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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE QUALCOMM INCORPORATED SECURITIES LITIGATION	Case No. 3:17-cv-00121-JO-MSB **LEAD PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF DISTRIBUTION PLAN; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT** Judge: Hon. Jinsook Ohta Date: January 29, 2026 Time: 9:30 a.m. Courtroom: 4C

NOTICE OF MOTION AND MOTION

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 29, 2026, at 9:30 a.m., in Courtroom 4C of the Edward J. Schwartz United States Courthouse, 221 West Broadway, San Diego, California 92101, the Honorable Jinsook Ohta presiding, Court-appointed Lead Plaintiffs and Class Representatives Sjunde AP-Fonden and Metzler Asset Management GmbH (together, "Lead Plaintiffs") will and hereby do move, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for entry of the accompanying [Proposed] Order Approving Distribution Plan ("Class Distribution Order") that will, among other things: (i) approve the administrative determinations of the Court-authorized Claims Administrator A.B. Data, Ltd.'s Class Action Administration Company ("A.B. Data") accepting and rejecting the Claims submitted in connection with the Settlement reached in the above-captioned Action; (ii) direct the Initial Distribution of the Net Settlement Fund to Claimants whose Claims are accepted by A.B. Data as valid and approved by the Court ("Authorized Claimants"); (iii) direct that Initial Distribution checks state that the check must be cashed within 90 days after the issue date; (iv) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to cash their distribution checks in a timely manner; (v) approve the recommended plan for any funds remaining after the Initial Distribution; (vi) approve payment of A.B. Data's fees and expenses incurred in connection with the administration of the Settlement and its estimated fees and expenses for the work to be performed in connection with the Initial Distribution; and (vii) release claims related to the administration process.

This motion is based upon: (1) the Memorandum of Points and Authorities set forth below, (2) the accompanying Declaration of Jack Ewashko in Support of Lead Plaintiffs' Unopposed Motion for Approval of Distribution Plan (the "Ewashko Declaration") and its exhibits, and (3) all other pleadings and records on file in this Action.

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STATEMENT OF ISSUES TO BE DECIDED

1. Whether the Court should enter the proposed Class Distribution Order, which will, among other things, approve the Claims Administrator's administrative determinations accepting and rejecting Claims submitted in connection with the Settlement, direct the Initial Distribution of the Net Settlement Fund to eligible Claimants, approve the recommended plan for any funds remaining after the Initial Distribution, and approve the Claims Administrator's fees and expenses.

MEMORANDUM OF POINTS AND AUTHORITIES

Lead Plaintiffs settled the Action in exchange for a cash payment of $75,000,000 for the benefit of the Class, which was deposited into the Escrow Account and has been earning interest for the benefit of the Class. The Settlement was approved by the Court on September 27, 2024, following a rigorous notice program. The deadline for submission of Claims was November 8, 2024.[1]

Following the Court's approval of the Settlement, Lead Plaintiffs and Lead Counsel have overseen the Court-authorized claims administration process, in which A.B. Data carefully reviewed the Claims received and provided any Claimants with deficiencies in their Claims a chance to cure those defects. The Claims Administrator has completed processing the Claims received and, through this motion, Lead Plaintiffs seek the Court's approval to distribute the Net Settlement Fund to Class Members who submitted eligible Claims.

As discussed below, there are no disputed Claims by any Class Member requiring Court review. In addition, pursuant to the Stipulation, Defendants have no interest in the relief sought by the motion, nor role in or responsibility for the administration of the Settlement Fund or processing of Claims, including

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[1] Unless otherwise indicated in this memorandum, all terms with initial capitalization shall have the meanings ascribed to them in the Ewashko Declaration or the Stipulation and Agreement of Settlement dated as of June 17, 2024 (ECF No. 428-1) ("Stipulation").

determinations as to the validity of Claims or the distribution of the Net Settlement Fund. *See* Stipulation ¶¶ 17, 21, 23. Nonetheless, Lead Plaintiffs have shared a copy of this motion with Defendants' Counsel, and they informed us that Defendants do not oppose it. As such, the motion is ripe for determination and Lead Counsel respectfully submit that a hearing on this motion is not required.

I. BACKGROUND

On September 27, 2024, the Court entered the Judgment Approving Class Action Settlement (ECF No. 451) approving the $75 million all-cash Settlement of this Action and entered an Order Approving Plan of Allocation of Net Settlement Fund (ECF No. 449) approving the Plan of Allocation for the Net Settlement Fund. The Settlement's "Effective Date" under paragraph 31 of the Stipulation has now occurred, and accordingly the Net Settlement Fund may now be distributed to Authorized Claimants. In accordance with paragraph 26 of the Stipulation, Lead Plaintiffs respectfully request that the Court enter the Class Distribution Order and approve the Distribution Plan.

In accordance with the Court's Order Preliminarily Approving of Settlement and Providing for Notice (ECF No. 433) ("Preliminary Approval Order"), A.B. Data mailed 1,835,653 Postcard Notices concerning the Settlement to potential Class Members, brokers, and nominees. Ewashko Decl. ¶ 4. The Postcard Notice and the more detailed Settlement Notice available online or upon request informed Class Members that if they wished to be eligible to participate in the distribution of the Net Settlement Fund, they were required to submit a properly executed Claim Form postmarked or online no later than November 8, 2024. *Id.* ¶ 7.

II. CLAIMS ADMINISTRATION

As set forth in the Ewashko Declaration, through September 30, 2025, A.B. Data received and processed 1,400,120 Claims. *Id.* ¶ 7. All Claims received through September 30, 2025, have been fully processed in accordance with the Stipulation and the Court-approved Plan of Allocation included in the Settlement Notice (*see* *id*.), and A.B. Data has worked with Claimants to help them perfect their Claims. *See id.* ¶¶ 19-32. Many of the Claims were initially deficient or ineligible for one or more reasons, including being incomplete, not signed, not properly documented, or otherwise deficient, which required substantial follow-up work by A.B. Data. *Id*. ¶¶ 19, 22, 27.

If A.B. Data determined a Claim to be defective or ineligible, A.B. Data sent a letter (if the Claimant or filer filed a paper Claim) or an email (if the Claimant or filer filed an electronic Claim) to the Claimant or filer, as applicable, describing the defect(s) or condition(s) of ineligibility in the Claim and the steps necessary to cure any curable defect(s) in the Claim ("Deficiency Notices"). *Id*. ¶¶ 20, 22. The Deficiency Notices advised the Claimant or filer that the appropriate information or documentary evidence to complete the Claim had to be sent within twenty (20) days from the date of the Deficiency Notice or A.B. Data would recommend the Claim for rejection to the extent the deficiency or condition of ineligibility was not cured. *Id*. ¶¶ 20, 23. Examples of the Deficiency Notices are attached as Exhibits A, B, and C to the Ewashko Declaration.

Of the 1,400,120 Claims that are the subject of this motion, A.B. Data has determined that 344,499 Claims are acceptable in whole or in part. *Id.* ¶¶ 37-39. The Claims recommended for acceptance include over 700 million damaged shares of Qualcomm common stock. *See id.* ¶¶ 38-39. The rejected Claims were invalid for various reasons, including, for example, that the Claim did not result in a Recognized Claim, the Claim was made by or on behalf of a person or entity who was not a Class Member, or the Claim was a duplicate or withdrawn. *Id.* ¶ 40.[2] Lead

[2] The great majority of the rejected Claims were made by persons or entities that either were not Class Members or who did not possess Recognized Claims under the Plan of Allocation. *See* Ewashko Decl. ¶ 40. Given the relative ease with which electronic Claims can be made through the use of modern technology, one noticeable recent trend is that many potential Claimants will submit a Claim without carefully

Plaintiffs respectfully request that the Court approve A.B. Data's administrative determinations accepting and rejecting Claims as set forth in the Ewashko Declaration.

A. <u>No Disputed Claims</u>

A.B. Data carefully reviewed Claimants' and filers' responses to the Deficiency Notices and worked with them to resolve deficiencies where possible. *Id*. ¶¶ 21, 26-30. Consistent with paragraph 24(e) of the Stipulation, the Deficiency Notices specifically advised the Claimant or filer of the right, within twenty (20) days after the mailing or emailing of the Deficiency Notice, to contest the rejection of the Claim and request Court review of A.B. Data's administrative determination of the Claim. *Id*. ¶¶ 20, 23; *id.* Exs. A, B.

With respect to the fully processed Claims, A.B. Data received fourteen (14) requests for Court review of its administrative determinations. To resolve these disputes without necessitating the Court's intervention, A.B. Data contacted the Claimants requesting Court review and attempted to answer all questions, to explain A.B. Data's administrative determination of the Claim's status, and to facilitate the submission of missing information or documentation where applicable. *Id*. ¶ 32. As a result of these efforts, three (3) Claimants resolved their deficiencies, withdrew their requests for Court review, and their Claims are now recommended for approval. *Id*. Eleven (11) Claimants withdrew their request for Court review after receiving further explanation of the reasons for A.B. Data's determination. *Id*. Accordingly, there are no outstanding requests for Court review by any Claimants. *Id*.

