

**SECURITIES LITIGATION COMMITTEE MEETING**

**TUESDAY, MARCH 21, 2023, 10:00 A.M.**

**VIRTUAL ONLY**

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AGENDA

- I. **CALL TO ORDER AND ACCEPTANCE OF AGENDA**
- II. **APPROVAL OF MINUTES – SEPTEMBER 27, 2022**
- III. **ELECTION OF VICE CHAIR – Ms. Murtha**
- IV. **SECURITIES LITIGATION CASE UPDATES (60 minutes) *Informational***
  - A. Robbins Geller Rudman & Dowd (Daimler) - Ms. Roxana Pierce & Mr. Nathan Bear \* *Possible Executive Session for confidential and privileged attorney client consultation pursuant to NDCC 44-04-17.1(4), NDCC 44-04-19.1 and NDCC 44-04-19.2*
  - B. Grant & Eisenhofer (Volkswagen and Danske Bank) - Mr. Olav Haazen \* *Possible Executive Session for confidential and privileged attorney client consultation pursuant to NDCC 44-04-17.1(4), NDCC 44-04-19.1 and NDCC 44-04-19.2*
  - C. Pending Potential Claim Discussion \* *Possible Executive Session for confidential and privileged attorney client consultation pursuant to NDCC 44-04-17.1(4), NDCC 44-04-19.1(9) and NDCC 44-04-19.2*
  - D. Kessler Topaz Meltzer & Check (Nissan) - Ms. Emily Christiansen \* *Possible Executive Session for confidential and privileged attorney client consultation pursuant to NDCC 44-04-17.1(4), NDCC 44-04-19.1 and NDCC 44-04-19.2*
- V. **GOVERNANCE (30 minutes)**
  - A. Securities Litigation Committee Charter Amendments – Ms. Murtha
  - B. Special AAG Appointment Process – Ms. Murtha
  - C. Securities Litigation Monitoring Report – Mr. Skor
- VI. **OTHER**
- VII. **ADJOURNMENT**

**NORTH DAKOTA STATE INVESTMENT BOARD  
SECURITIES LITIGATION COMMITTEE  
MINUTES OF THE SEPTEMBER 27, 2022, MEETING**

**MEMBERS PRESENT:** Joseph Heringer, Commissioner Univ. & School Lands, Chair  
Bryan Klipfel, WSI Director, Vice Chair  
Scott Anderson, CIO  
Dean DePountis, Attorney General's Office  
Jan Murtha, Interim Executive Director  
Claire Ness, Attorney General's Office

**STAFF PRESENT:** Missy Kopp, Exec, Assistant  
Ryan Skor, CFO/COO

**GUESTS:** Nate Bear, Robbins Geller Rudman & Dowd LLP  
Emily Christiansen, Kessler Topaz Meltzer & Check  
Craig D'Alessio, FRT  
Roxana Pierce, Robbins Geller Rudman & Dowd LLP  
Ryan Tosi, K&L Gates  
Marc Weinberg, Grant & Eisenhofer

**CALL TO ORDER:**

Commissioner Heringer called the State Investment Board (SIB) Securities Litigation Committee (SLC) regular meeting to order at 3:00 p.m. on Tuesday, September 27, 2022. The meeting was held virtually.

**AGENDA:**

**IT WAS MOVED BY MR. ANDERSON AND SECONDED BY MS. MURTHA AND CARRIED BY A VOICE VOTE TO APPROVE THE AGENDA FOR THE SEPTEMBER 27, 2022, MEETING.**

**AYES: COMMISSIONER HERINGER, MR. ANDERSON, MR. DEPOUNTIS, MS. MURTHA, AND MR. KLIPFEL**

**NAYS: NONE**

**MOTION CARRIED**

**ELECTION OF CHAIR & VICE CHAIR:**

**IT WAS MOVED BY MS. MURTHA AND SECONDED BY MR. ANDERSON AND CARRIED BY A ROLL CALL VOTE TO CAST A UNANIMOUS BALLOT FOR COMMISSIONER HERINGER AS CHAIR AND MR. KLIPFEL AS VICE CHAIR.**

**AYES: MR. ANDERSON, MR. DEPOUNTIS, MS. MURTHA, COMMISSIONER HERINGER, AND MR. KLIPFEL**

**NAYS: NONE**

**MOTION CARRIED**

**MINUTES:**

**IT WAS MOVED BY MS. MURTHA AND SECONDED BY MR. ANDERSON AND CARRIED BY A VOICE VOTE TO ACCEPT THE MINUTES OF THE NOVEMBER 4, 2021, MEETING AS DISTRIBUTED.**

