC District of Massachusetts, Case No. MDL 2503, where the Firm played a major role in achieving a settlement of \$43,000,000.

In re Generic Pharmaceuticals Pricing Antitrust Litig., USDC Eastern District of Pennsylvania, Case No. 16-md-2427, where the Firm is representing a major Health and Welfare Fund in a case against a number of generic drug manufacturers for price fixing generic drugs.

In re Actos End Payor Antitrust Litig., USDC Southern District of New York, Case No. 13-cv-9244, where the Firm is serving on Plaintiffs' Executive Committee.

In re Heating Control Panel Direct Purchaser Action, USDC Eastern District of Michigan, Case No. 12-md-02311, representing a recreational vehicle manufacturer in a price-fixing class action involving direct purchasers of heating control panels.

In re Instrument Panel Clusters Direct Purchaser Action, USDC Eastern District of Michigan, Case No. 12-md-02311, representing a recreational vehicle manufacturer in a price-fixing class action involving direct purchasers of instrument panel clusters.

In addition, the Firm is currently involved in the prosecution of many market manipulation cases relating to violations of antitrust and commodities laws, including *Sullivan v. Barclays PLC* (manipulation of Euribor rate), *In re Foreign Exchange Benchmark Rates Antitrust Litig.*, *In re LIBOR-Based Financial Instruments Antitrust Litig.*, *In re Gold Futures & Options Trading Litig.*, *In re Platinum & Palladium Antitrust Litig.*, *Sonterra Cap. Master Fund v. Credit Suisse Group AG* (Swiss Libor rate manipulation), *Twin City Iron Pension Fund v. Bank of Nova Scotia* (manipulation of treasury securities), and *Ploss v. Kraft Foods Group* (manipulation of wheat prices).

Glancy Prongay & Murray has been responsible for obtaining favorable appellate opinions which have broken new ground in the class action or securities fields, or which have promoted shareholder rights in prosecuting these actions. The Firm successfully argued the appeals in a number of cases:

In *Smith v. L'Oreal*, 39 Cal.4th 77 (2006), Firm partner Kevin Ruf established ground-breaking law when the California Supreme Court agreed with the Firm's position that waiting penalties under the California Labor Code are available to *any* employee after termination of employment, regardless of the reason for that termination.

OTHER NOTABLE ACHIEVEMENTS

Spearheaded by Firm attorney Kevin Ruf, the Firm served as Co-Lead Counsel for a class of drivers misclassified as independent contractors in the landmark case *Lee v. Dynamex*, Case No. BC332016 (Super. Ct. of Cal), which made new law for workers' rights in the California Supreme Court. The *Dynamex* decision altered 30 years of California law and established a new definition of employment that brings more workers within the protections of California's Labor Code. The California legislature, in response to the *Dynamex* decision, promulgated AB5, a statute that codifies the law of the *Dynamex* case and expands its reach.

Headed by Firm attorney Kara Wolke, the Firm served as additional plaintiffs' counsel in *Christine Asia Co. Ltd., et al. v. Jack Yun Ma et al. ("Alibaba")*, 1:15-md-02631 (SDNY), a securities class action on behalf of investors alleging violations of the Securities Exchange Act of 1934 in connection with Alibaba's historic \$25 billion IPO, the then-largest IPO in history. After hard-fought litigation, including a successful appeal to the Second Circuit and obtaining class certification, the case settled for \$250 million.

Other notable Firm cases include: *Silber v. Mabon I*, 957 F.2d 697 (9th Cir. 1992) and *Silber v. Mabon II*, 18 F.3d 1449 (9th Cir. 1994), which are the leading decisions in the Ninth Circuit regarding the rights of opt-outs in class action settlements. In *Rothman v. Gregor*, 220 F.3d 81 (2d Cir. 2000), the Firm won a seminal victory for investors before the Second Circuit Court of Appeals, which adopted a more favorable pleading standard for investors in reversing the District Court's dismissal of the investors' complaint. After this successful appeal, the Firm then recovered millions of dollars for defrauded investors of the GT Interactive Corporation. The Firm also argued *Falkowski v. Imation Corp.*, 309 F.3d 1123 (9th Cir. 2002), *as amended*, 320 F.3d 905 (9th Cir. 2003), and favorably obtained the substantial reversal of a lower court's dismissal of a cutting edge, complex class action initiated to seek redress for a group of employees whose stock options were improperly forfeited by a giant corporation in the course of its sale of the subsidiary at which they worked.

The Firm also has been involved in the representation of individual investors in court proceedings throughout the United States and in arbitrations before the American Arbitration Association, National Association of Securities Dealers, New York Stock Exchange, and Pacific Stock Exchange. Mr. Glancy has successfully represented litigants in proceedings against such major securities firms and insurance companies as

A.G. Edwards & Sons, Bear Stearns, Merrill Lynch & Co., Morgan Stanley, PaineWebber, Prudential, and Shearson Lehman Brothers.

One of the Firm's unique skills is the use of "group litigation" - the representation of groups of individuals who have been collectively victimized or defrauded by large institutions. This type of litigation brought on behalf of individuals who have been similarly damaged often provides an efficient and effective economic remedy that frequently has advantages over the class action or individual action devices. The Firm has successfully achieved results for groups of individuals in cases against major corporations such as Metropolitan Life Insurance Company, and Occidental Petroleum Corporation.

Glancy Prongay & Murray LLP currently consists of the following attorneys:

PARTNERS

LEE ALBERT, a partner, was admitted to the bars of the Commonwealth of Pennsylvania, the State of New Jersey, and the United States District Courts for the Eastern District of Pennsylvania and the District of New Jersey in 1986. He received his B.S. and M.S. degrees from Temple University and Arcadia University in 1975 and 1980, respectively, and received his J.D. degree from Widener University School of Law in 1986. Upon graduation from law school, Mr. Albert spent several years working as a civil litigator in Philadelphia, PA. Mr. Albert has extensive litigation and appellate practice experience having argued before the Supreme and Superior Courts of Pennsylvania and has over fifteen years of trial experience in both jury and non-jury cases and arbitrations. Mr. Albert has represented a national health care provider at trial obtaining injunctive relief in federal court to enforce a five-year contract not to compete on behalf of a national health care provider and injunctive relief on behalf of an undergraduate university.

Currently, Mr. Albert represents clients in all types of complex litigation including matters concerning violations of federal and state antitrust and securities laws, mass tort/product liability and unfair and deceptive trade practices. Some of Mr. Albert's current major cases include *In Re Automotive Wire Harness Systems Antitrust Litigation* (E.D. Mich.); *In Re Heater Control Panels Antitrust Litigation* (E.D. Mich.); *Kleen Products, et al. v. Packaging Corp. of America* (N.D. Ill.); and *In re Class 8 Transmission Indirect Purchaser Antitrust Litigation* (D. Del.). Previously, Mr. Albert had a significant role in *Marine Products Antitrust Litigation* (C.D. Cal.); *Baby Products Antitrust Litigation* (E.D. Pa.); *In re ATM Fee Litigation* (N.D. Cal.); *In re Canadian Car Antitrust Litigation* (D. Me.); *In re Broadcom Securities Litigation* (C.D. Cal.); and has worked on *In re Avandia Marketing, Sales Practices and Products Liability Litigation* (E.D. Pa.); *In re Ortho Evra Birth Control Patch Litigation* (N.J. Super. Ct.); *In re AOL Time Warner, Inc. Securities Litigation* (S.D.N.Y.); *In re WorldCom, Inc. Securities Litigation* (S.D.N.Y.); and *In re Microsoft Corporation Massachusetts Consumer Protection Litigation* (Mass. Super. Ct.).

BRIAN D. BROOKS joined the New York office of Glancy Prongay & Murray LLP in 2019, specializing in antitrust, consumer, and securities litigation. His current cases include *In re Zetia Antitrust Litigation*, No. 18-md-2836 (E.D. Va.); *Staley, et al. v. Gilead Sciences*,

Inc., et al., No. 3:19-cv-02573-EMC (N.D. Cal.); and *In re: Seroquel XR (Extended Release Quetiapine Fumarate) Litigation*, No. 1:19-cv-08296-CM (S.D.N.Y.).

Prior to joining the firm, Mr. Brooks was an associate at Murray, Frank & Sailer, LLP in New York, where his practice was focused on antitrust, consumer, and securities matters, and later a partner at Smith, Segura & Raphael, LLP, in New York and Louisiana. During his tenure at Smith Segura & Raphael, LLP, Mr. Brooks represented direct purchasers in numerous antitrust matters, including *In re: Suboxone (Buprenorphine Hydrochloride and Naloxone) Antitrust Litigation*, No. 2:13-md-02445 (E.D. Pa.), *In re: Niaspan Antitrust Litigation*, No. 2:13-md-02460 (E.D. Pa.), and *In re: Novartis & Par Antitrust Litigation (Exforge)*, No. 18-cv-4361 (S.D.N.Y.), and was an active member of the trial team for the class in *In re: Nexium (Esomeprazole) Antitrust Litigation*, No. 12-md-2409 (D. Mass.), the first post-Actavis reverse-payment case to be tried to verdict. He was also an active member of the litigation teams in the *King Drug Company of Florence, Inc. et al. v. Cephalon, Inc., et al. (Provigil)*, No. 2:06-cv-1797 (E.D. Pa.); *In re: Prograf Antitrust Litigation*, No. 1:11-md-2242 (D. Mass.) and *In re: Miralax* antitrust matters, which collectively settled for more than \$600 million, and a member of the litigation teams in *In re: Relafen Antitrust Litigation*, No. 01-cv-12239 (D. Mass.); *In re: Buspirone Antitrust Litigation*, MDL Dkt. No. 1410 (S.D.N.Y.); *In re: Remeron Antitrust Litigation*, No. 02-2007 (D.N.J.); *In re: Terazosin Hydrochloride Antitrust Litigation*, No. 99-MDL-1317 (S.D. Fla.); and *In re K-Dur Antitrust Litigation*, No. 10-cv-1652 (D.N.J.).

Mr. Brooks received his B.A. from Northwestern State University of Louisiana in 1998 and his J.D. from Washington and Lee School of Law in 2002, where he was a staff writer for the Environmental Law Digest and clerked for the Alderson Legal Assistance Program, handling legal matters for inmates of the Federal Detention Center in Alderson, West Virginia. He is admitted to practice in all state courts in New York and Louisiana, as well as the United States District Courts for the Southern and Eastern Districts of New York and the Eastern and Western Districts of Louisiana.

JOSEPH D. COHEN has extensive complex civil litigation experience, and currently oversees the firm's settlement department, negotiating, documenting and obtaining court approval of the firm's securities, merger and derivative settlements.

