

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

Honorable Arun Subramanian

**DECLARATION OF CASEY E. SADLER IN SUPPORT OF: (I) PLAINTIFFS'
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN
OF ALLOCATION; AND (II) LEAD COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

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TABLE OF EXHIBITS TO DECLARATION

EXHIBIT	TITLE
1	Hub Form 20-F SEC Filed On May 1, 2025
2	Hub January 27, 2026 Press Release
3	Hub Form 6-K Filed On December 31, 2025
4	Excerpt from Edward Flores, Svetlana Starykh, and Ivelina Velikova, <i>Recent Trends in Securities Class Action Litigation, 2025 Full-Year Review</i> (NERA, Jan. 21, 2026) (“NERA Report”)
5	Declaration Of Josephine Bravata Concerning: (A) Mailing/Emailing Of Notice; (B) Publication Of The Summary Notice; (C) Report On Requests For Exclusion And Objections; And (D) Claims Received To Date (“Bravata Decl.”)
6	Table Of Peer Law Firm Billing Rates
7	Declaration Of Jacob Sabo, Esq. In Support Of Lead Counsel’s Motion For An Award Of Attorneys’ Fees And Reimbursement Of Litigation Expenses Filed On Behalf Of The Law Offices Of Jacob Sabo
8	Declaration Of Jonathan D. Park, Esq. In Support Of Lead Counsel’s Motion For An Award Of Attorneys’ Fees And Reimbursement Of Litigation Expenses Filed On Behalf Of Pomerantz LLP
9	Declaration Of Casey E. Sadler, Esq. In Support Of Lead Counsel’s Motion For An Award Of Attorneys’ Fees And Reimbursement Of Litigation Expenses Filed On Behalf Of Glancy Prongay Wolke & Rotter LLP
10	Declaration Of Lead Plaintiff Aryeh Agam In Support Of: (1) Plaintiffs’ Motion For Final Approval Of Class Action Settlement And Plan Of Allocation; And (2) Lead Counsel’s Motion For An Award Of Attorneys’ Fees And Reimbursement Of Litigation Expenses
11	Declaration Of Lead Plaintiff Shimon Aharon In Support Of: (1) Plaintiffs’ Motion For Final Approval Of Class Action Settlement And Plan Of Allocation; And (2) Lead Counsel’s Motion For An Award Of Attorneys’ Fees And Reimbursement Of Litigation Expenses
12	Declaration Of Named Plaintiff Rodrigue Fodjo In Support Of: (1) Plaintiffs’ Motion For Final Approval Of Class Action Settlement And Plan Of Allocation;

	And (2) Lead Counsel's Motion For An Award Of Attorneys' Fees And Reimbursement Of Litigation Expenses
13	Declaration Of Named Plaintiff Dustin Green In Support Of: (1) Plaintiffs' Motion For Final Approval Of Class Action Settlement And Plan Of Allocation; And (2) Lead Counsel's Motion For An Award Of Attorneys' Fees And Reimbursement Of Litigation Expenses
14	Select Second Circuit Cases With 33% Or Higher Fee Awards

I, Casey E. Sadler, declare the following pursuant to 28 U.S.C. §1746:

1. I am an attorney duly licensed to practice law before the courts of the State of California and admitted to practice *pro hac vice* in this Court. I am a partner in the law firm of Glancy Prongay Wolke & Rotter LLP (“GPWR”), co-lead counsel for Court-appointed lead plaintiffs Aryeh Agam and Shimon Aharon (“Lead Plaintiffs”), and named plaintiffs Rodrigue Fodjo and Dustin Green (collectively, with Lead Plaintiffs, “Plaintiffs”), in the above-entitled action (the “Action”).¹

2. I respectfully submit this declaration, together with the attached exhibits, in support of Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan of Allocation and the concurrently filed memorandum in support thereof (the “Final Approval Memorandum”). As set forth in the Final Approval Memorandum, Plaintiffs seek final approval of the settlement (the “Settlement”) that the Court preliminarily approved by Order dated December 10, 2025 (the “Preliminary Approval Order,” ECF No. 140), as well as approval of the proposed Plan of Allocation of the Net Settlement Fund to eligible Settlement Class Members. Pursuant to the Stipulation and the Preliminary Approval Order, \$11,000,000 has been paid into the Escrow Account.

3. I also respectfully submit this declaration in support of Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses and the concurrently filed memorandum in support thereof (the “Fee Memorandum”). Lead Counsel seeks an award of attorneys’ fees in the amount of 33⅓% of the Settlement Fund (which, by definition, includes interest accrued thereon), and reimbursement of Litigation Expenses in the total amount of

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Stipulation and Agreement of Settlement, dated December 9, 2025 (the “Stipulation”). ECF No. 138-1.

\$126,092.83, which includes Plaintiffs’ Counsel’s total out-of-pocket litigation costs in the amount of \$96,092.83, and a total of \$30,000 to the four Plaintiffs, pursuant to the Private Securities Litigation Reform Act of 1995 (“PSLRA”) for their costs, including lost wages, incurred in connection with their representation of the Settlement Class.²

I. INTRODUCTION

4. The proposed Settlement before the Court provides for the resolution of all claims in the Action in exchange for a non-reversionary cash payment of \$11,000.000, (*see* Stipulation ¶8). Pursuant to the Stipulation, \$11,000,000 was deposited into the Escrow Account. As detailed herein, Plaintiffs and Lead Counsel submit that the proposed Settlement represents a favorable result for the Settlement Class considering the posture of the Action, as well as the significant risks that Plaintiffs would need to overcome had the Action continued.

5. Plaintiffs’ damages consultant estimates that if Plaintiffs had *fully prevailed* on their claims at both summary judgment and after a jury trial, if the Court certified the proposed class, and if the Court and jury accepted Plaintiffs’ damages theory—*i.e.*, Plaintiffs’ *best case scenario*—the total maximum damages would be approximately \$178.5 million dollars. Under this best-case scenario, the \$11,000,000 Settlement Amount represents approximately 6.2% of the total *maximum damages potentially* available in the Action, which is significantly higher than the 3.2% median settlement value for securities class actions with comparable maximum damages. *See* Ex. 4 (NERA Report) at 27, Fig. 23 (median recovery for securities class actions that settled in the last ten years was 3.2% for cases with estimated damages between \$100-\$199 million). Defendants

² Lead Counsel’s motion for attorneys’ fees and reimbursement of Litigation Expenses is made on behalf of Lead Counsel (including the Law Offices of Jacob Sabo (“Sabo Law”)) and additional Plaintiffs’ counsel, Pomerantz LLP (“Pomerantz”; and together with Lead Counsel, “Plaintiffs’ Counsel”).

would, however, continue to contest liability, loss (negative) causation, and damages. For example, Plaintiffs anticipated that Defendants would argue, *inter alia*, that: (a) the Settlement Class's damages were limited because traceability ended once the PIPE shares were issued and entered the market on March 14, 2023; and (b) damages should be reduced by potentially duplicative payments to investors in an Israeli action against the same defendants. *See infra*, Sec. III.F. If any of these arguments were accepted, the putative class's potential recovery would have been substantially reduced or completely eliminated. Moreover, as discussed below, there were also issues with whether the Company or the Individual Defendants could satisfy any judgment against them, separate and apart from the available insurance coverage.

6. As explained herein, the Settlement was reached only after comprehensive inquiry into the merits of the claims alleged and the likely damages that could be recovered by the Settlement Class. Lead Counsel's vigorous efforts involved, among other things: (a) conducting an extensive investigation into Defendants' allegedly wrongful acts, which included, working with a private investigator in Israel who interviewed numerous former Hub employees; (b) drafting the comprehensive 54-page (154-paragraph) Amended Class Action Complaint for Violations of the Federal Securities Laws ("Complaint") (ECF No. 45) based on this investigation; (c) opposing Defendants' motions to dismiss and responding to Judge Subramanian's questions regarding certain issues in the Action; (d) conducting fact discovery, including propounding and responding to document requests, and conducting a review and analysis of the more than 88,000 pages of documents produced by Defendants, many of which were in Hebrew; (e) participating in a private, full-day mediation session under the auspices of a highly-experienced neutral, which included exchanging detailed mediation statements and exhibits; and (f) engaging in extensive settlement negotiations.

7. Based on the foregoing efforts, Plaintiffs and Lead Counsel were well informed on both the strengths and weaknesses of the claims and defenses in this action. Armed with this knowledge, Lead Counsel engaged in extensive arm's-length bargaining, which I believe resulted in the fair and reasonable Settlement for the Settlement Class.

8. The Settlement confers a substantial immediate benefit to the Settlement Class that I believe is eminently fair, reasonable, and adequate given the legal hurdles and risks involved in proving liability and damages. The Settlement also avoids the further risk, delay, and expense had this case continued through class certification, discovery, summary judgment, and to trial. Lead Counsel respectfully submit that, under the circumstances, the Settlement is in the best interest of the Settlement Class and should be approved.

9. In addition to seeking final approval of the Settlement, Plaintiffs seek approval of the proposed Plan of Allocation as fair and reasonable. As discussed below, the Plan of Allocation was developed with the assistance of a consultant with substantial experience formulating plans of allocation for securities class action settlements. The Plan of Allocation provides for the distribution of the Net Settlement Fund to Settlement Class Members who submit Claim Forms that are approved for payment by the Court on a *pro rata* basis. In sum, an Authorized Claimant's *pro rata* share shall be the Authorized Claimant's Recognized Claim divided by the total Recognized Claims of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund.

10. Finally, Lead Counsel seeks approval of the request for attorneys' fees and reimbursement of Litigation Expenses. As discussed in detail in the Fee Memorandum, the requested 33⅓% fee is well within the range of percentage awards granted by courts in this Circuit in comparable securities class actions. Additionally, the fairness and reasonableness of the request

is confirmed by a lodestar cross-check and warranted in light of the extent and quality of the work performed and the result achieved.

11. Likewise, the requested out-of-pocket litigation costs of \$96,092.83 and the requested reimbursement of Plaintiffs' costs pursuant to the PSLRA, in the aggregate amount of \$30,000, are also fair and reasonable. Accordingly, for the reasons set forth in the Fee Memorandum and for the additional reasons set forth herein, Lead Counsel respectfully submit that the request for attorneys' fees and reimbursement of Litigation Expenses should be approved.

II. PROSECUTION OF THE ACTION

A. Commencement Of The Action And Appointment Of Lead Plaintiffs And Lead Counsel

12. On July 6, 2023, a class action complaint was filed in the United States District Court for the Southern District of New York (the "Court"), styled *Efrat Investments LLC v. Hub Cyber Security Ltd.*, Case No. 1:23-cv-05764-AS ("*Efrat Investments*"). ECF No. 1. On July 31, 2023, a second class action, styled *Green v. Hub Cyber Security Ltd.*, Case No. 1:23-cv-06668-AS ("*Green*"), was filed in the Court. By Order dated November 8, 2023, the Court: (i) consolidated the *Efrat Investments* and *Green* cases for all purposes, and recaptioned the consolidated case as *In re Hub Cyber Security Ltd.*, under Master File No. 1:23-cv-05764-AS; (ii) appointed Aryeh Agam and Shimon Aharon as Lead Plaintiffs; and (iii) approved Lead Plaintiffs' selection of Glancy Prongay & Murray LLP (n/k/a Glancy Prongay Wolke & Rotter LLP) and The Law Offices of Jacob Sabo to serve as Lead Counsel for the putative class. ECF No. 40.

B. The Comprehensive Investigation And The Preparation Of The Complaint

13. In preparation of the filing the amended complaint, Lead Counsel conducted an extensive factual and legal investigation into Defendants' allegedly wrongful acts, which included, among other things: (i) reviewing and analyzing (a) Hub's filings with the U.S. Securities and

Exchange Commission, as well as Legacy Hub's filings with the Tel Aviv Stock Exchange, (b) public reports, blog posts, research reports prepared by securities and financial analysts, and news articles concerning Hub, and (c) Hub's investor call transcripts, press releases and other public statements made by Defendants prior to, during, and after the Settlement Class Period; (ii) retaining and working with a private investigator who conducted an investigation in Israel that involved, *inter alia*, numerous interviews of former Hub employees and other sources of relevant information; and (iii) consulting with an expert on negative causation and damages.

14. Based on the foregoing investigation, on January 26, 2024, Plaintiffs filed and served the 54-page (154-paragraph) Complaint. ECF No. 45. The Complaint asserted Securities Act claims against Hub and the Individual Defendants³ under Sections 11 and 12(a)(2), and against the Individual Defendants under Section 15. In short, Plaintiffs alleged that the Offering Documents were false and misleading because Hub lacked any meaningful internal controls that allowed Defendant Moshe and his wife to embezzle hundreds of thousands of dollars from a non-profitable company. Plaintiffs also alleged that Defendants misrepresented the existence of (i) PIPE financing, and (ii) a mature or proven product at the time of the Business Combination.

C. Defendants' Motion To Dismiss The Complaint And Lead Plaintiffs' Response

15. On May 31, 2024, the "Hub Defendants"⁴ and Defendant Eyal Moshe each moved to dismiss the Complaint. ECF Nos. 85-86, 92-93. The Hub Defendants made a series of arguments against liability, claiming, among other things, that the allegedly omitted information set forth in the preceding paragraph was not known at the time of the Registration Statement. Defendants also

³ Claims against Levana Shifman were voluntarily dismissed without prejudice on August 12, 2024. ECF No. 105.

⁴ The Hub Defendants refers to Hub and the Individual Defendants, not including Eyal Moshe who has separate counsel.

alleged that Plaintiffs lacked standing. Defendant Eyal Moshe separately moved to dismiss asserting, *inter alia*, *forum non conveniens* and a lack of personal jurisdiction and standing.

16. Plaintiffs filed an opposition to each motion to dismiss on July 15, 2024. ECF Nos. 95-96. Plaintiffs alleged that the omissions alleged in the Complaint all existed at the time of the Business Combination were either known or knowable and were also required to be disclosed under Items 105 and 303 of Regulation S-K. Plaintiffs disputed the standing and *forum non conveniens* arguments on the grounds that each Plaintiff purchased or acquired Hub securities that were newly registered by the Offering Documents, which Defendants chose to list on the NASDAQ exchange. Plaintiffs further argued that Israel was not the proper forum to litigate the claims asserted in this Action involving a U.S. offering of securities.

17. The Hub Defendants and Defendant Eyal Moshe filed their respective replies in support of their motions to dismiss on August 9, 2024. ECF Nos. 101-102.

18. On February 3, 2024, the Court ordered that the Parties file letter briefs addressing whether: (i) Defendants were required to distribute a prospectus in connection with the transactions alleged in the Complaint; and (i) as part of the de-SPAC merger, what the RNER shareholders received upon closing of the transaction if they had not previously redeemed their shares. The Court also requested additional information on how Legacy Hub shareholders acquired Hub securities as part of the transactions alleged in the Complaint and, specifically, how each named plaintiff acquired their Hub securities. ECF No. 109.

19. On February 7, 2024, as directed by the Court, the Parties filed their letter briefs. ECF Nos. 110-112. Additional letters were filed with the Court in connection with a Notice of Supplemental Authority filed by the Hub Defendants. ECF Nos. 113-114.

20. On March 20, 2025, the Court granted in part, and denied in part, Defendants' motions to dismiss. *See* ECF No. 115; *In re Hub Cyber Security Ltd.*, 2025 WL 872078 (S.D.N.Y. March 20, 2025). The Court denied Defendants' motions with respect to Plaintiffs' Section 11 claims, except with respect to: (i) the allegation that the statement in the Offering Documents that the PIPE investors were committed was false and misleading at the time the Registration Statement was made effective on December 8, 2022; and (ii) the allegation that the Defendants violated Item 105 in failing to disclose the Company's internal control weaknesses, although the Court allowed this claim to proceed against Defendant Moshe. With respect to Plaintiffs' Section 12(a)(2) claims, the Court denied Defendants' motions with respect to all claims, noting that "the relevant point of reference for the Section 12 (a)(2) claim is the day the business combination closed" and thus "the PIPE-financing statements survives." ECF No. 115, at 17. The Court also denied Defendants' motions with respect to the Section 15 claims against the Individual Defendants, but dismissed Plaintiffs' Item 303 claims.

21. On May 19, 2025, Defendants filed their answers to the Complaint. ECF Nos. 128-29.

D. Fact Discovery

22. On April 4, 2025, the Court entered a Civil Case Management Plan and Scheduling Order. ECF No. 119. As part of the discovery process, the Parties negotiated a Protective Order regarding the handling of confidential documents and an Order regarding the Protocol for the Discovery of Electronically Stored Information, both of which were entered by the Court on May 6, 2025. ECF Nos. 12526. The Parties also made initial disclosures to each other.

23. Plaintiffs served their First Request for Documents on April 12, 2025, and Defendants served their responses and objections on May 12, 2025. The Parties negotiated date ranges, search terms, and custodians for Defendants' electronically stored information.

24. The Hub Defendants served a First Request for Documents directed to Plaintiffs on May 23, 2025.

25. On June 4, 2025, Plaintiffs served a First Request for Admissions on Defendants. On June 6, 2025, the Hub Defendants served a Request for Admissions on Plaintiffs.

26. On June 25, 2025, the Parties jointly moved the Court for an extension of the discovery deadlines to allow the Parties to pursue mediation and conserve Defendants' resources. ECF No. 130. The Court granted the request on June 26, 2025. ECF No. 131.

27. In advance of the mediation and as part of the agreement to extend the deadlines, Defendants produced more than 88,000 pages of documents to Plaintiffs. Plaintiffs produced more than 260 pages of documents to Defendants.

28. Thereafter, Lead Counsel conducted a targeted review of Defendants' documents many of which were in Hebrew and required translation to prepare for the mediation and to assist in planning the balance of discovery, including identifying possible deponents in the event that the mediation was not successful.

E. Settlement Negotiations, The Settlement Agreement, And The Settlement's Preliminary Approval

29. The parties agreed to mediate with Jed Melnick, Esq. of JAMS, a well-respected mediator of complex securities actions. On September 3, 2025, Plaintiffs' and Defendants' Counsel, and counsel for Defendants' D&O Insurers, participated in a full day in person mediation session with Mr. Melnick. In advance of the mediation, the Parties exchanged and provided to Mr. Melnick detailed mediation statements with exhibits that addressed both liability and damages

issues. At the end of the day, the Parties were at an impasse and Mr. Melnick made a mediator's recommendation to resolve the Action for \$11,000,000 in cash for the benefit of the Class which the Parties ultimately accepted.

30. After extensive negotiations over the next month, on October 9, 2025, an agreement in principle to settle the Action was memorialized in a term sheet (the "Term Sheet"). The Term Sheet set forth the Parties' agreement to settle and release all claims asserted in the Action in return for a cash payment by or on behalf of Defendants in the amount of \$11,000,000 for the benefit of the Settlement Class. The agreement in principle was subject to certain terms and conditions and the execution of a "long form" stipulation of settlement and exhibits.

31. After substantial additional negotiations, the Stipulation was executed on December 9, 2025.

32. Also on December 9, 2025, Plaintiffs filed their Motion for (I) Preliminary Approval of Class Action Settlement; (II) Certification of the Settlement Class; and (III) Approval of Notice to the Settlement Class (the "Preliminary Approval Motion"). ECF Nos. 136-139.

33. On December 10, 2025, the Court entered the Preliminary Approval Order. ECF No. 140.

III. THE RISKS OF CONTINUED LITIGATION

34. The Settlement provides an immediate and certain benefit to the Settlement Class in the form of a non-reversionary cash payment. As explained below, there were significant risks that the Settlement Class might recover substantially less than this amount—or nothing at all—if the case were to proceed to summary judgment and jury trial, followed by the inevitable appeals.

A. Risks To Proving Liability

35. At the onset, this litigation was significantly more complex, and risky because the majority of the Defendants and the evidence is located in Israel, including non-party witnesses and documents in the possession of non-parties. While Israel is a signatory to the Hague Convention, the process of obtaining documents and testimony is hardly convenient and requires the assistance of mediators and attorneys who are fluent in both Hebrew and English.

36. As detailed in prior submissions to the Court, Plaintiffs allege that Defendants engaged in a scheme to pump up the prospects of Hub in order to complete the Business Combination and get unsuspecting investors to invest in the Company. While the Court sustained much of the Complaint at the pleading stage, many hurdles remained. The Court recognized that there were standing issues with respect to the Section 12 claims, finding that only the Plaintiffs who purchased Mount Rainier shares had standing. With respect to the Section 11 claims, the Court held that Plaintiffs had not adequately plead that the PIPE investors were not irrevocably committed at the time the registration statement became effective. While Lead Counsel believed that the factual record would support this claim, this was a factual issue that would ultimately need to be decided by the trier of fact.

37. Though Plaintiffs prevailed on the liability issues raised by Defendants in their motion to dismiss, Plaintiffs still needed to prove their case through admissible evidence. Hub would undoubtedly continue to assert at summary judgment and/or trial that Hub made no actionable misrepresentations under the federal securities law. Among other things, Hub would likely argue that the claims regarding the lack of internal controls were not material and that they did in fact have a mature product, both of which are also factual issues that would need to be decided by the trier of fact.