**AYES: MR. DEPOUNTIS, MS. MURTHA, MR. KLIPFEL, MR. ANDERSON, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

**EDUCATION:**

**Securities Litigation Committee Governance & Policy Overview:**

Ms. Murtha provided an overview of the SIB governance and policies for the SLC. Securities litigation monitoring includes reviewing information on markets and legal systems to identify possible or pending litigation involving your investments. Monitoring can be active or passive. Ms. Murtha reviewed the litigation timeline, fiduciary considerations, and history of SIB policy and practice. The SLC's work includes compliance with policy, amendments to policy, management of claims, retention of services, and active litigation decisions. Committee discussion followed.

**SECURITIES LITIGATION CASE UPDATES:**

**K&L Gates (Tribune)**

**IT WAS MOVED BY MR. KLIPFEL AND SECONDED BY MS. MURTHA AND CARRIED BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL AND PRIVIEGED ATTORNEY CLIENT CONSULTATION PURSUANT TO NDCC 44-04-17.1(4), NDCC 44-04-19.1, AND NDCC 44-04-19.2.**

**AYES: MS. MURTHA, MR. ANDERSON, MR. DEPOUNTIS, MR. KLIPFEL, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

The executive session started at 3:22 p.m. and ended at 3:31 p.m. and was attended by Committee members, staff, and Mr. Ryan Tosi, K&L Gates

**Robbins Geller Rudman & Dowd (Daimler):**

**IT WAS MOVED BY MS. MURTHA AND SECONDED BY MR. ANDERSON AND CARRIED BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL AND PRIVIEGED ATTORNEY CLIENT CONSULTATION PURSUANT TO NDCC 44-04-17.1(4), NDCC 44-04-19.1, AND NDCC 44-04-19.2.**

**AYES: MR. ANDERSON, MR. DEPOUNTIS, MR. KLIPFEL, MS. MURTHA, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

The executive session started at 3:34 p.m. and ended at 3:46 p.m. and was attended by Committee members, staff, Ms. Roxanna Pierce and Mr. Nate Bear, Robbins Geller Rudman & Dowd.

Kessler Topaz Meltzer & Check (Nissan):

**IT WAS MOVED BY MS. MURTHA AND SECONDED BY MR. KLIPFEL AND CARRIED BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL AND PRIVIEGED ATTORNEY CLIENT CONSULTATION PURSUANT TO NDCC 44-04-17.1(4), NDCC 44-04-19.1, AND NDCC 44-04-19.2.**

**AYES: MR. ANDERSON, MR. DEPOUNTIS, MS. MURTHA, MR. KLIPFEL, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

The executive session started at 3:48 p.m. and ended at 3:54 p.m. and was attended by Committee members, staff, and Ms. Emily Christiansen, Kessler Topaz Meltzer & Check.

Grant & Eisenhofer (Volkswagen and Danske Bank):

**IT WAS MOVED BY MS. MURTHA AND SECONDED BY MR. ANDERSON AND CARRIED BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL AND PRIVIEGED ATTORNEY CLIENT CONSULTATION PURSUANT TO NDCC 44-04-17.1(4), NDCC 44-04-19.1, AND NDCC 44-04-19.2.**

**AYES: MR. DEPOUNTIS, MS. MURTHA, MR. KLIPFEL, MR. ANDERSON, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

The executive session started at 3:56 p.m. and ended at 4:07 p.m. and was attended by Committee members, staff, and Mr. Marc Weinberg, Grant & Eisenhofer.

**GOVERNANCE:**

Securities Litigation Monitoring Presentation:

Mr. D'Alessio, Financial Recovery Technologies (FRT) provided an overview of the securities litigation monitoring process including FRT's automated passive claim process and monitoring outside of the U.S. Mr. D'Alessio reviewed FRT operations, client portal, monitoring, and passive group litigation. Committee discussion followed.

Annual Review of Securities Litigation Committee Charter:

An annual review of the charter is required. Ms. Murtha and Mr. DePountis reviewed the charter and have identified some items they wanted to bring to the Committee's attention. Staff recommend examining the membership of the Committee, specifically regarding the Assistant Attorney General member and the two staff members. Staff recommend some small fixes to the charter over the next few months and a more in-depth review after legislative session as part of the overall rewrite of the SIB Governance Manual. Committee discussion followed.