B. <u>Late Claims and Final Cut-Off Date</u>

The 1,400,120 Claims received through September 30, 2025, include 563,172 Claims that were postmarked or received after November 8, 2024, the Court-approved Claim submission deadline. *Id*. ¶¶ 33, 39. Those late Claims have been

checking whether they are a class member or qualify for payment in the Settlement. This trend likely contributed to the large number of rejected Claims here. *Id*.

fully processed, and 203,240 of them are, but for their late submission, otherwise eligible to participate in the Settlement. *Id*. Although these 203,240 Claims were late, they were received while the processing of timely Claims was ongoing. *Id*. Due to the amount of time needed to process the timely Claims received, the processing of these late Claims did not delay the completion of the Claims administration process or the distribution of the Net Settlement Fund. *See id*. ¶¶ 33-34. The Court has discretion to accept Claims received after the Claim submission deadline. *See* Preliminary Approval Order ¶ 7; Settlement Notice ¶ 47. Lead Plaintiffs respectfully submit that, when the equities are balanced, it would be unfair to prevent an otherwise eligible Claim from participating in the distribution of the Net Settlement Fund solely because it was received after the Court-approved Claim submission deadline if it were submitted while timely Claims were still being processed.

To facilitate the efficient distribution of the Net Settlement Fund, however, there must be a final cut-off date after which no other Claims may be accepted. Accordingly, Lead Plaintiffs respectfully request that the Court order that any ***new*** late Claims (and any requested adjustments to previously filed Claims that would result in an increased Recognized Claim Amount) received after September 30, 2025, shall be barred (*see* Ewashko Decl. ¶ 43(h)) – subject to the proviso that if Lead Counsel later determine that an additional distribution is not cost-effective, then any post-September 30, 2025 Claimants may, at the discretion of Lead Counsel (and to the extent possible after paying remaining administrative fees and expenses owed), be paid on their new (or adjusted) Claims on a *pro rata* basis so as to bring them into parity with other Authorized Claimants who have cashed their distribution checks (*see id.*).

III. FEES AND EXPENSES OF CLAIMS ADMINISTRATOR

The Court-approved Claims Administrator for the Settlement, A.B. Data, was responsible for, among other things, disseminating notice of the Settlement to the

Class, creating and maintaining a website and toll-free telephone helpline, processing Claims, and allocating and distributing the Net Settlement Fund to Authorized Claimants. Ewashko Decl. ¶ 2. Consistent with the Stipulation, A.B. Data provided notice to over 1.8 million potential Class Members and received and processed approximately 1.4 million Claims. *Id.* ¶¶ 4, 7. The Stipulation and the Preliminary Approval Order entered by the Court expressly contemplated that "all reasonable Notice and Administration Costs actually incurred," including "the actual costs of printing and mailing the Class Notice and Postcard Notice, developing the case website and posting the Settlement Notice and Claim Form, publishing the Summary Settlement Notice, reimbursements to nominee owners for searching and providing the names/addresses of prospective Class Members for noticing or forwarding the Class Notice or Postcard Notice directly to their beneficial owners, [and] the administrative expenses incurred and fees charged by the Claims Administrator in connection with providing notice and administering the Settlement," would be paid from the Settlement Fund. Stipulation ¶ 13; *see also* Stipulation ¶¶ 1(cc), 8; Preliminary Approval Order ¶ 16. A.B. Data's fees and expenses for its work performed through June 30, 2025, are $4,223,645.98, and its estimated fees and expenses for work to be performed in connection with the Initial Distribution are $265,807.24, which together total $4,489,453.22. *Id.* ¶ 42. Should the estimate of fees and expenses to conduct the Initial Distribution of the Net Settlement Fund exceed the actual cost, the excess will be returned to the Net Settlement Fund and will be available for subsequent distribution to Authorized Claimants. *Id.* To date, A.B. Data has received payment in the amount of $2,500,000 for its fees and expenses. *Id.* Accordingly, there is an outstanding balance of $1,989,453.22 payable to A.B. Data, which amount includes the estimated fees and expenses to be incurred by A.B. Data in connection with the Initial Distribution. *Id.* Lead Counsel reviewed A.B. Data's invoices and respectfully request on behalf of Lead Plaintiffs that the Court approve all of A.B. Data's fees and expenses.

IV. DISTRIBUTION PLAN FOR THE NET SETTLEMENT FUND

A. Initial Distribution of the Net Settlement Fund

Under the proposed Distribution Plan, A.B. Data will distribute 95% of the Net Settlement Fund after deducting (i) all payments previously allowed, (ii) payments approved by the Court on this motion, and (iii) any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees (i.e., the Initial Distribution). *See* Ewashko Decl. ¶ 43(a).

In the Initial Distribution, A.B. Data will calculate award amounts for all Authorized Claimants as if the entire Net Settlement Fund were to be distributed now. *Id*. ¶ 43(a)(1). A.B. Data will first determine each Authorized Claimant's *pro rata* share of the total Net Settlement Fund based on the Claimant's Recognized Claim in comparison to the total Recognized Claims of all Authorized Claimants. *Id*. A.B. Data will eliminate from the Initial Distribution any Authorized Claimant whose *pro rata* share calculates to less than $10.00, as these Claimants will not receive any payment from the Net Settlement Fund and will be so notified by A.B. Data. *Id*. ¶ 43(a)(2). A.B. Data will then recalculate the *pro rata* share of the Net Settlement Fund for Authorized Claimants who would have received $10.00 or more based on the amount of the Authorized Claimant's Recognized Claim in comparison to the total Recognized Claims of all Authorized Claimants who would have received $10.00 or more. *Id*. ¶ 43(a)(3). This *pro rata* share is the Authorized Claimant's Distribution Amount. *Id*. Authorized Claimants whose Distribution Amount calculates to less than $200.00 will be paid their full Distribution Amount in the Initial Distribution ("Claims Paid in Full"). *Id*. ¶ 43(a)(4). These Authorized Claimants will receive no additional funds in subsequent distributions. *Id*.

After deducting the payments to the Claims Paid in Full, 95% of the remaining balance of the Net Settlement Fund will be distributed *pro rata* to Authorized

Claimants whose Distribution Amount calculates to $200.00 or more. *Id.* ¶ 43(a)(5). The remaining 5% of the Net Settlement Fund will be held in reserve (the "Reserve") to address any tax liability and claims administration-related contingencies that may arise. *Id.* ¶ 43(a)(5), (e). To the extent the Reserve is not depleted, the remainder will be distributed in the Second Distribution. *Id.* ¶ 43(a)(5).

To encourage Authorized Claimants to cash their checks promptly, Lead Plaintiffs propose that all distribution checks bear the notation, "CASH PROMPTLY. VOID AND SUBJECT TO REDISTRIBUTION IF NOT CASHED BY [DATE 90 DAYS AFTER ISSUE DATE]." *Id.* ¶ 43(b). Authorized Claimants who do not cash their checks within the time allotted or on the conditions stated in paragraph 43(b) of the Ewashko Declaration will irrevocably forfeit all recovery from the Settlement, and the funds allocated to these stale-dated checks will be available to be redistributed to other Authorized Claimants in a subsequent distribution, as described below. *Id.* ¶ 43(c).

B. <u>Additional Distribution(s) of the Net Settlement Fund</u>

After A.B. Data has made reasonable and diligent efforts to have Authorized Claimants cash their Initial Distribution checks, but not earlier than seven (7) months after the Initial Distribution, A.B. Data will, after consulting with Lead Counsel, conduct the Second Distribution of the Net Settlement Fund. *Id.* ¶ 43(d). In the Second Distribution, any amount remaining in the Net Settlement Fund, after deducting any unpaid fees and expenses incurred, will be distributed to all Authorized Claimants (other than Claims Paid in Full) who cashed their Initial Distribution checks and would receive at least $10.00 from the Second Distribution based on their *pro rata* share of the remaining funds. *Id.* If any funds remain in the Net Settlement Fund after the Second Distribution, and if cost-effective, subsequent distributions will take place at intervals of approximately five months. *Id.* ¶ 43(f). When Lead Counsel, in consultation with A.B. Data, determine that further distribution is not cost-effective, if sufficient funds remain to warrant the processing of Claims received after September 30, 2025, A.B. Data will process those Claims. *Id*. ¶ 43(g). Any of these Claims that are otherwise valid, as well as any earlier received Claims for which an upward adjustment was received after September 30, 2025, may be paid in accordance with paragraph 43(h) of the Ewashko Declaration. *Id*.