B. Risks To Proving Causation And Damages

38. Assuming Plaintiffs overcame the above risks and established Defendants' liability, they still faced the risk that the Court or jury would substantially reduce or eliminate damages. As in many securities cases, Defendants would likely raise "negative causation," (*i.e.*, that something other than the alleged false statement or omissions caused Plaintiffs' losses). This issue, in particular, would result in the proverbial battle of the experts before the fact finder.

39. As they had argued previously, Defendants would also continue to maintain that that the Section 11 claims overlap with the claims brought in Israel on behalf of the Legacy Hub shareholders and that damages would potentially be duplicative of any recovery in the Israeli action.

40. Even a favorable trial verdict would not end the litigation particularly here because, as discussed below, the Company was not likely to satisfy a judgment on its own. Appeals would ensue, all the while utilizing the available D&O insurance.

C. Risks Faced Of Maintaining Class Action Status

41. While Lead Counsel are confident that all the Rule 23 requirements would have been met, and the Court would have certified the proposed class, Plaintiffs bear the burden of proof on class certification, and Defendants would have undoubtedly raised arguments challenging the propriety of class certification in the absence of a settlement.

42. Moreover, even if Plaintiffs successfully obtained class certification, Defendants could have sought permission from the Second Circuit to appeal any class certification order under Federal Rule of Civil Procedure 23(f), further delaying or precluding any potential recovery. Likewise, even if a class were certified, it would be subject to potential decertification risks. Class certification was, by no means, a forgone conclusion.

D. Other Risks, Including Trial And Appeals

43. Plaintiffs would have had to prevail at several stages of litigation, each of which presents significant risks in complex class actions such as this one. Lead Counsel knows from experience that despite the most vigorous and competent efforts, success in complex litigation such as this case is never assured. For example, GPWR lost a six-week antitrust jury trial in the Northern District of California after five years of litigation, which included many overseas depositions, the expenditure of millions of dollars of attorney and paralegal time, and the expenditure of more than a million dollars in hard costs. *See In re: Korean Ramen Antitrust Litigation*, Case No. 3:13-cv-04115 (N.D. Cal.); *see also Gross v. GFI Group, Inc.*, 784 Fed. App'x 27, 28 (2d Cir. 2019) (affirming grant of summary judgment against plaintiffs in securities fraud class action, where GPWR served as one of lead plaintiff's counsel, on the alternative ground that Defendant's "statement did not, as a matter of law, amount to a material misrepresentation or omission actionable under section 10(b)," despite the trial court twice finding the statement actionable). Put another way, complex litigation is uncertain, and success in cases like this one is never guaranteed. *See In re Franklin Wireless Corp. Derivative Litigation*, Case No. 21-CV-1837 (S.D. Cal) (GPWR served as co-lead counsel in case that Plaintiffs obtained a jury verdict in their favor on claims of demand futility and breach of fiduciary duty, but were awarded damages in the nominal amount of \$0.99).

44. Even if Plaintiffs succeeded in proving all elements of his case at trial and obtained a jury verdict, Defendants would almost certainly have appealed. An appeal not only would have renewed the risks faced by Plaintiffs—as Defendants would have reasserted their arguments summarized above—but also would have resulted in substantial additional delay and utilization of

the available D&O insurance. Given these significant litigation risks, Plaintiffs and Lead Counsel believe the Settlement represents a very favorable result for the Settlement Class.

E. Risks To Collecting Any Judgment

45. Even if Plaintiffs were successful in overcoming the hurdles faced in proving all the elements of their case at trial, obtaining a jury verdict, and prevailing in any and all appeals, Plaintiffs and Lead Counsel faced numerous additional risks associated with enforcing any potential monetary judgement.

46. As Hub stated in its May 1, 2025 Form 20-F SEC filing, it is “*a company with a history of net losses ... that ... may incur net losses for the foreseeable future and may never be profitable.*” Ex. 1 at 3 (emphasis in the original). And, as noted by Hub’s independent registered public accounting firm in that same filing, “the Company has incurred accumulated losses in the amount of \$226,245 thousand, has negative working capital in the amount of \$87,672 thousand, has not complied with certain covenants of a loan agreement with a bank, is currently in default on covenants and payments required under other debt facilities it currently has outstanding, has net cash used from operating activities in the amount of \$17,110 thousand for the year ended on December 31, 2024, and has stated that *substantial doubt exists about the Company’s ability to continue as a going concern.*” *Id.* at F-2 (emphasis added). Hub readily admits that it can only survive by raising additional capital,⁵ and its ability to do so could be threatened by its potential delisting from NASDAQ for failing to meet the exchange’s \$35 million market value requirement

⁵ See *id.* at 93 (“Our ability to continue as a going concern is contingent upon, among other factors, the sale of ordinary shares to obtain additional funding to support our operations and/or obtaining alternate financing. Management currently believes that it will be necessary for us to secure additional funds to continue our existing business operations and to fund our obligations.”).

(see Ex. 2 (1/27/2026 press release)), the Company's poor financial condition,⁶ and low stock price (on May 19, 2026, Hub's stock closed at \$0.13 per share (following reverse stock splits of 15-1 in January 2026 and 50-1 in April 2026)).

47. Similarly, there is no guarantee that the Individual Defendants, many of whom reside outside of the United States, would have sufficient funds to pay a substantial judgment. While Hub has insurance policies that may have contributed to payment of a judgment, the amounts available under those policies were being continually reduced by Defendants' expenses from ongoing litigation.

48. As a result, Plaintiffs and Lead Counsel faced very real risks to their ability to collect any future judgment.

F. The Settlement Is Reasonable In Light Of Potential Recovery In The Action

49. In addition to the attendant risks of litigation discussed above, the Settlement is also fair and reasonable in light of the potential recovery of available damages. If Plaintiffs had fully prevailed in each of their claims at both summary judgment and after a jury trial, if the Court certified the same class period as the Settlement Class Period, and if the Court and jury accepted Plaintiffs' damages theory, including proof of causation *i.e.*, Plaintiffs' *best-case* scenario—estimated total *maximum* damages are approximately \$178.5 million. Therefore, the Settlement represents a recovery of approximately 6.2% of the maximum potential damages.

50. Of course, no litigation is risk free and Defendants would have continued to assert colorable arguments. Among other things, Plaintiffs anticipated that Defendants would have

⁶ See Ex. 3 (Hub Form 6-K filed on 12/31/2025) (Hub's financial statements for the six months ended June 30, 2025 report \$917,000 of cash and cash equivalents on its balance sheet, as compared to a net loss from continuing operations of \$41,774,000 for the six months ended June 30, 2025).

argued that Plaintiffs did not bring claims on behalf of the PIPE shareholders and, as of March 14, 2023, it would not be possible to trace shares traded in the marketplace to the Registration Statement as opposed to the PIPE shares. Had Defendants prevailed on this argument, maximum recoverable damages would drop to \$66.5 million, or 16.5% of the potential damages.⁷ This recovery range represents an excellent result when compared to the median recovery in securities class actions with similar potential damages. *See* Ex. 4 (NERA Report at 27 (Fig. 23)) (median recovery for securities class actions that settled in the last ten years was 3.2% for cases with estimated damages between \$100-\$199 million, and 4.4% for cases with estimated damages between \$50-\$99 million).

IV. PLAINTIFFS' COMPLIANCE WITH THE COURT'S PRELIMINARY APPROVAL ORDER REQUIRING ISSUANCE OF THE NOTICE

51. The Preliminary Approval Order (ECF No. 140) directed that a copy of the Postcard Notice was to be mailed, or the Notice and Claim Form (collectively, the "Claim Packet") emailed, to potential Settlement Class Members. ECF No. 140, ¶7(b). The Preliminary Approval Order also set: (i) the final fairness hearing for June 29, 2026 (the "Settlement Hearing"); (ii) a deadline of May 13, 2026 for Settlement Class Members to submit proofs of claim; (iii) a June 1, 2026 deadline to request exclusion from the Settlement Class; and (iv) a June 8, 2026, deadline to object to the Settlement, Plan of Allocation, Lead Counsel's request for award of attorneys' fees and reimbursement of Litigation Expenses.

52. Pursuant to the Preliminary Approval Order, Lead Counsel instructed Strategic Claims Solutions ("SCS"), the Court-approved Claims Administrator, to mail and email notice of the Settlement and to publish the Summary Notice. Contemporaneously with the mailing of the

⁷ This does not include adjustments for negative causation or potential duplicative payments relating to the litigation in Israel.

Postcard Notice, and emailing of the Notice Packet, Lead Counsel instructed SCS to post downloadable copies of: (i) the Notice Packet; (ii) the Complaint, (iii) Stipulation; and (iv) Preliminary Approval Order, online at www.HubSecuritiesSettlement.com (the “Settlement Website”).

53. The Postcard Notice directed Settlement Class Members to the Settlement Website (discussed below) to obtain additional information on the Settlement, including how to file a claim (by mail or online), and to access downloadable versions of the Notice and Claim Form. The Notice contains, among other things, a description of the Action; the definition of the Settlement Class; a summary of the terms of the Settlement and the proposed Plan of Allocation; and a description of a Settlement Class Member’s right to participate in the Settlement, object to the Settlement, the Plan of Allocation and/or the fee and expense application, or to exclude themselves from the Settlement Class. The Notice also informs Settlement Class Members of Lead Counsel’s intent to apply for an award of attorneys’ fees in an amount not to exceed 33⅓% of the Settlement Fund, and for reimbursement of Litigation Expenses in an amount not to exceed \$205,000, which may include an application of up to \$30,000 for reimbursement of the reasonable costs and expenses incurred by Plaintiffs related to their representation of the Settlement Class.

54. To disseminate the Postcard Notice, SCS obtained from Defendants’ Counsel the names and addresses of potential Settlement Class Members who purchased or otherwise acquired publicly traded Hub Securities during the Settlement Class Period. *See* Preliminary Approval Order at ¶7(a); Declaration Of Josephine Bravata Concerning: (A) Mailing/Emailing Of Notice; (B) Publication Of The Summary Notice; (C) Report On Requests For Exclusion And Objections; And (D) Claims Received To Date (“Bravata Decl.”), attached hereto as Ex.5, at ¶4. On January 9, 2026, SCS mailed, by first class mail, postage prepaid, the Postcard Notice to 67 individuals

and organizations identified in the shareholders lists that were provided by the Defendants' Counsel.

55. In addition, SCS maintains a proprietary database with the names and addresses of the largest and most common banks, brokers, and other nominees. *See id.* at ¶5. At the time of the initial mailing, SCS's proprietary master mailing list consisted of 1,049 banks and brokerage companies, as well as 1,414 mutual funds, insurance companies, pension funds, and money managers. *Id.* On January 9, 2026, SCS caused a letter to be sent by First-Class Mail or e-mailed to the 2,463 nominees contained in the SCS master mailing list. *Id.* The letter notified the nominees of the Settlement and requested that, within 7 calendar days from the date of the letter, they either: (i) request from SCS sufficient copies of the Notice Packet to forward to all such beneficial purchasers/owners and, within seven (7) calendar days of receipt of those Notice Packets, forward them to all such beneficial purchasers/owners; (ii) request from SCS a link to the Notice Packet and email the link to all such beneficial purchasers/owners for whom valid email addresses are available within seven (7) calendar days of receipt of the link; or (iii) send a list of the names, mailing addresses and email addresses (to the extent available) of all such beneficial purchasers/owners to SCS, in which case SCS would send a Notice Packet to them. *Id.* at ¶5 & Exs. B (nominee letter) & C (Notice Packet).

56. Following these mailings, SCS received 1,850 additional names and addresses of potential Settlement Class Members from individuals or nominees requesting that a Postcard Notice be mailed by SCS, and a nominee notified SCS that they mailed 50 Postcard Notices themselves to their customers. SCS also received a request from two nominees for 5,160 Postcard Notices so that the nominees could forward them to their customers. *See id.* at ¶6.

57. To date, 7,127 Postcard Notices have been mailed to potential Settlement Class Members. *Id.* at ¶7.

58. Additionally, SCS sent the link to the Notice Packet to 12,367 valid email addresses received from nominees, and SCS was notified by one of the nominees that they emailed 15,803 of their customers to notify them of this Settlement and provide the link to the Notice Packet. To date, 28,170 potential Settlement Class Members have been notified of the Settlement by email notice only. *Id.* at ¶8.

59. In total, as of May 18, 2026, 35,297 potential Settlement Class Members were notified either by mailed Postcard Notice and/or emailed the link to the Notice Packet. *Id.* at ¶9.

60. On January 26, 2026, in accordance with the Preliminary Approval Order, SCS caused the Summary Notice to be published once in *Investor's Business Daily* and to be transmitted once over the *PR Newswire*. *See id.* at ¶12; Ex. D (copies of publication confirmations).

61. As discussed above, Lead Counsel also caused SCS to establish the Settlement Website. It became operational on January 8, 2026, and SCS maintains a toll-free telephone number to provide Settlement Class Members with information concerning the Settlement. The Settlement Website also allows visitors to submit a claim online. *See id.* at ¶¶13-15.

62. To date, no requests for exclusion have been received. *Id.* at ¶18. SCS will file a supplemental affidavit after the June 1, 2026 deadline addressing whether any requests for exclusion have been received.

63. The deadline for Settlement Class Members to object to the Settlement, Plan of Allocation, and/or to the fee and expense application or to request exclusion from the Settlement Class is June 8, 2026. To date, no objections to the Settlement or the Plan of Allocation have been entered on this Court's docket or have otherwise been received by Lead Counsel. Lead Counsel

will file reply papers by June 22, 2026, that will address any objections, if any, that may be received.

V. ALLOCATION OF THE NET PROCEEDS OF THE SETTLEMENT

64. Pursuant to the Preliminary Approval Order, and as set forth in the Notice, all Settlement Class Members who want to participate in the distribution of the Net Settlement Fund (*i.e.*, the \$11 million dollars in the Escrow Account, plus interest earned thereon, less: (i) any Taxes; (ii) any Notice and Administration Costs; (iii) any Litigation Expenses awarded by the Court; and (iv) any attorneys' fees awarded by the Court) must submit a valid Claim Form with all required information either online or postmarked no later than May 13, 2026. The Net Settlement Fund will be distributed among Authorized Claimants according to the proposed Plan of Allocation, subject to Court approval.⁸

65. The proposed Plan of Allocation was developed by Plaintiffs' damages consultant in conjunction with Lead Counsel, and is based on a theory of damages consistent with Section 11 of the Securities Act, including its statutory damages formula, and reflects an assessment of the damages that Plaintiffs contend could have been recovered under the theories of liability asserted in the Action. The objective of the Plan of Allocation is to equitably distribute the Settlement proceeds to those Settlement Class Members who suffered economic losses as a proximate result of the alleged wrongdoing. The calculations made pursuant to the Plan of Allocation are not intended to be estimates of, nor indicative of, the amounts that Settlement Class Members might have been able to recover after a trial.

66. Under the Plan of Allocation, a "Recognized Loss Amount" will be calculated for each purchase or acquisition of Hub common stock pursuant or traceable to the Offering

⁸ The Plan of Allocation is detailed in the Notice. *See* Bravata Decl., Ex. 5-C (Notice) at ¶¶50-66.

Documents. An individual Claimant's recovery under the Plan of Allocation will depend on a number of factors, including, *inter alia*: (i) how many shares of publicly traded Hub common stock the Claimant purchased, acquired, or sold during the Settlement Class Period (*i.e.*, March 1, 2023 through July 31, 2023, both dates inclusive); (ii) whether the Hub common stock was acquired through the Business Combination between Hub Cyber Security (Israel) Ltd. ("Legacy Hub") and Mount Rainier or purchased on the open market during the Settlement Class Period; (iii) when that Claimant bought, acquired, or sold the stock; and (iv) the number of valid claims filed by other Claimants.

67. For purposes of the Plan of Allocation, it is assumed that Plaintiffs would prevail on their claims under Sections 11 and 12(a)(2) of the Securities Act, including being able to prove that the Offering Documents contained material misstatements or omissions at the time the Offering Documents became effective. The Plan of Allocation further assumes that investors who held publicly traded Mount Rainier shares that were converted into Hub common stock in the Business Combination are entitled to an upward adjustment to their Recognized Loss Amount because the Court ruled that only holders of Mount Rainier shares had standing to bring 12(a)(2) claims. Accordingly, the Recognized Loss Amount for such Mount Rainier shares will be increased by fifty percent (50%) by multiplying the Recognized Loss Amount by 1.5.

68. Under the Plan of Allocation, the sum of a Claimant's Recognized Loss Amounts will be the Claimant's "Recognized Claim," and the Net Settlement Fund will be allocated to Authorized Claimants on a *pro rata* basis based on the relative size of their Recognized Claims, subject to a \$10.00 minimum distribution. Bravata Decl., Ex. 5-C (Notice) at ¶¶58, 63. More precisely, an Authorized Claimant's *pro rata* share shall be the Authorized Claimant's Recognized

Claim divided by the total of Recognized Claims of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund. Bravata Decl., Ex. 5-C (Notice) at ¶63.

69. If the prorated payment to be distributed to any Authorized Claimant is less than \$10.00, no distribution will be made to that Authorized Claimant. Bravata Decl., Ex. 5-C at ¶63. Any prorated amounts of less than \$10.00 will be included in the pool distributed to those Authorized Claimants whose prorated payments are \$10.00 or greater. In Lead Counsel's experience, processing and sending a check for less than \$10.00 is cost prohibitive.⁹

70. In sum, the Plan of Allocation was designed to allocate the proceeds of the Net Settlement Fund among Settlement Class Members based on the losses they suffered on transactions in Hub Securities that were attributable to the conduct alleged in the Complaint. Accordingly, Lead Counsel respectfully submit that the Plan of Allocation is fair and reasonable and should be approved by the Court.

71. To date, no objections to the proposed Plan of Allocation have been received or filed on the Court's docket.

VI. LEAD COUNSEL'S REQUEST FOR ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

72. In addition to seeking final approval of the Settlement and Plan of Allocation, Lead Counsel are applying for a fee award of 33⅓% of the Settlement Fund (or \$3,666,666, plus interest earned at the same rate as the Settlement Fund) on behalf of all Plaintiffs' Counsel.¹⁰ Lead Counsel

⁹ If any funds remain after an initial distribution to Authorized Claimants, as a result of uncashed or returned checks or other reasons, subsequent distributions will be conducted as long as they are cost effective. Bravata Decl., Ex. 5-C (Notice) at ¶64. At such time as it is determined that the re-distribution of funds remaining in the Net Settlement Fund is not cost-effective, the remaining balance shall be contributed to non-sectarian, not-for-profit organization(s), to be recommended by Lead Counsel and approved by the Court. *Id.*

¹⁰ As discussed *supra*, Lead Counsel are GPWR and Sabo Law. Pomerantz LLP ("Pomerantz") served as additional Plaintiffs' Counsel at the direction of Lead Counsel. As disclosed in the

also request reimbursement of Litigation Expenses in the amount of \$126,092.83, comprised of \$96,092.83 in out-of-pocket expenses that Lead Counsel incurred in connection with the prosecution of this action from the Settlement Fund, and a total of \$30,000 to Plaintiffs for their reasonable costs (including for time spent) in connection with their role as representative plaintiffs in the Action. The total Litigation Expenses amount of \$126,092.83 is well below the maximum expense amount of \$205,000 set forth in the Notice.

73. As set forth in the accompanying Fee Memorandum, the requested 33⅓% award is well within the range of fee awards in other comparable class action settlements, and the resulting multiplier on Plaintiffs' Counsel's lodestar of approximately 1.69 strongly supports the reasonableness of the requested attorneys' fee. The legal authorities supporting the requested fees and expenses are set forth in the concurrently filed Fee Memorandum. The primary factual bases for the requested fees and expenses are set forth below.

A. The Fee Application

74. Lead Counsel seek, on behalf of all Plaintiffs' Counsel, an award of attorneys' fees in the amount of 33⅓% of the Settlement Fund (which, by definition, includes interest accrued thereon). The requested fee is well within the range of percentages courts in this Circuit and elsewhere have awarded in similarly complex cases. *See* Ex. 14 (Table of Select Second Circuit Cases with 33% or Higher Fee Awards). Moreover, as set forth below and in the Fee Memorandum, the requested fee is amply supported by the particular facts of this case.

Notice, pursuant to a fee sharing agreement, additional Plaintiffs' Counsel Pomerantz will receive up to 20% of any attorneys' fees awarded by the Court. Ex. 5-C at ¶67 n.7.

1. The Excellent Outcome Achieved Is The Result Of The Significant Time And Labor That Plaintiffs' Counsel Devoted To The Action

75. Attached hereto as Exhibits 8-9 are declarations from GPWR and Pomerantz in support of an award of attorneys' fees and reimbursement of litigation expenses. Each declaration sets forth a table reflecting the position, hours, rate, and total lodestar of each individual who worked on this case, a summary of expenses by category, and attaches a firm résumé. The following is a summary chart of the hours expended and lodestar amounts using current rates for GPWR and Pomerantz:

LAW FIRM	HOURS	LODESTAR
GLANCY PRONGAY WOLKE & ROTTER LLP	2,146.75	\$2,112,696.50
POMERANTZ LLP	77.98	\$58,194.00
TOTAL	2,224.73	\$2,170,890.50

76. It is my understanding that, consistent with the practice of many law firms in Israel, Sabo Law does not keep daily time records, and it did not do so in this case. While Sabo Law estimates that it spent approximately 350 hours working on the litigation and has summarized the work it performed in the Action, Lead Counsel are not including this time in the cross-check analysis. Ex. 7, ¶¶2-4.