Annual Review of Securities Litigation Report & Monitoring Process:

Mr. Skor reviewed SIB Policy E-14 which defines the securities litigation process. As part of that process, the SIB contracts with FRT to assist with comprehensive monitoring and claims filing services. The Committee was provided with the Annual Securities Litigation Activity Report for the fiscal year ended June 30, 2022. The report summarizes security litigation activities including newly filed claims, status of previously filed claims, and a summary of the total net recoveries for the year. Committee discussion followed.

**OTHER:**

Committee Work Plan:

Ms. Murtha reviewed the upcoming Committee meeting schedule.

**ADJOURNMENT:**

With no further business to come before the SLC, Commissioner Heringer adjourned the meeting at 5:01 p.m.

Prepared by,

Missy Kopp  
Assistant to the Board

Confidential materials will be sent to Committee members via a secure link.

**CHARTER OF THE  
SECURITIES LITIGATION COMMITTEE OF THE  
NORTH DAKOTA STATE INVESTMENT BOARD**

**I. PURPOSE**

The Securities Litigation Committee (the Committee) is a standing committee of the North Dakota State Investment Board (SIB) created to assist in fulfilling its fiduciary oversight responsibilities of monitoring the investment of assets entrusted to it by the various statutory and contracted funds, and to serve as a communications link for the SIB, RIO's management and staff, third party securities litigation firms, and others.

The Committee will determine when an active role should be pursued in regards to securities litigation affecting securities within the SIB's portfolios.

**II. AUTHORITY**

The Committee is authorized to:

- draft policy (to be formally approved by SIB) regarding dollar and/or risk thresholds for determining when to opt-out of class actions and/or seek direct litigation or lead plaintiff status;
- based on SIB approved policy, make decisions on the level of participation the SIB will take in direct litigation, opt-in or group litigation, anti-trust and other class actions; and
- approve the selection of special assistant attorneys in cases of direct litigation.

**III. COMPOSITION**

The Committee will consist of ~~the Executive Director of RIO, one member of RIO fiscal or investment staff, RIO general counsel, and two~~three members of the SIB appointed by the Chair.

Membership on the Committee will be for one year or termination of term on the SIB. Vacancies will be filled by the SIB Chair at the first scheduled meeting following the vacancy. There will be no limit to the number of terms served on the Committee.

The Committee will elect a Chair ~~and a Vice Chair~~. The Chair will preside at all meetings of the Committee and serve as the liaison to the SIB. In the absence of, or at the direction of the Chair, the ~~Vice Chair will perform the duties of the Chair. Executive Director will report committee actions.~~ The liaison will report at least four times a year quarterly to the SIB, or as often as the committee shall meet, on the activities of the Committee and other pertinent information.

~~The Committee may form, and delegate authority to, subcommittees when it deems appropriate.~~

#### **IV. MEETINGS**

The Committee will meet ~~generally four times a year~~ quarterly, with authority to convene additional or reduce meetings, as circumstances require ~~or~~ to adequately fulfill all the obligations and duties as outlined in this charter.

Meeting agendas will be prepared by the Executive Director and approved by the Committee Chair, unless otherwise directed by the Committee and will be provided to the Committee members along with briefing materials before the scheduled committee meeting.

Committee members are expected to attend each meeting, in person or ~~via tele- or video-conference~~ virtually. RIO's executive management and others necessary to provide information and to conduct business will attend meetings. The Committee may invite staff of RIO or others to attend meetings, as necessary. The Committee may hold executive sessions as allowed under state law.

~~The Committee will act only on the affirmative vote of three of the committee members at a meeting. To conduct business, a quorum will be three members of the Committee. Should a quorum not be present before a scheduled meeting or during a meeting, the Chair will announce the absence of a quorum and the members will disburse. Meetings unable to transact business for lack of a quorum are not considered meetings. Meeting minutes will be prepared by RIO, or as otherwise directed by the Committee. Approved meeting minutes of the Committee will be submitted to the SIB.~~

#### **V. RESPONSIBILITIES**

RIO's management is responsible for ongoing monitoring of securities litigation and claims filing. Based on SIB approved policy guidelines, the Committee has the responsibility to provide oversight in the areas of:

- policy development
- determination on direct litigation and/or lead plaintiff status
- approval of special assistant attorneys (outside counsel)

To this end, the Committee will:

- Develop initial policy and periodically review policy to determine if changes are needed.
- Review reports from RIO staff and third parties in order to maintain awareness of potential and actual securities litigation affecting the SIB portfolios.
- Make decisions on whether to pursue direct litigation and/or lead plaintiff status on cases exceeding policy thresholds for passive participation.