Prior to joining the firm, Mr. Cohen successfully prosecuted numerous securities fraud, consumer fraud, antitrust and constitutional law cases in federal and state courts throughout the country. Cases in which Mr. Cohen took a lead role include: *Jordan v. California Dep't of Motor Vehicles*, 100 Cal. App. 4th 431 (2002) (complex action in which the California Court of Appeal held that California's Non-Resident Vehicle \$300 Smog Impact Fee violated the Commerce Clause of the United States Constitution, paving the way for the creation of a \$665 million fund and full refunds, with interest, to 1.7 million motorists); *In re Geodyne Res., Inc. Sec. Litig.* (Harris Cty. Tex.) (settlement of securities fraud class action, including related litigation, totaling over \$200 million); *In re Cmty. Psychiatric Centers Sec. Litig.* (C.D. Cal.) (settlement of \$55.5 million was obtained from the company and its auditors, Ernst & Young, LLP); *In re McLeodUSA Inc., Sec. Litig.* (N.D. Iowa) (\$30 million settlement); *In re Arakis Energy Corp. Sec. Litig.* (E.D.N.Y.) (\$24 million settlement); *In re Metris Cos., Inc., Sec. Litig.* (D. Minn.) (\$7.5 million settlement);

In re Landry's Seafood Rest., Inc. Sec. Litig. (S.D. Tex.) (\$6 million settlement); and *Freedman v. Maspeth Fed. Loan and Savings Ass'n*, (E.D.N.Y) (favorable resolution of issue of first impression under RESPA resulting in full recovery of improperly assessed late fees).

Mr. Cohen was also a member of the teams that obtained substantial recoveries in the following cases: *In re: Foreign Exchange Benchmark Rates Antitrust Litig.* (S.D.N.Y.) (partial settlements of approximately \$2 billion); *In re Washington Mutual Mortgage-Backed Sec. Litig.* (W.D. Wash.) (settlement of \$26 million); *Mylan Pharm., Inc. v. Warner Chilcott Public Ltd. Co.* (E.D. Pa.) (\$8 million recovery in antitrust action on behalf of class of indirect purchasers of the prescription drug Doryx); *City of Omaha Police and Fire Ret. Sys. v. LHC Group, Inc.* (W.D. La.) (securities class action settlement of \$7.85 million); and *In re Pacific Biosciences of Cal., Inc. Sec. Litig.* (Cal. Super. Ct.) (\$7.6 million recovery).

In addition, Mr. Cohen was previously the head of the settlement department at Bernstein Litowitz Berger & Grossmann LLP. While at BLB&G, Mr. Cohen had primary responsibility for overseeing the team working on the following settlements, among others: *In Re Merck & Co., Inc. Sec., Deriv. & "ERISA" Litig.* (D.N.J.) (\$1.062 billion securities class action settlement); *New York State Teachers' Ret. Sys. v. General Motors Co.* (E.D. Mich.) (\$300 million securities class action settlement); *In re JPMorgan Chase & Co. Sec. Litig.* (S.D.N.Y.) (\$150 million settlement); *Dep't of the Treasury of the State of New Jersey and its Division of Inv. v. Cliffs Natural Res. Inc., et al.* (N.D. Ohio) (\$84 million securities class action settlement); *In re Penn West Petroleum Ltd. Sec. Litig.* (S.D.N.Y.) (\$19.76 million settlement); and *In re BioScrip, Inc. Sec. Litig.* (\$10.9 million settlement).

LIONEL Z. GLANCY, a graduate of University of Michigan Law School, is the founding partner of the Firm. After serving as a law clerk for United States District Judge Howard McKibben, he began his career as an associate at a New York law firm concentrating in securities litigation. Thereafter, he started a boutique law firm specializing in securities litigation, and other complex litigation, from the Plaintiff's perspective. Mr. Glancy has established a distinguished career in the field of securities litigation over the last thirty years, having appeared and been appointed lead counsel on behalf of aggrieved investors in securities class action cases throughout the country. He has appeared and argued before dozens of district courts and a number of appellate courts. His efforts have resulted in the recovery of hundreds of millions of dollars in settlement proceeds for huge classes of shareholders. Well known in securities law, he has lectured on its developments and practice, including having lectured before Continuing Legal Education seminars and law schools.

Mr. Glancy was born in Windsor, Canada, on April 4, 1962. Mr. Glancy earned his undergraduate degree in political science in 1984 and his Juris Doctor degree in 1986, both from the University of Michigan. He was admitted to practice in California in 1988, and in Nevada and before the U.S. Court of Appeals, Ninth Circuit, in 1989.

MARC L. GODINO has extensive experience successfully litigating complex, class action lawsuits as a plaintiffs' lawyer. Since joining the firm in 2005, Mr. Godino has played a primary role in cases resulting in settlements of more than \$100 million. He has prosecuted securities, derivative, merger & acquisition, and consumer cases throughout the country in both state and federal court, as well as represented defrauded investors at FINRA arbitrations. Mr. Godino manages the Firm's consumer class action department.

While a senior associate with Stull Stull & Brody, Mr. Godino was one of the two primary attorneys involved in *Small v. Fritz Co.*, 30 Cal. 4th 167 (April 7, 2003), in which the California Supreme Court created new law in the State of California for shareholders that held shares in detrimental reliance on false statements made by corporate officers. The decision was widely covered by national media including *The National Law Journal*, the *Los Angeles Times*, the *New York Times*, and the *New York Law Journal*, among others, and was heralded as a significant victory for shareholders.

Mr. Godino's successes with Glancy Prongay & Murray LLP include: *Good Morning To You Productions Corp., et al., v. Warner/Chappell Music, Inc., et al.*, Case No. 13-04460 (C.D. Cal.) (In this highly publicized case that attracted world-wide attention, Plaintiffs prevailed on their claim that the song "Happy Birthday" should be in the public domain and achieved a \$14,000,000 settlement to class members who paid a licensing fee for the song); *Ord v. First National Bank of Pennsylvania*, Case No. 12-766 (W. D. Pa.) (\$3,000,000 settlement plus injunctive relief); *Pappas v. Naked Juice Co. of Glendora, Inc.*, Case No. 11-08276 (C.D. Cal.) (\$9,000,000 settlement plus injunctive relief); *Astiana v. Kashi Company*, Case No. 11-1967 (S.D. Cal.) (\$5,000,000 settlement); *In re Magma Design Automation, Inc. Securities Litigation*, Case No. 05-2394 (N.D. Cal.) (\$13,500,000 settlement); *In re Hovnanian Enterprises, Inc. Securities Litigation*, Case No. 08-cv-0099 (D.N.J.) (\$4,000,000 settlement); *In re Skilled Healthcare Group, Inc. Securities Litigation*, Case No. 09-5416 (C.D. Cal.) (\$3,000,000 settlement); *Kelly v. Phiten USA, Inc.*, Case No. 11-67 (S.D. Iowa) (\$3,200,000 settlement plus injunctive relief); (*Shin et al., v. BMW of North America*, 2009 WL 2163509 (C.D. Cal. July 16, 2009) (after defeating a motion to dismiss, the case settled on very favorable terms for class members including free replacement of cracked wheels); *Payday Advance Plus, Inc. v. MIVA, Inc.*, Case No. 06-1923 (S.D.N.Y.) (\$3,936,812 settlement); *Esslinger, et al. v. HSBC Bank Nevada, N.A.*, Case No. 10-03213 (E.D. Pa.) (\$23,500,000 settlement); *In re Discover Payment Protection Plan Marketing and Sales Practices Litigation*, Case No. 10-06994 (\$10,500,000 settlement); *In Re: Bank of America Credit Protection Marketing and Sales Practices Litigation*, Case No. 11-md-02269 (N.D. Cal.) (\$20,000,000 settlement).

Mr. Godino was also the principal attorney in the following published decisions: *In re Zappos.com, Inc., Customer Data Sec. Breach Litigation*, 714 Fed Appx. 761 (9th Cir. 2018) (reversing order dismissing class action complaint); *Small et al., v. University Medical Center of Southern Nevada, et al.*, 2017 WL 3461364 (D. Nev. Aug. 10, 2017) (denying motion to dismiss); *Sciortino v. Pepsico, Inc.*, 108 F.Supp. 3d 780 (N.D. Cal.. June 5, 2015) (motion to dismiss denied); *Peterson v. CJ America, Inc.*, 2015 WL 11582832 (S.D. Cal. May 15, 2015) (motion to dismiss denied); *Lilly v. Jamba Juice Company*, 2014 WL 4652283 (N. D. Cal. Sep 18, 2014) (class certification granted in part); *Kramer v. Toyota Motor Corp.*, 705 F. 3d 1122 (9th Cir. 2013) (affirming denial of

Defendant's motion to compel arbitration); *Sateriale, et al. v. R.J. Reynolds Tobacco Co.*, 697 F. 3d 777 (9th Cir. 2012) (reversing order dismissing class action complaint); *Shin v. BMW of North America*, 2009 WL 2163509 (C.D. Cal. July 16, 2009) (motion to dismiss denied); *In re 2TheMart.com Securities Litigation*, 114 F. Supp. 2d 955 (C.D. Cal. 2002) (motion to dismiss denied); *In re Irvine Sensors Securities Litigation*, 2003 U.S. Dist. LEXIS 18397 (C.D. Cal. 2003) (motion to dismiss denied).

The following represent just a few of the cases Mr. Godino is currently litigating in a leadership position: *Small v. University Medical Center of Southern Nevada*, Case No. 13-00298 (D. Nev.); *Courtright, et al., v. O'Reilly Automotive Stores, Inc., et al.*, Case No. 14-334 (W.D. Mo); *Keskinen v. Edgewell Personal Care Co., et al.*, Case No. 17-07721 (C.D. CA); *Ryan v. Rodan & Fields, LLC*, Case No. 18-02505 (N.D. Cal)

MATTHEW M. HOUSTON, a partner in the firm's New York office, graduated from Boston University School of Law in 1988. Mr. Houston is an active member of the Bar of the State of New York and an inactive member of the bar for the Commonwealth of Massachusetts. Mr. Houston is also admitted to the United States District Courts for the Southern and Eastern Districts of New York and the District of Massachusetts, and the Second, Seventh, Ninth, and Eleventh Circuit Court of Appeals of the United States. Mr. Houston repeatedly has been selected as a New York Metro Super Lawyer.

Mr. Houston has substantial courtroom experience involving complex actions in federal and state courts throughout the country. Mr. Houston was co-lead trial counsel in one the few ERISA class action cases taken to trial asserting breach of fiduciary duty claims against plan fiduciaries, *Brieger et al. v. Tellabs, Inc.*, No. 06-CV-01882 (N.D. Ill.), and has successfully prosecuted many ERISA actions, including *In re Royal Ahold N.V. Securities and ERISA Litigation*, Civil Action No. 1:03-md-01539. Mr. Houston has been one of the principal attorneys litigating claims in multi-district litigation concerning employment classification of pickup and delivery drivers and primarily responsible for prosecuting ERISA class claims resulting in a \$242,000,000 settlement; *In re FedEx Ground Package Inc. Employment Practices Litigation*, No. 3:05-MD-527 (MDL 1700). Mr. Houston recently presented argument before the Eleventh Circuit Court of Appeals on behalf of a class of Florida pickup and delivery drivers obtaining a reversal of the lower court's grant of summary judgment. Mr. Houston represented the interests of Nevada and Arkansas drivers employed by FedEx Ground obtaining significant recoveries on their behalf. Mr. Houston also served as lead counsel in multi-district class litigation seeking to modify insurance claims handling practices; *In re UnumProvident Corp. ERISA Benefits Denial Actions*, No. 1:03-cv-1000 (MDL 1552).

