

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

**DECLARATION OF MAE OBERSTE IN SUPPORT OF PLAINTIFFS' REPLY IN
SUPPORT OF MOTIONS FOR FINAL APPROVAL OF DERIVATIVE SETTLEMENT
AND FOR ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS**

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.

I, Mae Oberste, declare as follows:

1. I am Senior Counsel at Bernstein Litowitz Berger & Grossmann LLP and am admitted to practice in Delaware and Washington. My firm serves as counsel to plaintiffs John Dwyer, Ray Gerber, Jayne Birch, and Robert Garfield.

2. I respectfully submit this declaration in support of the accompanying Plaintiffs' Reply In Support of Motion for Final Approval of Derivative Settlement and Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards. I am over the age of eighteen (18) years, am competent to testify to the matters set forth herein, and have personal knowledge of the facts stated in this declaration.

3. On April 16, 2026, the Court issued its Order Preliminarily Approving Settlement and Providing for Notice. Dkt. 59 (the "Preliminary Approval Order"). The Preliminary Approval Order directed Plaintiffs' Counsel to post the opening papers in support of the proposed Settlement and the Fee and Expense Application no later than thirty-five calendar days prior to the Settlement Hearing; and reply papers responding to objections, if any, no later than five calendar days prior to the Settlement Hearing, to the website <https://www.blbglaw.com/>. I attest that Plaintiffs' Counsel have posted the relevant documents to <https://www.blbglaw.com/cases-investigations/pegasystems-inc> in accordance with the Preliminary Approval Order (and will post the Reply and this declaration promptly after they are filed).

4. The deadline for any objections to the Settlement was June 15, 2026. Plaintiffs' Counsel have not received and are not aware of any objections to any part of the Settlement (including with respect to attorneys' fees and expenses), and no objections have been filed on the docket.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 16th day of June, 2026 in Wilmington, Delaware..

/s/ Mae Oberste
Mae Oberste