- Select third party litigation firms when deemed appropriate.
- Perform other activities related to this charter as requested by the SIB.
- Review and assess the adequacy of the Committee charter annually, requesting the SIB approval for proposed changes.
- Confirm annually the review of all responsibilities outlined in this charter.

Reporting Responsibilities

- Report to the SIB about the Committee's activities, issues, and related recommendations.
- Provide a written report annually to the SIB, describing the Committee's composition, responsibilities and how they were discharged, and any other information required.

**Commented [MJ1]:** Staff suggests this language is redundant given the language under the composition section.

**DATE OF CREATION OF COMMITTEE AMENDMENTS:** February 16,2018  
**DATE AUDIT COMMITTEE CHARTER ADOPTED AND APPROVED:** April 27,2018

Agenda item V. B. to follow.

## MEMORANDUM

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**TO:** Securities Litigation Committee  
**FROM:** Ryan K. Skor, CFO/COO  
**DATE:** March 21<sup>st</sup>, 2023  
**RE:** Securities Litigation Monitoring Report

Attached you will find the February 2023 Status Report from Financial Recovery Technologies (FRT) summarizing the ongoing securities litigation proceedings FRT is currently administering on behalf of the North Dakota State Investment Board.

**BOARD ACTION REQUESTED: Board Information.**

Status Report

| Settled Class Action - Claim Status Summary |           |                        |            |                       |                 |              |
|---|-----------|------------------------|------------|-----------------------|-----------------|--------------|
| Status                                      | # Cases   | Settlement Fund        | # Claims   | Total Recognized Loss | Pro Rata Shares | \$ Recovered |
| Newly Filed                                 | 5         | \$108,625,000          | 13         | \$12,522              | -               | -            |
| Previously Filed                            | 59        | \$4,342,034,912        | 127        | \$5,313,641           | 9,313           | -            |
| <b>Total</b>                                | <b>64</b> | <b>\$4,450,659,912</b> | <b>140</b> | <b>\$5,326,163</b>    | <b>9,313</b>    | <b>\$0</b>   |

| Antitrust - Claim Status Summary |           |                        |            |  |              |
|----------------------------------|-----------|------------------------|------------|--|--------------|
| Status                           | # Cases   | Settlement Fund        | # Claims   |  | \$ Recovered |
| Previously Filed                 | 12        | \$3,398,124,000        | 160        |  | -            |
| <b>Total</b>                     | <b>12</b> | <b>\$3,398,124,000</b> | <b>160</b> |  | <b>\$0</b>   |

| Passive Group Litigation - Claim Status Summary |          |                 |          |             |                |              |
|---|----------|-----------------|----------|-------------|----------------|--------------|
| Status  | # Cases  | Settlement Fund | # Claims | FRT Damages | Damaged Shares | \$ Recovered |
| Previously Registered                           | 1        | -               | 1        | \$0         | -              | -            |
| <b>Total</b>                                    | <b>1</b> | <b>\$0</b>      | <b>1</b> | <b>\$0</b>  | <b>0</b>       | <b>\$0</b>   |

| Opt-In Monitoring - Participation Status Summary |          |  |                 |                    |                |              |
|--|----------|--|-----------------|--------------------|----------------|--------------|
| Status   | # Cases  |  | # Registrations | FRT Damages        | Damaged Shares | \$ Recovered |
| Previously Registered                            | 5        |  | 29              | \$4,206,367        | -              | -            |
| <b>Total</b>                                     | <b>5</b> |  | <b>29</b>       | <b>\$4,206,367</b> | <b>0</b>       | <b>\$0</b>   |

| Opt-Out Monitoring - Participation Status Summary |          |  |            |             |  |              |
|---|----------|--|------------|-------------|--|--------------|
| Status  | # Cases  |  | # Accounts | FRT Damages |  | \$ Recovered |
| Previously Participated                           | 1        |  | 11         | -           |  | -            |
| <b>Total</b>                                      | <b>1</b> |  | <b>11</b>  | <b>\$0</b>  |  | <b>\$0</b>   |