Mr. Houston has played a principal role in numerous derivative and class actions wherein substantial benefits were conferred upon plaintiffs: *In re: Groupon Derivative Litigation*, No. 12-cv-5300 (N.D. Ill. 2012) (settlement of consolidated derivative action resulting in sweeping corporate governance reform estimated at \$159 million) *Bangari v. Lesnik, et al.*, No. 11 CH 41973 (Illinois Circuit Court, County of Cook) (settlement of claim resulting in payment of \$20 million to Career Education Corporation and implementation of extensive corporate governance reform); *In re Diamond Foods, Inc. Shareholder Litigation*, No. CGC-11-515895 (California Superior Court, County of San Francisco)

(\$10.4 million in monetary relief including a \$5.4 million clawback of executive compensation and significant corporate governance reform); *Pace American Shareholder Litigation*, 94-92 TUC-RMB (securities fraud class action settlement resulting in a recovery of \$3.75 million); *In re Bay Financial Securities Litigation*, Master File No. 89-2377-DPW, (D. Mass.) (J. Woodlock) (settlement of action based upon federal securities law claims resulting in class recovery in excess of \$3.9 million); *Goldsmith v. Technology Solutions Company*, 92 C 4374 (N.D. Ill. 1992) (J. Manning) (recovery of \$4.6 million as a result of action alleging false and misleading statements regarding revenue recognition).

In addition to numerous employment and derivative cases, Mr. Houston has litigated actions asserting breach of fiduciary duty in the context of mergers and acquisitions. Mr. Houston has been responsible for securing millions of dollars in additional compensation and structural benefits for shareholders of target companies: *In re Instinet Group, Inc. Shareholders Litigation*, C.A. No. 1289 (Delaware Court of Chancery); *Jasinover v. The Rouse Company*, Case No. 13-C-04-59594 (Maryland Circuit Court); *McLaughlin v. Household International, Inc.*, Case No. 02 CH 20683 (Illinois Circuit Court); *Sebesta v. The Quizno's Corporation*, Case No. 2001 CV 6281 (Colorado District Court); *Crandon Capital Partners v. Sanford M. Kimmel*, C.A. No. 14998 (Del. Ch.); and *Crandon Capital Partners v. Kimmel*, C.A. No. 14998 (Del. Ch. 1996) (J. Chandler) (settlement of an action on behalf of shareholders of Transnational Reinsurance Co. whereby acquiring company provided an additional \$10.4 million in merger consideration).

JASON L. KRAJCKER is a partner in the firm's Los Angeles office. He specializes in complex securities cases and has extensive experience in all phases of litigation (fact investigation, pre-trial motion practice, discovery, trial, appeal).

Prior to joining Glancy Prongay & Murray LLP, Mr. Krajcer was an Associate at Goodwin Procter LLP where he represented issuers, officers and directors in multi-hundred million and billion dollar securities cases. He began his legal career at Orrick, Herrington & Sutcliffe LLP, where he represented issuers, officers and directors in securities class actions, shareholder derivative actions, and matters before the U.S. Securities & Exchange Commission.

Mr. Krajcer is admitted to the State Bar of California, the Bar of the District of Columbia, the United States Supreme Court, the Ninth Circuit Court of Appeals, and the United States District Courts for the Central and Southern Districts of California.

CHARLES H. LINEHAN is a partner in the firm's Los Angeles office. He graduated summa cum laude from the University of California, Los Angeles with a Bachelor of Arts degree in Philosophy and a minor in Mathematics. Mr. Linehan received his Juris Doctor degree from the UCLA School of Law, where he was a member of the UCLA Moot Court Honors Board. While attending law school, Mr. Linehan participated in the school's First Amendment Amicus Brief Clinic (now the Scott & Cyan Banister First Amendment Clinic) where he worked with nationally recognized scholars and civil rights organizations to draft amicus briefs on various Free Speech issues.

GREGORY B. LINKH works out of the New York office, where he litigates antitrust, securities, shareholder derivative, and consumer cases. Greg graduated from the State University of New York at Binghamton in 1996 and from the University of Michigan Law School in 1999. While in law school, Greg externed with United States District Judge Gerald E. Rosen of the Eastern District of Michigan. Greg was previously associated with the law firms Dewey Ballantine LLP, Pomerantz Haudek Block Grossman & Gross LLP, and Murray Frank LLP.

Previously, Greg had significant roles in *In re Merrill Lynch & Co., Inc. Research Reports Securities Litigation* (settled for \$125 million); *In re Crompton Corp. Securities Litigation* (settled \$11 million); *Lowry v. Andrx Corp.* (settled for \$8 million); *In re Xybernaut Corp. Securities MDL Litigation* (settled for \$6.3 million); and *In re EIS Int'l Inc. Securities Litigation* (settled for \$3.8 million). Greg also represented the West Virginia Investment Management Board ("WVIMB") in *WVIMB v. Residential Accredited Loans, Inc., et al.*, relating to the WVIMB's investment in residential mortgage-backed securities.

Currently, Greg is litigating various antitrust and securities cases, including *In re Korean Ramen Antitrust Litigation*, *In re Automotive Parts Antitrust Litigation*, and *In re Horsehead Holding Corp. Securities Litigation*.

Greg is the co-author of *Inherent Risk In Securities Cases In The Second Circuit*, NEW YORK LAW JOURNAL (Aug. 26, 2004); and *Staying Derivative Action Pursuant to PSLRA and SLUSA*, NEW YORK LAW JOURNAL, P. 4, COL. 4 (Oct. 21, 2005).

BRIAN MURRAY is the managing partner of the Firm's New York Park Avenue office and the head of the Firm's Antitrust Practice Group. He received Bachelor of Arts and Master of Arts degrees from the University of Notre Dame in 1983 and 1986, respectively. He received a Juris Doctor degree, *cum laude*, from St. John's University School of Law in 1990. At St. John's, he was the Articles Editor of the ST. JOHN'S LAW REVIEW. Mr. Murray co-wrote: *Jurisdição Estrangeira Tem Papel Relevante Na De Fiesa De Investidores Brasileiros*, ESPAÇA JURÍDICO BOVESPA (August 2008); *The Proportionate Trading Model: Real Science or Junk Science?*, 52 CLEVELAND ST. L. REV. 391 (2004-05); *The Accident of Efficiency: Foreign Exchanges, American Depository Receipts, and Space Arbitrage*, 51 BUFFALO L. REV. 383 (2003); *You Shouldn't Be Required To Plead More Than You Have To Prove*, 53 BAYLOR L. REV. 783 (2001); *He Lies, You Die: Criminal Trials, Truth, Perjury, and Fairness*, 27 NEW ENGLAND J. ON CIVIL AND CRIMINAL CONFINEMENT 1 (2001); *Subject Matter Jurisdiction Under the Federal Securities Laws: The State of Affairs After Itoba*, 20 MARYLAND J. OF INT'L L. AND TRADE 235 (1996); *Determining Excessive Trading in Option Accounts: A Synthetic Valuation Approach*, 23 U. DAYTON L. REV. 316 (1997); *Loss Causation Pleading Standard*, NEW YORK LAW JOURNAL (Feb. 25, 2005); *The PSLRA 'Automatic Stay' of Discovery*, NEW YORK LAW JOURNAL (March 3, 2003); and *Inherent Risk In Securities Cases In The Second Circuit*, NEW YORK LAW JOURNAL (Aug. 26, 2004). He also authored *Protecting The Rights of International Clients in U.S. Securities Class Action Litigation*, INTERNATIONAL LITIGATION NEWS (Sept. 2007); *Lifting the PSLRA "Automatic Stay" of Discovery*, 80 N. DAK. L. REV. 405 (2004); *Aftermarket Purchaser Standing Under § 11 of the Securities Act of 1933*, 73 ST. JOHN'S L. REV. 633 (1999); *Recent Rulings Allow Section 11 Suits By Aftermarket Securities*

Purchasers, NEW YORK LAW JOURNAL (Sept. 24, 1998); and *Comment, Weissmann v. Freeman: The Second Circuit Errs in its Analysis of Derivative Copy-rights by Joint Authors*, 63 ST. JOHN'S L. REV. 771 (1989).

Mr. Murray was on the trial team that prosecuted a securities fraud case under Section 10(b) of the Securities Exchange Act of 1934 against Microdyne Corporation in the Eastern District of Virginia and he was also on the trial team that presented a claim under Section 14 of the Securities Exchange Act of 1934 against Artek Systems Corporation and Dynatach Group which settled midway through the trial.

Mr. Murray's major cases include *In re Horsehead Holding Corp. Sec. Litig.*, No. 16-cv-292, 2018 WL 4838234 (D. Del. Oct. 4, 2018) (recommending denial of motion to dismiss securities fraud claims where company's generic cautionary statements failed to adequately warn of known problems); *In re Deutsche Bank Sec. Litig.*, --- F.R.D. ---, 2018 WL 4771525 (S.D.N.Y. Oct. 2, 2018) (granting class certification for Securities Act claims and rejecting defendants' argument that class representatives' trading profits made them atypical class members); *Robb v. Fitbit Inc.*, 216 F. Supp. 3d 1017 (N.D. Cal. 2016) (denying motion to dismiss securities fraud claims where confidential witness statements sufficiently established scienter); *In re Eagle Bldg. Tech. Sec. Litig.*, 221 F.R.D. 582 (S.D. Fla. 2004), 319 F. Supp. 2d 1318 (S.D. Fla. 2004) (complaint against auditor sustained due to magnitude and nature of fraud; no allegations of a "tip-off" were necessary); *In re Turkcell Iletisim A.S. Sec. Litig.*, 209 F.R.D. 353 (S.D.N.Y. 2002) (defining standards by which investment advisors have standing to sue); *In re Turkcell Iletisim A.S. Sec. Litig.*, 202 F. Supp. 2d 8 (S.D.N.Y. 2001) (liability found for false statements in prospectus concerning churn rates); *Feiner v. SS&C Tech., Inc.*, 11 F. Supp. 2d 204 (D. Conn. 1998) (qualified independent underwriters held liable for pricing of offering); *Malone v. Microdyne Corp.*, 26 F.3d 471 (4th Cir. 1994) (reversal of directed verdict for defendants); and *Adair v. Bristol Tech. Systems, Inc.*, 179 F.R.D. 126 (S.D.N.Y. 1998) (aftermarket purchasers have standing under section 11 of the Securities Act of 1933). Mr. Murray also prevailed on an issue of first impression in the Superior Court of Massachusetts, in *Cambridge Biotech Corp. v. Deloitte and Touche LLP*, in which the court applied the doctrine of continuous representation for statute of limitations purposes to accountants for the first time in Massachusetts. 6 Mass. L. Rptr. 367 (Mass. Super. Jan. 28, 1997). In addition, in *Adair v. Microfield Graphics, Inc.* (D. Or.), Mr. Murray settled the case for 47% of estimated damages. *In the Qiao Xing Universal Telephone* case, claimants received 120% of their recognized losses.

Among his current cases, Mr. Murray represents a class of investors in a securities litigation involving preferred shares of Deutsche Bank and is lead counsel in a securities class action against Horsehead Holdings, Inc. in the District of Delaware.

Mr. Murray served as a Trustee of the Incorporated Village of Garden City (2000-2002); Commissioner of Police for Garden City (2000-2001); Co-Chairman, Derivative Suits Subcommittee, American Bar Association Class Action and Derivative Suits Committee, (2007-2010); Member, Sports Law Committee, Association of the Bar for the City of New York, 1994-1997; Member, Litigation Committee, Association of the Bar for the City of New York, 2003-2007; Member, New York State Bar Association Committee on Federal

Constitution and Legislation, 2005-2008; Member, Federal Bar Council, Second Circuit Committee, 2007-present.