77. The lodestar charts presented in the declarations were prepared from contemporaneous daily time records regularly prepared and maintained by each respective firm. Ex. 9 at ¶3; Ex. 8 at ¶3. Time expended on the Fee Memorandum has not been included in these calculations. Ex. 9 at ¶4; Ex. 8 at ¶4. Plaintiffs' Counsel will not request or receive any additional compensation for the time they will subsequently spend preparing their reply papers, preparing for and attending the final approval hearing, overseeing the claims administration process, responding to Settlement Class Members' inquiries regarding the Settlement, and preparing the Motion for Class Distribution Order.

78. As set forth in detail in Exhibits 8-9, Plaintiffs' Counsel (not including Sabo Law's estimated 350 hours) have collectively expended a total of 2,224.73 hours in the investigation, prosecution and settlement of the Action. The resulting total lodestar is \$2,170,890.50. The requested fee of 33⅓% of the Settlement Fund equals \$3,666,666 (plus interest earned at the same rate as the Settlement Fund), and therefore represents a multiplier of 1.69 to Plaintiffs' Counsel's lodestar. Such a multiplier is reasonable and well within the range of fee multipliers typically awarded in comparable securities class actions and in other class actions involving significant contingency fee risk, in this Circuit and elsewhere.

79. Additionally, the rates billed by Plaintiffs' Counsel (ranging from \$450-\$900 per hour for non-partner attorneys and \$1,000-\$1,390 per hour for partners) are comparable to peer plaintiff and defense firms litigating matters of similar magnitude. *See* Ex. 6 (table of peer plaintiff and defense law firm billing rates).

2. The Magnitude And Complexity Of The Action

80. As detailed in the Fee Memorandum, securities class action cases are notoriously complex. This case was no different. This action presented complex issues not only relating to the law applicable to securities class action claims, but also including the need for Lead Counsel to understand, among other things, the intricacies of the business combination at issue here and the representations made in connection therewith. The complexities were further heightened given the case's international dimension, involving multiple foreign parties and witnesses

81. The high-stakes magnitude of the case is amply demonstrated by the estimate of total maximum damages of approximately \$178.5 million against the viability of the Company set forth above in ¶¶46-47.

3. The Significant Risks Borne By Plaintiffs' Counsel

82. This prosecution was undertaken by Plaintiffs' Counsel on an entirely contingent-fee basis. From the outset, this action was a difficult and highly uncertain securities case. There was no guarantee that Lead Counsel would ever be compensated for the substantial investment of time and money the case would require. In undertaking that responsibility, Lead Counsel was obligated to ensure that sufficient resources were dedicated to the prosecution of the action, that funds were available to compensate attorneys and staff, and that the considerable litigation costs required by a case like this one were covered. With an average lag time of many years for complex cases like this to conclude, the financial burden on contingent-fee counsel is far greater than on a firm that is paid on an ongoing basis. Plaintiffs' Counsel received no compensation during the course of the action and incurred \$96,092.83 in out-of-pocket litigation-related expenses in prosecuting this action.

83. Additionally, Plaintiffs and Lead Counsel developed and then alleged the Exchange Act claims without information gained through subpoena power, hindered by the PSLRA's automatic discovery stay. *See* 15 U.S.C. § 77z-1(b)(1).

84. Moreover, despite the most vigorous and competent of efforts, success in contingent-fee litigation like this one is never assured. Lead Counsel know from experience that the commencement of a class action does not guarantee a settlement. *See* ¶43, *supra*. On the contrary, it takes hard work and diligence by skilled counsel to develop the facts and theories that are needed to sustain a complaint or win at trial, or to induce sophisticated defendants to engage in serious settlement negotiations.

4. The Quality Of Representation, Including The Result Obtained, The Experience And Expertise Lead Counsel, And The Standing And Caliber Of Defendants' Counsel

85. As demonstrated by the firm résumé attached hereto as Ex. 9-C, GPWR is a highly experienced and skilled law firm that focuses its practice on securities class action litigation. Indeed, GPWR has substantial experience in litigating securities fraud class actions and has negotiated scores of other class settlements, which have been approved by courts throughout the country. GPWR enjoys a well-deserved reputation for skill and success in the prosecution and favorable resolution of securities class actions and other complex civil matters. GPWR's experience added valuable leverage in the settlement negotiations. Pomerantz is also well experienced in securities litigation (*see* Ex. 8-C (Pomerantz firm résumé)), and Sabo Law has prosecuted securities class actions in the U.S., engaged in business litigation in Israel, and was extremely important to this litigation given that the alleged wrongdoing took place in Israel.

86. Additionally, the quality of the work performed by Lead Counsel in obtaining the Settlement should also be evaluated in light of the quality of the opposition. Here, Defendants were represented by Pillsbury Winthrop Shaw Pittman LLP and Pierson Ferdinand LLP, both of which are experienced and skilled counsel that vigorously and aggressively represented the interests of their clients throughout this Action. In the face of this experienced opposition, Lead Counsel was able to develop a case that was sufficiently strong to nonetheless persuade Defendants to settle the case on terms that were highly favorable to the Settlement Class.

5. The Requested Fee In Relation To The Settlement

87. The amount of the fee requested (33⅓%) in relation to the Settlement Amount is fair and reasonable. Courts routinely award fees of 33⅓% in securities class action settlements. *See* Fee Memorandum, Section III.C.1.

6. The Reaction Of The Settlement Class Supports Lead Counsel's Fee Request

88. As noted above, as of May 18, 2026, 35,297 potential Settlement Class Members were notified either by mailed Postcard Notice and/or emailed the link to the Notice Packet. Bravata Decl. ¶9. Both the Postcard Notice and Notice informed Settlement Class Members that Lead Counsel would apply for an award of attorneys' fees in an amount not to exceed 33⅓% of the Settlement Fund. Exs. 5-A (Postcard Notice), & 5-C (Notice), ¶¶5, 67. To date, no objection to the maximum potential attorneys' fees request has been received or entered on this Court's docket. Any objection received after the date of this filing will be addressed in Lead Counsel's reply papers, which are to be filed by June 22, 2026.

7. Plaintiffs Support Lead Counsel's Fee Request

89. As set forth in the declarations submitted by Plaintiffs Aryeh Agam, Shimon Aharon, Rodrigue Fodjo, and Dustin Green, Plaintiffs have concluded that Lead Counsel's requested fee is fair and reasonable based on the work performed, the recovery obtained for the Settlement Class, and the risks of the action. *See* Ex. 10 ("Agam Decl."), ¶¶9-11; Ex. 11 ("Aharon Decl."), ¶¶9-11; Ex. 12 ("Fodjo Decl."), ¶¶9-11; Ex. 13 ("Green Decl."), ¶¶9-11. These Plaintiffs have been closely involved in this litigation, and their endorsement of Lead Counsel's fee request supports the reasonableness of the request and should be given weight in the Court's consideration of the fee award.

B. Reimbursement Of The Requested Litigation Expenses Is Fair and Reasonable

90. Lead Counsel, on behalf of all Plaintiffs' Counsel, seeks a total of \$126,092.83 in Litigation Expenses to be paid from the Settlement Fund.¹¹ This amount includes: \$96,092.83 in

¹¹ As set forth in the Declaration of Jacob Sabo, Sabo Law incurred expenses for: (a) travel from Israel to the United States and back, as well as the expenses of staying in New York City during

out-of-pocket expenses reasonably and necessarily incurred by Plaintiffs' Counsel in connection with commencing, litigating, and settling the claims asserted in the action; as well as a total of \$30,000 (\$10,000 each to the two Lead Plaintiffs, and \$5,000 each for the two named Plaintiffs), pursuant to 15 U.S.C. § 77z-1(a)(4) for their reasonable costs (including lost wages) directly incurred in connection with their representation of the Settlement Class. *See* Agam Decl., ¶¶12-13; Aharon Decl., ¶¶12-13; Fodjo Decl., ¶¶12-13; Green Decl. ¶¶12-13.

91. The following is a combined breakdown by category of all out-of-pocket costs and expenses incurred by Plaintiffs' Counsel:

CATEGORY OF EXPENSE	AMOUNT
COURIER AND SPECIAL POSTAGE	\$458.66
COURT FILING FEES	\$1,002.00
DOCUMENT MANAGEMENT (E-DISCOVERY)	\$1,200.00
EXPERTS - ECONOMETRIC (LOSS CAUSATION, DAMAGES, PLAN OF ALLOCATION)	\$32,299.00
PRIVATE INVESTIGATORS	\$2,925.00
MEDIATORS	\$21,822.88
ONLINE RESEARCH	\$6,925.05
PHOTOIMAGING	\$205.83
PRESS RELEASE	\$600.00
SERVICE OF PROCESS	\$14,440.42
TRANSCRIPTS	\$193.50
TRANSLATIONS	\$5,476.86
TRAVEL AIRFARE	\$3,985.19
TRAVEL AUTO	\$723.59
TRAVEL HOTEL	\$3,507.88
TRAVEL MEALS	\$326.97
GRAND TOTAL	\$96,092.83

92. Expenses incurred by GPWR and Pomerantz are set forth in the accompanying declarations of each firm. *See* Exs. 8-9.

the Lead Plaintiff hearing and mediation; and (b) in meeting and discussing the action with Lead Plaintiffs in Israel. Sabo Law is not, however, seeking reimbursement for these expenses. Ex. 7, ¶5.

93. Both the Postcard Notice and Notice informed Settlement Class Members that Lead Counsel would be seeking reimbursement of Litigation Expenses in an amount not to exceed \$205,000 (\$175,000 for Plaintiffs' Counsel's out of pocket expenses and \$30,000 for the Plaintiffs pursuant to the PSLRA). Exs. 5-A (Postcard Notice), 5-C (Notice), ¶¶5, 67. The \$96,092.83 requested by Lead Counsel on behalf of all Plaintiffs' Counsel and Plaintiffs, falls well below that amount. To date, no objections have been raised as to the maximum amount of expenses set forth in the Notice and Postcard Notice. Any objection received after the date of this filing will be addressed in Lead Counsel's reply papers, which are to be filed by June 22, 2026.

94. From the beginning of the case, Lead Counsel were aware that they might not recover their out-of-pocket expenses. Lead Counsel also understood that, even assuming the case was ultimately successful, reimbursement for expenses would not compensate them for the contemporaneous lost use of funds advanced to prosecute this Action. Accordingly, Lead Counsel were motivated to, and did, take steps to assure that only necessary expenses were incurred for the vigorous and efficient prosecution of the case.

95. The largest component of expenses, \$32,299.00, or approximately 33.61% of the total out of pocket expenses, was for the retention of experts in loss causation and damages, in connection with Plaintiffs' Counsel's research for the drafting of the Complaint, the mediation process, and the drafting of the proposed Plan of Allocation.

96. Additionally, Plaintiffs' Counsel paid \$21,822.88, or approximately 22.71% of the total out of pocket expenses, on mediation fees for the services that Jed Melnick, Esq. and his firm provided.

97. Another large component of expenses, \$14,440.42, or approximately 15.02% of the total out of pocket expenses, was expended on serving the Individual Defendants in Israel.

98. Lead Counsel also paid \$5,476.86, or approximately 5.69% of the total out of pocket expenses, on translation services.

99. The other litigation expenses for which Lead Counsel seek reimbursement are the types of expenses that are necessarily incurred in litigation and routinely charged to clients billed by the hour. These litigation expenses included, among other things, use of an online discovery platform, travel-related expenses, and the cost of on-line legal research.¹²

100. Finally, as stated above, Plaintiffs seek reimbursement, pursuant to 15 U.S.C. § 77z-1(a)(4), of their reasonable costs (including lost wages) directly incurred in connection with their representation of the Settlement Class, in the total amount of \$30,000 (comprised of \$10,000 to Lead Plaintiffs Aryeh Agam and Shimon Aharon, and \$5,000 each to additional named Plaintiffs Rodrigue Fodjo and Dustin Green). *See* Agam Decl., ¶¶12-13; Aharon Decl., ¶¶12-13; Fodjo Decl., ¶¶12-13; Green Decl. ¶¶12-13.

101. Plaintiffs worked closely with Plaintiffs' Counsel throughout the pendency of this action. For example, Plaintiffs: (a) produced their trading records to Plaintiffs' Counsel; (b) Aryeh Agam and Shimon Aharon moved to be appointed lead plaintiffs in the Action; (c) communicated with their attorneys regarding the posture and progress of the case; (d) reviewed significant pleadings and briefs filed in this action; (e) reviewed significant Court orders and discussed them with their attorneys; (f) provided documents in response to Defendants' requests for the production of documents; (g) consulted with Plaintiffs' Counsel regarding the settlement negotiations; and (k) evaluated and approved the proposed Settlement. *See* Agam Decl., ¶¶4-5; Aharon Decl., ¶¶4-5; Fodjo Decl., ¶¶4-5; Green Decl., ¶¶4-5.

¹² Travel expenses relate primarily to attendance at the mediation and the motion for final approval of class action settlement.

102. To date, no objections to the Litigation Expenses have been filed on the Court's docket or received by Lead Counsel. In my opinion, the Litigation Expenses incurred by Plaintiffs' Counsel and Plaintiffs were reasonable and necessary to represent the Settlement Class and achieve the Settlement.

VII. CONCLUSION

103. For all the reasons set forth above, I respectfully submit that the Settlement and Plan of Allocation should be approved as fair, reasonable, and adequate. I further submit that the requested attorneys' fee in the amount of 33⅓% of the Settlement Fund should be approved as fair and reasonable, and the request for reimbursement of Litigation Expenses, consisting of \$96,092.83 in out-of-pocket costs and \$30,000 in aggregate awards to Plaintiffs for their costs, should also be approved.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 21st day of May, 2026, in Los Angeles, California.

/s/ Casey E. Sadler

Casey E. Sadler

EXHIBIT 1

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 20-F

(Mark One)

☐ REGISTRATION STATEMENT PURSUANT TO SECTION 12(b) OR SECTION 12(g) OF THE SECURITIES EXCHANGE ACT OF 1934

OR

☒ ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 2024

OR

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from to

OR

☐ SHELL COMPANY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

Date of event requiring this shell company report

Commission file number: 001-41634



HUB Cyber Security Ltd.

(Exact name of Registrant as specified in its charter)

Not Applicable

(Translation of Registrant's name into English)

State of Israel

(Jurisdiction of incorporation or organization)

2 Kaplan St.

Tel Aviv, Israel 6473403

(Address of principal executive offices)

Noah Hershcoviz

Chief Executive Officer

+972-3-791-3200

HUB Cyber Security Ltd.

2 Kaplan St.

Tel Aviv, Israel 6473403

(Name, Telephone, E-mail and/or Facsimile number and Address of Company Contact Person)

Securities registered or to be registered, pursuant to Section 12(b) of the Act

Title of each class	Trading Symbol(s)	Name of each exchange on which registered
Ordinary shares, no par value	HUBC	Nasdaq Stock Market LLC
Warrants to purchase ordinary shares	HUBCW	Nasdaq Stock Market LLC
Warrants to purchase ordinary shares	HUBCZ	Nasdaq Stock Market LLC

Securities registered or to be registered pursuant to Section 12(g) of the Act: None

Securities for which there is a reporting obligation pursuant to Section 15(d) of the Act: None

We have commenced legal actions in Israel against Ms. Bitan and against Mr. Moshe to dispute their requests for severance payments in accordance with Israeli law. Two actions were undertaken against Ms. Bitan. In the initial action, the court granted an injunction preventing her from accessing her accumulated severance package. In the second action, it was requested that the court order that these sums be returned to the Company. In the action against Mr. Moshe, the court was requested to grant an injunction against accessing the accumulated severance package and to order the return of the sums to us. These actions are time limited, so the initial action against Ms. Bitan was initiated prior to the completion of the Special Committee Report and as such was based upon the limited information known at that time. The preliminary hearing in both of these cases is set for the September 2025 and both will be heard in front of the same judge who granted the injunction against Ms. Bitan. For further details please refer to Item 8. “Financial Information—Consolidated Statements and Other Financial Information—Legal and Arbitration Proceedings” below.

There can be no assurance that Mr. Moshe, Ms. Bitan or others will not bring forth any claims or commence any litigation against us in connection with Mr. Moshe’s dismissal, his resignation from the board, our challenging Ms. Bitan’s severance payments or the publication of the Special Committee’s findings from the Internal Investigation.

Further, we incurred substantial costs and diverted management resources in connection with the Internal Investigation, and the Internal Investigation itself caused us to fail to timely file our Annual Reports on Form 20-F for the fiscal years ended December 31, 2022 and 2023 with the SEC. We may also incur material costs associated with our indemnification arrangements with our current and former directors and certain of our officers, as well as other indemnitees related to law suits or regulatory proceedings that have arisen and may arise in the future from the Internal Investigation.

Our reported material weaknesses in internal control over financial reporting subjects us to additional litigation and regulatory examinations, investigations, proceedings or court orders, including additional cease and desist orders, the suspension of trading of our securities, delisting of our securities, the assessment of civil monetary penalties and other equitable remedies. In addition, the remediation of the material weaknesses (set forth below in Item 15. “Controls and Procedures”) will require us to incur additional costs and to divert management resources in the upcoming periods, which could adversely affect our business, financial condition, results of operations, and growth prospects.

We are a company with a history of net losses and anticipate that we may incur net losses for the foreseeable future and may never be profitable. Moreover, our independent registered public accounting firm’s report, contained herein, includes an explanatory paragraph that expresses substantial doubt about our ability to continue as a going concern, indicating the possibility that we may not be able to continue to operate in the future.

We have incurred net losses in each year since our inception, including net losses (including discontinued operations) of \$39.1 million, \$86.6 million and \$80 million in the years ended December 31, 2024, 2023, and 2022, respectively. In addition, we may continue to incur net losses for the foreseeable future, and we may not achieve or maintain profitability in the future. Because the market for our network security solutions and products is rapidly evolving and has not yet reached widespread adoption, it is difficult for us to predict our future results of operations or the limits of our market opportunity. We cannot be certain when, if ever, we will become profitable. Even if we were to become profitable, we might not be able to sustain such profitability on a quarterly or annual basis.

Primarily because of our losses incurred to date, our expected continued future losses, our independent registered public accounting firm has included in its report an explanatory paragraph expressing substantial doubt about our ability to continue as a going concern. We are generating negative cash flow, requiring constant and immediate cash injections to continue to operate, failing to meet obligations as they become due, including financial, suppliers debts and other ordinary course of operations costs. In addition, and as a result of our ongoing operating losses, we had outstanding liabilities that could not be met by our revenues, including payments due to our debt holders, vendors and service providers, which led into situation where a hold was placed on certain of our bank accounts. Since May 2024, we have been unable to make required deposits in employee pension and severance funds or to pay required withholding taxes on employee compensation payment. Certain of our subsidiaries also did not make timely tax filings with the ITA for several years. We have reached a settlement agreement with the unsecured creditors of Comsec creditors and are in process to remove two applications that were submitted to court to declare the Company and Comsec as insolvent. For more information about those application please refer to Item 8. “Financial Information—Consolidated Statements and Other Financial Information—Legal and Arbitration Proceedings” below. Our ability to continue as a going concern is contingent upon, among other factors, the sale of ordinary shares to obtain additional funding to support our operations and/or obtaining alternate financing and the ability to cure our outstanding defaults or that these obligations may be negotiated on terms that are favorable to us, if at all. Management currently believes that it will be necessary for us to secure additional funds to continue our existing business operations and to fund our obligations. We have raised and will continue to seek to raise additional funds during 2025 through a variety of equity and/or debt financing arrangements; however, there can be no assurance that we will be able to obtain funds on commercially acceptable terms, if at all. If we cannot generate sufficient revenues, reduce cost and/or secure additional financing on acceptable terms, we may be required to, among other things, alter our business strategy, significantly curtail or discontinue operations or obtain funds by entering into financing agreements on unattractive terms. See “*We will be required to raise additional funds in the near future in order to execute our business plan and these funds may not be available to us when we need them. If we cannot raise additional funds when we need them, our business, prospects, financial condition and operating results could be negatively affected*” below for additional information.

Our future capital requirements will depend on many factors, including, but not limited to our growth, market acceptance of our offerings, the timing and extent of spending to support our efforts to develop our platform, and the expansion of sales and marketing activities. We are required to seek additional equity or debt financing. If additional financing is required from outside sources, we may not be able to raise it on terms acceptable to us or at all. If we issue additional equity securities to raise additional funds, further dilution to existing shareholders may occur. However, we cannot predict with certainty the outcome of our actions to generate liquidity, including the availability of additional financing. If we are unable to raise additional capital when desired, our business, financial condition, and results of operations could be adversely affected.