Status Report

| Settled Class Action - Newly Filed Claims |          |                |                 |              |            |                       |                 |              |
|---|----------|----------------|-----------------|--------------|------------|-----------------------|-----------------|--------------|
| Case Name                                 | # Claims | Claim Deadline | Settlement Fund | Class Period |            | Total Recognized Loss | Pro Rata Shares | Est Pay Date |
| DEUTSCHE BANK AG                          | 3        | 2/7/2023       | \$26,250,000    | 3/13/2017    | 12/17/2020 | \$0                   | -               | 5/31/2024    |
| GRUBHUB INC                               | 6        | 2/2/2023       | \$42,000,000    | 4/24/2019    | 1/24/2020  | \$0                   | -               | 5/31/2024    |
| ORACLE CORPORATION,                       | 1        | 2/3/2023       | \$17,500,000    | 5/9/2017     | 9/17/2018  | \$0                   | -               | 5/31/2024    |
| PEABODY ENERGY CORP.                      | 2        | 2/2/2023       | \$4,625,000     | 4/2/2017     | 1/24/2020  | \$8,095               | -               | 5/31/2024    |
| SUPER MICRO COMPUTER, INC.,               | 1        | 2/27/2023      | \$18,250,000    | 8/4/2016     | 11/19/2018 | \$4,427               | -               | 5/31/2024    |

| Settled Class Action - Previously Filed Claims |          |                |                 |              |            |                       |                 |              |
|--|----------|----------------|-----------------|--------------|------------|-----------------------|-----------------|--------------|
| Case Name                                      | # Claims | Claim Deadline | Settlement Fund | Class Period |            | Total Recognized Loss | Pro Rata Shares | Est Pay Date |
| AEGEAN MARINE PETROLEUM NETWORK INC.,          | 1        | 10/22/2022     | \$29,800,000    | 2/26/2014    | 2/4/2019   | \$0                   | -               | 1/31/2024    |
| ALLERGAN PLC,                                  | 1        | 12/27/2021     | \$130,000,000   | 3/2/1992     | 1/31/2017  | \$86,718              | -               | 3/31/2023    |
| ALLIED NEVADA GOLD CORPORATION                 | 1        | 11/7/2020      | \$14,000,000    | 1/17/2013    | 11/1/2013  | \$1,075               | -               | 6/30/2023    |
| ALNYLAM PHARMACEUTICALS INC                    | 6        | 3/17/2022      | \$7,000,000     | 11/12/2017   | 4/17/2020  | \$64,662              | -               | 6/30/2023    |
| ALTRIA GROUP INC                               | 1        | 4/5/2022       | \$90,000,000    | 10/24/2018   | 6/30/2020  | \$112,693             | -               | 7/31/2023    |
| AMERICAN RE CAPITAL                            | 2        | 11/15/2021     | \$34,063,856    | 2/27/2013    | 10/28/2014 | -                     | -               | 8/27/2023    |
| ARLO TECHNOLOGIES INC                          | 2        | 2/25/2021      | \$1,250,000     | 7/6/2018     | 3/1/2019   | \$0                   | -               | 4/30/2023    |
| Airbus SE                                      | 1        | 9/13/2022      | \$5,000,000     | 2/23/2016    | 10/28/2020 | \$0                   | -               | 12/31/2023   |
| BANCO BRADESCO S.A.,                           | 2        | 12/21/2019     | \$14,500,000    | 8/7/2014     | 10/25/2016 | \$65,437              | -               | 8/26/2023    |
| BANK OZK                                       | 3        | 10/6/2022      | \$45,000,000    | 2/18/2016    | 1/16/2019  | \$0                   | -               | 1/31/2024    |
| BAYERISCHE MOTOREN WERKE AG                    | 5        | 8/25/2022      | \$1,750,000     | 11/2/2015    | 12/23/2020 | \$0                   | -               | 11/30/2023   |
| BOFI HOLDING INC                               | 1        | 10/13/2022     | \$900,000       | 3/13/2016    | 1/23/2018  | \$836                 | -               | 1/31/2024    |
| BOFI HOLDINGS, INC.,                           | 1        | 11/7/2022      | \$14,100,000    | 9/3/2013     | 1/11/2016  | \$0                   | -               | 2/29/2024    |
| BRISTOW GROUP INC                              | 1        | 7/6/2021       | \$6,250,000     | 2/7/2018     | 5/13/2019  | \$37,740              | -               | 4/29/2023    |
| CANADIAN IMPERIAL BANK OF COMMERCE             | 1        | 9/16/2022      | \$97,945,000    | 5/30/2007    | 6/18/2022  | \$0                   | -               | 9/30/2023    |
| CANADIAN SOLAR, INC.,                          | 1        | 5/31/2021      | \$13,000,000    | 5/25/2009    | 6/15/2010  | \$2,650               | -               | 8/26/2023    |
| CBS CORP                                       | 1        | 9/19/2022      | \$14,750,000    | 11/28/2017   | 10/26/2018 | \$0                   | -               | 12/31/2023   |
| COGNIZANT TECHNOLOGY SOLUTIONS CORP,           | 1        | 1/28/2022      | \$95,000,000    | 2/26/2015    | 12/28/2016 | -                     | -               | 4/30/2023    |
| CORECIVIC INC                                  | 6        | 11/19/2021     | \$56,000,000    | 2/26/2012    | 4/1/2020   | \$0                   | -               | 8/27/2023    |
| COVETRUS INC                                   | 1        | 12/3/2022      | \$35,000,000    | 2/8/2019     | 11/8/2019  | \$557,169             | -               | 3/31/2024    |
| Covia Holdings Corporation                     | 1        | 7/12/2022      | \$1,000,000     | 8/22/2014    | 3/25/2019  | \$2,196               | -               | 10/31/2023   |
| DAIMLER AG,                                    | 1        | 2/7/2021       | \$19,000,000    | 2/21/2012    | 7/20/2016  | \$0                   | -               | 8/26/2023    |
| DEPOMED, INC.,                                 | 1        | 8/17/2022      | \$1,000,000     | 7/29/2015    | 8/7/2017   | \$2,162               | -               | 11/30/2023   |