Mr. Murray has been a panelist at CLEs sponsored by the Federal Bar Council and the Institute for Law and Economic Policy, at the German-American Lawyers Association Annual Meeting in Frankfurt, Germany, and is a frequent lecturer before institutional investors in Europe and South America on the topic of class actions.

NATALIE S. PANG is a partner in the firm's Los Angeles office. Ms. Pang has advocated on behalf of thousands of consumers during her career. Ms. Pang has extensive experience in case management and all facets of litigation: from a case's inception through the discovery process--including taking and defending depositions and preparing witnesses for depositions and trial--mediation and settlement negotiations, pretrial motion work, trial and post-trial motion work.

Prior to joining the firm, Ms. Pang lead the mass torts department of her last firm, where she managed the cases of over two thousand individual clients. There, Ms. Pang worked on a wide variety of complex state and federal matters which included cases involving pharmaceutical drugs, medical devices, auto defects, toxic torts, false advertising, and uninhabitable conditions. Ms. Pang was also trial counsel in the notable case, *Celestino Acosta et al. v. City of Long Beach et al.* (BC591412) which was brought on behalf of residents of a mobile home park built on a former trash dump and resulted in a \$39.5 million verdict after an eleven-week jury trial in Los Angeles Superior Court.

Ms. Pang received her J.D. from Loyola Law School. While in law school, Ms. Pang received a Top 10 Brief Award as a Scott Moot Court competitor, was chosen to be a member of the Scott Moot Court Honor's Board, and competed as a member of the National Moot Court Team. Ms. Pang was also a Staffer and subsequently an Editor for Loyola's Entertainment Law Review as well as a Loyola Writing Tutor. During law school, Ms. Pang served as an extern for: the Hon. Rolf Treu (Los Angeles Superior Court), the Los Angeles City Attorney's Office, and the Federal Public Defender's Office. Ms. Pang obtained her undergraduate degree from the University of Southern California and worked in the healthcare industry prior to pursuing her career in law.

ROBERT V. PRONGAY is a partner in the Firm's Los Angeles office where he focuses on the investigation, initiation, and prosecution of complex securities cases on behalf of institutional and individual investors. Mr. Prongay's practice concentrates on actions to recover investment losses resulting from violations of the federal securities laws and various actions to vindicate shareholder rights in response to corporate and fiduciary misconduct.

Mr. Prongay has extensive experience litigating complex cases in state and federal courts nationwide. Since joining the Firm, Mr. Prongay has successfully recovered millions of dollars for investors victimized by securities fraud and has negotiated the implementation of significant corporate governance reforms aimed at preventing the recurrence of corporate wrongdoing.

Mr. Prongay was recently recognized as one of thirty lawyers included in the Daily Journal's list of Top Plaintiffs Lawyers in California for 2017. Several of Mr. Prongay's cases have received national and regional press coverage. Mr. Prongay has been interviewed by journalists and writers for national and industry publications, ranging from *The Wall Street Journal* to the *Los Angeles Daily Journal*. Mr. Prongay has appeared as a guest on Bloomberg Television where he was interviewed about the securities litigation stemming from the high-profile initial public offering of Facebook, Inc.

Mr. Prongay received his Bachelor of Arts degree in Economics from the University of Southern California and his Juris Doctor degree from Seton Hall University School of Law. Mr. Prongay is also an alumnus of the Lawrenceville School.

DANIELLA QUITT, a partner in the firm's New York office, graduated from Fordham University School of Law in 1988, is a member of the Bar of the State of New York, and is also admitted to the United States District Courts for the Southern and Eastern Districts of New York, the United States Court of Appeals for the Second, Fifth, and Ninth Circuits, and the United States Supreme Court.

Ms. Quitt has extensive experience in successfully litigating complex class actions from inception to trial and has played a significant role in numerous actions wherein substantial benefits were conferred upon plaintiff shareholders, such as *In re Safety-Kleen Corp. Stockholders Litigation*, (D.S.C.) (settlement fund of \$44.5 million); *In re Laidlaw Stockholders Litigation*, (D.S.C.) (settlement fund of \$24 million); *In re UNUMProvident Corp. Securities Litigation*, (D. Me.) (settlement fund of \$45 million); *In re Harnischfeger Industries* (E.D. Wisc.) (settlement fund of \$10.1 million); *In re Oxford Health Plans, Inc. Derivative Litigation*, (S.D.N.Y.) (settlement benefit of \$13.7 million and corporate therapeutics); *In re JWP Inc. Securities Litigation*, (S.D.N.Y.) (settlement fund of \$37 million); *In re Home Shopping Network, Inc., Derivative Litigation*, (S.D. Fla.) (settlement benefit in excess of \$20 million); *In re Graham-Field Health Products, Inc. Securities Litigation*, (S.D.N.Y.) (settlement fund of \$5.65 million); *Benjamin v. Carusona*, (E.D.N.Y.) (prosecuted action on behalf of minority shareholders which resulted in a change of control from majority-controlled management at Gurney's Inn Resort & Spa Ltd.); *In re Rexel Shareholder Litigation*, (Sup. Ct. N.Y. County) (settlement benefit in excess of \$38 million); *Jacobs v. Verizon Communications* (S.D.N.Y.) (ERISA settlement of \$30 million); and *Croyden Assoc. v. Tesoro Petroleum Corp., et al.*, (Del. Ch.) (settlement benefit of \$19.2 million).

In connection with the settlement of *Alessi v. Beracha*, (Del. Ch.), a class action brought on behalf of the former minority shareholders of Earthgrains, Chancellor Chandler commented: "I give credit where credit is due, Ms. Quitt. You did a good job and got a good result, and you should be proud of it."

Ms. Quitt has focused her practice on shareholder rights, securities class actions, and ERISA class actions but also handles general commercial and consumer litigation. Ms. Quitt serves as a member of the S.D.N.Y. ADR Panel and has been consistently selected as a New York Metro Super Lawyer.

JONATHAN M. ROTTER leads the Firm's intellectual property litigation practice and has extensive experience in class action litigation, including in the fields of data privacy, digital content, securities, consumer protection, and antitrust. His cases often involve technical and scientific issues, and he excels at the critical skill of understanding and organizing complex subject matter in a way helpful to judges, juries, and ultimately, the firm's clients. Since joining the firm, he has played a key role in cases recovering over \$100 million. He handles cases on contingency, partial contingency, and hourly bases, and works collaboratively with other lawyers and law firms across the country.

Before joining the firm, Mr. Rotter served for three years as the first Patent Pilot Program Law Clerk at the United States District Court for the Central District of California, both in Los Angeles and Orange County. There, he assisted the Honorable S. James Otero, Andrew J. Guilford, George H. Wu, John A. Kronstadt, and Beverly Reid O'Connell with hundreds of patent cases in every major field of technology, from complaint to post-trial motions, advised on case management strategy, and organized and provided judicial education. Mr. Rotter also served as a law clerk for the Honorable Milan D. Smith, Jr. on the United States Court of Appeals for the Ninth Circuit, working on the full range of matters handled by the Circuit.

Before his service to the courts, Mr. Rotter practiced at an international law firm, where he argued appeals at the Federal Circuit, Ninth Circuit, and California Court of Appeal, tried cases, argued motions, and managed all aspects of complex litigation. He also served as a volunteer criminal prosecutor for the Los Angeles City Attorney's Office.

Mr. Rotter graduated with honors from Harvard Law School in 2004. He served as an editor of the Harvard Journal of Law & Technology, was a Fellow in Law and Economics at the John M. Olin Center for Law, Economics, and Business at Harvard Law School, and a Fellow in Justice, Welfare, and Economics at the Harvard University Weatherhead Center For International Affairs. He graduated with honors from the University of California, San Diego in 2000 with a B.S. in molecular biology and a B.A. in music.

Mr. Rotter served on the Merit Selection Panel for Magistrate Judges in the Central District of California, and served on the Model Patent Jury Instructions and Model Patent Local Rules subcommittees of the American Intellectual Property Law Association. He has written extensively on intellectual property issues, and has been honored for his work with legal service organizations. He is admitted to practice in California and before the United States Courts of Appeals for the First, Second, Ninth and Federal Circuits, the United States District Courts for the Northern, Central, and Southern Districts of California, and the United States Patent & Trademark Office.

KEVIN F. RUF graduated from the University of California at Berkeley with a Bachelor of Arts in Economics and earned his Juris Doctor degree from the University of Michigan. He was an associate at the Los Angeles firm Manatt Phelps and Phillips from 1988 until 1992, where he specialized in commercial litigation. In 1993, he joined the firm Corbin & Fitzgerald (with future federal district court Judge Michael Fitzgerald) specializing in white collar criminal defense work.

Kevin joined the Glancy firm in 2001 and works on a diverse range of trial and appellate cases; he is also head of the firm's Labor practice. Kevin has successfully argued a number of important appeals, including in the 9th Circuit Court of Appeals. He has twice argued cases before the California Supreme Court – winning both.

In *Smith v. L'Oreal* (2006), after Kevin's winning arguments, the California Supreme Court established a fundamental right of all California workers to immediate payment of all earnings at the conclusion of their employment.

Kevin gave the winning oral argument in one of the most talked about and wide-reaching California Supreme Court cases of recent memory: *Lee v. Dynamex* (2018). The Dynamex decision altered 30 years of California law and established a new definition of employment that brings more workers within the protections of California's Labor Code. The California legislature was so impressed with the Dynamex result that promulgated AB5, a statute to formalize this new definition of employment and expand its reach.

Kevin won the prestigious California Lawyer of the Year (CLAY) award in 2019 for his work on the *Dynamex* case.

In 2021, Kevin was named by California's legal paper of record, the Daily Journal, as one of 18 California "Lawyers of the Decade."

Kevin has been named three times as one of the Daily Journal's "Top 75 Employment Lawyers."

Since 2014, Kevin has been an elected member of the Ojai Unified School District Board of Trustees. Kevin was also a Main Company Member of the world-famous Groundlings improv and sketch comedy troupe – where "everyone else got famous."

BENJAMIN I. SACHS-MICHAELS, a partner in the firm's New York office, graduated from Benjamin N. Cardozo School of Law in 2011. His practice focuses on shareholder derivative litigation and class actions on behalf of shareholders and consumers.

While in law school, Mr. Sachs-Michaels served as a judicial intern to Senior United States District Judge Thomas J. McAvoy in the United States District Court for the Northern District of New York and was a member of the Cardozo Journal of Conflict Resolution.

Mr. Sachs-Michaels is a member of the Bar of the State of New York. He is also admitted to the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit.

CASEY E. SADLER is a native of New York, New York. After graduating from the University of Southern California, Gould School of Law, Mr. Sadler joined the Firm in 2010. While attending law school, Mr. Sadler externed for the Enforcement Division of the Securities and Exchange Commission, spent a summer working for P.H. Parekh & Co. – one of the leading appellate law firms in New Delhi, India – and was a member of USC's Hale Moot Court Honors Program.

Mr. Sadler's practice focuses on securities and consumer litigation. A partner in the Firm's Los Angeles office, Mr. Sadler is admitted to the State Bar of California and the United States District Courts for the Northern, Southern, and Central Districts of California.