As a result of liquidity and cash flow concerns that have arisen resulting from our business operations, together with the Internal Investigation, we face significant uncertainty regarding the adequacy of our liquidity and capital resources and our ability to repay our obligations as they become due. We are generating negative cash flow, requiring constant and immediate cash injections to continue to operate, and are failing to meet obligations as they become due, including financial, suppliers debts and other ordinary course of operations costs. In addition, and as a result of our ongoing operating losses, we had outstanding liabilities that could not be met by our revenues, including payments due to our debt holders, vendors and service providers, and since May 2024, we have been unable to make required deposits in employee pension and severance funds or to pay required withholding taxes on employee compensation payments. Certain of our subsidiaries also did not make timely tax filings with the ITA for several years.

In November 2024, we reached a settlement agreement with the unsecured creditors of Comsec, subject to which we will pay NIS 1,800,000 spread over 36 months.

In February 2025, we reached a settlement agreement with Oppenheimer & Co., Inc. ("Oppenheimer") for \$3 million, with \$1.1 million being paid on the effective date and the remaining balance payable in ten monthly payments of \$200,000 from March to December 2025 (with the first payment being \$100,000). As part of the settlement arrangement, Claymore Capital Pty Ltd. ("Claymore") agreed to make on the Company's behalf, all the payments that the Company is required to make under the settlement agreement with Oppenheimer. In consideration, the Company issued Claymore a convertible note in the principal amount of \$6 million. The note does not bear interest and is repayable by way of conversion into the Company's ordinary shares on February 18, 2030, subject to earlier conversion by Claymore.

In February 2025, we also reached a settlement agreement with Dominion Capital LLC and its affiliates (together, "Dominion") for \$4.5 million, with \$400,000 being payable by February 21, 2025, \$200,000 payable by March 3, 2025 and the remaining balance payable in ten monthly payments of \$390,000 from March to December 2025. As part of the settlement arrangement, Claymore agreed to make on the Company's behalf all the payments that the Company is required to make under the settlement agreement with Dominion. In consideration, the Company issued Claymore a convertible note in the principal amount of \$7.5 million. The note does not bear interest and is repayable by way of conversion into the Company's ordinary shares on February 20, 2030, subject to earlier conversion by Claymore.

The significant uncertainty regarding our liquidity and capital resources and our ability to repay our obligations as they become due, provides substantial doubt about our ability to continue as a going concern for the next twelve months from the date of issuance of this Annual Report. The Company's management is closely monitoring the situation and has been attempting to alleviate the liquidity and capital resources concerns through workforce reductions, interim financing facilities and other capital raising efforts.

Following the filing of this Annual Report, we expect to be able to obtain additional sources of debt and equity financing, together with additional revenues from new business opportunities and has engaged with potential investors with regards to such financing alternatives. However, such opportunities remain uncertain and are predicated upon events and circumstances which are outside our control. The inability to borrow or raise sufficient funds on commercially reasonable terms, would have serious consequences to our financial condition and results of operations.

Our ability to continue as a going concern is contingent upon, among other factors, the sale of ordinary shares to obtain additional funding to support our operations and/or obtaining alternate financing. Management currently believes that it will be necessary for us to secure additional funds to continue our existing business operations and to fund our obligations. We have raised and will continue to seek to raise additional funds during 2025 through a variety of equity and/or debt financing arrangements; however, there can be no assurance that we will be able to obtain funds on commercially acceptable terms, if at all. If we cannot generate sufficient revenues, reduce cost and/or secure additional financing on acceptable terms, we may be required to, among other things, alter our business strategy, significantly curtail or discontinue operations or obtain funds by entering into financing agreements on unattractive terms.



REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

To the Shareholders and Board of Directors of

HUB CYBER SECURITY LTD.

Opinion on the Financial Statements

We have audited the accompanying consolidated statements of the financial position of Hub Cyber Security Ltd. (the Company) as of December 31, 2024 and 2023, the related consolidated statements of profit or loss, comprehensive income (loss), changes in equity (deficit) and cash flows for each of the three years in the period ended December 31, 2024, and the related notes (collectively referred to as the “consolidated financial statements”). In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Company as of December 31, 2024 and 2023, and the results of its operations and its cash flows for each of the three years in the period ended December 31, 2024, in conformity with International Financial Reporting Standards (IFRS) as issued by the International Accounting Standard Board (IASB).

The Company’s Ability to Continue as a Going Concern

The accompanying consolidated financial statements have been prepared assuming that the Company will continue as a going concern. As discussed in Note 1e, to the financial statements, as of December 31, 2024, the Company has incurred accumulated losses in the amount of \$226,245 thousand, has negative working capital in the amount of \$87,672 thousand, has not complied with certain covenants of a loan agreement with a bank, is currently in default on covenants and payments required under other debt facilities it currently has outstanding, has net cash used from operating activities in the amount of \$17,110 thousand for the year ended on December 31, 2024, and has stated that substantial doubt exists about the Company’s ability to continue as a going concern. Management’s evaluation of the events and conditions and management’s plans regarding these matters are also described in Note 1e. The consolidated financial statements do not include any adjustments that might result from the outcome of this uncertainty.

Basis for Opinion

These financial statements are the responsibility of the Company’s management. Our responsibility is to express an opinion on the Company’s financial statements based on our audits. We are a public accounting firm registered with the Public Company Accounting Oversight Board (United States) (PCAOB) and are required to be independent with respect to the Company in accordance with the U.S. federal securities laws and the applicable rules and regulations of the Securities and Exchange Commission and the PCAOB.

We conducted our audits in accordance with the standards of the PCAOB. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether due to error or fraud. The Company is not required to have, nor were we engaged to perform, an audit of its internal control over financial reporting. As part of our audits, we are required to obtain an understanding of internal control over financial reporting but not for the purpose of expressing an opinion on the effectiveness of the Company’s internal control over financial reporting. Accordingly, we express no such opinion.

Our audits included performing procedures to assess the risks of material misstatement of the financial statements, whether due to error or fraud, and performing procedures that respond to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Our audits also included evaluating the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that our audits provide a reasonable basis for our opinion.

/s/ KOST FORER GABBAY & KASIERER

A Member of EY Global

We have served as the Company’s auditor since 2021.

Tel-Aviv, Israel
April 30, 2025

EXHIBIT 2



HUB Cyber Security Announces Receipt of Nasdaq Notification Regarding Market Value of Listed Securities Requirement

January 27, 2026 1:45 PM EST

TEL AVIV, Israel, Jan. 27, 2026 (GLOBE NEWSWIRE) -- **HUB Cyber Security Ltd.** (Nasdaq: HUBC) ("**HUB**" or the "**Company**"), a global leader in confidential computing and secured data fabric technologies, today announced that it received a letter from The Nasdaq Stock Market LLC ("**Nasdaq**"), notifying the Company that it is currently not in compliance with Nasdaq Listing Rule 5550(b)(2), which requires the Company to maintain a minimum Market Value of Listed Securities of US\$35 million ("**MVLS**") for continued listing on The Nasdaq Capital Market (the "**MVLS Requirement**"). This press release is issued pursuant to Nasdaq Listing Rule 5810(b), which requires prompt disclosure of receipt of a deficiency notification. The notification has no immediate effect on the listing of the Company's ordinary shares, which will continue to trade uninterrupted on Nasdaq under the ticker "HUBC."

Pursuant to Nasdaq Listing Rule 5810(c)(3)(C), the Company has a compliance period of 180 calendar days, or until July 20, 2026 (the "**Compliance Period**"), to regain compliance with Nasdaq's MVLS Requirement. If at any time during the Compliance Period, the Company's MVLS closes at US\$35 million or more for a minimum of 10 consecutive business days, Nasdaq will provide the Company written confirmation of compliance and the matter will be closed. If the Company fails to regain compliance within the Compliance Period, the Company will receive written notification that its securities are subject to delisting, and it would have the right to a hearing before an independent panel pursuant to the procedures set forth in the applicable Nasdaq Listing Rules. The hearing request would stay any suspension or delisting action pending the conclusion of the hearing process. However, there can be no assurance, if the Company does appeal the delisting determination by Nasdaq to the hearings panel, that such appeal would be successful.

The Company intends to take all reasonable measures available to regain compliance with MVLS Requirement under the Nasdaq Listing Rules and to remain listed on Nasdaq. However, there can be no assurances that the Company would ultimately be able to regain compliance with all applicable requirements for continued listing on the Nasdaq Capital Market.

About HUB Cyber Security Ltd.

HUB Cyber Security Ltd. (Nasdaq: HUBC) is a global leader in confidential computing, AI-driven data fabric, and cybersecurity. HUB's Secured Data Fabric (SDF) empowers organizations to virtualize, secure, and analyze sensitive data across borders and silos generating real-time intelligence while meeting the highest regulatory standards. With operations across North America, Europe, and Israel, HUB partners with Fortune 100 companies, global banks, and sovereign institutions to secure the next generation of digital infrastructure.

Forward-Looking Statements

This press release contains forward-looking statements for purposes of the safe harbor provisions under the United States Private Securities Litigation Reform Act of 1995. Forward-looking statements are typically identified by words such as "plan," "believe," "expect," "anticipate," "intend," "outlook," "estimate," "future," "forecast," "project," "continue," "could," "may," "might," "possible," "potential," "predict," "seem," "should," "will," "would" and other similar words and expressions, but the absence of these words does not mean that a statement is not forward-looking.

The forward-looking statements are based on the current expectations of the management of HUB, as applicable, and are inherently subject to uncertainties and changes in circumstances and their potential effects and speak only as of the date of such statement. There can be no assurance that future developments will be those that have been anticipated. These forward-looking statements involve a number of risks, uncertainties, or other assumptions that may cause actual results or performance to be materially different from those expressed or implied by these forward-looking statements. These risks and uncertainties include, but are not limited to, those discussed and identified in public filings made with the SEC by HUB and the following: (i) the Company's ability to meet stock exchange continued listing standards and remain listed on the Nasdaq; (ii) significant uncertainty regarding the adequacy of HUB's liquidity and capital resources and its ability to repay its obligations as they become due; (iii) the war between Israel and Hamas commenced in October 2023, which may harm Israel's economy and HUB's business; (iv) expectations regarding HUB's strategies and future financial performance, including its future business plans or objectives, prospective performance and opportunities and competitors, revenues, products and services, pricing, operating expenses, market trends, liquidity, cash flows and uses of cash, capital expenditures, and HUB's ability to invest in growth initiatives and pursue acquisition opportunities; (v) the outcome of any legal or regulatory proceedings against HUB in connection with our previously announced internal investigation or otherwise; (vi) competition, the ability of HUB to grow and manage growth profitably, maintain relationships with customers and suppliers and retain its management and key employees; (vii) limited liquidity and trading of HUB's securities; (viii) geopolitical risk, including military action and related sanctions, and changes in applicable laws or regulations; (ix) the possibility that HUB may be adversely affected by other economic, business, and/or competitive factors; and (x) other risks and uncertainties set forth in the sections entitled "Risk Factors" and "Cautionary Statement Regarding Forward-Looking Statements" in HUB's Annual Report on Form 20-F filed on May 1, 2025.

Should one or more of these risks or uncertainties materialize or should any of the assumptions made by the management of HUB prove incorrect, actual results may vary in material respects from those expressed or implied in these forward-looking statements.

All subsequent written and oral forward-looking statements concerning HUB or other matters addressed in this press release and attributable to HUB or any person acting on its behalf are expressly qualified in their entirety by the cautionary statements contained or referred to in the press release. Except to the extent required by applicable law or regulation, HUB undertakes no obligation to update these forward-looking statements to reflect events or circumstances after the date of this press release to reflect the occurrence of unanticipated events.

Investor Relations

Lytham Partners
Ben Shamsian

646-829-9701
shamsian@lythampartners.com

EXHIBIT 3

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 6-K

REPORT OF FOREIGN PRIVATE ISSUER
PURSUANT TO SECTION 13A-16 OR 15D-16
UNDER THE SECURITIES EXCHANGE ACT OF 1934

For the month of December 2025

Commission File Number: 001-41634

HUB Cyber Security Ltd.
(Exact Name of Registrant as Specified in Its Charter)

2 Kaplan St.
Tel Aviv 6473403, Israel
+972-3-924-4074
(Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover of Form 20-F or Form-40.

Form 20-F ☒

Form 40-F ☐

CONTENTS

In compliance with Nasdaq Rule 5250(c)(2), HUB Cyber Security Ltd. (the “Company”) hereby furnishes its unaudited condensed consolidated statements of operations and comprehensive loss for the six months ended June 30, 2025, and its unaudited condensed consolidated balance sheet as of June 30, 2025.

The information in this Report on Form 6-K is being furnished and shall not be deemed “filed” for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing made by the Company under the Securities Act of 1933, as amended, or the Exchange Act, except as otherwise set forth herein or as shall be expressly set forth by specific reference in such a filing.

HUB CYBER SECURITY LTD.**INTERIM CONDENSED CONSOLIDATED STATEMENTS OF FINANCIAL POSITION (UNAUDITED)****USD in thousands**

	June 30, 2025	December 31, 2024
ASSETS		
CURRENT ASSETS:		
Cash and cash equivalents	\$ 917	\$ 3,085
Restricted cash and bank deposits	690	528
Trade receivables, net of allowance for credit losses of \$1,025 Thousand and \$768 Thousand on June 30, 2025 and December 31, 2024, respectively	9,347	7,897
Other assets	9,290	6,892
	<u>20,244</u>	<u>18,402</u>
NON-CURRENT ASSETS:		
Long-term restricted deposit	192	165
Property and equipment, net	431	487
Right-of-use assets	2,125	2,151
Goodwill	2,025	1,874
Intangible assets, net	48,268	4,337
	<u>53,041</u>	<u>9,014</u>
	<u>\$ 73,285</u>	<u>\$ 27,416</u>

HUB CYBER SECURITY LTD.**INTERIM CONDENSED CONSOLIDATED STATEMENTS OF FINANCIAL POSITION (UNAUDITED) (Cont.)****USD in thousands**

	June 30, 2025	December 31, 2024
LIABILITIES AND SHAREHOLDERS' EQUITY (DEFICIT)		
CURRENT LIABILITIES:		
Short-term loans	\$ 20,872	\$ 13,534
Convertible loans & related derivatives	28,207	24,763
Warrants liabilities	8,604	13,884
Trade payables	10,405	8,200
Current maturities of lease liabilities	1,008	975
Current maturities of other liabilities	5,336	5,244
Liabilities held for sale	7,178	-
Other accounts payable	47,614	39,474
	<u>129,224</u>	<u>106,074</u>
NON-CURRENT LIABILITIES:		
Long-term liabilities	248	217
Lease liabilities	1,175	1,212
Deferred tax liabilities	71	79
Net employee defined benefit liabilities	741	651
	<u>2,235</u>	<u>2,159</u>
EQUITY ATTRIBUTABLE TO EQUITY HOLDERS OF THE COMPANY:		
Share capital and premium	169,231	117,247
Share options	28,526	10,918
Treasury shares	(1,230)	(1,230)
Other reserves	13,356	18,523
Accumulated deficit	(268,025)	(226,245)
	<u>(58,142)</u>	<u>(80,787)</u>
Non-controlling interests	(32)	(30)
Total shareholders' equity (deficit)	<u>(58,174)</u>	<u>(80,817)</u>
	<u>\$ 73,285</u>	<u>\$ 27,416</u>

HUB CYBER SECURITY LTD.**INTERIM CONDENSED CONSOLIDATED STATEMENTS OF PROFIT OR LOSS (UNAUDITED)**

USD in thousands, except share and per share data

	Six months ended June 30,	
	2025	2024
Revenues	\$ 15,112	\$ 15,708
Cost of revenues	12,232	14,212
Gross profit (loss)	2,880	1,496
Research and development expenses	1,895	625
Sales and marketing expenses	4,457	2,648
General and administrative expenses	15,541	13,317
Other expenses (income) , net	30	(63)
Operating loss	(19,043)	(15,031)
Finance income	(1,726)	(3,358)
Finance expenses	23,943	13,403
Loss before taxes on income	(41,260)	(25,076)
Taxes on income	514	230
Net loss from continuing operation	(41,774)	(25,306)
Net (loss) income from discontinued operation	(7)	(1,057)
Attributable to:		
Equity holders of the Company	(41,780)	(27,091)
Non-controlling interests	(1)	728
	<u>\$ (41,781)</u>	<u>\$ (26,363)</u>
Net loss per share attributable to equity holders of the Company:		
Basic and diluted net loss per share from continuing operation	<u>\$ (4.055)</u>	<u>\$ (12.616)*</u>
Basic and diluted net profit (loss) per share from discontinued operation	<u>\$ (0.001)</u>	<u>\$ (0.5)*</u>
Weighted average number of shares outstanding used in computation of basic profit or loss per share	10,300,739	2,089,487*

*) Shares and per shares amounts have been retroactively adjusted to reflect the reverse share split at a ratio of 1:10 in March 2025.

HUB CYBER SECURITY LTD.**INTERIM CONDENSED CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME (LOSS) (UNAUDITED)****USD in thousands**

	Six month ended June 30,	
	2025	2024
Net loss from continuing operation	\$ (41,774)	\$ (25,306)
Net (loss) profit from discontinued operation	(7)	(1,057)
	(41,781)	(26,363)
Other comprehensive loss, net of taxes:		
Amounts that will be or that have been reclassified to profit or loss when specific conditions are met:		
Foreign currency translation adjustments	(7,031)	2,003
Total other comprehensive (loss)	(7,031)	2,003
Total comprehensive loss	(48,812)	(24,360)
Attributable to:		
Equity holders of the Company	(48,810)	(25,037)
Non-controlling interests	(2)	677
	\$ (48,812)	\$ (24,360)

General and Recent Developments

In February 2025, the Company reached a settlement agreement with Dominion Capital LLC and its affiliates (together, “Dominion”) for \$4,500 thousand, with \$400 thousand being payable by February 21, 2025, \$200 thousand payable by March 3, 2025, and the remaining balance payable in ten monthly payments of \$390 thousand from March to December 2025. As part of the settlement arrangement, Claymore agreed to make on the Company’s behalf all the payments that the Company is required to make under the settlement agreement with Dominion. In consideration, the Company issued Claymore a convertible note in the principal amount of \$7,500 thousand. The note is convertible with the option of the holder at a discount of 25% to the prevailing market price, but not higher than \$15.00 or lower than the Nasdaq floor price. The note does not bear interest and matures on February 20, 2030, at which time the Company is entitled to convert the note into ordinary shares. As of June 30, 2025, Claymore converted the note in full into 2,500,000 ordinary shares, at a conversion price of \$3.00 per share. As of the date of this report, the entire outstanding balance owed to Dominion has been fully repaid.

In February 2025, the Company reached a settlement agreement with Oppenheimer & Co., Inc. (“Oppenheimer”) for \$3,000 thousand, with \$1,100 thousand being paid on the effective date and the remaining balance payable in ten monthly payments of \$200 thousand from March to December 2025 (with the first payment being \$100 thousand). As part of the settlement arrangement, Claymore agreed to make on the Company’s behalf all the payments that the Company is required to make under the settlement agreement with Oppenheimer. In consideration, the Company issued Claymore a convertible note in the principal amount of \$6,000 thousand. The note is convertible at the option of the holder at a discount of 25% to the prevailing market price, but not higher than \$15.00 or lower than the Nasdaq floor price. The note does not bear interest and matures on February 18, 2030, at which time the Company is entitled to convert the note into ordinary shares. As of June 2025, Claymore converted the note in full into 1,831,255 ordinary shares, at a conversion price of \$3.00 per share. During the period ended June 30, 2025, Claymore paid \$1.8 million of the settlement amount and as of the date of this report Claymore has paid the settlement amount in full. As part of the settlement with Oppenheimer, the Company’s liability to Oppenheimer was reduced by approximately \$6,800 thousand, from an original debt of \$12,800 thousand.

March 2025 Notes

Between March and April, 2025, the Company completed the issuance of a series of notes (the “March 2025 Notes”) to certain investors, including Keystone Capital Partners, LLC as the lead investor (“Keystone” and collectively with the other investors, the “March 2025 Note Investors”) in an aggregate principal amount of \$2,188 thousand for an aggregate purchase price of \$1,750 (25% original issue discount). The March 2025 Notes mature on December 11, 2025 (\$1,625 thousand) and January 30, 2026 (\$562 thousand), do not bear interest, and include a prepayment option at a premium of 125%. In addition, the Company is required to use the cash proceeds deriving from financing in which it receives proceeds of at least \$10 million to repay the March 2025 Notes.

The March 2025 Note Investors have the right to convert the principal amount into ordinary shares of the Company upon the occurrence of a subsequent equity financing pursuant to which the Company receives at least \$5 million, subject to certain conditions.

The conversion of the March 2025 Notes will be limited to the extent that, upon their conversion, a March 2025 Note Investor and its affiliates would in aggregate beneficially own more than 4.99% of the Company’s outstanding share capital at any time. The March 2025 Notes were exchanged under the June 2025 SPA;

ELOC Transaction

Concurrently with the investment by the March 2025 Note Investors described above, on February 6, 2025, the Company entered into an Ordinary Shares Purchase Agreement (the “ELOC Purchase Agreement”) with Keystone (the “ELOC Investor”), pursuant to which the Company has the right to sell to the ELOC Investor up to an aggregate of \$50 million of newly issued ordinary shares (the “ELOC Shares”).