Status Report

| Settled Class Action - Previously Filed Claims |          |                |                 |              |            |                       |                 |              |
|--|----------|----------------|-----------------|--------------|------------|-----------------------|-----------------|--------------|
| Case Name                                      | # Claims | Claim Deadline | Settlement Fund | Class Period |            | Total Recognized Loss | Pro Rata Shares | Est Pay Date |
| DIPLOMAT PHARMACY INC                          | 1        | 4/27/2022      | \$15,500,000    | 2/25/2018    | 2/7/2020   | \$98,133              | -               | 7/31/2023    |
| EDUCATION REALTY TRUST INC                     | 2        | 6/15/2022      | \$10,000,000    | 9/27/2004    | 11/20/2018 | -                     | 4,813           | 9/30/2023    |
| ENDO INTERNATIONAL PLC                         | 1        | 2/14/2022      | \$63,400,000    | 3/1/2015     | 5/26/2017  | \$397,581             | -               | 5/31/2023    |
| EVOLENT HEALTH INC                             | 2        | 12/16/2022     | \$23,500,000    | 1/9/2018     | 8/26/2019  | \$7,831               | -               | 3/31/2024    |
| EXACTECH INC                                   | 2        | 7/5/2022       | \$5,600,000     | 4/1/1996     | 4/15/2018  | -                     | 449             | 10/31/2023   |
| FINISAR CORPORATION                            | 1        | 2/26/2021      | \$6,800,000     | 12/1/2010    | 6/7/2011   | \$1,843               | -               | 4/30/2023    |
| Facebook Fair Fund                             | 7        | 11/30/2022     | \$100,000,000   | 1/27/2016    | 6/15/2018  | \$0                   | -               | 1/31/2024    |
| GENERAL ELECTRIC CO                            | 5        | 10/19/2022     | \$200,000,000   | 10/15/2015   | 4/16/2018  | \$65,038              | -               | 1/31/2024    |
| GROUPON INC                                    | 1        | 12/1/2022      | \$13,500,000    | 7/29/2019    | 5/18/2020  | \$86,214              | -               | 3/31/2024    |
| HEALTHCARE SERVICES GROUP INC                  | 1        | 2/7/2022       | \$16,800,000    | 4/7/2014     | 5/10/2021  | -                     | -               | 5/31/2023    |
| HONEYWELL INTERNATIONAL INC                    | 1        | 4/4/2022       | \$10,000,000    | 2/8/2018     | 1/16/2019  | -                     | -               | 7/31/2023    |
| JPMORGAN                                       | 3        | 9/19/2019      | \$9,500,000     | 1/1/1900     | 7/18/2018  | -                     | -               | 3/29/2023    |
| MALLINCKRODT PLC,                              | 1        | 10/27/2022     | \$65,750,000    | 10/5/2015    | 2/2/2018   | \$83,392              | -               | 1/31/2024    |
| MICROCHIP TECHNOLOGY INC.,                     | 1        | 7/20/2022      | \$9,000,000     | 3/1/2018     | 11/7/2018  | \$68,892              | -               | 10/31/2023   |
| MILLER ENERGY RESOURCES, INC.,                 | 2        | 8/18/2022      | \$35,000,000    | 8/28/2011    | 3/29/2016  | \$46,906              | -               | 11/30/2023   |
| MOLINA HEALTHCARE, INC.,                       | 3        | 10/17/2020     | \$7,500,000     | 10/30/2014   | 10/31/2017 | \$5,371               | -               | 5/31/2023    |
| Mylan N.V. Fair Fund                           | 7        | 4/25/2022      | \$30,000,000    | 3/1/2015     | 11/30/2016 | \$19,463              | -               | 6/30/2023    |
| NAVIENT CORP                                   | 1        | 4/13/2022      | \$35,000,000    | 7/1/1987     | 11/16/2021 | \$121,250             | -               | 7/31/2023    |