EX KANO S. SAMS II earned his Bachelor of Arts degree in Political Science from the University of California Los Angeles. Mr. Sams earned his Juris Doctor degree from the University of California Los Angeles School of Law, where he served as a member of the *UCLA Law Review*. After law school, Mr. Sams practiced class action civil rights litigation on behalf of plaintiffs. Subsequently, Mr. Sams was a partner at Coughlin Stoia Geller Rudman & Robbins LLP (currently Robbins Geller Rudman & Dowd LLP), where his practice focused on securities and consumer class actions on behalf of investors and consumers.

During his career, Mr. Sams has served as lead counsel in dozens of securities class actions and complex-litigation cases, and has worked on cases at all levels of the state and federal court systems throughout the United States. Mr. Sams was one of the counsel for respondents in *Cyan, Inc. v. Beaver Cty. Employees Ret. Fund*, 138 S. Ct. 1061 (2018), in which the United States Supreme Court ruled unanimously in favor of respondents, holding that: (1) the Securities Litigation Uniform Standards Act of 1998 ("SLUSA") does not strip state courts of jurisdiction over class actions alleging violations of only the Securities Act of 1933; and (2) SLUSA does not empower defendants to remove such actions from state to federal court. Mr. Sams also participated in a successful appeal before a Fifth Circuit panel that included former United States Supreme Court Justice Sandra Day O'Connor sitting by designation, in which the court unanimously vacated the lower court's denial of class certification, reversed the lower court's grant of summary judgment, and issued an important decision on the issue of loss causation in securities litigation: *Alaska Electrical Pension Fund v. Flowserve Corp.*, 572 F.3d 221 (5th Cir. 2009). The case settled for \$55 million.

Mr. Sams has also obtained other significant results. Notable examples include: *Beezley v. Fenix Parts, Inc.*, No. 1:17-CV-7896, 2018 WL 3454490 (N.D. Ill. July 13, 2018) (denying motion to dismiss); *In re Flowers Foods, Inc. Sec. Litig.*, No. 7:16-CV-222 (WLS), 2018 WL 1558558 (M.D. Ga. Mar. 23, 2018) (largely denying motion to dismiss; case settled for \$21 million); *In re King Digital Entm't plc S'holder Litig.*, No. CGC-15-544770 (San Francisco Superior Court) (case settled for \$18.5 million); *In re Castlight Health, Inc. S'holder Litig.*, Lead Case No. CIV533203 (California Superior Court, County of San Mateo) (case settled for \$9.5 million); *Wiley v. Envivio, Inc.*, Master File No. CIV517185 (California Superior Court, County of San Mateo) (case settled for \$8.5 million); *In re CafePress Inc. S'holder Litig.*, Master File No. CIV522744 (California Superior Court, County of San Mateo) (case settled for \$8 million); *Estate of Gardner v. Continental Casualty Co.*, No. 3:13-cv-1918 (JBA), 2016 WL 806823 (D. Conn. Mar. 1, 2016) (granting class certification); *Forbush v. Goodale*, No. 33538/2011, 2013 WL 582255 (N.Y. Sup. Feb. 4, 2013) (denying motions to dismiss); *Curry v. Hansen Med., Inc.*, No. C 09-5094 CW, 2012 WL 3242447 (N.D. Cal. Aug. 10, 2012) (upholding complaint; case settled for \$8.5 million); *Wilkof v. Caraco Pharm. Labs., Ltd.*, 280 F.R.D. 332 (E.D. Mich. 2012) (granting class certification); *Puskala v. Koss Corp.*, 799 F. Supp. 2d 941 (E.D.

Wis. 2011) (upholding complaint); *Mishkin v. Zynex Inc.*, Civil Action No. 09-cv-00780-REB-KLM, 2011 WL 1158715 (D. Colo. Mar. 30, 2011) (denying motion to dismiss); and *Tsirekidze v. Syntax-Brilliant Corp.*, No. CV-07-02204-PHX-FJM, 2009 WL 2151838 (D. Ariz. July 17, 2009) (granting class certification; case settled for \$10 million).

Additionally, Mr. Sams has successfully represented consumers in class action litigation. Mr. Sams worked on nationwide litigation and a trial against major tobacco companies, and in statewide tobacco litigation that resulted in a \$12.5 billion recovery for California cities and counties in a landmark settlement. He also was a principal attorney in a consumer class action against one of the largest banks in the country that resulted in a substantial recovery and a change in the company's business practices. Mr. Sams also participated in settlement negotiations on behalf of environmental organizations along with the United States Department of Justice and the Ohio Attorney General's Office that resulted in a consent decree requiring a company to perform remediation measures to address the effects of air and water pollution. Additionally, Mr. Sams has been an author or co-author of several articles in major legal publications, including "9th Circuit Decision Clarifies Securities Fraud Loss Causation Rule" published in the February 8, 2018 issue of the *Daily Journal*, and "Market Efficiency in the World of High-Frequency Trading" published in the December 26, 2017 issue of the *Daily Journal*.

LEANNE HEINE SOLISH is a partner in GPM's Los Angeles office. Her practice focuses on complex securities litigation.

Ms. Solish has extensive experience litigating complex cases in federal courts nationwide. Since joining GPM in 2012, Ms. Solish has helped secure several large class action settlements for injured investors, including: *The City of Farmington Hills Employees Retirement System v. Wells Fargo Bank*, Case No. 10-4372--DWF/JJG (D. Minn.) (\$62.5 million settlement on behalf of participants in Wells Fargo's securities lending program. The settlement was reached on the eve of trial and ranked among the largest recoveries achieved in a securities lending class action stemming from the 2008 financial crisis.); *Mild v. PPG Industries, Inc. et al.*, Case No. 2:18-cv-04231 (C.D. Cal.) (\$25 million settlement); *In re Penn West Petroleum Ltd. Securities Litigation*, Case No. 1:14-cv-06046-JGK (S.D.N.Y.) (\$19 million settlement for the U.S. shareholder class as part of a \$39 million global settlement); *In re ITT Educational Services, Inc. Securities Litigation (Indiana)*, Case No. 1:14-cv-01599-TWP-DML (\$12.5375 million settlement); *In re Doral Financial Corporation Securities Litigation*, Case No. 3:14-cv-01393-GAG (D.P.R.) (\$7 million settlement); *Larson v. Insys Therapeutics Incorporated, et al.*, Lead Case No. 14-cv-01043-PHX-GMS (D. Ariz.) (\$6.125 million settlement); *In re Unilife Corporation Securities Litigation*, Case No. 1:16-cv-03976-RA (\$4.4 million settlement); and *In re K12 Inc. Securities Litigation*, Case No. 4:16-cv-04069-PJH (N.D. Cal.) (\$3.5 million settlement).

Super Lawyers Magazine has selected Ms. Solish as a "Rising Star" in the area of Securities Litigation for the past four consecutive years, 2016 through 2019.

Ms. Solish graduated *summa cum laude* with a B.S.M. in Accounting and Finance from Tulane University, where she was a member of the Beta Alpha Psi honors accounting

organization and was inducted into the Beta Gamma Sigma Business Honors Society. Ms. Solish subsequently earned her J.D. from the University of Texas School of Law.

Ms. Solish is admitted to the State Bar of California, the Ninth Circuit Court of Appeals, and the United States District Courts for the Central, Northern, and Southern Districts of California. Ms. Solish is also a Registered Certified Public Accountant in Illinois.

GARTH A. SPENCER's work focuses on securities litigation on behalf of investors, as well as whistleblower, consumer and antitrust matters for plaintiffs. He has substantially contributed to a number of GPM's successful cases, including *Robb v. Fitbit Inc.* (N.D. Cal.) (\$33 million settlement). Mr. Spencer joined the firm's New York office in 2016, and transferred to Los Angeles in 2020. Prior to joining GPM, he worked in the tax group of a transactional law firm, and pursued tax whistleblower matters as a sole practitioner.

DAVID J. STONE has a broad background in complex commercial litigation, with particular focus on litigating corporate fiduciary claims, securities, and contract matters. Mr. Stone maintains a versatile practice in state and federal courts, representing clients in a wide-range of matters, including corporate derivative actions, securities class actions, litigating claims arising from master limited partnership "drop down" transactions, litigating consumer class actions (including data breach claims) litigating complex debt instruments, fraudulent conveyance actions, and appeals. Mr. Stone also has developed a specialized practice in litigation on behalf of post-bankruptcy confirmation trusts, including investigating and prosecuting D&O claims and general commercial litigation. In addition, Mr. Stone counsels clients on general business matters, including contract negotiation and corporate organization.

Mr. Stone graduated from Boston University School of Law in 1994 and was the Law Review Editor. He earned his B.A. at Tufts University in 1988, graduating *cum laude*. Following law school, Mr. Stone served as a clerk to the Honorable Joseph Tauro, then Chief Judge of the U.S. District Court for the District of Massachusetts. Prior to joining GPM, Mr. Stone practiced at international law firms Cravath, Swaine & Moore LLP, Morrison & Foerster LLP, and Greenberg Traurig LLP.

Mr. Stone is a member of the bar in New York and California, and is admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York, the Northern, Southern, and Central Districts of California, and the Court of Appeals for the Second and Third Circuits.

RAY D. SULENTIC is a partner in the firm's San Diego office where he litigates complex securities fraud, data privacy, and consumer fraud class actions. He also represents individuals in connection with the firm's SEC, CFTC, and qui tam whistleblower practice areas.

Before joining GPM, Mr. Sulentic worked extensively with financial markets as an institutional investor. His investment experience includes serving as a special situations (merger arbitrage) analyst at UBS O'Connor LLC, a multi-billion-dollar hedge fund in Chicago; and as a sell-side equity and commodity analyst for Bear Stearns & Co. Inc. in

New York. While at Bear Stearns, Mr. Sulentic's investment analysis was featured in Barron's.

Following his career on Wall Street, Mr. Sulentic practiced law at DLA Piper LLP in San Diego, where he worked on securities litigation and corporate governance matters, and represented public companies facing investigations or inquiries by the SEC.

Since joining GPM, Mr. Sulentic has helped his clients successfully obtain significant settlements, including in complex accounting and securities fraud matters.

Mr. Sulentic's relevant legal experience includes:

- Represented lead plaintiffs in *In re Eros International PLC Securities Litigation*, 2:19-cv-14125-JMV-JSA (D.N.J.), a securities class action alleging violations of the Securities Exchange Act of 1934 (\$25 million settlement).
- Represented lead plaintiffs in *Shen v. Exela Technologies Inc. et al.*, 3:20-cv-00691 (N.D. Tex.), a securities class action alleging violations of the Securities Exchange Act of 1934 (\$5 million settlement).
- Represented lead plaintiffs in *In re Tintri Securities Litigation*, Case No. 17-civ-04321, San Mateo Superior Court, a securities class action alleging violations of Securities Act of 1933. The parties have reached an agreement to settle the case for \$7.0 million, subject to final court approval.
- Represented lead plaintiff in *Ivan Baron v. HyreCar Inc. et al.*, 2:21-cv-06918-FWS-JC (C.D. Cal), a securities class action alleging violations of the Securities Exchange Act of 1934. Plaintiffs in HyreCar defeated Defendants' motion to dismiss. The case is currently pending.
- Represented plaintiff in *Valenzuela v. Hacopian Design & Development Group LLC et al.*, Case No. 37-2022-101113-CU-BT-CTL, San Diego Superior Court (Valenzuela*) a fraud, conversion, and RICO case. In Valenzuela, Mr. Sulentic argued and won many motions including a motion for summary judgment in his client's favor on one cause of action; a motion denying one defendant leave to amend her answer; a motion deeming his client's requests for admission admitted; and discovery sanctions against two defendants. Following a bench trial against one defendant, and a default judgment prove up hearing against two other defendants, the court in Valenzuela awarded Mr. Sulentic's client a combined judgment of over \$440,000, most of which was comprised of punitive damages on compensatory damages of just over \$24,000.