Lead Counsel believes that no or, if any, a *de minimus* amount will be left over following the final distribution to Class Members. If further distributions to eligible Class Members, including to those whose Claims were received after September 30, 2025, are no longer cost-effective, Lead Counsel propose that such remaining funds (if there are any) be contributed to the Bluhm Legal Clinic Complex Civil Litigation and Investor Protection Center at the Northwestern Pritzker School of Law ("IPC"). Lead Counsel propose that the IPC be designated as the "non-sectarian, not-for-profit 501(c)(3) organization[] to be selected by Lead Counsel" referenced in the Court-approved Plan of Allocation. *Id.*; *see also* Settlement Notice ¶ 89. The IPC is a law school clinic that provides law students with the opportunity to represent clients with limited income in securities matters against stockbrokers, investment advisers, or securities firms. IPC also provides case-screening services to regulators, including FINRA, the SEC, and state regulators, as well as brokerage houses trying to identify legitimate claims. *See* https://www.law.northwestern.edu/legalclinic/investorprotection/ (last visited Oct. 23, 2025). Lead Plaintiffs believe the IPC is an appropriate *cy pres* recipient because of the nature of the securities fraud claims at issue in this Action. *See, e.g., In re Lyft Inc. Sec. Litig.*, No. 19-cv-02690-HSG, 2023 WL 5068504, at *7 (N.D. Cal. Aug. 7, 2023) (approving IPC as *cy pres* recipient of securities litigation settlement funds because IPC "does work that aligns with the objectives of the securities laws underlying this case and the class members' interests in protecting investors" and "there is a sufficient 'driving nexus' between the class and the *cy pres* recipient"); *In re Aegean Marine Petroleum Network, Inc. Secs. Litig.*, No. 1:18-cv-04993

(NRB), 2025 WL 40785, at *2 (S.D.N.Y. Jan. 7, 2025) (approving IPC as *cy pres* recipient).

V. RELEASE OF CLAIMS

In order to allow the full and final distribution of the Net Settlement Fund, it is necessary to (i) bar any further claims against the Net Settlement Fund beyond the amounts allocated to Authorized Claimants, and (ii) provide that all persons involved in any aspect of Claims processing, or who are involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, be released and discharged from all claims arising out of that involvement. *See* Stipulation ¶ 28. Accordingly, Lead Plaintiffs respectfully request that the Court release and discharge all persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the Claims submitted in connection with the Settlement, or who are otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund from all claims arising out of that involvement, and bar all Class Members and other Claimants, whether or not they receive payment from the Net Settlement Fund, from making any further claims against the Net Settlement Fund, Lead Plaintiffs, Lead Counsel, the Claims Administrator, the Escrow Agent or any other agent retained by Lead Plaintiffs or Lead Counsel in connection with the administration or taxation of the Settlement Fund or the Net Settlement Fund, or any other person released under the Settlement beyond the amounts allocated to Authorized Claimants.

Courts have repeatedly approved similar releases in connection with the distribution of settlement proceeds. *See, e.g.*, App. A at Ex. 1, Class Distribution Order ¶ 9, *Davis v. Yelp, Inc.*, No. 3:18-cv-00400-EMC (N.D. Cal. Aug. 29, 2023), ECF No. 216 (approving substantially similar language in the order authorizing distribution of settlement proceeds); *Id.* at Ex. 2, Order Granting Plaintiffs' Motion for Distribution of Class Action Settlement Funds ¶ 7, *Sanders v. RealReal, Inc.*, No. 5:19-cv-07737-EJD (N.D. Cal. June 8, 2023), ECF No. 79 (same); *Id.* at Ex. 3, Order

Granting Plaintiffs' Motion for Authorization to Distribute Net Settlement Fund ¶ 3(h), *In re Dropbox Secs. Litig.*, No. 5:19-cv-06348-BLF (N.D. Cal. May 18, 2023), ECF No. 138 (same); *In re Capstone Turbine Corp. Secs. Litig.*, No. CV 15-8914-DMG (RAOx), 2020 WL 7889062, at *2 (C.D. Cal. Aug. 26, 2020) (same).

VI. CONCLUSION

For the foregoing reasons, Lead Plaintiffs respectfully request that the Court grant their Unopposed Motion for Approval of Distribution Plan and enter the [Proposed] Order Approving Distribution Plan.

Dated: October 28, 2025

Respectfully submitted,

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE QUALCOMM INCORPORATED SECURITIES LITIGATION

Case No. 3:17-cv-00121-JO-MSB

APPENDIX A TO LEAD PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF DISTRIBUTION PLAN; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT

Judge: Hon. Jinsook Ohta
Date: January 29, 2026
Time: 9:30 a.m.
Courtroom: 4C

<u>APPENDIX A</u>

Exhibit No.	Description	Page
1	*Davis v. Yelp, Inc.*, No. 3:18-cv-00400-EMC (N.D. Cal. Aug. 29, 2023), ECF No. 216	2
2	*Sanders v. RealReal, Inc.*, No. 5:19-cv-07737-EJD (N.D. Cal. June 8, 2023), ECF. No. 79	7
3	*In re Dropbox Secs. Litig.*, No. 5:19-cv-06348-BLF (N.D. Cal. May 18, 2023), ECF No. 138	11

EXHIBIT 1

Case 3:18-cv-00400-EMC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN DAVIS, Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. YELP, INC., et al., Defendants.	Case No.: 3:18-cv-00400-EMC **<u>CLASS ACTION</u>** **~~[PROPOSED]~~ CLASS DISTRIBUTION ORDER** Hearing Date: September 21, 2023 Time: 1:30 p.m. Location: Courtroom 5, 17th Floor Judge: Hon. Edward M. Chen

Having considered all materials and arguments submitted in support of Lead Plaintiff's Unopposed Motion for Class Distribution Order (the "Motion"), including the Memorandum of Law in Support of the Motion, the Declaration of Luiggy Segura on Behalf of JND Legal Administration in Support of Lead Plaintiff's Motion for Distribution of Class Action Settlement Fund (the "Segura Declaration"), and the Declaration of F. Paul Bland, Jr. of the Public Justice Foundation,

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. This Class Distribution Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement (ECF. No. 189-1) (the "Stipulation"). All terms not otherwise defined shall have the same meaning as set forth in the Stipulation or the Segura Declaration.

2. This Court has jurisdiction over the subject matter of the Action and over all parties to the Action, including all Settlement Class Members.

3. As set forth in the Segura Declaration, the administrative determinations of the Claims Administrator in accepting and rejecting Claims are approved. Specifically, the administrative determinations of the Claims Administrator accepting those Claims set forth in Exhibits C and D of the Segura Declaration are approved. Likewise, the administrative determinations of the Claims Administrator rejecting those Claims set forth in Exhibit E of the Segura Declaration are approved.

4. As set forth in the Segura Declaration, no new Claims or responses to deficiency letters received after June 20, 2023 may be included in the distribution.

5. The Court authorizes payment of $140,671.78 from the Settlement Fund to the Claims Administrator for the fees and expenses already incurred and to be incurred in connection with the Initial Distribution, as described in the Segura Declaration.

6. The distribution plan for the Net Settlement Fund as set forth in the Segura Declaration and accompanying exhibits is approved. The balance of the Net Settlement Fund, after deducting the fees and expenses discussed in paragraph 5, shall be distributed to Authorized

Claimants. To encourage Authorized Claimants to promptly deposit their payments, all distribution checks will bear a notation: "CASH PROMPTLY. VOID AND SUBJECT TO REDISTRIBUTION IF NOT CASHED BY 90 DAYS AFTER ISSUE DATE." Authorized Claimants who fail to cash, deposit, or negotiate a distribution check within the time allotted or consistent with the terms outlined in Paragraph 47(c) of the Segura Declaration will irrevocably forfeit all recovery from the Settlement.

7. After the Initial Distribution of the Net Settlement Fund, the Claims Administrator shall make reasonable and diligent efforts to have Authorized Claimants cash, deposit, or negotiate 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 redistribution of the funds remaining after payment of, or reserve for, any unpaid fees and expenses incurred in administering the Settlement, including for such redistribution, to Authorized Claimants who have cashed their Initial Distribution checks and who would receive at least $10.00 from such redistribution. Additional redistributions to Authorized Claimants who have cashed, deposited, or negotiated their prior checks and who would receive at least $10.00 on such additional redistributions may occur thereafter if Lead Counsel, in consultation with the Claims Administrator, determines that additional redistributions, after the deduction of any additional fees and expenses incurred in administering the Settlement, including for such redistributions, would be cost-effective.

8. At such time as Lead Counsel, in consultation with the Claims Administrator, determine that no additional distributions are cost-effective, then the remaining funds will be donated to the Public Justice Foundation, a non-sectarian, not-for-profit 501(c)(3) organization.

9. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of Claims submitted herein, or otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are released and discharged from any and all claims arising out of such involvement, and all Settlement Class Members, whether or not they are to receive payment from the Net Settlement Fund, are barred

from making any further claim against (a) the Net Settlement Fund, Lead Plaintiff or his counsel, the Claims Administrator, the Escrow Agent, or any other agent retained by Lead Plaintiff or Lead Counsel in connection with the administration or taxation of the Settlement Fund or the Net Settlement Fund, or (b) Defendants or Defendants' Counsel, beyond the amounts allocated to them pursuant to this Order; provided that such released persons acted in accordance with the Stipulation, the Judgment, and this Order.