| NAVIENT CORPORATION,                           | 2        | 3/22/2022      | \$7,500,000     | 1/17/2017    | 11/20/2018 | \$89,764              | -               | 6/30/2023    |
| OSI SYSTEMS, INC.,                             | 1        | 5/11/2022      | \$12,500,000    | 8/20/2013    | 5/2/2018   | -                     | -               | 8/31/2023    |
| PATTERSON COMPANIES, INC.,                     | 7        | 5/25/2022      | \$63,000,000    | 6/25/2013    | 5/29/2018  | \$344,019             | -               | 8/31/2023    |
| PERFORMANCE SPORTS GROUP LTD.,                 | 1        | 11/14/2022     | \$13,000,000    | 1/14/2015    | 1/27/2017  | \$3,648               | -               | 2/29/2024    |
| QUALITY DISTRIBUTION, INC.,                    | 1        | 12/17/2021     | \$3,250,000     | 11/6/2003    | 10/19/2015 | -                     | 4,051           | 3/31/2023    |
| RESIDEO TECHNOLOGIES INC                       | 2        | 3/4/2022       | \$55,000,000    | 2/3/1998     | 2/7/2020   | \$190,679             | -               | 6/30/2023    |
| SEALED AIR CORP                                | 1        | 12/27/2022     | \$12,500,000    | 11/16/2014   | 9/18/2019  | \$0                   | -               | 3/31/2024    |
| STAMPS.COM INC                                 | 1        | 2/2/2022       | \$100,000,000   | 5/2/2017     | 8/6/2019   | -                     | -               | 5/31/2023    |
| STERICYCLE, INC.,                              | 4        | 8/7/2019       | \$45,000,000    | 2/6/2013     | 5/22/2018  | \$338,669             | -               | 4/30/2023    |
| SUPER MICRO COMPUTER INC                       | 1        | 9/18/2021      | \$17,851,056    | 10/21/2014   | 4/30/2018  | \$0                   | -               | 6/29/2023    |
| SYNCHRONOSS TECHNOLOGIES, INC,                 | 1        | 1/6/2022       | \$19,000,000    | 10/27/2014   | 9/11/2017  | -                     | -               | 4/30/2023    |
| TEVA PHARMACEUTICAL INDUSTRIES LIMITED         | 10       | 5/17/2022      | \$420,000,000   | 2/5/2014     | 2/16/2022  | \$435,751             | -               | 8/31/2023    |
| TEXTRON INC                                    | 1        | 1/20/2023      | \$7,900,000     | 1/30/2018    | 3/6/2019   | \$8,538               | -               | 4/30/2024    |

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| Settled Class Action - Previously Filed Claims |          |                |                 |              |            |                       |                 |              |
|--|----------|----------------|-----------------|--------------|------------|-----------------------|-----------------|--------------|
| Case Name                                      | # Claims | Claim Deadline | Settlement Fund | Class Period |            | Total Recognized Loss | Pro Rata Shares | Est Pay Date |
| TWITTER INC                                    | 1        | 11/23/2022     | \$809,500,000   | 2/5/2015     | 10/30/2015 | \$28,525              | -               | 2/29/2024    |
| UNITI GROUP INC                                | 3        | 12/1/2022      | \$38,875,000    | 4/23/2015    | 9/20/2019  | \$1,609,443           | -               | 3/31/2024    |
| VALEANT PHARMACEUTICALS                        | 1        | 2/15/2021      | \$94,000,000    | 2/27/2012    | 2/15/2021  | \$0                   | -               | 4/30/2023    |
| VALEANT PHARMACEUTICALS INTERNATIONAL, INC.,   | 4        | 5/6/2020       | \$1,210,000,000 | 1/3/2013     | 9/2/2016   | \$327,916             | -               | 6/1/2023     |
| WAGEWORKS, INC.,                               | 1        | 9/14/2021      | \$30,000,000    | 5/5/2016     | 5/15/2019  | \$1,439               | -               | 6/29/2023    |