**Valenzuela* was a pro bono matter not litigated by GPM, but by Mr. Sulentic in his individual capacity.

KARA M. WOLKE is a partner in the firm's Los Angeles office. Ms. Wolke specializes in complex litigation, including the prosecution of securities fraud, derivative, consumer, and

wage and hour class actions. She also has extensive experience in appellate advocacy in both State and Federal Circuit Courts of Appeals.

With over fifteen years of experience in financial class action litigation, Ms. Wolke has helped to recover hundreds of millions of dollars for injured investors, consumers, and employees. Notable cases include: *Christine Asia Co. Ltd., et al. v. Jack Yun Ma, et al.*, Case No. 15-md-02631 (S.D.N.Y.) (\$250 million securities class action settlement); *Farmington Hills Employees' Retirement System v. Wells Fargo Bank*, Case No. 10-4372 (D. Minn.) (\$62.5 million settlement on behalf of participants in Wells Fargo's securities lending program. The settlement was reached on the eve of trial and ranked among the largest recoveries achieved in a securities lending class action stemming from the 2008 financial crisis.); *Schleicher, et al. v. Wendt, et al.* (Conseco), Case No. 02-cv-1332 (S.D. Ind.) (\$41.5 million securities class action settlement); *Lapin v. Goldman Sachs*, Case No. 03-850 (S.D.N.Y.) (\$29 million securities class action settlement); *In Re: Mannkind Corporation Securities Litigation*, Case No. 11-929 (C.D. Cal.) (approximately \$22 million settlement – \$16 million in cash plus stock); *Jenson v. First Trust Corp.*, Case No. 05-3124 (C.D. Cal.) (\$8.5 million settlement of action alleging breach of fiduciary duty and breach of contract against trust company on behalf of a class of elderly investors); and *Pappas v. Naked Juice Co.*, Case No. 11-08276 (C.D. Cal.) (\$9 million settlement in consumer class action alleging misleading labeling of juice products as "All Natural").

Ms. Wolke has been named a Super Lawyers "Rising Star," and her work on behalf of investors has earned her recognition as a LawDragon Leading Plaintiff Financial Lawyer for 2019 and 2020.

With a background in intellectual property, Ms. Wolke was a part of the team of lawyers who successfully challenged the claim of copyright ownership to the song "*Happy Birthday to You*" on behalf of artists and filmmakers who had been forced to pay hefty licensing fees to publicly sing the world's most famous song. In the resolution of that action, the defendant music publishing company funded a settlement of \$14 million and, significantly, agreed to relinquish the song to the public domain. Previously, Ms. Wolke penned an article regarding the failure of U.S. Copyright Law to provide an important public performance right in sound recordings, 7 Vand. J. Ent. L. & Prac. 411, which was nationally recognized and received an award by the American Bar Association and the Grammy® Foundation.

Committed to the provision of legal services to the poor, disadvantaged, and other vulnerable or disenfranchised individuals and groups, Ms. Wolke also oversees the Firm's *pro bono practice*. Ms. Wolke currently serves as a volunteer attorney for KIND (Kids In Need of Defense), representing unaccompanied immigrant and refugee children in custody and deportation proceedings, and helping them to secure legal permanent residency status in the U.S.

Ms. Wolke graduated *summa cum laude* with a Bachelor of Science in Economics from The Ohio State University in 2001. She subsequently earned her J.D. (with honors) from Ohio State, where she was active in Moot Court and received the Dean's Award for Excellence during each of her three years.

Ms. Wolke is admitted to the State Bar of California, the Ninth Circuit Court of Appeals, as well as the United States District Courts for the Northern, Southern, and Central Districts of California. She lives with her husband and two sons in Los Angeles.

OF COUNSEL

PETER A. BINKOW has prosecuted lawsuits on behalf of consumers and investors in state and federal courts throughout the United States. He served as Lead or Co-Lead Counsel in many class action cases, including: *In re Mercury Interactive Securities Litigation* (\$117.5 million recovery); *The City of Farmington Hills Retirement System v Wells Fargo* (\$62.5 million recovery); *Schleicher v Wendt* (Conseco Securities litigation - \$41.5 million recovery); *Lapin v Goldman Sachs* (\$29 million recovery); *In re Heritage Bond Litigation* (\$28 million recovery); *In re National Techteam Securities Litigation* (\$11 million recovery for investors); *In re Lason Inc. Securities Litigation* (\$12.68 million recovery), *In re ESC Medical Systems, Ltd. Securities Litigation* (\$17 million recovery); and many others. In *Schleicher v Wendt*, Mr. Binkow successfully argued the seminal Seventh Circuit case on class certification, in an opinion authored by Chief Judge Frank Easterbrook. He has argued and/or prepared appeals before the Ninth Circuit, Seventh Circuit, Sixth Circuit and Second Circuit Courts of Appeals.

Mr. Binkow joined the Firm in 1994. He was born on August 16, 1965 in Detroit, Michigan. Mr. Binkow obtained a Bachelor of Arts degree from the University of Michigan in 1988 and a Juris Doctor degree from the University of Southern California in 1994.

MARK S. GREENSTONE specializes in consumer, financial fraud and employment-related class actions. Possessing significant law and motion and trial experience, Mr. Greenstone has represented clients in multi-million dollar disputes in California state and federal courts, as well as the Court of Federal Claims in Washington, D.C.

Mr. Greenstone received his training as an associate at Sheppard, Mullin, Richter & Hampton LLP where he specialized in complex business litigation relating to investment management, government contracts and real estate. Upon leaving Sheppard Mullin, Mr. Greenstone founded an internet-based company offering retail items on multiple platforms nationwide. He thereafter returned to law bringing a combination of business and legal skills to his practice.

Mr. Greenstone graduated Order of the Coif from the UCLA School of Law. He also received his undergraduate degree in Political Science from UCLA, where he graduated Magna Cum Laude and was inducted into the Phi Beta Kappa honor society.

Mr. Greenstone is a member of the Consumer Attorneys Association of Los Angeles, the Santa Monica Bar Association and the Beverly Hills Bar Association. He is admitted to practice in state and federal courts throughout California.

ROBERT I. HARWOOD, Of Counsel to the firm, graduated from William and Mary Law School in 1971, and has specialized in securities law and securities litigation since

beginning his career in 1972 at the Enforcement Division of the New York Stock Exchange. Mr. Harwood was a founding member of Harwood Feffer LLP. He has prosecuted numerous securities, class, derivative, and ERISA actions. He is a member of the Trial Lawyers' Section of the New York State Bar Association and has served as a guest lecturer at trial advocacy programs sponsored by the Practicing Law Institute. In a statewide survey of his legal peers published by Super Lawyers Magazine, Mr. Harwood has been consistently selected as a "New York Metro Super Lawyer." Super Lawyers are the top five percent of attorneys in New York, as chosen by their peers and through the independent research. He is also a Member of the Board of Directors of the MFY Legal Services Inc., which provides free legal representation in civil matters to the poor and the mentally ill in New York City. Since 1999, Mr. Harwood has also served as a Village Justice for the Village of Dobbs Ferry, New York.

Commenting on Mr. Harwood's abilities, in *In re Royal Dutch/Shell Transport ERISA Litigation*, (D.N.J.), Judge Bissell stated:

the Court knows the attorneys in the firms involved in this matter and they are highly experienced and highly skilled in matters of this kind. Moreover, in this case it showed. Those efforts were vigorous, imaginative and prompt in reaching the settlement of this matter with a minimal amount of discovery.... So both skill and efficiency were brought to the table here by counsel, no doubt about that.

Likewise, Judge Hurley stated in connection with *In re Olsten Corporation Securities Litigation*, No. 97 CV-5056 (E.D.N.Y. Aug. 31, 2001), wherein a settlement fund of \$24.1 million was created: "The quality of representation here I think has been excellent." Mr. Harwood was lead attorney in *Meritt v. Eckerd*, No. 86 Civ. 1222 (E.D.N.Y. May 30, 1986), where then Chief Judge Weinstein observed that counsel conducted the litigation with "speed and skill" resulting in a settlement having a value "in the order of \$20 Million Dollars." Mr. Harwood prosecuted the *Hoенiger v. Aylsworth* class action litigation in the United States District Court for the Western District of Texas (No. SA-86-CA-939), which resulted in a settlement fund of \$18 million and received favorable comment in the August 14, 1989 edition of *The Wall Street Journal* ("*Prospector Fund Finds Golden Touch in Class Action Suit*" p. 18, col. 1). Mr. Harwood served as co-lead counsel in *In Re Interco Incorporated Shareholders Litigation*, Consolidated C.A. No. 10111 (Delaware Chancery Court) (May 25, 1990), resulting in a settlement of \$18.5 million, where V.C. Berger found, "This is a case that has an extensive record that establishes it was very hard fought. There were intense efforts made by plaintiffs' attorneys and those efforts bore very significant fruit in the face of serious questions as to ultimate success on the merits."

Mr. Harwood served as lead counsel in *Morse v. McWhorter* (Columbia/HCA Healthcare Securities Litigation), (M.D. Tenn.), in which a settlement fund of \$49.5 million was created for the benefit of the Class, as well as *In re Bank One Securities Litigation*, (N.D. Ill.), which resulted in the creation of a \$45 million settlement fund. Mr. Harwood also served as co-lead counsel in *In re Safety-Kleen Corp. Stockholders Litigation*, (D.S.C.), which resulted in a settlement fund of \$44.5 million; *In re Laidlaw Stockholders Litigation*, (D.S.C.), which resulted in a settlement fund of \$24 million; *In re AIG ERISA Litigation*,

(S.D.N.Y.), which resulted in a settlement fund of \$24.2 million; *In re JWP Inc. Securities Litigation*, (S.D.N.Y.), which resulted in a \$37 million settlement fund; *In re Oxford Health Plans, Inc. Derivative Litigation*, (S.D.N.Y.), which resulted in a settlement benefit of \$13.7 million and corporate therapeutics; and *In re UNUMProvident Corp. Securities Litigation*, (D. Me.), which resulted in the creation of settlement fund of \$45 million. Mr. Harwood has also been one of the lead attorneys in litigating claims in *In re FedEx Ground Package Inc. Employment Practices Litigation*, No. 3:05-MD-527 (MDL 1700), a multi-district litigation concerning employment classification of pickup and delivery drivers which resulted in a \$242,000,000 settlement.

TAKEO A. KELLAR is Of Counsel in the firm's San Diego office. Mr. Kellar has significant experience in securities fraud class actions, opt-out direct actions and shareholder derivative actions on behalf of institutional and individual investors, as well as consumer class actions and other complex litigation. Mr. Kellar has been an integral member of litigation teams who successfully prosecuted numerous securities actions that have recovered hundreds of millions of dollars for investors. His experience and strong skills in all aspects of complex and class action litigation in state, federal and appellate courts provide a valuable resource in developing and implementing redress strategies and litigating favorable resolutions for the firm's clients and class members.