As consideration for the ELOC Investor’s commitment to purchase the ELOC Shares upon the terms of and subject to satisfaction of the conditions set forth in the ELOC Purchase Agreement, in March 11, 2025 the Company agreed to issue to the ELOC Investor a note in a principal amount of \$1,000 thousand, and an additional commitment note on May 28, 2025, in the principal amount of \$1,500 thousand, each of which does not bear interest and has a maturity date of December 11, 2025 or November 28, 2026, respectively (the “Commitment Notes”). The Commitment Notes are due by way of conversion into the Company’s ordinary shares based on the closing share price of the Company’s ordinary shares on the date immediately prior to the maturity date, provided that in each case the applicable conversion price shall not be lower than twenty percent (20%) of the closing sale price of the Company’s shares on the issuance date of the applicable Commitment Note. The Commitment Notes can be converted prior to the maturity date by either the Company or the ELOC Investor at any time following the earlier of (i) the date on which the shares issuable upon conversion are registered under a registration statement filed with the SEC or (ii) six months following the date of the applicable Commitment Note. In the event of a conversion prior to the maturity date, the number of ordinary shares to be issued upon the conversion of the Commitment Notes will be based on the closing share price on the day prior to the delivery of the conversion notice, provided such price is not more than 10% lower than the closing sale price on the date immediately prior thereto. The conversion of the Commitment Notes will be limited to the extent that, upon its conversion, the Lead Investor and its affiliates would in aggregate beneficially own more than 4.99% of the Company’s outstanding share capital.

In addition, in connection with the ELOC Purchase Agreement, the Company and the ELOC Investor entered into a Registration Rights Agreement pursuant to which the Company undertook to register with the SEC the resale of the shares issuable upon conversion of the Conversion Notes and the ELOC Shares that the Company has the right to sell to the ELOC Investor.

The Company does not have a right to commence any sales of ELOC Shares under the ELOC Purchase Agreement before a registration statement for such shares is declared effective by the SEC and the final form of prospectus is filed with the SEC (the “Commencement Date”). Following such date, the Company will control the timing and amount of any sales of ELOC Shares to the ELOC Investor. Actual sales of shares of ELOC Shares under the ELOC Purchase Agreement will depend on a variety of factors to be determined by the Company from time to time, including, among others, market conditions, the trading price of the ELOC Shares and determinations by the Company as to the appropriate sources of funding for the Company and its operations.

Under the ELOC Purchase Agreement, on any business day on which the closing sale price of the Company’s ordinary shares is equal to or greater than \$0.50 (the “Fixed Purchase Date”), the Company may direct the ELOC Investor to purchase shares (a “Fixed Purchase”) at a purchase price equal to 95% of the lesser of (i) the daily volume-weighted average price (the “VWAP”) of the Company’s shares for the five trading days immediately preceding the applicable fixed purchase date and (ii) the lowest sale price on the applicable Fixed Purchase Date, provided that ELOC Investor’s committed obligation under any single Fixed Purchase shall not exceed \$50 thousand.

In addition to Fixed Purchases, on any business day on which the Company has directed the ELOC Investor to purchase the maximum allowable Fixed Purchase amount, the Company may also direct the ELOC Investor to purchase additional shares on the trading day immediately following the purchase date for such Fixed Purchase (the “VWAP Purchase Date” and such purchase, a “VWAP Purchase”) at a purchase price equal to 90% of the lesser of (i) the closing sale price of the Company’s shares on the applicable VWAP Purchase Date and (ii) the VWAP during the period on the applicable VWAP Purchase Date beginning at the opening of trading and ending on the earlier of (1) close of trading, (2) the time at which the trading volume of the Company’s shares on Nasdaq has reached the number of shares to be sold in the VWAP Purchase divided by 30%, and (3) the time at which the sale price of the Company’s shares on Nasdaq is 75% of the closing sale price on the date on which the Company directs the ELOC Investor to make a VWAP Purchase (such period, the “VWAP Purchase Period”), provided, that the ELOC Investor’s committed obligation under any single VWAP Purchase shall not exceed the lesser of (a) 300% of the number of shares sold in the corresponding Fixed Purchase and (b) 30% of the trading volume of the VWAP Purchase Period.

In addition, on a VWAP Purchase Date, the Company may also direct the ELOC Investor to purchase on such day an additional number of shares (an “Additional VWAP Purchase”) at a purchase price equal to 90% of the lesser of (i) the VWAP beginning at the completion of any prior VWAP Purchases and the last Additional VWAP Purchase, as applicable, and ending on the earlier of (1) close of trading, (2) the time at which the trading volume of the Company’s shares on Nasdaq has reached the number of shares to be sold in the Additional VWAP Purchase divided by 30%, and (3) the time at which the sale price of the Company’s shares on Nasdaq is 75% of the closing sale price on the date on which the Company directs the ELOC Investor to make an Additional VWAP Purchase (such period, the “Additional VWAP Purchase Period”), and (ii) the lowest sale price on such day, provided, that the Lead Investor’s committed obligation under any single Additional VWAP Purchase shall not exceed the lesser of (a) 300% of the number of shares sold in the Fixed Purchase that corresponded to the VWAP Purchase corresponding to the Additional VWAP Purchase and (b) 30% of the trading volume of the Additional VWAP Purchase Period.

The ELOC Investor’s aggregate committed obligation under a VWAP Purchase and all Additional VWAP Purchases for a particular VWAP Purchase Date shall not exceed \$1,000 thousand in the aggregate.

The ELOC Purchase Agreement provides that the Company may not issue or sell any shares under the ELOC Purchase Agreement if the issuance or sale of such shares would result in the ELOC Investor and its affiliates beneficially owning more than 4.99% of the Company’s outstanding share capital at any time. As of the date of this report, the Company’s registration statement relating the ELOC Shares has not been declared effective by the SEC.

June 2025 Investment

On June 30, 2025, the Company entered into a securities purchase agreement (the “June 2025 SPA”) providing for the issuance of subordinated convertible notes (the “June 2025 Notes”) to certain accredited investors, including Keystone, in the aggregate original principal amount of \$6,719 thousand. At the closing, the Company received an aggregate purchase price of \$3,625 thousand in cash and the exchange of the notes that the Company issued previously to investors in March and April 2025 in the aggregate principal amount of \$ 2,187 thousand. The June 2025 Notes issued in consideration for cash were issued with a 20% original issue discount, and the June 2025 Notes issued in consideration for our outstanding notes were issued on a dollar-for-dollar basis. All of the June 2025 Notes were subsequently exchanged for new notes issued under the August 2025 SPA

March-November 2024 Investments

On August 16, 2025, the Company entered into the fifth amendment to the Securities Purchase Agreement with the March-November 2024 Investor (the “Fifth Amendment”), which: (i) extended the maturity date of all convertible notes of the Company in the aggregate principal amount of \$11,000 thousand for an additional six months from August 16, 2025 to February 16, 2026; (ii) implemented compound interest, whereby interest now accrues on previously accrued interest commencing from the amendment date; and (iii) facilitated the introduction of an accredited investor, which has undertaken to purchase the convertible notes from the March-November 2024 Investor, as described in the next paragraph. The amendment maintains all other existing terms and conditions of the notes, including the Company’s obligation to repay the principal amount plus all accrued interest.

On August 20, 2025, the March-November 2024 Investor entered into a Note Purchase and Assignment Agreement with the accredited investor for the sale of all outstanding convertible notes for a purchase price of \$14,054 thousand, representing the principal amount plus accrued interest through August 31, 2025, with adjustments for additional interest thereafter. The accredited investor is required to purchase at least \$6,000 thousand of the notes within 60 days and the remaining balance within 90 days from the agreement date. If the accredited investor fails to meet these payment milestones, the Fifth Amendment automatically terminates. On August 18, 2025, the March-November 2024 Investor converted \$1,500 thousand of its note dated June 26, 2024, at a conversion price of \$3.00 per share, resulting in the issuance of 500,000 ordinary shares directly to the accredited investor. This conversion amount counts toward the initial \$6,000 thousand purchase requirement. Once the accredited investor completes the full purchase, the Company’s repayment obligations to the March-November 2024 Investor will be considered fully satisfied. To compensate the accredited investor for its undertakings to the March-November 2024 Investor in the Note Purchase and Assignment Agreement, the Company issued to the purchaser a convertible note in the principal amount of \$1,500 thousand. The note bears no interest and matures on August 20, 2026, by way of conversion into ordinary shares. The note is also convertible, in whole or in part, at the option of the holder at any time. The conversion price is the lower of (i) 3.00 and (ii) 95% of the lowest VWAP of the Ordinary Shares during the five consecutive trading day period ending and including the trading day immediately preceding the delivery or deemed delivery of the applicable conversion notice, subject to the Nasdaq floor price. The holder is also entitled to redeem all or portion of the note in cash from the holder’s pro rata portion of 33% of the proceeds received by the Company pursuant to an equity line of credit or at-the-market offering, at a price of 110% of the amount being redeemed. The holder is subject to a beneficial ownership limitation of 4.99%.

July 2025 Transactions

In July 2025, the Company agreed to re-issue warrants to purchase an aggregate of 2,496,087 ordinary shares to investors who participated in our financing in April 2022 of ordinary shares and warrants. In light of subsequent market price changes and the Company’s multiple reverse share splits between February 2023 and March 2025, the warrants were re-issued in July 2025 with adjusted pricing and quantity terms to compensate investors for all cumulative effects. As of September 14, 2025, such warrants to purchase an aggregate of 2,316,231 ordinary shares have been issued. The warrants are exercisable for cash at a price of \$8.00 per share and expire on January 14, 2027.

Most of the warrants are subject to early expiration if they are not exercised within 14 days after the market price of the ordinary shares equals or exceeds \$8.00 per share for ten trading days in a period of 20 consecutive trading days.

On July 10, 2025, the Company entered into a share purchase agreement with a BlackSwan investor, for the purchase of 250,000 shares for a total consideration of \$750,000, at a price of \$3.00 per share.

Claymore Capital

In July 2025 and August 2025, the Company entered into subscription agreements with an accredited investor whose investment was introduced by Claymore, for the purchase of an aggregate of 500,000 ordinary shares at \$3.00 per share, for total consideration of \$1,500 thousand. Specifically, 250,000 shares were purchased in July 2025 for \$750 thousand, and 250,000 shares were purchased in August 2025 for \$750 thousand. As fees for such investments, the Company issued prefunded warrants to Claymore to purchase an aggregate of 560,000 ordinary shares (280,000 ordinary shares in July 2025 and 280,000 ordinary shares in August 2025). Both warrants expire five years from their respective issuance dates (or upon an exit transaction if earlier) and are subject to a 4.99% beneficial ownership limitation.

In July 2025, the Company issued a convertible note to an accredited investor introduced by Claymore, with a principal amount of \$1,150 thousand in consideration for an investment of \$1,000 thousand, on terms substantially similar to the note issued to Claymore in June 2025 described above. Claymore received prefunded warrants to purchase 200,000 ordinary shares as fees for the foregoing investment. Both warrants expire five years from their respective issuance dates (or upon an exit transaction if earlier) and are subject to a 4.99% beneficial ownership limitation.

As of the date hereof, the accredited investor introduced by Claymore converted the principal amount of \$500 thousand of the notes issued to him into ordinary shares, pursuant to which conversions the Company issued 500,000 ordinary shares. In addition, Claymore has exercised its prefunded warrants into 200,000 ordinary shares.

In August 2025, the Company issued Claymore a convertible note with a principal amount of \$575 thousand and a prefunded warrant to purchase 100,000 ordinary shares in consideration for \$500 thousand. The convertible note is unsecured, has a term of five years, does not accrue interest and is not prepayable without consent of the holder. It is convertible into ordinary shares of the Company at any time at the option of the holder at a price of \$3.00, subject to adjustment in certain circumstances, including dilutive issuances. In case of a default, the holder of the note will be entitled to receive collateral in aggregated amount of the outstanding principal amount.

As of the date hereof, Claymore has exercised prefunded warrants into 100,000 ordinary shares.

In November 2025, the Company issued to Claymore 1,500,000 prefunded warrants in exchange for the cancellation of prior agreements with the Company regarding marketing services and a price adjustment to the convertible note issued to Claymore.

August 2025 Financing

On August 27, 2025, the Company entered into a securities purchase agreement (the “August 2025 SPA”) providing for the issuance of subordinated convertible notes (the “August 2025 Notes”) to certain accredited investors (“August 2025 Investors”), in the aggregate original principal amount of up to \$20,000 thousand to be issued in multiple closings. Closings under the August 2025 SPA can be held over a period of one year at the election of the August 2025 Investors, subject to extension.

At the initial closing, the Company issued August 2025 Notes in the aggregate original principal amount of \$8,640 thousand for an aggregate purchase price of \$7,718 thousand in cash and the exchange of the notes that the Company issued previously to investors in July 2025.

Following the initial closing, the total principal amount was increased to \$35,000 thousand and the form of August 2025 Notes was amended (the “Amended Note”). The Company held on September 4, 2025 the first additional closing and on October 15, 2025 the second additional closing, in the aggregate original principal amount of \$2,969 thousand and \$21,427 thousand for an aggregate purchase price of \$2,375 thousand and \$19,134 thousand (including \$11,109 thousand for the exchange of outstanding August 2025 Notes for Amended Notes at a 10% discount and the cancellation of \$750 thousand owing to Agile), respectively.

As of the date of this report, a total amount of \$13,310 thousand were received in cash and outstanding debt in the total amount of \$7,469 thousand was extinguished in the three closings held under the August 2025 SPA.

As part of the August 2025 SPA, the Company issued the August 2025 Investors 5,734,403 warrants having a term of three years. The warrants have an initial exercise price of \$3.60 per share, subject to decrease on days 30, 60 and 90 following the issuance date to 20% below the prevailing market price at that time and to anti-dilution adjustments for certain dilutive issuances.

The August 2025 Notes are convertible into ordinary shares at the option of each holder at an initial conversion price of \$2.88 per share, subject to anti-dilution adjustments for certain dilutive issuances. Holders may elect an alternate conversion price at the lower of the fixed conversion price or 95% of lowest VWAP during the five days up to and including the date of conversion, subject to a \$1.00 floor price. If such conversion price is lower than the floor price, the Company would be required to pay the balance in cash. The August 2025 Notes do not bear interest.

The August 2025 Notes contain several mandatory and optional redemption provisions. Holders also have optional redemption rights in respect of financing pursuant to equity lines of credit and at-the-market offerings, allowing them to require redemption of up to their pro-rata portion of 30% of net proceeds from eligible transactions at a 110% of the redemption amount. Holders also have the right to exchange their August 2025 Notes for the securities issued in a subsequent placement, at a 10% discount. The Company has the right to redeem all a portion of the August 2025 Notes, from time to time, at 120% of the conversion amount. In change of control transactions (with control defined based on a 50% threshold), holders may require redemption at 115% of the conversion amount. Holders also have participation rights in future financings, with the right to purchase their pro-rata portion of 30% of any subsequent placement exceeding \$5 million in the aggregate.

The Company used \$1,000 thousand of the proceeds to repay a portion of its loan from Julestar LLC, \$500 thousand to repay a portion of its loan from Mizrahi Bank, \$1,500 thousand to repay a portion of its loan from Agile Lending LLC, and the balance for operating expenses.

The Amended Notes have a term of two years from the date of issuance thereof. They do not bear interest, except during the pendency of an event of default, in which case the rate will be 9% per year. Late payments accrue interest at an additional premium of 8% per year.

The Amended Notes are convertible into ordinary shares at the option of the holders at an initial conversion price of \$2.88 per share, subject to anti-dilution adjustments for certain dilutive issuances. Holders may elect an alternate conversion price at the lower of the fixed conversion price or 90% of lowest VWAP during the 20 days up to and including the date of conversion, subject to a floor price. If such conversion price is lower than the floor price, the Company would be required to pay the balance in cash. The Amended Notes contain several mandatory and optional redemption provisions. Holders have optional redemption rights in respect of financings pursuant to equity lines of credit and at-the-market offerings, allowing them to require redemption of up to their pro-rata portion of 30% of net proceeds from eligible transactions at 110% of the redemption amount. Holders also have the right to exchange their Amended Notes for the securities issued in a subsequent placement, at a 10% discount. The Company has the right to redeem all or a portion of the Amended Notes, from time to time, at 120% of the conversion amount. In change of control transactions (with control defined based on a 50% threshold), holders may require redemption at 115% of the conversion amount. Holders also have participation rights in future financings, with the right to purchase their pro-rata portion of 30% of any subsequent placement exceeding \$5 million in the aggregate. Commencing approximately 30 days after the effectiveness of the Company's Registration Statement on Form F-1 relating to the Company's equity line of credit, which was initially filed with the SEC on September 3, 2025, the Company will be required to repay a pro rata portion of the Amended Notes (based on the number of months remaining until the maturity date) on the first trading day of each calendar month. The Company may pay for such installments in the form of cash or ordinary shares (subject to certain conditions), at its election, pursuant to 21 trading days' notice. For payments in ordinary shares, the conversion price will be the lower of the conversion price than in effect and 90% of the lowest VWAP in the past 20 trading days, subject to a floor price.

The Amended Notes and related warrants are subject to a beneficial ownership limitation of 4.99% (subject to increase to 9.99% with 61-day notice and shareholder approval).

Exchanges of Notes

On September 17, 2025, the Company entered into a Master Exchange Agreement (the “Exchange Agreement”) with an accredited investor, which undertook in August 2025 to purchase the convertible notes issued to the March-November 2024 Investor. On the same date, an accredited investor entered into a Note Purchase Agreement with Alliance Global Partners (“AGP”) to purchase AGP’s outstanding convertible note having a principal amount (plus accrued interest) of \$2,248 thousand for a purchase price of \$750 thousand. Pursuant to the Exchange Agreement, the accredited investor has the right to exchange all or a portion of its notes for new notes, which have substantially the same terms and conditions as the Amended Notes. After giving effect to applicable original issue discount, under the terms of the Exchange Agreement, up to \$16,420 thousand aggregate principal amount of outstanding notes are exchangeable for up to \$19,840 thousand aggregate principal amount of new notes under the Exchange Agreement. Astor has an option to purchase from the an accredited investor, up to one-half of the new notes issued pursuant to the Exchange Agreement. As of November 30, 2025, notes in the aggregate principal amount of \$9,004 thousand have been exchanged under the Exchange Agreement for Amended Notes in the aggregate principal amount of \$11,063 thousand.

In October 2025, the Company repaid \$1,500 thousand of the Agile loan, and in November 2025 the remaining balance in amount of \$575 thousand was sold by Agile to another investor and then exchanged pursuant to a separate exchange agreement with the Company for an Amended Note in the principal amount of \$767 thousand.

Consulting Agreement

In November 2025, the Company entered into a consulting agreement with Pey Capital PTE Ltd. pursuant to which Pey undertook to provide the Company with consulting and management services related to the Company’s development, production, potential future launch and promotion of one or more utility tokens, as well as advice related to the fintech market, blockchain currency and related matters. The agreement has a term of three years, and the consulting fee is 1,000,000 ordinary shares, subject to reverse vesting in 36 equal monthly tranches.

Settlements with 2023 PIPE Investors

On November 6, 2025, the Company entered into a settlement agreement with each of A-Labs Finance & Advisory Ltd. (“A-Labs”), MOFO Holdings LLC and Viserion Ltd. (the “PIPE Investors”), which had entered into subscription agreements (the “Subscription Agreements”) with the Company to invest an aggregate of \$50 million in a private placement concurrently with the closing of the Company’s business combination with Mount Rainier Acquisition Corp., a Delaware special purpose acquisition company, in 2023. After all the other closing conditions for the business combination were met, the Company decided to proceed with the closing despite not having received the funds payable under the Subscription Agreements from the PIPE Investors. The signing of the settlement agreements followed a mediation process with the Company and the PIPE Investors before Adv. Zvi Agmon, a leading Israeli attorney and mediator (the “Mediator”). The Company’s Audit Committee and Board of Directors approved the Mediator’s proposal subject to shareholder approval, whereby, taking into account the parties’ respective claims and the various agreements between them, no funds or other form of consideration shall be paid or transferred from the PIPE Investors to the Company, and the Company shall not pay any funds or any other form of consideration to any of the PIPE Investors, all in exchange for full and absolute waivers by the parties toward each other (including shareholders, officers, directors parent and subsidiaries thereof, and anyone acting on behalf of any of them). The Company’s shareholders approved the settlement on December 16, 2025.

Additionally, according to the settlement, the Company will repay to A-Labs the amount outstanding in connection with a secured loan extended by A-Labs to the Company on January 17, 2023 in amount of \$900 thousand, which with original issuance discount and accrued interest amounts to \$1,800 thousand. The repayment will be in the form of the Company’s ordinary shares based on the lowest closing price of the ordinary shares on Nasdaq during the five trading days preceding the date of the shareholders’ approval, which was on December 16, 2025. The shares will be subject to the following lock-up periods: 40% of the shares will be restricted for a period of 40 days, 30% will be restricted for a period of 70 days, 25% will be restricted for a period of 100 days and 5% will be restricted for a period of 130 days. The 5% tranche will be subject to a one-time upward or downward adjustment to the extent that the sum of (i) the proceeds from the sale of shares by A-Labs and (ii) the current market value of the shares held by A-Labs are less than or greater than \$1,800 thousand, respectively. A-Labs must make reasonable commercial efforts to maximize the consideration it receives for the sale of shares. The sale of shares by A-Labs on Nasdaq on any trading day may not exceed 5% of the current day’s trading volume of the ordinary shares thereon.