| Antitrust - Previously Filed Claims         |          |                |                 |              |            |
|---|----------|----------------|-----------------|--------------|------------|
| Case Name                                   | # Claims | Claim Deadline | Settlement Fund | Class Period |            |
| (EURIBOR) Sullivan v. Barclays PLC et al.   | 10       | 8/1/2018       | \$309,000,000   | 6/1/2005     | 3/31/2011  |
| (EURIBOR) Sullivan v. Barclays PLC et al.   | 24       | 7/31/2019      | \$182,500,000   | 6/1/2005     | 3/31/2011  |
| (EUROYEN) Laydon v. Mizuho Bank, Ltd. et al | 14       | 2/20/2018      | \$206,000,000   | 1/1/2006     | 6/30/2011  |
| (EUROYEN) Laydon v. Mizuho Bank, Ltd. et al | 14       | 9/25/2018      | \$30,000,000    | 1/1/2006     | 6/30/2011  |
| (GOLD Fixing) In re Commodity Exchange,     | 1        | 8/23/2021      | \$102,000,000   | 1/1/2004     | 6/30/2013  |
| (GOLD Fixing) In re Commodity Exchange,     | 1        | 4/19/2022      | \$50,000,000    | 1/1/2004     | 6/30/2013  |
| In re: Foreign Exchange Benchmark Rates     | 39       | 5/16/2018      | \$2,310,275,000 | 1/1/2003     | 12/15/2015 |
| LIBOR Bondholders                           | 14       | 12/28/2020     | \$68,625,000    | 8/1/2007     | 5/31/2010  |
| LIBOR Bondholders                           | 14       | 2/27/2023      | \$1,749,000     | 8/1/2007     | 5/31/2010  |
| LIBOR Green Pond (Non-Defendant OTC)        | 8        | 1/3/2021       | \$21,775,000    | 8/1/2007     | 5/31/2010  |
| Mexican Government Bonds                    | 11       | 11/29/2021     | \$20,700,000    | 1/1/2006     | 4/19/2017  |
| SSA Bonds                                   | 10       | 4/16/2021      | \$95,500,000    | 1/1/2005     | 3/6/2019   |

| Passive Group Litigation - Previously Registered Claims |          |                        |                 |              |           |             |                |
|---|----------|------------------------|-----------------|--------------|-----------|-------------|----------------|
| Case Name   | # Claims | Participation Deadline | Settlement Fund | Class Period |           | FRT Damages | Damaged Shares |
| AMP Limited (Maurice Blackburn/Slater & Gordon)         | 1        |                        | -               | 5/10/2012    | 4/24/2018 | \$0         | -              |

| Opt-In Monitoring - Previously Registered   |                 |                        |  |              |            |             |                |
|---|-----------------|------------------------|--|--------------|------------|-------------|----------------|
| Case Name                                   | # Registrations | Participation Deadline |  | Class Period |            | FRT Damages | Damaged Shares |
| Bayer AG (DRRT)                             | 6               | 11/19/2021             |  | 9/29/2009    | 12/31/2019 | \$225,938   | -              |
| Daimler AG (Robins Geller/Nieding & Barth)  | 6               | 11/30/2021             |  | 7/10/2012    | 10/15/2019 | \$1,680,520 | -              |
| Danske Bank (Grant & Eisenhofer/DRRT)       | 2               | 9/11/2020              |  | 9/5/2017     | 5/14/2019  | \$679,164   | -              |
| Nissan Motor Co. Ltd. (KTMC)                | 6               | 5/25/2020              |  | 6/1/2011     | 12/31/2019 | \$1,541,037 | -              |
| VOLKSWAGEN AG/ PORSCHE (Grant & Eisenhofer) | 9               | 12/31/2018             |  | 12/31/2007   | 12/31/2015 | \$79,708    | -              |

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Opt-Out Monitoring - Previously Participated

| Case Name  | # Registrations | Participation Deadline | Class Period |            | FRT Damages |
|--|-----------------|------------------------|--------------|------------|-------------|
| PG&E Corporation and Pacific Gas and Electric Company (FRT Internal) | 11              | 4/16/2020              | 4/29/2015    | 11/15/2018 | -           |