Mr. Kellar is a graduate of the University of San Diego School of Law (J.D.) and the University of California, Riverside (B.A.). Mr. Kellar is admitted to practice in the State of California and before the United States District Courts for the Central, Northern and Southern Districts of California, and the Courts of Appeal for the Third and Ninth Circuits.

ERIKA SHAPIRO has extensive experience in a broad range of litigation matters. Until 2019, Ms. Shapiro's work primarily focused on complex antitrust cases involving pharmaceutical companies, and through this work, she helped successfully defend pharmaceutical companies against antitrust and unfair competition allegations, with a particular concentration on the Hatch-Waxman Act, product hopping, and reverse payment settlement allegations. As of 2019, Ms. Shapiro has represented clients in a vast array of litigation, including commercial real estate matters, with a particular focus on the global COVID-19 pandemic's impact on commercial real estate, bankruptcy matters, commercial litigation involving breach of contract, tort, trademark infringement, and trusts and estates law with a focus on will contests. Ms. Shapiro has further managed multiple cases defending physicians and hospitals against allegations of malpractice.

Ms. Shapiro is committed to the academic community, and is the Founder and CEO of Study Songs, an app aimed at helping students study for the multistate bar exam through melodies contained in over 80 original songs and through pop-up definitions of over 1200 legal terms and concepts.

Ms. Shapiro's publications include: *Third Circuit Holds, "Give Peace a Chance": The De Beers Litigation and the Potential Power of Settlement*, Jack E. Pace, III, Erika L. Shapiro, 27-SPG Antitrust 48 (2013).

Ms. Shapiro graduated from Washington University in St. Louis with a Bachelor of Arts degree. She received her Juris Doctor degree from Georgetown University Law Center. She also earned a Master's degree in Economic Global Law from Sciences-Po Universite.

SENIOR COUNSEL

CHRISTOPHER FALLON focuses on securities, consumer, and anti-trust litigation. Prior to joining the firm, Mr. Fallon was a contract attorney with O'Melveny & Myers LLP working on anti-trust and business litigation disputes. He is a Certified E-Discovery Specialist through the Association of Certified E-Discovery Specialists (ACEDS).

Mr. Fallon earned his J.D. and a Certificate in Dispute Resolution from Pepperdine Law School in 2004. While attending law school, Christopher worked at the Pepperdine Special Education Advocacy Clinic and interned with the Rhode Island Office of the Attorney General. Prior to attending law school, he graduated from Boston College with a Bachelor of Arts in Economics and a minor in Irish Studies, then served as Deputy Campaign Finance Director on a U.S. Senate campaign.

PAVITHRA RAJESH is Senior Counsel in the firm's Los Angeles office. She specializes in fact discovery, including pre-litigation investigation, and develops legal theories in securities, derivative, and privacy-related matters.

Ms. Rajesh has unique writing experience from her judicial externship for the Patent Pilot Program in the United States District Court for the Central District of California, where she worked closely with the Clerk and judges in the program on patent cases. Drawing from this experience, Ms. Rajesh is passionate about expanding the firm's Intellectual Property practice, and she engages with experts to understand complex technology in a wide range of patents, including network security and videogame electronics.

Ms. Rajesh graduated from University of California, Santa Barbara with a Bachelor of Science degree in Mathematics and a Bachelor of Arts degree in Psychology. She received her Juris Doctor degree from UCLA School of Law. While in law school, Ms. Rajesh was an Associate Editor for the UCLA Law Review.

CHRISTOPHER M. THOMS is Senior Discovery Counsel in Glancy, Prongay & Murray's Los Angeles office. His practice includes large-scale electronic discovery encompassing all stages of litigation, securities and anti-trust litigation. He manages attorneys in fact-finding for depositions, expert discovery, and trial preparation.

Prior to joining Glancy, Prongay & Murray, Christopher worked as a staff attorney at O'Melveny & Meyers LLP where he managed eDiscovery issues in complex class actions and multi-district litigations. Chris also worked as a contract attorney for various law firms in Los Angeles.

MELISSA WRIGHT is Senior Counsel in the firm's Los Angeles office. Ms. Wright specializes in complex litigation, including the prosecution of securities fraud and

consumer class actions. She has particular expertise in all aspects of the discovery phase of litigation, including drafting and responding to discovery requests, negotiating protocols for the production of Electronically Stored Information (ESI) and all facets of ESI discovery, and assisting in deposition preparation. She has managed multiple document production and review projects, including the development of ESI search terms, overseeing numerous attorneys reviewing large document productions, drafting meet and confer correspondence and motions to compel where necessary, and coordinating the analysis of information procured during the discovery phase for utilization in substantive motions or settlement negotiations.

Ms. Wright received her J.D. from the UC Davis School of Law in 2012, where she was a board member of Tax Law Society and externed for the California Board of Equalization's Tax Appeals Assistance Program focusing on consumer use tax issues. Ms. Wright also graduated from NYU School of Law, where she received her LL.M. in Taxation in 2013.

ASSOCIATES

REBECCA DAWSON specializes in complex civil litigation, class action securities litigation, and anti-trust litigation.

Ms. Dawson previously worked at a highly respected plaintiff-side class action firm specializing in mass torts and anti-trust litigation where she managed a wide variety of complex state and federal matters including false advertising, environmental torts and product liability claims.

Ms. Dawson has also held two prestigious clerkships. She was a clerking intern for the Chief Justice of the Court of International Trade during law school. After law school, she clerked at the New York Supreme Court where she handled hundreds of complex commercial and civil litigation decisions. Ms. Dawson also participated in the Securities and Exchange Commission Honors program in the Office of the Investors Advocate. Prior to law school, she worked for the Brooklyn Bar Association. Ms. Dawson also has a background in financial data analysis.

Ms. Dawson earned her J.D. from City University of New York School of Law, where she was a Moot Court Competition Problem Author. She earned her B.A. from Bard College at Simon's Rock, where she majored in Political Science with a minor in Economics.

CHRIS DEL VALLE is an experienced attorney who has been a valuable member of the Glancy Prongay & Murray LLP team since 2017. During his time at the firm, he has worked on a range of complex securities fraud cases, including *In re Akorn, Inc. Securities Litigation*, Case No. 15-CV-01944, (N.D. Ill.); *In re Yahoo! Inc. Securities Litigation*, Case No. 17-CV-00373-LHK (N.D. Cal.); *In re Endurance International Group Holdings*, Case No. 1:15-cv-11775-GAO; *In re LSB Industries, Inc. Securities Litigation*, Case No. 1:15-cv-07614-RA-GWG; *In re Alibaba Group Holding Limited Securities Litigation*, Case No. 1:15-md-02631 (CM); *In re Community Health Systems Inc*, Case No.: 3:19-cv-00461.

One of Chris' most notable recent cases was *Hartpence v. Kinetic Concepts, Inc.*, No. 19-55823 (9th Cir. 2022), alleging violations of the False Claims Act (FCA). Chris was part of the legal team that successfully represented a whistleblower in obtaining 9th Circuit reversal of the lower court's order granting summary judgment. This victory established Chris as a leading attorney in the field of FCA litigation.

With highly technical expertise in electronic discovery, Chris manages all facets of the firm's e-discovery needs, including crafting advanced search algorithms, predictive coding, and technology-assisted review. Chris also has a wealth of experience in deposition preparation, expert discovery, and preparing for summary judgment and trial.

Chris' experience prior to joining GPM includes trial and discovery preparation for complex corporate securities fraud litigation, patent prosecution, oral arguments, injunction hearings, trial work, mediations, drafting and negotiating contracts, depositions, and client intake.

He received a Bachelor of Arts degree from S.U.N.Y. Buffalo, majoring in English Literature/Journalism, and a Juris Doctor from California Western School of Law in San Diego. Chris is a proud native of Buffalo, New York, and a passionate fan of the Buffalo Bills, hosting a weekly podcast entitled *The Bills Dudes*. In addition to his legal work, Chris enjoys traveling, playing basketball, archery and is on a quest to locate the most flavorful tequila and mezcal ever produced in Mexico. With his experience in securities litigation and a strong educational background, Chris Del Valle is a valuable member of the GPM team.

HOLLY HEATH specializes in managing all aspects of discovery and trial preparation in securities and consumer fraud class actions. Since joining the firm in 2017, Ms. Heath has participated in cases that have led to over \$100 million in recoveries for consumers and investors.

Ms. Heath started her career at a boutique business law firm in Century City that targeted trademark infringement. After that, Ms. Heath worked as a contract attorney for several New York firms including Gibson Dunn and Sullivan & Cromwell. Ms. Heath has handled various complex litigation matters such as patent infringement, anti-trust, and banking regulations.

While in law school, Ms. Heath advocated for children's rights at Children's Legal Services and served as a student attorney for Greater Boston Legal Services.

THOMAS J. KENNEDY works out of the New York office, where he focuses on securities, antitrust, mass torts, and consumer litigation. He received a Juris Doctor degree from St. John's University School of Law in 1995. At St. John's, he was a member of the ST. JOHN'S JOURNAL OF LEGAL COMMENTARY. Mr. Kennedy graduated from Miami University in 1992 with a Bachelor of Science degree in Accounting and has passed the CPA exam. Mr. Kennedy was previously associated with the law firm Murray Frank LLP.

HOLLY K. NYE is an Associate in the firm's Los Angeles office. Her practice concentrates on data privacy and consumer fraud class action litigation.

Ms. Nye also has a background in transactional legal work, having previously worked extensively with both financial institutions and borrowers, and real estate investors and developers in connection with commercial financing and complex real estate transactions. Her experience expands to a variety of business transactions including the initial formation and development of businesses, mergers and acquisitions, and succession planning.

While in law school, Ms. Nye practiced under West Virginia Rule 10 Certification through the university's Entrepreneurship and Innovation Law Clinic where she represented clients on a variety of intellectual property matters as well as start-up clients with business formation, funding, and growth and development.

Ms. Nye earned her B.S.B.A. from West Virginia University in 2018 where she majored in Marketing. She earned both her M.B.A. from West Virginia University John Chambers College of Business and Economics and her J.D. from West Virginia University College of Law in 2022, where she was selected for the Order of Barristers for having demonstrated exceptional skill in trial advocacy, oral advocacy, and brief writing throughout her law school career.

Ms. Nye is admitted to practice in California and Ohio.

JACOB M. SHOOSTER, an Associate in the firm's New York Midtown 5th Avenue office, graduated from Fordham University School of Law in 2023. Mr. Shooster's practice focuses on shareholder litigation.

Mr. Shooster graduated from the University of Michigan with a Bachelor of Arts degree in Philosophy. He graduated from Fordham University School of Law with a Concentration in Business and Financial Law. While in law school, Mr. Shooster supported the Public Corruption Bureau of the Queens County District Attorney's Office as well as the school's Federal Tax Litigation Clinic where he represented indigent U.S. taxpayers in controversies in federal and state courts. Additionally, he was awarded the cum laude Murray award for public service.

AMIR A. SOLEIMANPOUR is an Associate (pending admission) in the firm's Los Angeles office. He received his Juris Doctor from the Washington & Lee School of Law in 2024. Mr. Soleimanpour's practice includes data privacy, securities fraud, and consumer protection litigation.