10. The Claims Administrator is authorized to discard: (a) paper or hard copies of the Claim Forms and supporting documents one year after the Initial Distribution or one year after the Second Distribution (if it occurs); and (b) electronic or magnetic media data not less than one year after the final distribution of the Net Settlement Fund to Authorized Claimants.

SO ORDERED this 29th day of August, 2023.

The Honorable Edward M. Chen
United States District Judge

EXHIBIT 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL SANDERS, Individually and on behalf of all others similarly situated, Plaintiff, v. THE REALREAL, INC., *et al.*, Defendants.	Case No: 5:19-cv-07737-EJD **~~[PROPOSED]~~ ORDER GRANTING PLAINTIFFS' MOTION FOR DISTRIBUTION OF CLASS ACTION SETTLEMENT FUNDS** CLASS ACTION Hon. Edward J. Davila

Having reviewed and considered all materials and arguments submitted in support of Plaintiffs' unopposed motion for distribution of class action settlement funds ("Motion"), and good cause appearing therefore; **IT IS HEREBY ORDERED THAT**:

1. Plaintiffs' Motion is GRANTED.

2. As set forth in the Declaration of Josephine Bravata Concerning the Results of the Claims Administration Process ("Bravata Declaration"), attached as Exhibit 1 to Plaintiffs' Motion, the administrative determinations of the Claims Administrator, Strategic Claims Services ("SCS"), in accepting and rejecting Claims are approved.[1] Specifically, the administrative determinations of the Claims Administrator accepting those Claims set forth in Exhibits B-1 and B-2 to the Bravata Declaration are approved, and the administrative determinations of the Claims Administrator rejecting those Claims set forth in Exhibits D and E of the Bravata Declaration are approved.

3. Any person asserting claims filed after September 30, 2022, the date SCS used as the latest date to file a claim, in order to avoid delaying finalization of the administration, is forever barred from asserting a claim. Any response to a rejected claim received after May 8,

[1] All capitalized terms, unless otherwise defined herein, have the same meaning as set forth in the Stipulation of Settlement and exhibits thereto, dated November 5, 2021 (Dkt. No. 61-1).

2023, the date SCS used as the latest date to respond to a rejection notice, in order to avoid delaying finalization of the administration, is forever barred from asserting a claim. All putative claims listed in Exhibit D to the Bravata Declaration are finally and forever rejected.

4. The funds that are currently in the Net Settlement Fund (less any necessary amounts to be withheld for payment of potential tax liabilities and related fees and expenses) shall be distributed on a *pro rata* basis to the Authorized Claimants, identified in Exhibits B-1 and B-2 to the Bravata Declaration. The funds shall be distributed pursuant to the Stipulation and the Plan of Allocation of the Net Settlement Fund set forth in the Notice.

5. The distribution plan for the Net Settlement Fund as set forth in the Bravata Declaration and accompanying exhibits is approved. The balance of the Net Settlement Fund shall be distributed to Authorized Claimants. The checks for distribution to Authorized Claimants shall bear the notation "CASH PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION 180 DAYS AFTER ISSUE DATE." Lead Counsel and SCS are authorized to locate and/or contact any Authorized Claimant who has not cashed their check within said time. Authorized Claimants who fail to deposit or cash a distribution check within the time allotted or consistent with the terms outlined in the Bravata Declaration will irrevocably forfeit all recovery from the Settlement.

6. If any of the Net Settlement Fund remains by reason of uncashed checks, or otherwise, after the Claims Administrator has made reasonable and diligent efforts to have Authorized Claimants who are entitled to participate in the distribution of the Net Settlement Fund cash their distribution checks, then any balance remaining in the Net Settlement Fund six months after the initial distribution of such funds shall be used: (i) first, to pay any amounts mistakenly omitted from the initial distribution to Authorized Claimants or to pay any late, but otherwise valid and fully documented claims received after the cut-off date used to make the initial distribution, provided that such distributions to any late post-distribution claimants meet all of the other criteria for inclusion in the initial distribution, including the $10.00 minimum check amount set forth in the Notice; (ii) second, to pay any additional Notice and Administrative Expenses incurred in administering the Settlement; and (iii) finally, to make a second distribution to Authorized Claimants who cashed their checks from the initial distribution and who would

receive at least $10.00 from such second distribution, after payment of the estimated costs or fees to be incurred in administering the Net Settlement Fund and in making this second distribution, if such second distribution is economically feasible. If six months after such second distribution, if undertaken, or if such second distribution is not undertaken, any funds shall remain in the Net Settlement Fund after the Claims Administrator has made reasonable and diligent efforts to have Authorized Claimants who are entitled to participate in this Settlement cash their checks, any funds remaining in the Net Settlement Fund shall be donated to the Investor Justice and Education Clinic at Howard University School of Law.

7. The Court finds that the administration of the Settlement and proposed distribution of the Net Settlement Fund comply with the terms of the Stipulation and the Plan of Allocation. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of claims, or otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are released and discharged from any and all claims arising out of such involvement, and all Class Members, whether or not they are to receive payment from the Net Settlement Fund, are barred from making any further claim against the Net Settlement Fund or the released person beyond the amount allocated to them pursuant to this Order.

8. SCS is authorized to destroy the paper copies of the Claim Forms and all supporting documentation in no less than one year after the distribution of the Net Settlement Fund. In no less than one year after all funds have been distributed, SCS is authorized to destroy the electronic copies of the Claim Forms and all supporting documentation.

9. This Court retains jurisdiction over any further application or matter which may arise in connection with this action.

Dated: June 8, 2023

HON. EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re DROPBOX, INC. SECURITIES LITIGATION	Case No. 5:19-cv-06348-BLF **<u>CLASS ACTION</u>** **[~~PROPOSED~~] ORDER GRANTING PLAINTIFFS' MOTION FOR AUTHORIZATION TO DISTRIBUTE NET SETTLEMENT FUND**

Lead Plaintiff Ognjen Kuraica ("Plaintiff"), through counsel, moved this Court for an order approving the Distribution Plan in the above-captioned class action (the "Action"). Having reviewed and considered all the materials and arguments submitted in support of the motion, including the Declaration of Josephine Bravata Concerning the Results of the Claims Administration Process (the "Bravata Distribution Declaration");

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated May 14, 2021 (ECF No. 115-2) (the "Stipulation") and the Bravata Distribution Declaration, and all terms used herein shall have the same meanings as set forth in the Stipulation and the Bravata Distribution Declaration.

2. This Court has jurisdiction over the subject matter of the Action and over all parties to the Action, including all Settlement Class Members.

3. The proposed plan for distributing the Net Settlement Fund (the "Distribution Plan") as set forth in the Bravata Distribution Declaration to Authorized Claimants is **APPROVED**.

Accordingly:

(a) The administrative recommendations of the Court-approved Claims Administrator, Strategic Claims Services ("SCS" or "Claims Administrator"), to accept the Timely Eligible Claims set forth in Exhibit B-1 to the Bravata Distribution Declaration and the Late But Otherwise Eligible Claim set forth in Exhibit B-2 to the Bravata Distribution Declaration, are adopted;

(b) The Claims Administrator's administrative recommendations to reject the inadequately documented claims that have not been successfully cured and wholly ineligible Claims as set forth in Exhibits D and E to the Bravata Distribution Declaration are adopted;

(c) SCS is directed to distribute 100% of the Net Settlement Fund, after deducting all payments previously allowed and the payments approved by the Court in this Order, and after deducting payment of any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees, to Authorized Claimants who would receive at least $10.00 based on their *pro rata* share of the Net Settlement Fund, which is based on each Authorized Claimant's Recognized Claim as compared to the Total Recognized Claims of all Authorized Claimants as set forth in paragraph

12(a) of the Bravata Distribution Declaration (the "Distribution") and the Court-approved Plan of Allocation;

(d) In order to encourage Authorized Claimants to promptly cash their checks, all Distribution checks shall bear the following notation: "CASH PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION 180 DAYS AFTER ISSUE DATE.";

(e) Authorized Claimants who do not cash their Distribution checks within the time allotted shall irrevocably forfeit all recovery from the Settlement unless good cause is shown, and the funds allocated to all such stale-dated checks shall be available to be re-distributed to other Authorized Claimants, if Lead Counsel, in consultation with SCS, determine that it is cost-effective to conduct a second distribution. Similarly, Authorized Claimants who do not cash their second or subsequent distributions (should such distributions occur) within the time allotted shall irrevocably forfeit any further recovery from the Net Settlement Fund unless good cause is shown;