Forward-Looking Statements and Preliminary Figures

This Report of Foreign Private Issuer on Form 6-K (this “Report”) contains forward-looking statements for purposes of the safe harbor provisions under the United States Private Securities Litigation Reform Act of 1995. Forward-looking statements are typically identified by words such as “plan,” “believe,” “expect,” “anticipate,” “intend,” “outlook,” “estimate,” “future,” “forecast,” “project,” “continue,” “could,” “may,” “might,” “possible,” “potential,” “predict,” “seem,” “should,” “will,” “would” and other similar words and expressions, but the absence of these words does not mean that a statement is not forward-looking.

The forward-looking statements are based on the current expectations of the management of HUB, as applicable, and are inherently subject to uncertainties and changes in circumstances and their potential effects and speak only as of the date of such statement. There can be no assurance that future developments will be those that have been anticipated. These forward-looking statements involve a number of risks, uncertainties, or other assumptions that may cause actual results or performance to be materially different from those expressed or implied by these forward-looking statements. These risks and uncertainties include, but are not limited to, those discussed and identified in public filings made with the SEC by HUB and the following: (i) significant uncertainty regarding the adequacy of HUB’s liquidity and capital resources and its ability to repay its obligations as they become due; (ii) the war between Israel and Hamas commenced in October 2023, which may harm Israel’s economy and HUB’s business; (iii) expectations regarding HUB’s strategies and future financial performance, including its future business plans or objectives, prospective performance and opportunities and competitors, revenues, products and services, pricing, operating expenses, market trends, liquidity, cash flows and uses of cash, capital expenditures, and HUB’s ability to invest in growth initiatives and pursue acquisition opportunities; (iv) the outcome of any legal or regulatory proceedings against HUB in connection with our previously announced internal investigation or otherwise; (v) the ability to meet stock exchange continued listing standards and remain listed on the Nasdaq; (vi) competition, the ability of HUB to grow and manage growth profitably, maintain relationships with customers and suppliers and retain its management and key employees; (vii) limited liquidity and trading of HUB’s securities; (viii) geopolitical risk, including military action and related sanctions, and changes in applicable laws or regulations; (ix) the possibility that HUB may be adversely affected by other economic, business, and/or competitive factors; and (x) other risks and uncertainties set forth in the sections entitled “Risk Factors” and “Cautionary Statement Regarding Forward-Looking Statements” in HUB’s Annual Report on Form 20-F filed on May 1, 2025.

Additionally, this Report containing certain of our first half 2025 results is based on currently available information. It does not present all necessary information for an understanding of our financial condition as of June 30, 2025, or our results of operations for the six months ended June 30, 2025. As we complete our financial close process and finalize our financial statement reviews, we may be required to make significant judgments in a number of areas that may result in the estimates provided herein being different than the final financial information. These preliminary figures have been prepared by and are the responsibility of our management. Our independent registered public accounting firm has not audited, reviewed or performed any final procedures with respect to these preliminary figures or the accounting treatment thereof and does not express an opinion or any other form of assurance with respect thereto. While management has reasonable belief that the figures presented herein are accurate, it is possible that we or our independent registered public accounting firm may identify items that require us to make adjustments to the figures set forth above and those changes could be material. Accordingly, undue reliance should not be placed on these preliminary figures. The preliminary figures are not necessarily indicative of any future period and should be read together with the sections titled “Risk Factors” and “Cautionary Statement Regarding Forward-Looking Statements” in our public filings with the SEC.

Should one or more of these risks or uncertainties materialize or should any of the assumptions made by the management of HUB prove incorrect, actual results may vary in material respects from those expressed or implied in these forward-looking statements.

All subsequent written and oral forward-looking statements concerning HUB or other matters addressed in this Report and attributable to HUB or any person acting on its behalf are expressly qualified in their entirety by the cautionary statements contained or referred to in this Report. Except to the extent required by applicable law or regulation, HUB undertakes no obligation to update these forward-looking statements to reflect events or circumstances after the date of this Report or reflect the occurrence of unanticipated events.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Hub Cyber Security Ltd.

Date: December 31, 2025

By: /s/ Noah Hershcoviz
Noah Hershcoviz
Chief Executive Officer

EXHIBIT 4



RECENT TRENDS IN SECURITIES CLASS ACTION LITIGATION: 2025 FULL-YEAR REVIEW

Edward Flores, Svetlana Starykh,
and Ivelina Velikova¹

Filings Down by 11% Due to Decline in
Standard Filings

AI- and Crypto-Related Filings Increase,
SPAC- and COVID-Related Filings Decline,
Tariff-Related Filings Appear

Dismissals Increase for a Second Straight
Year, Median Settlement Value at a
10-Year High

FOREWORD

I am excited to share NERA's "Recent Trends in Securities Class Action Litigation: 2025 Full-Year Review" with you. This year's edition builds on work carried out over more than three decades by many of NERA's securities and finance experts. Although space does not permit us to present all the analyses the authors have undertaken while working on this year's edition or to provide details on the statistical analysis of settlement amounts, we hope you will contact us if you want to learn more about our research or our consulting and testifying experience in securities litigations. On behalf of NERA's securities and finance experts, I thank you for taking the time to review this year's report and hope you find it informative.

DAVID TABAK, PhD

Senior Managing Director



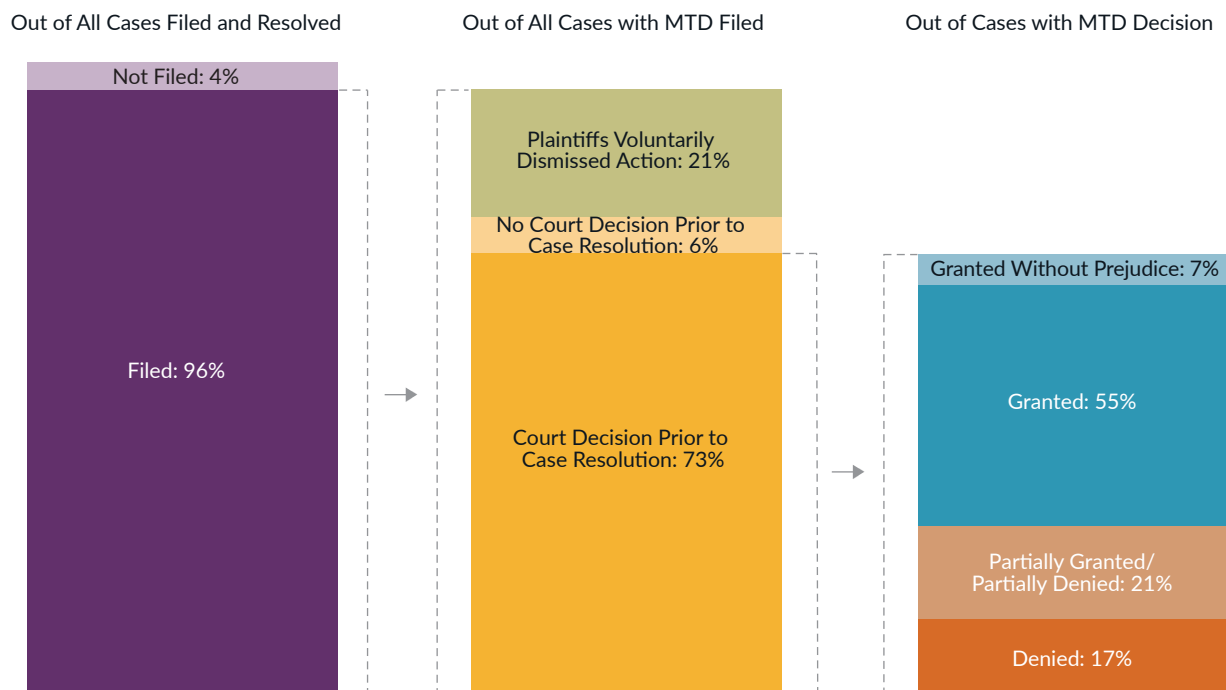
ANALYSIS OF MOTIONS

NERA's federal securities class action database tracks filing and resolution activity as well as decisions on motions to dismiss, motions for class certification, and the status of any motion as of the resolution date. For this analysis, we include securities class actions that were filed and resolved over the 2016–2025 period in which purchasers of common stock are part of the class and which contain alleged violations of Rule 10b-5, Section 11, and/or Section 12.

Motion to Dismiss

A motion to dismiss was filed in 96% of the securities class actions suits filed and resolved in the past 10 years. For cases in which a motion to dismiss was filed, a decision was reached in 73% of cases, 6% settled before a court decision was reached, and 21% were voluntarily dismissed by plaintiffs. Among the cases in which a decision was reached, 62% of motions were granted (with or without prejudice), while 38% were denied either in part or in full. See Figure 15.

Figure 15. **Filing and Resolutions of Motions to Dismiss**
Cases Filed and Resolved January 2016–December 2025

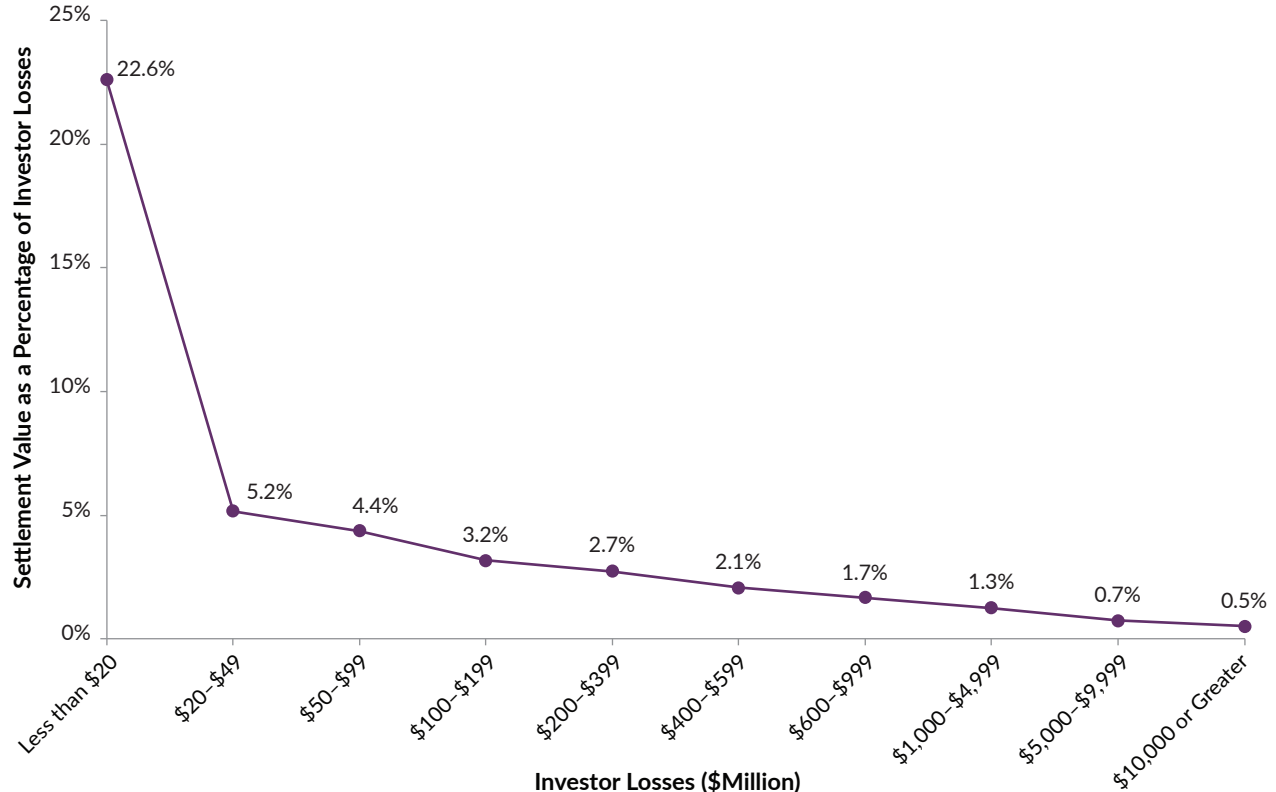


NERA-DEFINED INVESTOR LOSSES

To estimate the potential aggregate loss to investors as a result of investing in the defendant's stock during the alleged class period, NERA has developed a proprietary variable, NERA-Defined Investor Losses, using publicly available data. The NERA-Defined Investor Loss measure is constructed assuming investors had invested in stocks during the class period whose performance was comparable to that of the S&P 500 Index. Over the years, NERA has reviewed and examined more than 2,000 settlements and found, of the variables analyzed, this proprietary variable to be the most powerful predictor of settlement amount.³⁰

A statistical review reveals that, while settlement values and NERA-Defined Investor Losses are highly correlated, the relationship is not linear. The ratio of settlement value to NERA-Defined Investor Losses is higher for cases with lower Investor Losses than for cases with higher Investor Losses. For instance, in cases with less than \$20 million in Investor Losses, the median settlement value comprises 22.6% of Investor Losses, while in cases with more than \$20 million in Investor Losses, the median settlement value is at most 5.2% of Investor Losses. See Figure 23.

Figure 23. **Median Settlement Value as a Percentage of NERA-Defined Investor Losses**
By Level of Investor Losses
Cases Settled January 2016–December 2025



RELATED EXPERTS



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The opinions expressed herein do not necessarily represent the views of NERA or any other NERA consultant.

ABOUT NERA

Since 1961, NERA has provided unparalleled guidance on the most important market, legal, and regulatory questions of the day. Our work has shaped industries and policy around the world. Our field-leading experts and deep experience allow us to provide rigorous analysis, reliable expert testimony, and data-powered policy recommendations for the world's leading law firms and corporations as well as regulators and governments. Our experience, integrity, and economic ingenuity mean you can depend on us in the face of your biggest economic and financial challenges.



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EXHIBIT 5

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF JOSEPHINE BRAVATA CONCERNING:
(A) MAILING/EMAILING OF NOTICE; (B) PUBLICATION OF THE SUMMARY
NOTICE; (C) REPORT ON REQUESTS FOR EXCLUSION AND OBJECTIONS;
AND (D) CLAIMS RECEIVED TO DATE**

I, Josephine Bravata, declare as follows:

1. I am the Director of Quality Assurance at Strategic Claims Services (“SCS”), a nationally recognized class action administration firm.¹ I have over twenty-five years of experience specializing in the administration of class action cases. SCS was established in April 1999 and has administered over five hundred and seventy-five (575) class action cases since its inception. I have personal knowledge of the facts set forth herein, and if called on to do so, I could and would testify competently thereto.

2. Pursuant to the Court’s Order Preliminarily Approving Settlement and Providing for Notice, dated December 10, 2025 (ECF No. 140, the “Preliminary Approval Order”), the Court authorized Lead Counsel to retain SCS as the Claims Administrator to supervise and administer the notice procedure in connection with the proposed Settlement as well as the processing of claims. I submit this declaration in order to provide the Court and the Parties with information regarding the notice program, as well as updates concerning other aspects of the Settlement administration process.

MAILING OR EMAILING NOTICE

3. Pursuant to the Preliminary Approval Order, to provide actual notice to those persons and entities that were (i) holders of Mount Rainier Acquisition Corp. (“Mount Rainier”) or Hub Cyber Security (Israel) Ltd. (“Legacy Hub”) securities that were converted into Hub Cyber Security Ltd. (“Hub”) publicly traded common stock on or about March 1, 2023 as part of the Business Combination; and (ii) purchased Hub publicly-traded common stock in the open market during the period from March 1, 2023 through July 31, 2023, both dates inclusive (the “Settlement

¹ All capitalized terms used herein that are not otherwise defined have the meanings ascribed to them in the Stipulation and Agreement of Settlement, dated December 9, 2025 (ECF No. 138-1, the “Stipulation”).

Class Period”), SCS printed the Postcard Notice to mail to potential members of the Settlement Class. A true and correct copy of the Postcard Notice is attached as **Exhibit A**.

4. On December 11, 2025, SCS received from Defendants’ Counsel shareholder lists reflecting persons and entities that owned Mount Rainier or Legacy Hub securities converted into Hub publicly traded common stock on or about March 1, 2023, as part of the Business Combination; and/or purchased Hub publicly traded common stock during the Settlement Class Period. SCS mailed, by first class mail, postage prepaid, the Postcard Notice to 67 individuals and organizations identified in the shareholders lists that were provided by the Defendants’ Counsel. The shareholder list mailing was completed on January 9, 2026.

5. As in most class actions of this nature, the large majority of potential Settlement Class Members are expected to be beneficial purchasers/owners whose securities are held in “street name” — *i.e.*, the securities are purchased/owned by brokerage firms, banks, institutions and other third-party nominees in the name of the nominee, on behalf of the beneficial purchasers/owners. The names and addresses of these beneficial purchasers/owners are known only to the nominees. SCS maintains a proprietary master list consisting of 1,049 banks and brokerage companies, as well as 1,414 mutual funds, insurance companies, pension funds, and money managers. On January 9, 2026, SCS caused a letter to be mailed or e-mailed to the 2,463 nominees on SCS’s master mailing list. The letter notified them of the Settlement and requested that, within 7 calendar days from receipt of the letter, they either: (a) request from SCS sufficient copies of the Postcard Notice to forward to all such beneficial purchasers/owners, and within seven (7) calendar days of receipt of those Postcard Notices forward them to all such beneficial purchasers/owners; (b) request from SCS a link to the Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award

of Attorneys' Fees and Reimbursement of Litigation Expenses ("Notice") and Proof of Claim and Release Form ("Claim Form") (collectively, the "Notice Packet"), and email the link to all such beneficial purchasers/owners for whom valid email addresses were available within seven (7) calendar days of receipt of the link from the Claims Administrator; or (c) provide a list of the names, mailing addresses, and email addresses (to the extent available) of all such beneficial purchasers/owners to SCS, in which event SCS would promptly mail the Postcard Notice or email a link to the Notice Packet, to such beneficial purchasers/owners. To the extent a nominee chose to follow procedures (a) or (b), SCS requested that, upon such mailing or emailing, the nominee send a statement to SCS confirming that the mailing or emailing was made as directed. A copy of the letter sent to these nominees is attached as **Exhibit B**, and a copy of the Notice Packet is attached as **Exhibit C**.

6. Following these mailings, SCS received 1,850 additional names and addresses of potential Settlement Class Members from individuals or nominees requesting that a Postcard Notice be mailed by SCS, and a nominee notified SCS that it had mailed 50 Postcard Notices to its customers. SCS also received a request from two nominees for 5,160 Postcard Notices so that the nominees could forward them to their customers.

7. To date, 7,127 Postcard Notices have been mailed to potential Settlement Class Members.

8. Additionally, SCS sent the link to the Notice Packet to 12,367 valid email addresses received from nominees, and SCS was notified by one of the nominees that it emailed 15,803 of its customers to notify them of this Settlement and provide the link to the Notice Packet. To date, 28,170 potential Settlement Class Members have been notified of the Settlement by email notice only.

9. In total, 35,297 potential Settlement Class Members were notified either by mailed Postcard Notice and/or emailed the link to the Notice Packet.

10. SCS sent the Depository Trust Company (“DTC”) the Notice Packet for the DTC to publish on its Legal Notice System (“LENS”) on January 9, 2026. LENS provides DTC participants the ability to search and download legal notices as well as receive email alerts based on particular notices or particular CUSIPs once a legal notice is posted.

11. Out of the 7,127 Postcard Notices mailed, 185 were returned as undeliverable. Of these, the United States Postal Service provided forwarding addresses for 25, and SCS promptly mailed another Postcard Notice to the updated addresses. The remaining 160 Postcard Notices returned as undeliverable were “skip-traced” to obtain updated addresses and 87 were re-mailed to updated addresses.

PUBLICATION OF THE SUMMARY NOTICE

12. Pursuant to the Preliminary Approval Order, the Summary Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (“Summary Notice”) was published once in the *Investor’s Business Daily* and transmitted once over the *PR Newswire* on January 26, 2026, as shown in the confirmations of publication attached hereto as **Exhibit D**.

TOLL-FREE PHONE LINE

13. SCS maintains a toll-free telephone number (1-866-274-4004) for potential Settlement Class Members to call and obtain information about the Settlement. Settlement Class Members may also request a Notice Packet. SCS has promptly responded to each telephone inquiry and will continue to address Settlement Class Member inquiries.

SETTLEMENT WEBPAGE

14. On January 8, 2026, SCS established a website at www.HubSecuritiesSettlement.com (“Settlement Website”). The Settlement Website is accessible 24 hours a day, 7 days a week. The Settlement Website contains: (a) a Home page with general information regarding the Settlement, and a chart setting forth important dates (*i.e.*, claims filing deadline, objection and exclusion deadlines, and Settlement Hearing date); (b) Important Documents page with downloadable copies of the Notice Packet, Postcard Notice, Preliminary Approval Order, Stipulation, and Amended Class Action Complaint for Violations of the Federal Securities Laws; (c) a File a Claim Online page; (d) a Representative Filers page; and (e) a Contact Us page.

