

DV

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, S.S.

SUPERIOR COURT

Civil No. 24-1734-BLS1

JOHN DWYER, & another¹
Plaintiffs

vs.

ALAN TREFLER, & others²
Defendants

CONSOLIDATED WITH
Civil No. 24-3076-BLS1

JAYNE BIRCH, & another³
Plaintiffs

vs.

ALAN TREFLER, & others⁴
Defendants

PLAINTIFFS' UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF DERIVATIVE SETTLEMENT

¹ Ray Gerber.

² Peter Gyenes (“Gyenes”), Richard Jones (“Jones”), Christopher Lafond (“Lafond”), Dianne Ledingham (“Ledingham”), Sharon Rowlands (“Rowlands”), Larry Weber (“Weber”), Leon Trefler (“L. Trefler”), Don Schuerman (“Schuerman”), Kerim Akgonul (“Akgonul”), and Benjamin Baril (“Baril”). Pegasystems Inc. (“Pegasystems”) is named as a nominal defendant.

³ Robert Garfield.

⁴ Gyenes, Jones, Lafond, Ledingham, Rowlands, Weber, L. Trefler, Schuerman, Akgonul, Baril, and Stillwell. Pegasystems is named as a nominal defendant.

Pursuant to Rule 23.1 of the Massachusetts Rules of Civil Procedure, Plaintiffs John Dwyer, Ray Gerber, Jayne Birch, and Robert Garfield, derivatively on behalf of nominal defendant Pegasystems Inc., respectfully submit this Unopposed Motion for Preliminary Approval of Settlement (the "Motion"). The reasons for the Motion are set forth in the accompanying Memorandum of Law.

Dated: February 9, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2026, I caused a true copy of the foregoing to be served

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