(f) After SCS has made reasonable and diligent efforts to have Authorized Claimants cash their Distribution checks, but no earlier than nine (9) months after the Distribution, SCS shall, if Lead Counsel, in consultation with SCS, determine that it is cost effective to do so, conduct a second distribution of the Net Settlement Fund (the "Second Distribution"), in which any amounts remaining in the Net Settlement Fund after the Distribution, after deducting SCS fees and expenses incurred in connection with administering the Settlement for which it has not yet been paid (including the estimated costs of such Second Distribution), and after the payment of any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees, shall be distributed to all Authorized Claimants in the Distribution who cashed their Distribution check and who would receive at least $10.00 from such re-distribution based on their *pro rata* share of the remaining funds. Additional re-distributions, after deduction of costs and expenses as described above and subject to the same conditions, may occur until Lead Counsel, in consultation with SCS, determine that further re-distribution is not cost effective;

(g) No new Claims shall be accepted after May 17, 2022, and no further adjustments to Claims received on or before May 17, 2022, that would result in an increased recognized claim amount shall be made for any reason after May 17, 2022. No responses to deficiency and/or rejection notices received after February 28, 2023 shall be accepted;

(h) All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the Proofs of Claim Forms submitted in this Action, or who are otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are hereby released and discharged from any and all claims arising out of such involvement, and all Settlement Class Members, whether or not they receive payment from the Net Settlement Fund, are hereby barred from making any further Claims against the Net Settlement Fund, Plaintiff, Lead Counsel, Additional Counsel, Plaintiff's damages expert, the Claims Administrator, the Escrow Agent or any other agent retained by Plaintiff or Lead Counsel in connection with the administration or taxation of the Settlement Fund or the Net Settlement Fund, or any other person released pursuant to the Settlement beyond the amounts allocated to Authorized Claimants;

4. This Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

SO ORDERED this 18 day of May, 2023

The Honorable Beth Labson Freeman
United States District Judge

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE QUALCOMM INCORPORATED SECURITIES LITIGATION	Case No. 3:17-cv-00121-JO-MSB **DECLARATION OF JACK EWASHKO IN SUPPORT OF LEAD PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF DISTRIBUTION PLAN** Judge: Hon. Jinsook Ohta Courtroom: 4C

I, JACK EWASHKO, hereby declare under penalty of perjury as follows:

1. I am a Director of Case Management of A.B. Data, Ltd.'s Class Action Administration Company ("A.B. Data"), which has its corporate office in Milwaukee, Wisconsin. I am over 21 years of age and am not a party to the above-captioned action ("Action").[1] I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently thereto.

2. Pursuant to the Court's June 27, 2024 Order Preliminarily Approving of Settlement and Providing for Notice (ECF No. 433) ("Preliminary Approval Order"), A.B. Data was retained by Lead Counsel to serve as the Claims Administrator in connection with the Settlement of the Action. As Claims Administrator, A.B. Data has, among other things: (i) mailed notice of the Settlement to potential Class Members, brokers, and other nominees; (ii) updated and maintained the Settlement-specific toll-free helpline to address inquiries concerning the Settlement; (iii) updated and continues to maintain the Settlement-specific website, www.QualcommSecuritiesLitigation.com, with information about the Settlement and a portal through which Class Members could submit Claims; (iv) caused the Summary Settlement Notice to be published; and (v) received and processed Claims.

3. On September 27, 2024, the Court granted final approval of the Settlement in its Judgment Approving Class Action Settlement (ECF No. 451) and entered the Order Approving Plan of Allocation of Net Settlement Fund (ECF No. 449). A.B. Data has completed processing all Claims received through September 30, 2025, in accordance with the terms of the Stipulation and the Court-approved Plan of Allocation set forth in the Settlement Notice, and hereby submits its administrative determinations accepting and rejecting the Claims in preparation for

[1] All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated as of June 17, 2024 (ECF No. 428-1) ("Stipulation").

a distribution of the Net Settlement Fund to Authorized Claimants. A.B. Data also presents this declaration in support of Lead Plaintiffs' Unopposed Motion for Approval of Distribution Plan.

DISSEMINATION OF NOTICE

4. As more fully described in the Declaration of Jack Ewashko Regarding: (I) Mailing of Settlement Notices; and (II) Publication of Summary Settlement Notice (ECF No. 441-3) ("Mailing Decl.") and the Supplemental Declaration of Jack Ewashko Regarding Mailing of Settlement Notices (ECF No. 446-2) ("Supp. Mailing Decl."), through September 19, 2024, A.B. Data had mailed 4,123 Settlement Notice Packets and 1,835,653 Postcard Notices to potential Class Members and other nominees. Supp. Mailing Decl. ¶ 2. Since that date, eight additional Settlement Notice Packets have been disseminated. In total, A.B. Data has disseminated 4,131 Settlement Notice Packets and 1,835,653 Postcard Notices to potential Class Members, brokers, and other nominees.

5. A.B. Data updated and continues to maintain the Settlement-specific website (www.QualcommSecuritiesLitigation.com) and toll-free telephone helpline (877-390-3401) to assist potential Class Members. The website, which provides access to important documents relevant to the Settlement, and the telephone helpline enable Class Members to obtain information about the Settlement. In connection with establishing and maintaining the website and toll-free telephone helpline, A.B. Data, among other things, formulated a system to ensure that proper responses were provided to all telephone and electronic inquiries. That work included training telephone agents to respond to inquiries specific to the Settlement; developing a series of common questions and the answers thereto known as Frequently Asked Questions or "FAQs"; loading key documents onto the website; and programming the website to permit the viewing and downloading of those documents.

6. In accordance with paragraph 4(c) of the Preliminary Approval Order, on July 23, 2024, A.B. Data caused the Summary Settlement Notice to be published in *The Wall Street Journal* and released via *PR Newswire.* Mailing Decl. ¶ 8.

PROCEDURES FOLLOWED IN PROCESSING CLAIMS

7. Under the terms of the Preliminary Approval Order, each Class Member who wished to be eligible to receive a distribution from the Net Settlement Fund was required to complete and submit to A.B. Data a properly executed Claim Form postmarked (if mailed) or online no later than November 8, 2024, together with adequate supporting documentation for the transactions and holdings reported in the Claim Form. Through September 30, 2025, A.B. Data has received and fully processed 1,400,120 Claims ("Presented Claims").

8. In preparation for receiving and processing Claims, A.B. Data: (i) conferred with Lead Counsel to define the guidelines for processing Claims; (ii) created a unique database to store Claim details, images of Claims, and supporting documentation ("Settlement Database"); (iii) trained staff in the specifics of the Settlement so that Claims would be properly processed; (iv) formulated a system so that telephone and email inquiries would be properly responded to; (v) developed various computer programs and screens for entry of Class Members' identifying information and their transactional information; and (vi) developed a proprietary "calculation module" that would calculate Recognized Claims pursuant to the Court-approved Plan of Allocation for the Net Settlement Fund set forth in the Settlement Notice.

9. Class Members seeking to share in the Net Settlement Fund were directed in the Postcard Notice and Settlement Notice to submit their Claims to a post office box address specifically designated for the Settlement or to submit their Claims online through the website. Postcard Notices returned by the United States Postal Service as undeliverable were reviewed for updated addresses and, where available, updated addresses were entered into the database and Postcard Notices

were mailed to the updated addresses. Any correspondence received at the post office box was reviewed and, when necessary, appropriate responses were provided to the senders.

PROCESSING CLAIMS

A. Paper Claims and Claim Forms Submitted Via the Website

10. Of the 1,400,120 Presented Claims, 11,080 are Claims that were submitted on paper (3,586) or via the online filing component of the Settlement website provided for individual investors (7,494). Once received, paper Claims were opened and prepared for scanning. This process included unfolding documents, removing staples, copying nonconforming-sized documents, and sorting documents. This manual task of preparing the paper Claims is very laborious and time intensive. Once prepared, paper Claims were scanned into the Settlement Database together with all submitted documentation. Subsequently, each Claim was assigned a unique Claim number. Once scanned, the information from each Claim Form, including the Claimant's name, address, and account number/information from the supporting documentation, and the Claimant's purchase/acquisition transactions, sale transactions, and holdings listed on the Claim Form, was entered into the Settlement Database. Once entered into the Settlement Database, each Claim was reviewed to verify that all required information had been provided. The documentation provided by the Claimant in support of the Claim was reviewed for authenticity and compared to the information provided in the Claim to verify the Claimant's identity and the purchase/acquisition transactions, sale transactions, and holdings listed on the Claim Form.