15. Importantly, and as indicated in the above, the Settlement Website allows potential Settlement Class Members to file claims online and provides instructions and a claims-filing template for institutional investors who file large numbers of claims.

16. To date, the Settlement Website has received 16,671 pageviews from 3,926 unique users.

17. The Settlement Website will continue to be updated with relevant case information and Court documents.

REPORT ON EXCLUSIONS AND OBJECTIONS

18. The Postcard Notice, Notice, Summary Notice, and Settlement Website informed potential Settlement Class Members that requests for exclusion are to be mailed to SCS such that they are received no later than June 1, 2026. The Notice also set forth the information that must be included in each request for exclusion. SCS has monitored all mail delivered for this case. To date, SCS has not received any exclusion requests.

19. The Postcard Notice, Notice, Summary Notice, and Settlement Website further informed Settlement Class Members that the objection deadline is June 8, 2026. The Notice also provides that written objections must be submitted to the Clerk of the Court as well as mailed to Lead Counsel and Defendants' Counsel such that they are received on or before the deadline. Despite these instructions, Settlement Class Members sometimes send objections to the Claims Administrator. As of the date of this declaration, SCS has not received any misdirected objections and is not aware of any objections being filed with the Court.

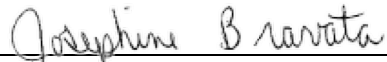
CLAIMS RECEIVED TO DATE

20. The deadline for claims submission was May 13, 2026. In SCS's experience, the vast majority of claimants submit their claims on or shortly before the deadline. In particular, the majority of institutional investors, brokers, and nominees typically file claims electronically on or near the claims deadline. As of the date of this declaration, SCS has received 14,352 claims. SCS is currently conducting quality assurance reviews of the submitted claims, such as verifying that the claim include the required supporting documentation and detecting duplicative claims. Once this audit process is complete, claimants with incomplete or invalid claims will be given an opportunity to supplement or complete their claims. With these steps currently outstanding, the number of claims considered valid has not yet been determined.

21. SCS will submit a supplemental declaration in support of Lead Plaintiffs' reply papers due June 22, 2026, with updated information concerning notice, requests for exclusion and objections, and claims received.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18th day of May 2026, in Media, Pennsylvania.



Josephine Bravata

In Re Hub Cyber Security Ltd. Securities
Litigation
c/o Strategic Claims Services
600 N. Jackson St., Suite 205
Media, PA 19063

COURT-ORDERED LEGAL NOTICE
**Important Notice about a Securities Class
Action Settlement.**

**You may be entitled to a CASH payment.
This Notice may affect your legal rights.
Please read it carefully.**

*In Re Hub Cyber Security Ltd. Sec. Litig.,
Master File No. 1:23-cv-05764-AS
(S.D.N.Y.)*

EXHIBIT A

THIS CARD PROVIDES ONLY LIMITED INFORMATION ABOUT THE SETTLEMENT.
PLEASE VISIT WWW.HUBSECURITIESSETTLEMENT.COM FOR MORE INFORMATION.

The United States District Court for the Southern District of New York (“Court”) has preliminarily approved a proposed Settlement of claims against defendant Hub Cyber Security Ltd. (“Hub”) and certain of its executives and directors (collectively, the “Defendants”). The Settlement would resolve a lawsuit in which Plaintiffs allege that Defendants violated the federal securities laws. Defendants deny any wrongdoing. You received this Postcard Notice because you or someone in your family may have purchased or otherwise acquired the publicly traded common stock of Hub between March 1, 2023 through July 31, 2023, both dates inclusive.

The Settlement, if approved by the Court, dismisses and releases all claims against Defendants and creates a Settlement Fund consisting of \$11,000,000, plus interest earned thereon and less attorneys’ fees and other expenses, which will be divided among Settlement Class Members who timely submit valid Proof of Claim and Release Forms (“Claim Form”). **For all Settlement details, read the Stipulation and Agreement of Settlement and Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “detailed Notice”), available at the Settlement website.**

Your share of the Settlement proceeds will depend on the number of valid Claim Forms submitted, and the number, size and timing of your transactions in Hub common stock. If every eligible Settlement Class Member submits a valid Claim Form, the average recovery will be \$0.12 per eligible share before expenses and other Court-ordered deductions. Your award will be determined *pro rata* based on the number of claims submitted. This is further explained in the detailed Notice found on the Settlement website.

To qualify for payment, you must submit a Claim Form. The Claim Form can be found on the website www.HubSecuritiesSettlement.com, or will be mailed or emailed to you upon request to the Claims Administrator by: (1) mail: In re Hub Cyber Security Ltd. Securities Litigation, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson St, Ste. 205, Media, PA 19063; (2) toll-free phone: (866) 274-4004; (3) fax: (610) 565-7985; or (4) email: info@strategicclaims.net. **Claim Forms must be received or postmarked by May 13, 2026.** If you do not want to be legally bound by the Settlement, you must exclude yourself by June 1, 2026. If you exclude yourself, you cannot get money from this Settlement. If you want to object to the Settlement, you may submit an objection by June 8, 2026. The detailed Notice explains how to submit a Claim Form, exclude yourself, or object.

The Court will hold a hearing in this case on June 29, 2026 at 11:00 a.m., to consider whether to approve the Settlement and a request by the lawyers representing the Settlement Class for up to 33⅓% of the Settlement Fund in attorneys’ fees, plus actual expenses up to \$175,000 for litigating the case and negotiating the Settlement, and reimbursement of Plaintiffs’ costs and expenses in an aggregate amount not to exceed \$30,000. You may attend the hearing and ask to be heard by the Court, but you do not have to. For more information, call toll-free (866-274-4004) or visit the Settlement website and read the detailed Notice.

REQUEST FOR NAMES, EMAILS AND ADDRESSES OF SETTLEMENT CLASS MEMBERS

STRATEGIC CLAIMS SERVICES
600 N. JACKSON STREET, SUITE 205
MEDIA, PA 19063

PHONE: (610) 565-9202

EMAIL: info@strategicclaims.net

FAX: (610) 565-7985

January 9, 2026

This letter is being sent to all entities whose names have been made available to us, or which we believe may know of potential Settlement Class Members.

We request that you assist us in identifying any individuals/entities who fit the following description:

ALL PERSONS OR ENTITIES THAT PURCHASED OR OTHERWISE ACQUIRED HUB SECURITIES¹ PURSUANT AND/OR TRACEABLE TO THE OFFERING DOCUMENTS ISSUED IN CONNECTION WITH THE BUSINESS COMBINATION BETWEEN HUB CYBER SECURITIES (ISRAEL) LTD. ("LEGACY HUB") AND MOUNT RAINIER ACQUISITION CORP. ("MOUNT RAINIER") (THE "BUSINESS COMINATION"). THE SETTLEMENT CLASS INCLUDES: (I) HOLDERS OF MOUNT RAINIER SECURITIES OR LEGACY HUB SECURITIES THAT WERE CONVERTED INTO HUB SECURITIES ON OR ABOUT MARCH 1, 2023 AS PART OF THE BUSINESS COMBINATION; AND (II) ALL PERSONS AND ENTITIES THAT PURCHASED HUB SECURITIES IN THE OPEN MARKET DURING THE PERIOD FROM MARCH 1, 2023 THROUGH JULY 31, 2023, BOTH DATES INCLUSIVE.

Excluded from the Settlement Class are (a) persons and entities that suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer, and/or director of Hub or Mount Rainier between February 10, 2021 and July 31, 2023, both dates inclusive, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of Hub or Mount Rainier; (iv) any entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settlor or which is for the benefit of an Individual Defendant and/or member(s) of their Immediate Families; (vi) Defendants' D&O Insurers; and (vii) the legal representatives, heirs, successors, and assigns of any person or entity excluded under provisions (i) through (vi) hereof.

The information below may assist you in finding the above requested information.

<i>In Re Hub Cyber Security Ltd. Securities Litigation</i> Master File No. 1:23-cv-05764-AS Claim Filing Deadline: May 13, 2026 Exclusion Deadline: June 1, 2026 Objection Deadline: June 8, 2026 Notice to Appear Deadline: June 8, 2026 Settlement Hearing: June 29, 2026	Hub Cyber Security Identifiers: Hub Cyber Security Ltd. Cusip Numbers: M6000J101, M6000J135, and M6000J168 (Current) Hub Cyber Security Ltd. ISIN: IL0010840036 and IL0012187428 Hub Cyber Security Ltd. SEDOL: BPQY6C4, BSDZXG4, and BMGFDG9 Hub Cyber Security Ltd. Ticker symbol: NASDAQ: HUBC Mount Rainer Acquisition Corp. Security Identifiers: Mount Rainer Acquisition Corp. Cusip Number: 623006103 Mount Rainer Acquisition Corp. ISIN: US6230061037 Mount Rainer Acquisition Corp. SEDOL: BMC0YJ8 Mount Rainer Acquisition Corp. Ticker Symbol: NASDAQ: RNER
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PER COURT ORDER, PLEASE RESPOND WITHIN 7 DAYS FROM THE DATE OF THIS NOTICE.**Please comply in one of the following ways:**

1. If you have no beneficial purchasers/owners, please advise us in writing; or
2. **Supply us with names, last known addresses, and email addresses (to the extent known)** of your beneficial purchasers/owners and we will email the electronic link to the Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses ("Notice") and Proof of Claim and Release Form ("Claim Form") (collectively, the "Notice Packet") or mail the Postcard Notice. Please provide us this information electronically. If you are not able to do this, labels will be accepted, but it is important that a hardcopy list also be submitted of your clients; or
3. Advise us of how many beneficial purchasers/owners you have, we will supply you with ample Postcards to do the mailing, and you must then mail the Postcards within seven (7) calendar days of receipt; or
4. Request a link to the Notice Packet and email the link to each of your beneficial purchasers/owners within seven (7) calendar days after receipt thereof.

You can bill us for any reasonable expenses actually incurred and **not to exceed:**

- **\$0.02 per** Notice Packet link emailed, OR
- **\$0.02 per name, address, and email address** if you are providing us the records, OR
- **\$0.02 per Postcard mailed, plus postage at the pre-sort rate used by the Claims Administrator** if you are requesting the Postcard Notice and performing the mailing. **POSTCARDS ARE TO BE PRINTED ONLY BY THE CLAIMS ADMINISTRATOR.**

All invoices must be received within 30 days of this letter.

You are on record as having been notified of the legal matter. A copy of the Notice Packet and other important case-related documents are available on our website at www.HubSecuritiesSettlement.com. You can also request a copy via email at info@strategicclaims.net.

Thank you for your prompt response.

Sincerely,

Claims Administrator

In Re Hub Cyber Security Ltd. Securities Litigation

¹ "Hub Securities" refers to the publicly traded common stock of Hub Cyber Security Ltd. ("Hub" or the "Company"). During the Settlement Class Period, Hub common stock was listed and traded on the Nasdaq Capital Market under the ticker symbol "HUBC."

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**NOTICE OF (I) PENDENCY OF CLASS ACTION, CERTIFICATION OF SETTLEMENT CLASS, AND
PROPOSED SETTLEMENT; (II) SETTLEMENT FAIRNESS HEARING; AND (III) MOTION FOR AN
AWARD OF
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

NOTICE OF PENDENCY OF CLASS ACTION: Please be advised that your rights may be affected by the above-captioned securities class action (the “Action”)¹ pending in the United States District Court for the Southern District of New York (the “Court”), if you purchased or otherwise acquired Hub Securities² pursuant and/or traceable to the Offering Documents³ issued in connection with the business combination between Hub Cyber Security (Israel) Ltd. (“Legacy Hub”) and Mount Rainier Acquisition Corp. (“Mount Rainier”) (the “Business Combination”). The Settlement Class includes: (i) holders of Mount Rainier securities or Legacy Hub securities that were converted into Hub Securities on or about March 1, 2023 as part of the Business Combination; and (ii) all persons and entities that purchased Hub Securities in the open market during the period from March 1, 2023 through July 31, 2023, both dates inclusive, and were damaged thereby (the “Settlement Class Period”).

NOTICE OF SETTLEMENT: Please also be advised that the Court-appointed lead plaintiffs Aryeh Agam and Shimon Aharon (collectively, “Lead Plaintiffs”) and named plaintiffs Rodrigue Fodjo and Dustin Green (collectively, with Lead Plaintiffs, “Plaintiffs”), on behalf of themselves and the Settlement Class (as defined in ¶ 24 below), have reached a proposed settlement of the Action for \$11,000,000 in cash that, if approved, will resolve all claims in the Action (the “Settlement”).

PLEASE READ THIS NOTICE CAREFULLY. This Notice explains important rights you may have, including the possible receipt of cash from the Settlement. If you are a member of the Settlement Class, your legal rights will be affected whether or not you act.

If you have any questions about this Notice, the proposed Settlement, or your eligibility to participate in the Settlement, please DO NOT contact any Defendants in the Action, or their counsel. All questions should be directed to Lead Counsel or the Claims Administrator (see ¶ 84 below).

1. **Description of the Action and the Settlement Class:** This Notice relates to a proposed Settlement of claims in a pending securities class action brought by investors alleging, among other things, that defendants Hub f/k/a Mount Rainier Acquisition Corp. (“Mount Rainier”), and defendants Eyal Moshe, Hugo Goldman, Uzi Moscovitch a/k/a Azriel Moskovitch, Zeev Zell, Moshe Raines, Manish Agarwal, Moti Franko, and Matthew Kearney (collectively, “Individual Defendants”; together with Hub, “Defendants”; and together with Plaintiffs, the “Parties”)

¹ All capitalized terms used in this Notice that are not otherwise defined herein have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated December 9, 2025 (the “Stipulation”), which is available at www.HubSecuritiesSettlement.com.

² “Hub Securities” refers to the publicly traded common stock of Hub Cyber Security Ltd. (“Hub” or the “Company”). During the Settlement Class Period, Hub common stock was listed and traded on the Nasdaq Capital Market under the ticker symbol “HUBC.”

³ “Offering Documents” means, collectively, the Registration Statement on Form F-4 that was filed by Legacy Hub on August 24, 2022, and all amendments thereto, and the Proxy/Prospectus filed on Form 424B3 on December 9, 2022, and all supplements thereto. The Proxy/Prospectus and its supplements were incorporated into and formed a part of the Registration Statement that became effective on December 8, 2022.

violated the federal securities laws by disseminating materially false and misleading information to the investing public regarding (i) whether the investors in a \$50 million private investment in public equity (“PIPE”) facility were committed; (ii) the strength of the Company’s internal controls in light of undisclosed embezzlement by corporate insiders; and (iii) their portrayal of Hub Cyber Security (Israel) Ltd. (“Legacy Hub”) as a cash-positive, “established business” with a “client base” and “established products” when, in fact, Legacy Hub’s flagship product was nowhere near ready for market. A more detailed description of the Action is set forth in paragraphs 11-23 below. The proposed Settlement, if approved by the Court, will settle claims of the Settlement Class, as defined in paragraph 24 below.

2. **Statement of the Settlement Class’s Recovery:** Subject to Court approval, Plaintiffs, on behalf of themselves and the Settlement Class, have agreed to settle the Action in exchange for a settlement payment of \$11,000,000 in cash (the “Settlement Amount”) to be deposited into an escrow account. The Net Settlement Fund (*i.e.*, the Settlement Amount plus any and all interest earned thereon (the “Settlement Fund”)) less (a) any Taxes, (b) any Notice and Administration Costs, (c) any Litigation Expenses awarded by the Court, and (d) any attorneys’ fees awarded by the Court) will be distributed in accordance with a plan of allocation that is approved by the Court, which will determine how the Net Settlement Fund shall be allocated among members of the Settlement Class. The proposed plan of allocation (the “Plan of Allocation”) is set forth on pages 10-13 below.

3. **Estimate of Average Amount of Recovery Per Share of Hub common stock:** Assuming that all Settlement Class Members elect to participate in the Settlement, the estimated average recovery (before the deduction of any Court-approved fees, expenses and costs as described herein) per eligible share of Hub common stock is \$0.12. Settlement Class Members should note, however, that the foregoing average recovery per share of Hub common stock is only an estimate. Some Settlement Class Members may recover more or less than this estimated amount depending on, among other factors, when and at what prices they purchased, acquired, and/or sold their Hub common stock, and the total number of valid Proof of Claim and Release Forms (“Claim Forms”) submitted. Distributions to Settlement Class Members will be made based on the Plan of Allocation set forth herein (*see* pages 10-13 below) or such other plan of allocation as may be ordered by the Court.

4. **Average Amount of Damages Per Share of Hub Common Stock:** Plaintiffs and Defendants (the “Parties”) do not agree on the average amount of damages per share of Hub common stock that would be recoverable if Plaintiffs were to prevail in the Action. Among other things, Defendants do not agree with the assertion that they violated the federal securities laws or that any damages were suffered by any members of the Settlement Class as a result of their conduct.

5. **Attorneys’ Fees and Expenses Sought:** Court-appointed Lead Counsel, Glancy Prongay & Murray LLP and The Law Offices of Jacob Sabo (collectively, “Lead Counsel”), which have been prosecuting the Action on a wholly contingent basis since their appointment as Lead Counsel in 2023, have not received any payment of attorneys’ fees for their representation of the Settlement Class and have advanced the funds to pay expenses necessarily incurred to prosecute this Action. Lead Counsel will apply to the Court for an award of attorneys’ fees in an amount not to exceed 33⅓% of the Settlement Fund. In addition, Lead Counsel will apply for reimbursement of Litigation Expenses paid or incurred in connection with the institution, prosecution and resolution of the claims against the Defendants, in an amount not to exceed \$205,000, which may include an application for reimbursement of the reasonable costs and expenses incurred by Plaintiffs directly related to their representation of the Settlement Class in an amount not to exceed \$30,000. Any fees and expenses awarded by the Court will be paid from the Settlement Fund. Settlement Class Members are not personally liable for any such fees or expenses. Estimates of the average cost per affected share of Hub common stock, if the Court approves Lead Counsel’s fee and expense application, is \$0.04 per eligible share.

6. **Identification of Attorneys’ Representatives:** Plaintiffs and the Settlement Class are represented by Casey E. Sadler, Esq. of Glancy Prongay & Murray LLP, 1925 Century Park East, Suite 2100, Los Angeles, CA 90067, (310) 201-9150, settlements@glancylaw.com, and Jacob Sabo, Esq., Law offices of Jacob Sabo, 22a Mazzeh Street, Tel-Aviv, Israel, (++972) 39070770, jsabo53@gmail.com.

7. **Reasons for the Settlement:** Plaintiffs’ principal reason for entering into the Settlement is the substantial immediate cash benefit for the Settlement Class without the risk or the delays inherent in further litigation. Moreover, the substantial cash benefit provided under the Settlement must be considered against the significant risk that a smaller recovery – or indeed no recovery at all – might be achieved after contested motions, a trial of the

Action and the likely appeals that would follow a trial. This process could be expected to last several years. Defendants, who deny all allegations of wrongdoing or liability whatsoever, are entering into the Settlement solely to eliminate the uncertainty, burden and expense of further protracted litigation.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT:	
SUBMIT A CLAIM FORM POSTMARKED OR ONLINE NO LATER THAN MAY 13, 2026 TO: <i>In Re Hub Cyber Security Ltd. Securities Litigation</i> c/o Strategic Claims Services P.O. Box 230 600 N. Jackson St., Suite 205 Media, PA <u>or</u> www.HubSecuritiesSettlement.com	The only way to be eligible to receive a payment from the Settlement Fund is to file a claim form. If you are a Settlement Class Member and you remain in the Settlement Class, you will be bound by the Settlement as approved by the Court and you will give up any Released Plaintiffs' Claims (defined in ¶ 33 below) that you have against Defendants and the other Released Defendants' Parties (defined in ¶ 34 below). Paragraph 39 provides information on how to submit a Claim Form.
EXCLUDE YOURSELF FROM THE SETTLEMENT CLASS BY SUBMITTING A WRITTEN REQUEST FOR EXCLUSION POSTMARKED NO LATER THAN JUNE 1, 2026.	If you exclude yourself from the Settlement Class, you will not be eligible to receive any payment from the Settlement Fund. This is the only option that allows you to be part of any other lawsuit against any of the Defendants or the other Released Defendants' Parties concerning the Released Plaintiffs' Claims.
OBJECT TO THE SETTLEMENT BY SUBMITTING A WRITTEN OBJECTION RECEIVED NO LATER THAN JUNE 8, 2026.	If you do not like the proposed Settlement, the proposed Plan of Allocation, or the request for attorneys' fees and reimbursement of Litigation Expenses, you may write to the Court and explain why you do not like them. You cannot object to the Settlement, the Plan of Allocation, or the fee and expense request unless you are a Settlement Class Member and do not exclude yourself from the Settlement Class.
GO TO A HEARING ON JUNE 29, 2026 AT 11:00 A.M., AND FILE A NOTICE OF INTENTION TO APPEAR SO THAT IT IS <i>RECEIVED</i> NO LATER THAN JUNE 8, 2026.	Submitting a written objection and notice of intention to appear by June 8, 2026 allows you to speak in Court, at the discretion of the Court, about the fairness of the proposed Settlement, the Plan of Allocation, and/or the request for attorneys' fees and reimbursement of Litigation Expenses. If you submit a written objection, you may (but you do not have to) attend the hearing and, at the discretion of the Court, speak to the Court about your objection.
DO NOTHING.	If you are a member of the Settlement Class and you do not submit a valid Claim Form, you will not be eligible to receive any payment from the Settlement Fund. You will, however, remain a member of the Settlement Class, which means that you give up your right to sue about the claims that are resolved by the Settlement and you will be bound by any judgments or orders entered by the Court in the Action.

