

The Honorable Robert S. Lasnik

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE CTI BIOPHARMA CORP.
SECURITIES LITIGATION

Case No. 2:16-cv-00216-RSL

CLASS ACTION

ORDER APPROVING PLAN OF ALLOCATION

This matter came on for hearing on February 1, 2018 (the “Settlement Hearing”) on Lead Plaintiff’s motion to determine whether the proposed plan of allocation of the Net Settlement Fund (“Plan of Allocation”) created by the Settlement achieved in the above-captioned class action (the “Action”) should be approved. The Court having considered all matters submitted to it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing substantially in the form approved by the Court was mailed to all Settlement Class Members who or which could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *Investor’s Business Daily* and was transmitted over the *PR Newswire* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the proposed Plan of Allocation,

1 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

2 1. This Order approving the proposed Plan of Allocation incorporates by reference
3 the definitions in the Stipulation and Agreement of Settlement dated September 15, 2017 (ECF
4 No. 106-2) (the “Stipulation”) and all terms not otherwise defined herein shall have the same
5 meanings as set forth in the Stipulation.

6 2. The Court has jurisdiction to enter this Order approving the proposed Plan of
7 Allocation, and over the subject matter of the Action and all parties to the Action, including all
8 Settlement Class Members.

9 3. Notice of Lead Plaintiff’s motion for approval of the proposed Plan of Allocation
10 was given to all Settlement Class Members who could be identified with reasonable effort. The
11 form and method of notifying the Settlement Class of the motion for approval of the proposed
12 Plan of Allocation satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure,
13 the Private Securities Litigation Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)), due process, and
14 all other applicable law and rules, constituted the best notice practicable under the circumstances,
15 and constituted due and sufficient notice to all persons and entities entitled thereto.

16 4. Copies of the Notice, which included the Plan of Allocation, were mailed to over
17 21,000 potential Settlement Class Members and nominees and no objections to the Plan of
18 Allocation have been received.

19 5. The Court hereby finds and concludes that the formula for the calculation of the
20 claims of Claimants as set forth in the Plan of Allocation mailed to Settlement Class Members
21 provides a fair and reasonable basis upon which to allocate the proceeds of the Net Settlement
22 Fund among Settlement Class Members with due consideration having been given to
23 administrative convenience and necessity.

24 6. The Court hereby finds and concludes that the Plan of Allocation is, in all
25 respects, fair and reasonable to the Settlement Class. Accordingly, the Court hereby approves
26 the Plan of Allocation proposed by Lead Plaintiff.

1 7. There is no just reason for delay in the entry of this Order, and immediate entry
2 by the Clerk of the Court is expressly directed.

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4 Dated this 1st day of February, 2018.

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Robert S. Lasnik
Robert S. Lasnik
United States District Judge

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