11. To process the transactions detailed in the Claims, A.B. Data utilized internal codes ("flags") to identify and classify deficiency or ineligibility conditions existing within those Claims. Appropriate flags were assigned to the Claims as they were processed. For example, where a Claim was submitted by a Claimant who did not have any eligible transactions in Qualcomm common stock during the Class

Period (e.g., the Claimant purchased Qualcomm common stock only before or after the Class Period), that Claim would receive a flag that denoted ineligibility. Similar defect flags were used to denote other ineligible conditions, such as duplicate Claims. These flags would indicate to A.B. Data that the Claimant was not eligible to receive any payment from the Net Settlement Fund with respect to that Claim unless the deficiency was cured in its entirety. Examples of conditions of ineligibility are as follows:

MIDOC	Inadequate or Missing Documentation for Entire Claim
DUPCL	Duplicate Claim
NOPUR	No Eligible Purchase during the Class Period
MISIG	No Signature
NOLOS	No Recognized Claim

12. Because a Claim may be deficient only in part, but otherwise acceptable, A.B. Data utilized flags that were applied only to specific transactions within a Claim. For example, if a Claimant submitted a Claim with supporting documentation for all but one purchase transaction, that one transaction would receive a defect flag. The flag indicated that although the transaction was deficient, the Claim was otherwise eligible for payment if other transactions in the Claim calculated to a Recognized Claim pursuant to the Court-approved Plan of Allocation. Thus, even if the deficiency were never cured, the Claim could still be partially accepted. Examples of transaction-specific flags are as follows:

TDOC	Missing or Inadequate Documentation for Specific Transaction
INEL	Ineligible Transaction
TRN	Transfer In/Free Receipt

B. Electronic Claims

13. Of the 1,400,120 Presented Claims, 1,389,040 were submitted electronically ("Electronic Claims"). Electronic Claims are typically submitted by

institutional investors who may have hundreds or thousands of transactions during the Class Period or by filers submitting Claims on behalf of multiple beneficial owners ("Electronic Claim Filers" or "E-Claim Filers"). Rather than provide reams of paper requiring data entry, the E-Claim Filers either mail a computer disc or electronically submit a file to A.B. Data so that A.B. Data can upload all transactions to the Settlement Database.

14. A.B. Data maintains an electronic filing operations team ("Electronic Claim Filing Team" or "ECF Team") to coordinate and supervise the receipt and handling of all Electronic Claims. In this case, the ECF Team reviewed and analyzed each electronic file to ensure that it was formatted in accordance with A.B. Data's required format and to identify any potential data issues or inconsistencies within the file. If any issues or inconsistencies arose, A.B. Data notified the filer. If the electronic file was deemed to be in an acceptable format, it was then loaded into the Settlement Database.

15. Once each electronic file was loaded, the Electronic Claims were flagged to denote any deficient or ineligible conditions that existed within them. These flags are similar to those applied to paper Claims. In lieu of manually applying flags, the ECF Team performed programmatic reviews on Electronic Claims to identify deficient and ineligible conditions (such as, but not limited to, price out-of-range issues, out-of-balance conditions, transactions outside the Class Period, etc.). The output was thoroughly verified and confirmed as accurate.

16. The review process also included flagging any Electronic Claims that were not accompanied by a signed Claim Form, which serves as a "Master Proof of Claim Form" for all Claims referenced on the electronic file submitted. This process was reviewed by A.B. Data's ECF Team and, when appropriate, A.B. Data contacted the E-Claim Filers whose submissions were missing information. This ensured that only fully completed Claims, submitted by properly authorized representatives of the Claimants, were considered eligible to participate in the Settlement.

17. Finally, at the end of the process, A.B. Data performed various targeted reviews of Electronic Claims. Specifically, A.B. Data used criteria such as the calculated Recognized Claims and other identified criteria to flag and reach out to a selection of E-Claim Filers and request that various sample purchases, sales, and holdings selected by A.B. Data be documented by providing confirmation slips or other transaction-specific supporting documentation. These targeted reviews help to ensure that electronic data supplied by Claimants does not contain inaccurate information.

EXCLUDED PERSONS

18. A.B. Data also reviewed all Claims to ensure that they were not submitted by or on behalf of "Excluded Persons" to the extent that the identities of such persons or entities were known to A.B. Data through the list of Defendants and other excluded persons and entities set forth in the Stipulation and the Settlement Notice and from the Claimants' certifications on the Claim Forms. A.B. Data also reviewed all Claims against the list of persons who were excluded from the Class pursuant to request.

THE DEFICIENCY PROCESS

A. Paper Claims and Online Claims

19. Approximately 55% of the paper and online Claims, i.e., 6,147 of the 11,080 Claim Forms submitted either as paper Claims or via the website, were incomplete or had one or more defects or conditions of ineligibility, such as the Claim not being signed, not being properly documented, or indicating no eligible transactions in Qualcomm common stock during the Class Period. The "Deficiency Process," which primarily involved mailing letters to Claimants and responding to communications from Claimants by email and/or telephone, was intended to assist Claimants in properly completing their otherwise deficient submissions so that they could be eligible to participate in the Settlement.

20. If paper and online Claims were determined to be defective, a Notice of Rejection of Claim ("Deficiency Letter") was sent to the Claimants describing the defect(s) in the Claims and what steps, if any, were necessary to cure the defect(s) in these Claims. The Deficiency Letter advised Claimants that submission of appropriate information and/or documentary evidence to complete the Claim had to be sent within twenty (20) days from the date of the Deficiency Letter or the Claim would be recommended for rejection to the extent that the deficiency or condition of ineligibility was not cured. The Deficiency Letter also advised Claimants of their right to contest these administrative determinations, and that Claimants were required to submit written statements to A.B. Data requesting Court review of their Claims and setting forth the basis for such requests. A.B. Data sent a total of 6,299 Deficiency Letters to Claimants who submitted paper or online Claims that A.B. Data determined to be defective. It is possible for a Claimant to be sent more than one Deficiency Letter for a Claim and thus the number of Deficiency Letters sent could exceed the number of deficient Claims discussed above in paragraph 19. Attached hereto as Exhibit A is an example of a Deficiency Letter.

21. Claimants' responses to Deficiency Letters were scanned into the Settlement Database and associated with the corresponding Claims. The responses were then carefully reviewed and evaluated by A.B. Data's team of processors. If a Claimant's response corrected the defect(s) in a Claim, A.B. Data manually updated the Settlement Database to reflect the changes in the status of the Claim.

B. Electronic Claims

22. For Electronic Claims, A.B. Data used the following process to contact the banks, brokers, nominees, and other E-Claim Filers to confirm receipt of their submissions and to notify the Electronic Claim Filers of any deficiencies or Electronic Claims that were ineligible. Each E-Claim Filer was sent an email to the email address included with the Claim Form(s) ("Status Email") with an attached Electronic Filer Status Spreadsheet, which contained detailed information associated

with the Claim(s) and indicated which Claim(s) within the filing were deficient and/or rejected ("Status Spreadsheet").

23. The Status Email sent to the email address of record provided with the Claim Form:

(a) Notified the filer that any Claims with deficiencies not corrected within twenty (20) days from the date of the Status Email may be rejected;

(b) Advised the filer of the right to contest the rejection of the Claim(s) and request this Court's review of A.B. Data's administrative determination within twenty (20) days from the date of the Status Email; and

(c) Provided the filer with instructions for how to submit corrections.

24. The Status Spreadsheet attached to the Status Email contained the following information:

(a) A listing of all Electronic Claims associated with the filing and their unique identification numbers;

(b) Identification of individual Electronic Claims that were found to be deficient or ineligible;

(c) Each Electronic Claim's current status in the Settlement Database; and

(d) The current Recognized Claim calculation associated with each Electronic Claim.

25. A.B. Data emailed a Status Email and Status Spreadsheet to 446 E-Claim Filers. Examples of a Status Email and Status Spreadsheet are attached hereto as Exhibits B and C, respectively.

26. The E-Claim Filers' responses were reviewed by A.B. Data's ECF Team, scanned and/or loaded into the Settlement Database, and associated with the corresponding Electronic Claims. If a response corrected the defect(s) or affected

an Electronic Claim's status, A.B. Data manually and/or programmatically updated the database to reflect such change in status of the Electronic Claim.

C. Calling Campaign to Claimants Who Did Not Cure Deficiencies

27. After responses to the Deficiency Letters and Status Emails were received and evaluated, and the Claims updated, A.B. Data called Claimants with still-deficient Claims to provide them with a final opportunity to cure the deficiencies in their Claims.

28. During this calling campaign, A.B. Data's agents explained to contacted Claimants that their Claims remained deficient, advised Claimants of the steps required to cure the deficiencies, and provided assistance to Claimants where possible, depending on the nature of the deficiency. For example, if a Claimant needed additional supporting documentation, A.B. Data explained the types of documentation that would render the Claim eligible and how the Claimant could obtain the necessary documentation. A.B. Data also provided some Claimants with direct phone numbers and email addresses so that Claimants could receive continued personalized attention and assistance.

29. If A.B. Data could not reach a Claimant to speak one-on-one, A.B. Data left a voice message, when possible, requesting a return call. A.B. Data explained in the voice message that it was calling to assist the Claimant in remedying outstanding deficiencies in the Claim. A.B. Data also reached out to Claimants via email if a valid email address was provided in their Claim submission.

30. If, in response to a telephone call or email, a Claimant cured the deficiency in a Claim by providing the appropriate information and/or supporting documentation, A.B. Data updated the Settlement Database to reflect the change in the status of the Claim.