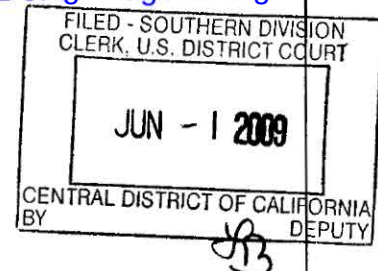
Mr. Soleimanpour graduated from Tufts University in 2019 with a Bachelor of Arts in International Relations, his concentration was in International Security. At the Washington & Lee School of Law, Mr. Soleimanpour was President of the Lewis F. Powell, Jr. Distinguished Lecture Series, where he hosted Judge J. Michael Luttig for the Series' 2024 Lecture. Mr. Soleimanpour was also a finalist in the 2022 Robert J. Grey, Jr.

Negotiations Competition and was awarded the law faculty's 2024 Frederic L. Kirgis, Jr. International Law Award, for excellence in international law.

ROBERT YAN is an associate specializing in international cases involving foreign language documents and foreign clients. He has expertise in all aspects of pre-trial litigation, including document productions, deposition preparation, deposition outlines, witness preparation, compilation of privilege logs, and translation of documents into English. He has served as team lead for various document review projects, conducted QC on large document populations, and worked with lead counsel to meet production deadlines.

Robert is a native speaker of Mandarin Chinese and fluent in Japanese. Robert has volunteered his services in the Los Angeles area including at the Elder Law Clinic and monthly APABA Pro Bono Legal Help Clinic. In his free time, Robert likes to play tennis and dodgeball and watches Jeopardy every day with his wife.

EXHIBIT 9



1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 SOUTHERN DIVISION

<p>5 In re INTERLINK ELECTRONICS, 6 INC. SECURITIES LITIGATION</p> <p>7 This Document Relates To:</p> <p>8 All Actions</p>	<p>) CASE NO. CV05-8133 AG (SHx) JS6</p> <p>) The Honorable Andrew J. Guilford</p> <p>) CLASS ACTION</p> <p>) FINAL ORDER AND JUDGMENT</p>
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11 This matter came before the Court for hearing pursuant to an Order of this
12 Court dated February 9, 2009 (the "Preliminary Approval Order"), on the
13 application of the Settling Parties for approval of the settlement (the "Settlement")
14 set forth in the Stipulation and Agreement of Settlement dated as of January 22,
15 2009 (the "Stipulation"), and, following a hearing on June 1, 2009 before this
16 Court to consider the applications of the Settling Parties, the Court having
17 considered all papers filed and proceedings held herein and otherwise being fully
18 informed in the premises and good cause appearing therefore,

19 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that:**

- 20 1. Unless otherwise indicated, all terms used herein shall have the same
21 meanings as those terms have in the Stipulation.
- 22 2. This Court finds that due and adequate notice was given of the
23 Settlement, the Plan of Allocation of the Settlement proceeds, and Plaintiffs' Co-
24 Lead Counsel's application for an award of attorneys' fees and reimbursement of
25 expenses as directed by this Court's Preliminary Approval Order and that the
26 forms and methods for providing such notice to Class Members constituted the
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1 best notice practicable under the circumstances, including individual notice to all
2 Members of the Class who could be identified through reasonable effort, and
3 satisfied all of the requirements of Rule 23 of the Federal Rules of Civil Procedure,
4 due process, and all other applicable laws.

5 3. This Court has jurisdiction over the subject matter of the Action and
6 over all parties to the Action, including all Class Members.

7 4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court
8 hereby certifies, only for purposes of effectuating this Settlement, a class
9 consisting of all persons who purchased Interlink Electronics, Inc. (“Interlink”)
10 common stock during the period from April 24, 2003 through November 1, 2005,
11 inclusive (the “Class” and “Class Period”). Excluded from the Class are the
12 Defendants, any entity in which Defendants or any excluded person has or had a
13 controlling ownership interest, the officers and directors of Interlink, members of
14 their immediate families, and the legal affiliates, representatives, heirs, controlling
15 persons, successors, and predecessors in interest or assigns of any such excluded
16 party. With respect to the Class, the Court finds that:

17 (a) the Class meets all of the requirements of Rule 23(a) of the
18 Federal Rules of Civil Procedure because:

- 19 i. Class Members are so numerous that joinder of all members is
20 impracticable;
- 21 ii. there are questions of law and fact common to the Class;
- 22 iii. the claims and defenses of the representative parties are typical
23 of the Class; and
- 24 iv. the representative parties will fairly and adequately protect the
25 interests of the Class.

26 (b) In addition, the Court finds that the Action satisfies the
27 requirement of Rule 23(b)(3) in that there are questions of law and fact common to
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1 the members of the Class that predominate over any questions affecting only
2 individual members, and that a class action is superior to other available methods
3 for the fair and efficient adjudication of the controversy; and

4 (c) The Court finds that Westpark Capital, L.P., Brij N. Bhargava
5 and Bill Green possess claims that are typical of the claims of Class Members and
6 that they have and will adequately represent the interest of Class Members and
7 appoints them as the representatives of the Class, and appoints Plaintiffs' Co-Lead
8 Counsel, Brower Piven, A Professional Corporation, and Stull, Stull & Brody as
9 counsel for the Class.

10 5. Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, this
11 Court hereby approves the Settlement set forth in the Stipulation and finds that said
12 Settlement is, in all respects, fair, reasonable, and adequate to, and is in the best
13 interests of, Plaintiffs and each of the Class Members based on: the Settlement
14 resulting from arm's-length negotiations between able and experienced counsel
15 representing the interests of Plaintiffs, the Class Members, and the Defendants; the
16 amount of the recovery for Class Members being within the range of fairness given
17 the strengths and weaknesses of the claims and defenses thereto; the ability of the
18 Defendants to withstand a greater judgment; the risks of non-recovery and/or
19 recovery of a lesser amount than is represented through the Settlement by
20 continued litigation through all pre-trial, trial and appellate proceedings; the
21 recommendation of experienced counsel; and the absence of any objection from
22 any Class Member to the Settlement. Accordingly, the Settlement embodied in the
23 Stipulation is hereby approved in all respects and shall be consummated in
24 accordance with its terms and provisions. The Settling Parties are hereby directed
25 to perform the terms of the Stipulation.

26 6. Upon the Effective Date, Plaintiffs and, as there are no requests for
27 exclusion from the Class, each of the Class Members shall be deemed to have, and
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1 by operation of this Judgment shall have, fully, finally, and forever released,
2 relinquished and discharged all Released Claims against the Released Parties as
3 provided in the Stipulation, and the Action, including all claims contained therein,
4 are hereby dismissed with prejudice as to Plaintiffs and the other Class Members.

5 7. The Court finds that during the course of the Action, the Settling
6 Parties and their respective counsel at all times complied with the requirements of
7 Federal Rule of Civil Procedure 11.

8 8. This Court hereby approves the Plan of Allocation as set forth in the
9 Notice, and directs Plaintiffs' Co-Lead Counsel to proceed with the processing of
10 Proofs of Claim and the administration of the Settlement pursuant to the terms of
11 the Plan of Allocation and, upon completion of the claims processing procedure, to
12 present to this Court a proposed final distribution order for the distribution of the
13 Net Settlement Fund to Class Members as provided in the Stipulation and Plan of
14 Allocation.

15 9. This Court hereby awards Plaintiffs' Co-Lead Counsel attorneys' fees
16 equal to thirty-three and one third (33 1/3) percent of the Settlement Fund
17 (including interest accrued thereon), and reimbursement of their out-of-pocket
18 expenses in the amount of \$112,204.98, with interest to accrue thereon at the same
19 rate and for the same period as has accrued the Settlement Fund from the date of
20 this Judgment to the date of actual payment of said attorneys' fees and expenses to
21 Plaintiffs' Co-Lead Counsel as provided in the Stipulation. The Court finds that
22 the amount of attorneys' fees awarded herein is fair and reasonable based on: the
23 work performed and costs incurred by Plaintiffs' Co-Lead Counsel; the complexity
24 of the case; the risks undertaken by Plaintiffs' Co-Lead Counsel and the contingent
25 nature of their employment; the quality of the work performed by Plaintiffs' Co-
26 Lead Counsel in this Action and their standing and experience in prosecuting
27 similar class action securities litigation; awards to successful plaintiffs' counsel in
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1 other, similar litigation; the benefits achieved for Class Members through the
2 Settlement; and the absence of any objection from any Class Member to either the
3 application for an award of attorneys' fees or reimbursement of expenses to
4 Plaintiffs' Co-Lead Counsel. The Court also finds that the requested
5 reimbursement of expenses is proper as the expenses incurred by Plaintiffs' Co-
6 Lead Counsel, including the costs of experts, were reasonable and necessary in the
7 prosecution of this Action on behalf of Class Members. The attorneys' fees
8 awarded and expenses reimbursed above shall be paid to, and distributed between
9 and among Plaintiffs' Co-Lead Counsel, as provided in the Stipulation.

10 10. Plaintiff Co-Lead Counsel may apply, from time to time, for any fees
11 and/or expenses incurred by them solely in connection with the administration of
12 the Settlement and distribution of the Net Settlement Fund to Class Members.

13 11. All payments of attorneys' fees and reimbursement of expenses to
14 Plaintiffs' Co-Lead Counsel in the Action shall be made from the Settlement Fund,
15 and the Released Parties shall have no liability or responsibility for the payment of
16 any of Plaintiffs' or Plaintiffs' counsel's attorneys' fees or expenses except as
17 expressly provided in the Stipulation with respect to the cost of Notice and
18 administration of the Settlement.

19 12. Neither appellate review nor modification of the Plan of Allocation set
20 forth in the Notice or the award to Plaintiffs' Co-Lead Counsel of attorneys' fees
21 and/or reimbursement of expenses shall disturb or affect the final approval of the
22 Settlement as provided in this Judgment and each shall be considered separate for
23 the purposes of appellate review of this Final Judgment

24 13. In the event that the Settlement does not become Final in accordance
25 with the terms of the Stipulation or the Effective Date does not occur, or in the
26 event that the Settlement Fund, or any portion thereof, is returned to the
27 Defendants, then this Judgment shall be rendered null and void to the extent
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1 provided by and in accordance with the Stipulation and shall be vacated and, in
2 such event, all orders entered and releases delivered in connection herewith shall
3 be null and void to the extent provided by and in accordance with the Stipulation.

4 14. Without affecting the finality of this Judgment in any way, this Court
5 hereby retains continuing jurisdiction over (a) implementation and enforcement of
6 any award or distribution from the Settlement Fund or Net Settlement Fund,
7 (b) disposition of the Settlement Fund or Net Settlement Fund; (c) determining
8 applications for payment of attorneys' fees and/or expenses incurred by Plaintiffs'
9 Co-Lead Counsel in connection with administration and distribution of the New
10 Settlement Fund, (d) payment of taxes by the Settlement Fund, (e) all parties hereto
11 for the purpose of construing, enforcing, and administering the Stipulation, and (f)
12 any other matters related to finalizing the Settlement and distribution of the
13 proceeds of the Settlement.

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15 Date: JUNE 1, 2009

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18 Honorable Andrew J. Guilford
19 United States District Judge
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