<u>NO DISPUTED CLAIMS</u>

31. As noted above, Claimants were advised that they had the right to contest A.B. Data's administrative determination of deficiencies or ineligibility

within twenty (20) days from the date of notification and that they could request that the dispute be submitted to the Court for review. More specifically, Claimants were advised in the Deficiency Letter or Status Email that, if they disputed A.B. Data's determination, they had to provide a statement of reasons indicating the grounds for contesting the determination, along with supporting documentation, and if the dispute concerning the Claim could not otherwise be resolved, Lead Counsel would thereafter present the request for review to the Court for a final determination.

32. A.B. Data received fourteen (14) requests for Court review. To resolve these disputes without necessitating the Court's intervention, A.B. Data reached out to each Claimant requesting Court review and attempted to answer all questions, fully explain A.B. Data's administrative determination of the Claim's status, and facilitate the submission of missing information or documentation where applicable. As a result of these efforts, three (3) Claimants resolved their deficiencies and their Claims are recommended for approval, and eleven (11) Claimants withdrew their request for Court review after receiving further explanation of the reasons for A.B. Data's determination. There are, therefore, no disputed Claims requiring Court review.

LATE BUT OTHERWISE ELIGIBLE CLAIMS

33. Of the 1,400,120 Presented Claims, 563,172 Claims were received or postmarked after November 8, 2024, the Claim submission deadline established by the Court. A.B. Data processed all late Claims received through September 30, 2025, and 203,240 late Claims have been found to be otherwise eligible in whole or in part ("Late But Otherwise Eligible Claims"). A.B. Data has not rejected any Claim received through September 30, 2025, solely based on its late submission, and A.B. Data believes no delay has resulted from the provisional acceptance of these Late But Otherwise Eligible Claims. To the extent they are eligible but for the fact that they were late, they are recommended for payment.

34. However, there must be a final cut-off date after which no more Claims will be accepted so that there may be a proportional allocation of the Net Settlement Fund and the distribution may be accomplished. Acceptance of additional Claims or responses received during the finalization of the administration and the preparation of this declaration would necessarily require a delay in the distribution. Accordingly, A.B. Data also respectfully requests that this Court order that no Claim received after September 30, 2025, or Claim cured or adjusted after September 30, 2025, be eligible for payment for any reason whatsoever subject only to the provision of paragraph 43(h) of the proposed distribution plan discussed below. If the Court adopts the proposed distribution plan, then, after Lead Counsel have determined that further distributions are not cost-effective and before any contribution of the residual funds to charity, if sufficient funds remain to warrant the processing of Claims received after September 30, 2025, these Claims will be processed and, if any would have been eligible if timely received, these Claimants may be paid their distribution amounts, to the extent permitted by the amount of remaining funds, on a *pro rata* basis that would bring them into parity with other Authorized Claimants who have cashed all their prior distribution checks. *See* ¶ 43(h) below. With respect to previously submitted Claims that are cured or adjusted after September 30, 2025, such Claims will be reevaluated upon receipt of the adjustment and, to the extent that they are found eligible for a distribution or additional distribution, they will be treated in the same manner as Claims received after September 30, 2025. However, should an adjustment result in a lower Recognized Claim amount, the Recognized Claim amount will be reduced accordingly prior to a distribution to that Claimant.

QUALITY ASSURANCE

35. An integral part of the claims administration process is the Quality Assurance review. Throughout the administration process, A.B. Data's Quality Assurance Department worked to verify that Claims were processed properly by ensuring that information was entered correctly into the database, deficiency and/or

rejection flags were assigned accurately, and deficiency and/or rejection notifications were sent appropriately. After all Claims were processed, deficiency and/or rejection notifications were sent, and Claimants' responses to the deficiency and/or rejection notifications were reviewed and processed, the supervisors and managers in A.B. Data's Quality Assurance Department performed additional Quality Assurance reviews. These final Quality Assurance reviews further ensured the correctness and completeness of all Claims processed prior to preparing this declaration and all A.B. Data's final documents in support of distribution of the Net Settlement Fund. As part of the Quality Assurance reviews, A.B. Data:

(a) Verified that all Claim Forms had signatures of authorized individuals;

(b) Verified that true duplicate Claims were identified, verified, and rejected;

(c) Verified that Tax Identification Numbers were provided, when applicable;

(d) Verified that persons and entities excluded from the Class did not file Claims or their Claims were rejected upon review;

(e) Performed a final Quality Assurance audit of Claims and all supporting documentation to ensure completeness of Claims;

(f) Determined that Claimants requiring deficiency and/or rejection notifications were sent such notification;

(g) Performed an audit of deficient Claims;

(h) Performed additional review of Claims with high Recognized Claim amounts;

(i) Audited Claims that were designated invalid;

(j) Audited Claims with a Recognized Claim amount equal to zero;

(k) Performed other auditing based on Claims completion requirements and the approved calculation specifications based on the Court-approved Plan of Allocation; and

(l) Re-tested the accuracy of the Recognized Claim amount calculation program.

36. As part of its due diligence in processing the Claims, A.B. Data conducted a Questionable Claim Filer search of all Claims submitted in connection with the Settlement. A.B. Data maintains a Questionable Claim Filer Database of known questionable filers, which contains names, addresses, and aliases of individuals or entities that have been investigated by government agencies for questionable claim filing, as well as names and contact information compiled from previous settlements administered by A.B. Data in which fraudulent claims were received. A.B. Data updates this Questionable Claim Filer Database on a regular basis. The Settlement Database was searched for all individuals identified in the Questionable Claim Filer Database. A.B. Data performs searches based on names, aliases, addresses, and city/zip codes. In addition, A.B. Data's claim processors are trained to identify any potentially inauthentic documentation when processing claims, including claims submitted by Claimants not previously captured in the Questionable Claim Filer Database. Processors are instructed to flag any questionable Claims and escalate them to management for review. A.B. Data's procedures did not identify any potentially fraudulent Claim/s necessitating further review and verification.

RECOMMENDATIONS FOR APPROVAL AND REJECTION

37. As noted above, the number of Presented Claims in this motion is 1,400,120.

A. Timely Submitted and Valid Claims

38. A total of 836,948 Claims were received or postmarked on or before November 8, 2024, the Court-approved Claim submission deadline, of which

141,259 Claims were determined by A.B. Data to be eligible to participate in the Settlement and are recommended for approval ("Timely Eligible Claims"). The 141,259 Timely Eligible Claims include a total of 497,537,487 damaged shares (that is, shares of Qualcomm common stock that were purchased or acquired during the Class Period and damaged under the Court-approved Plan of Allocation).

B. Late But Otherwise Eligible Claims

39. A total of 563,172 Claims were received or postmarked after November 8, 2024, the Court-approved Claim submission deadline, but received on or before September 30, 2025. Of those 563,172 late Claims, 203,240 were determined by A.B. Data to be otherwise eligible and are recommended for approval ("Late But Otherwise Eligible Claims"). The 203,240 Late But Otherwise Eligible Claims include a total of 205,573,715 damaged shares.

C. Rejected Claims

40. After the responses to Deficiency Letters and Status Emails were processed, a total of 1,055,621 Claims remain recommended for rejection by the Court ("Rejected Claims") for the following reasons:

(a) 574,191 Claims Had No Purchase(s) of Qualcomm Common Stock During the Class Period;

(b) 472,096 Claims Did Not Result in a Recognized Claim;

(c) 8,043 Claims Withdrawn;

(d) 1,281 Duplicate and/or Replaced by Updated Claims; and

(e) 10 Deficient Claims Never Cured.

The vast majority of the Rejected Claims were made by persons and entities who either (i) were not members of the Class (54%); or (ii) did not have a Recognized Claim under the Plan of Allocation (45%). Given the relative ease with which electronic Claims can be made using modern technology, one noticeable recent trend is that many potential Claimants will submit a Claim without carefully checking whether they are a class member or qualify for payment in the Settlement. The number of Rejected Claims here comports with our experience across settlements in light of this trend.

D. Lists of All Presented Claims

41. Attached hereto as Exhibits D through F are listings of all the Presented Claims:

(a) Exhibit D lists the Timely Eligible Claims and shows each Claimant's Recognized Claim;

(b) Exhibit E lists the Late But Otherwise Eligible Claims and shows each Claimant's Recognized Claim; and

(c) Exhibit F lists the Rejected Claims and the reasons for rejection.

FEES AND DISBURSEMENTS

42. A.B. Data agreed to be the Claims Administrator in exchange for payment of its fees and out-of-pocket expenses. Lead Counsel received reports on and invoices for the work A.B. Data performed with respect to the provision of notice and administration of the Settlement. Lead Counsel supervised A.B. Data during the claims administration process and reviewed A.B. Data's fees and expenses for accuracy to ensure A.B. Data's work was completed in accordance with the Stipulation and Preliminary Approval Order. Attached hereto as Exhibit G are copies of A.B. Data's invoices for its work performed on behalf of the Class as well as an estimate for the work that will be performed and the costs that will be incurred in connection with the initial distribution of the Net Settlement Fund. Should the estimate of fees and expenses to conduct the initial distribution of the Net Settlement Fund exceed the actual cost, the excess will be returned to the Net Settlement Fund and will be available for subsequent distribution to Authorized Claimants. As set forth in these invoices, A.B. Data's total fees and expenses for this matter through June 30, 2025, are $4,223,645.98. A.B. Data anticipates that its fees and expenses for the work performed in conjunction with the initial distribution of the Net Settlement Fund will be $265,807.24. To date A.B. Data has been reimbursed in the

amount of $2,500,000. Accordingly, there is an outstanding balance of $1,989,453.22 payable to A.B. Data from the Settlement Fund, which includes the estimate for completing the initial distribution.

DISTRIBUTION PLAN FOR THE NET SETTLEMENT FUND

43. Should the Court concur with A.B. Data's determinations concerning the provisionally accepted and rejected Claims, including the Late But Otherwise Eligible Claims, A.B. Data recommends the following distribution plan ("Distribution Plan"):

(a) A.B. Data will conduct an initial distribution ("Initial Distribution") of the Net Settlement Fund, after deducting all payments approved by the Court, and after payment of any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees, while maintaining a 5% reserve to address any tax liability and claims administration-related contingencies that may arise, as follows:

(1) A.B. Data will calculate award amounts for all Authorized Claimants as if the entire Net Settlement Fund were to be distributed now. In accordance with the Court-approved Plan of Allocation, A.B. Data will calculate each Authorized Claimant's *pro rata* share of the Net Settlement Fund based on the amount of the Authorized Claimant's Recognized Claim in comparison to the total Recognized Claims of all Authorized Claimants. *See* Settlement Notice ¶ 87.

(2) A.B. Data will, pursuant to the terms of the Plan of Allocation, eliminate from the Initial Distribution any Authorized Claimant whose *pro rata* share calculates to less than $10.00. *See id.* ¶ 88. These Claimants will not

receive any payment from the Net Settlement Fund and will be so notified by A.B. Data.

(3) After eliminating Claimants who would have received less than $10.00, A.B. Data will recalculate the *pro rata* share of the Net Settlement Fund for Authorized Claimants who would have received $10.00 or more. A "Distribution Amount" will be calculated for each of these Authorized Claimants, which shall be the Authorized Claimant's Recognized Claim divided by the total Recognized Claims of all Authorized Claimants who would have received $10.00 or more, multiplied by the total amount in the Net Settlement Fund. *See id*. ¶¶ 87-88.

(4) Authorized Claimants whose Distribution Amount calculates to less than $200.00 will be paid their full Distribution Amount in the Initial Distribution ("Claims Paid in Full"). These Authorized Claimants will receive no additional funds in subsequent distributions.

(5) After deducting the payments to the Claims Paid in Full, 95% of the remaining balance of the Net Settlement Fund will be distributed *pro rata* to Authorized Claimants whose Distribution Amount calculates to $200.00 or more. The remaining 5% of the Net Settlement Fund will be held in reserve (the "Reserve") to address any tax liability and claims administration-related contingencies that may arise following the Initial Distribution. To the extent the Reserve is not depleted, the remainder will be distributed in the "Second Distribution" described in subparagraph (d) below.

(b) To encourage Authorized Claimants to deposit their payments promptly, all distribution checks will bear a notation: "CASH PROMPTLY. VOID AND SUBJECT TO REDISTRIBUTION IF NOT CASHED BY [DATE 90 DAYS AFTER ISSUE DATE]." For Authorized Claimants whose checks are returned as undeliverable, A.B. Data will endeavor to locate new addresses through reasonable methods. Where a new address is located, A.B. Data will update the Settlement Database accordingly and reissue a distribution check to the Authorized Claimant at the new address. In the event a distribution check is lost or damaged or otherwise requires reissuance, A.B. Data will issue replacements. Distribution reissues will be undertaken only upon written instructions from the Authorized Claimant, provided that the Authorized Claimant returns the previous check where appropriate. For all checks, A.B. Data will void the initial payment prior to reissuing a payment. In order not to delay further distributions to Authorized Claimants who have timely cashed their checks, A.B. Data's outreach program shall end thirty (30) days after the initial void date. Authorized Claimants will be informed that, if they do not cash their Initial Distribution checks within ninety (90) days of the mail date, or they do not cash check reissues within thirty (30) days of the mailing of such reissued check, their check will lapse, their entitlement to recovery will be irrevocably forfeited, and the funds will be reallocated to other Authorized Claimants. Reissue requests for lost or damaged checks will be granted after the void date on the checks as long as the request for the reissue is received no later than forty-five (45) days prior to the next planned distribution.

Requests for reissued checks in connection with any subsequent distributions (should such distributions occur) will be handled in the same manner.

(c) Authorized Claimants who do not cash their Initial Distribution checks within the time allotted or on the conditions set forth above will irrevocably forfeit all recovery from the Settlement. The funds allocated to all such stale-dated checks will be available for distribution to other Authorized Claimants in the Second Distribution. Similarly, Authorized Claimants who do not cash their second or subsequent distribution checks, should such distributions occur, within the time allotted or on the conditions set forth above will irrevocably forfeit any further recovery from the Net Settlement Fund.

(d) Consistent with the Court-approved Plan of Allocation, after A.B. Data has made reasonable and diligent efforts to have Authorized Claimants cash their Initial Distribution checks, which efforts shall consist of the follow-up efforts described above, but not earlier than seven (7) months after the Initial Distribution, A.B. Data will, after consulting with Lead Counsel, conduct a second distribution of the Net Settlement Fund ("Second Distribution"). *See id.* ¶ 89. Any amounts remaining in the Net Settlement Fund after the Initial Distribution, including from the Reserve and the funds allocated for all void stale-dated checks, after deducting A.B. Data's unpaid fees and expenses incurred in connection with administering the Settlement, including A.B. Data's estimated costs of the Second Distribution, and after deducting the payment of any estimated taxes, the costs of preparing appropriate tax returns, any escrow fees, and appropriate reserves, will be distributed to all Authorized Claimants in the Initial Distribution (other than Claims Paid in Full) who cashed their distribution checks and who would receive at least $10.00 in the Second Distribution based on their *pro rata* share of the remaining funds. *See id*.

(e) After the conclusion of the Initial Distribution and thereafter, funds available in the Reserve or as a result of uncashed checks or returned payments may be used to address any claims administration-related contingencies, including those that may require a modification of a Claim's status after consultation with the Claims Administrator and Lead Counsel, without necessitating further involvement of the Court.

(f) If any funds remain in the Net Settlement Fund after the Second Distribution, additional distributions, after deduction of costs and expenses as described above and subject to the same conditions, may occur thereafter in intervals of approximately five months until Lead Counsel, in consultation with A.B. Data, determine that further distribution is not cost-effective.

(g) At such time as Lead Counsel, in consultation with A.B. Data, determine that further distribution of the funds remaining in the Net Settlement Fund is not cost-effective, if sufficient funds remain to warrant the processing of Claims received after September 30, 2025, those Claims will be processed, and any otherwise valid Claims received after September 30, 2025, as well as any earlier-received Claims for which an adjustment was received after September 30, 2025, that resulted in an increased Recognized Claim, will be paid in accordance with subparagraph (h) below. If any funds remain in the Net Settlement Fund after payment of these late or late-adjusted Claims, the remaining balance of the Net Settlement Fund, after payment of any unpaid fees or expenses incurred in connection with administering the Net Settlement Fund and after the payment of any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees, will be contributed to the Bluhm Legal Clinic Complex Civil Litigation and Investor Protection Center at the Northwestern Pritzker School of Law. *See id.*

(h) No new Claims may be accepted after September 30, 2025, and no further adjustments to Claims received on or before September 30, 2025, that would result in an increased Recognized Claim may be made after September 30, 2025, subject to the following exception. If Claims are received or modified after September 30, 2025, that would have been eligible for payment or additional payment under the Plan of Allocation if timely received, then at the time that Lead Counsel, in consultation with A.B. Data, determine that an additional distribution is not cost-effective as provided in subparagraph (g) above, and after payment of any unpaid fees or expenses incurred in connection with administering the Net Settlement Fund and after deducting the payment of any estimated taxes, the costs of preparing appropriate tax returns, and any escrow fees, such Claimants, at the discretion of Lead Counsel and to the extent possible, may be paid the distribution amounts or additional distribution amounts on a *pro rata* basis that would bring them into parity with other Authorized Claimants who have cashed all their prior distribution checks.

(i) Unless otherwise ordered by the Court, A.B. Data may destroy the paper copies of the Claims and all supporting documentation one (1) year after the Initial Distribution, and one (1) year after all funds have been distributed may destroy the electronic copies of the same.

CONCLUSION

44. A.B. Data respectfully requests that the Court enter the Order Approving Distribution Plan approving its administrative determinations accepting and rejecting the Claims submitted herein and approving the proposed Distribution Plan. A.B. Data further respectfully submits that its unpaid fees and expenses and its fees and expenses expected to be incurred in connection with the Initial Distribution, as reflected on the invoices attached hereto as Exhibit G, should be approved for payment from the Settlement Fund.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on October 27, 2025.

JACK EWASHKO