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WHY DID I GET THE POSTCARD NOTICE?

8. The Court directed that the Postcard Notice be mailed to you because you or someone in your family or an investment account for which you serve as a custodian may have purchased or otherwise acquired publicly traded Hub common stock during the Settlement Class Period. The Court also directed that this Notice be posted online at www.HubSecuritiesSettlement.com and mailed to you upon request to the Claims Administrator. The Court has directed us to disseminate these notices because, as a potential Settlement Class Member, you have a right to know about your options before the Court rules on the proposed Settlement. Additionally, you have the right to understand how this class action lawsuit may generally affect your legal rights. If the Court approves the Settlement, and the Plan of Allocation (or some other plan of allocation), the claims administrator selected by Plaintiffs and approved by the Court will make payments pursuant to the Settlement after any objections and appeals are resolved.

9. The purpose of this Notice is to inform you of the existence of this case, that it is a class action, how you might be affected, and how to exclude yourself from the Settlement Class if you wish to do so. It is also being sent to inform you of the terms of the proposed Settlement, and of a hearing to be held by the Court to consider the fairness, reasonableness, and adequacy of the Settlement, the proposed Plan of Allocation and the motion by Lead Counsel for an award of attorneys' fees and reimbursement of Litigation Expenses (the "Settlement Hearing"). See paragraphs 72-73 below for details about the Settlement Hearing, including the date and location of the hearing.

10. The issuance of this Notice is not an expression of any opinion by the Court concerning the merits of any claim in the Action, and the Court still has to decide whether to approve the Settlement. If the Court approves the Settlement and a plan of allocation, then payments to Authorized Claimants will be made after any appeals are resolved and after the completion of all claims processing. Please be patient, as this process takes time to complete.

WHAT IS THIS CASE ABOUT?

11. This litigation is about allegedly false and misleading statements made by Defendants to the detriment of Plaintiffs and the Settlement Class.

12. On July 6, 2023, a class action complaint was filed in the Court, styled *Efrat Investments LLC v. Hub Cyber Security Ltd.*, Case No. 1:23-cv-05764-AS ("*Efrat Investments*"). On July 31, 2023, a second class action, styled *Green v. Hub Cyber Security Ltd.*, Case No. 1:23-cv-06668-AS ("*Green*"), was filed in the Court.

13. By Order dated November 8, 2023, the Court: (i) consolidated the *Efrat Investments* and *Green* cases for all purposes, and recaptioned the consolidated case as *In re Hub Cyber Security Ltd.*, under Master File No. 1:23-cv-05764-AS; (ii) appointed Aryeh Agam and Shimon Aharon as Lead Plaintiffs; and (iii) approved Lead Plaintiffs' selection of Glancy Prongay & Murray LLP and The Law Offices of Jacob Sabo to serve as Lead Counsel for the putative class.

14. On January 26, 2024, Plaintiffs filed their Amended Class Action Complaint for Violations of the Federal Securities Laws (the "Complaint") on behalf of themselves and all individuals and entities that purchased or otherwise acquired Hub securities pursuant and/or traceable to the offering documents issued in connection with the business combination of Mount Rainier with Legacy Hub, asserting claims under Sections 11, 12(a)(2) and 15 of the Securities Act of 1933 (the "Securities Act"). Mount Rainier, a special purpose acquisition company ("SPAC"), acquired Legacy Hub, an Israeli cybersecurity company, in a so-called "de-SPAC" transaction. Named as defendants were Hub, Eyal Moshe, Hugo Goldman, Uzi Moscovich, Zeev Zell, Levana Shifman, Moshe Raines, Manish Agarwal, Moti Franko, and Matthew Kearney. Plaintiffs' claims against Defendant Levana Shifman were voluntarily dismissed on August 12, 2024. Hub and the Individual Defendants (with the exception of Eyal Moshe) are referred to herein as the "Hub Defendants." Among other things, the Complaint alleges that Defendants materially misled investors regarding (i) whether the investors in a \$50 million PIPE facility were committed; (ii) the strength of the Company's internal controls in light of undisclosed embezzlement by corporate insiders; and (iii) their portrayal of Legacy Hub as a cash-positive, "established business" with a "client base" and "established products" when, in fact, Legacy Hub's flagship product was nowhere near ready for market. The Complaint further alleged that the prices of Hub's publicly traded securities were artificially inflated during the putative class period as a result of Defendants' allegedly false and misleading statements and declined when the truth was purportedly revealed.

15. On May 31, 2024, the Hub Defendants and Defendant Eyal Moshe each moved to dismiss the Complaint. Plaintiffs filed an opposition to each motion to dismiss on July 15, 2024. The Hub Defendants and Defendant Eyal Moshe filed their respective replies in support of their motions to dismiss on August 9, 2024.

16. On March 20, 2025, the Court granted in part, and denied in part, Defendants' motions to dismiss. Defendants filed their answers to the Complaint on May 19, 2025.

17. Thereafter, discovery commenced. In the course of discovery, Defendants produced more than 88,000 pages of documents, and Plaintiffs produced 262 pages of documents.

18. On September 3, 2025, Plaintiffs, Lead Counsel and Defendants' Counsel participated in a full-day, in-person mediation session with their agreed mediator, Jed Melnick, Esq. of JAMS. In advance of that session, the Parties exchanged, and provided to Mr. Melnick, detailed mediation statements and exhibits, which addressed both liability and damages. The mediation culminated in Mr. Melnick making a mediator's recommendation to resolve the Action for \$11,000,000 in cash for the benefit of the Settlement Class. The Parties accepted the mediator's proposal.

19. After further negotiations between the Parties, the agreement in principle to settle the Action was memorialized in a term sheet dated October 9, 2025 (the "Term Sheet"). The Term Sheet sets forth, among other things, the Parties' agreement to settle and release all claims asserted against Defendants in the Action in return for a cash payment by or on behalf of Defendants in the amount of \$11,000,000 for the benefit of the Settlement Class, subject to certain terms and conditions, and contemplates the execution of a customary "long form" stipulation and agreement of settlement and related papers.

20. On December 9, 2025, the Parties entered into the Stipulation.

21. Based on the investigation and mediation of the case and Plaintiffs' direct oversight of the prosecution of this matter and with the advice of their counsel, Plaintiffs have agreed to settle and release the claims raised in the Action pursuant to the terms and provisions of the Stipulation, after considering, among other things, (a) the substantial financial benefit that Plaintiffs and the other members of the Settlement Class will receive under the proposed Settlement; and (b) the significant risks and costs of continued litigation and trial.

22. Defendants are entering into the Stipulation solely to eliminate the uncertainty, burden and expense of further protracted litigation. Each of the Defendants denies any wrongdoing, and the Stipulation shall in no event

be construed or deemed to be evidence of or an admission or concession on the part of any of the Defendants, or any other of the Released Defendants' Parties (defined in ¶ 34 below), with respect to any claim or allegation of any fault or liability or wrongdoing or damage whatsoever, or any infirmity in the defenses that the Defendants have, or could have, asserted. Similarly, the Stipulation shall in no event be construed or deemed to be evidence of or an admission or concession on the part of Plaintiffs of any infirmity in any of the claims asserted in the Action, or an admission or concession that any of the Defendants' defenses to liability had any merit.

23. On December 10, 2025, the Court preliminarily approved the Settlement, authorized the Postcard Notice to be mailed to potential Settlement Class Members and this Notice to be posted online and mailed to potential Settlement Class Members upon request, and scheduled the Settlement Hearing.

**HOW DO I KNOW IF I AM AFFECTED BY THE SETTLEMENT?
WHO IS INCLUDED IN THE SETTLEMENT CLASS?**

24. If you are a member of the Settlement Class, you are subject to the Settlement, unless you timely request to be excluded. The Settlement Class consists of:

all persons and entities that purchased or otherwise acquired Hub Securities pursuant and/or traceable to the Offering Documents issued in connection with the Business Combination between Legacy Hub and Mount Rainier. The Settlement Class includes: (i) holders of Mount Rainier securities or Legacy Hub securities that were converted into Hub Securities on or about March 1, 2023 as part of the Business Combination; and (ii) all persons and entities that purchased Hub Securities in the open market during the period from March 1, 2023 through July 31, 2023, both dates inclusive, and were damaged thereby.

Excluded from the Settlement Class are: (a) persons and entities that suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer, and/or director of Hub or Mount Rainier between February 10, 2021 and July 31, 2023, both dates inclusive, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of Hub or Mount Rainier; (iv) any entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settler or which is for the benefit of an Individual Defendant and/or member(s) of their Immediate Families; (vi) Defendants' D&O Insurers; and (vii) the legal representatives, heirs, successors, and assigns of any person or entity excluded under provisions (i) through (vi) hereof.⁴ Also excluded from the Settlement Class are any persons and entities who or which submit a valid request for exclusion from the Settlement Class that is accepted by the Court (*see* "What If I Do Not Want To Be A Member Of The Settlement Class? How Do I Exclude Myself," on page 13 below).

PLEASE NOTE: RECEIPT OF THE POSTCARD NOTICE DOES NOT MEAN THAT YOU ARE A SETTLEMENT CLASS MEMBER OR THAT YOU WILL BE ENTITLED TO RECEIVE PROCEEDS FROM THE SETTLEMENT.

If you are a Settlement Class Member and you wish to be eligible to participate in the distribution of proceeds from the Settlement, you are required to submit the Claim Form that is available online at www.HubSecuritiesSettlement.com or which can be mailed to you upon request to the Claims Administrator, and the required supporting documentation as set forth therein, postmarked or received no later than May 13, 2026.

WHAT ARE PLAINTIFFS' REASONS FOR THE SETTLEMENT?

25. Lead Plaintiffs and Lead Counsel believe that the claims asserted against Defendants have merit. They recognize, however, the expense and length of continued proceedings necessary to pursue their claims against the Defendants through trial and appeals, as well as the very substantial risks they would face in establishing liability

⁴ For the avoidance of doubt, "affiliates" are persons or entities that directly, or indirectly through one or more intermediaries, control, are controlled by or are under common control with Hub or one of the Individual Defendants.

and damages. In response to Defendants' motion to dismiss, the Court had already dismissed Plaintiffs' Section 11 claim relating to the PIPE funding commitments, and it is uncertain if evidence produced in discovery would be sufficient to allow Plaintiffs to revive this claim. As to the remaining claims, Lead Plaintiffs and Lead Counsel recognized that Defendants had numerous avenues of attack that could preclude a recovery. For example, they would likely assert that the statements concerning their internal controls were not material and that the statements concerning their product were not false because Hub did have an established product. Defendants would also continue to assert that they had made timely disclosures concerning the allegedly omitted information. Even if the hurdles to establishing liability were overcome, the amount of damages that could be attributed to the allegedly misleading statements would be hotly contested. In response to Defendants' motion to dismiss, the Court held that while Mount Rainier shareholders had standing to pursue Section 12 claims, Plaintiffs' allegations failed to establish that Legacy Hub shareholders purchased shares from the Defendants pursuant to the Offering Materials and therefore lacked standing, which could significantly lower the recoverable damages. An additional challenge is that key witnesses in this Action, including several significant non-parties such as A-Labs and the other PIPE investors, reside in Israel, which would present hurdles in obtaining documents and taking depositions necessary to prove Plaintiffs' claims. Lead Plaintiffs would have to prevail at several additional stages: the motion for class certification, motions for summary judgment, a trial, and, if they prevailed on those, the appeals that were likely to follow. Thus, there were very significant risks attendant to the continued prosecution of the Action.

26. In light of these risks and other considerations, the amount of the Settlement and the immediacy of recovery to the Settlement Class, Plaintiffs and Lead Counsel believe that the proposed Settlement is fair, reasonable and adequate, and in the best interests of the Settlement Class. Plaintiffs and Lead Counsel believe that the Settlement provides a substantial benefit to the Settlement Class, namely \$11,000,000 in cash (less the various deductions described in this Notice), as compared to the risk that the claims in the Action would produce a smaller, or no recovery after summary judgment, trial and appeals, possibly years in the future.

27. Defendants have denied the claims asserted against them in the Action and deny having engaged in any wrongdoing or violation of law of any kind whatsoever. Defendants have agreed to the Settlement solely to eliminate the burden and expense of continued litigation. Accordingly, the Settlement may not be construed as an admission of any wrongdoing by Defendants.

WHAT MIGHT HAPPEN IF THERE WERE NO SETTLEMENT?

28. If there were no Settlement and Plaintiffs failed to establish any essential legal or factual element of their claims against Defendants, neither Plaintiffs nor the other members of the Settlement Class would recover anything from Defendants. Also, if Defendants were successful in proving any of their defenses, either at summary judgment, at trial or on appeal, the Settlement Class could recover substantially less than the amount provided in the Settlement, or nothing at all.

HOW ARE SETTLEMENT CLASS MEMBERS AFFECTED BY THE ACTION AND THE SETTLEMENT?

29. As a Settlement Class Member, you are represented by Plaintiffs and Lead Counsel, unless you enter an appearance through counsel of your own choice at your own expense. You are not required to retain your own counsel, but if you choose to do so, such counsel must file a notice of appearance on your behalf and must serve copies of his or her appearance on the attorneys listed in the section entitled, "When And Where Will The Court Decide Whether To Approve The Settlement?," on page 14 below.

30. If you are a Settlement Class Member and do not wish to remain a Settlement Class Member, you may exclude yourself from the Settlement Class by following the instructions in the section entitled, "What If I Do Not Want To Be A Member Of The Settlement Class? How Do I Exclude Myself?," on page 13 below.

31. If you are a Settlement Class Member and you wish to object to the Settlement, the Plan of Allocation, or Lead Counsel's application for attorneys' fees and reimbursement of Litigation Expenses, and if you do not exclude yourself from the Settlement Class, you may present your objections by following the instructions in the section entitled, "When And Where Will The Court Decide Whether To Approve The Settlement?," below.

32. If you are a Settlement Class Member and you do not exclude yourself from the Settlement Class, you will be bound by any orders issued by the Court. If the Settlement is approved, the Court will enter a judgment (the “Judgment”). The Judgment will dismiss with prejudice the claims against Defendants and will provide that, upon the Effective Date of the Settlement, Plaintiffs and the other members of the Settlement Class, on behalf of themselves, and on behalf of any other person or entity legally entitled to bring Released Plaintiffs’ Claims (as defined in ¶ 33 below) on behalf of the respective Settlement Class Member in such capacity only, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally and forever released each and every Released Plaintiffs’ Claim against the Defendants and the other Released Defendants’ Parties (as defined in ¶ 34 below), and shall forever be barred and enjoined from prosecuting any or all of the Released Plaintiffs’ Claims.

33. “Released Plaintiffs’ Claims” means all claims, liabilities, judgments, sanctions, damages, demands, suits, debts, actions, or causes of action of any kind, character, nature, or description whatsoever, whether known claims or Unknown Claims, suspected or unsuspected, asserted or unasserted, fixed or contingent, accrued or unaccrued, matured or unmatured, which now exist, or heretofore or previously existed, or may hereafter exist, including, without limitation, claims sounding in contract, tort, and/or violations of any federal or state statute or regulation, whether at law or in equity, direct or derivative, whether arising under federal, state, common, or foreign law, that Plaintiffs or any other member of the Settlement Class: (i) asserted in the Amended Class Action Complaint for Violations of the Federal Securities Laws (the “Complaint”); or (ii) could have asserted in any forum that arise out of or are based upon the allegations, transactions, facts, matters or occurrences, representations or omissions set forth, or referred to, in the Complaint and that relate to the purchase or acquisition of publicly traded Hub Securities during the Settlement Class Period. Released Plaintiffs’ Claims do not include any claims: (i) relating to the enforcement of the Settlement; (ii) made in actions currently being litigated in Israel related to the purchase or acquisition of Legacy Hub shares that traded on the TASE, including but not limited to *Maj’haz v. Hub Cyber Security Ltd., et al.*, Case No. 11921-03-23 and *Lev et al. v. Hub Cyber Security Ltd.*, Case No. TNG 17979-02-23; and (iii) of any person or entity who or which submits a request for exclusion that is accepted by the Court.

34. “Released Defendants’ Parties” means (i) Defendants and their counsel; (ii) the immediate family members of the Individual Defendants; (iii) any trust of which any Individual Defendant is the settlor or which is for the benefit of any Individual Defendant and/or his or her immediate family members; (iv) Defendants’ D&O Insurers and their counsel; (v) for any of the entities listed in parts (i) through (iv), their respective past and present general partners, limited partners, principals, shareholders, joint venturers, officers, directors, managing directors, supervisors, employees, contractors, consultants, experts, auditors, accountants, financial advisors, insurers, trustees, trustors, agents, attorneys, parents, predecessors, successors, subsidiaries, assigns, heirs, executors, and any controlling person thereof; and (vi) any entity in which a Defendant has a controlling interest; all in their capacities as such.

35. “Unknown Claims” means any Released Plaintiffs’ Claims which Plaintiffs, any other Settlement Class Member, or any other person or entity legally entitled to bring Released Plaintiffs’ Claims on behalf of any Settlement Class Member in such capacity only, does not know or suspect to exist in his, her or its favor at the time of the release of such claims, and any Released Defendants’ Claims which any Defendant, or any other person or entity legally entitled to bring Released Defendants’ Claims on behalf of the Defendants in such capacity only, does not know or suspect to exist in his, her, or its favor at the time of the release of such claims, which, if known by him, her or it, might have affected his, her or its decision(s) with respect to this Settlement. With respect to any and all Released Claims, the Parties stipulate and agree that, upon the Effective Date of the Settlement, Plaintiffs and Defendants shall expressly waive, and each of the other Settlement Class Members and each of the other releasing parties shall be deemed to have waived, and by operation of the Judgment or the Alternate Judgment, if applicable, shall have expressly waived, any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law or foreign law, which is similar, comparable, or equivalent to California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

Plaintiffs and Defendants acknowledge, and each of the other releasing parties shall be deemed by operation of law to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the Settlement.

36. The Judgment will also provide that, upon the Effective Date of the Settlement, Defendants, and any person or entity that can assert claims on their behalf, in such capacity only, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally and forever released each and every Released Defendants' Claim (as defined in ¶ 37 below) against Plaintiffs and the other Released Plaintiffs' Parties (as defined in ¶ 38 below), and shall forever be barred and enjoined from prosecuting any or all of the Released Defendants' Claims against any of the Released Plaintiffs' Parties.

37. "Released Defendants' Claims" means all claims and causes of action of every nature and description, whether known claims or Unknown Claims, whether arising under federal, state, common or foreign law, that arise out of or are based upon the institution, prosecution, or settlement of the claims asserted in the Action against Defendants. Released Defendants' Claims do not include any claims: (i) relating to the enforcement of the Settlement; (ii) against any person or entity who or which submits a request for exclusion from the Settlement Class that is accepted by the Court; and (iii) made in any action or proceeding currently being litigated in Israel related to the purchase or acquisition of Legacy Hub shares that traded on the TASE, including but not limited to *Majhaz v. Hub Cyber Security Ltd., et al.*, Case No. 11921-03-23 and *Lev et al. v. Hub Cyber Security Ltd.*, Case No. TNG 17979-02-23.

38. "Released Plaintiffs' Parties" means (i) Plaintiffs, all Settlement Class Members, any other plaintiffs in the Action, Lead Counsel, Pomerantz LLP, any other counsel for plaintiffs in the Action, and (ii) each of their respective family members, and their respective partners, general partners, limited partners, principals, shareholders, joint venturers, officers, directors, managing directors, supervisors, employees, contractors, consultants, experts, auditors, accountants, financial advisors, insurers, trustees, trustors, agents, attorneys, parents, predecessors, successors, subsidiaries, assigns, heirs, executors, and any controlling person thereof; all in their capacities as such.

HOW DO I PARTICIPATE IN THE SETTLEMENT? WHAT DO I NEED TO DO?

39. To be eligible for a payment from the proceeds of the Settlement, you must be a member of the Settlement Class and you must timely complete and return the Claim Form to the Claims Administrator by first-class mail at:

In Re Hub Cyber Security Ltd. Securities Litigation
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson St., Suite 205
Media, PA 19063
Fax: (610) 565-7985
info@strategicclaims.net

OR SUBMITTED ONLINE at www.HubSecuritiesSettlement.com. The completed Claim Form must include adequate supporting documentation and must be **postmarked or received no later than 11:59 p.m. ET on May 13, 2026**. A Claim Form is available on the website maintained by the Claims Administrator for the Settlement, www.HubSecuritiesSettlement.com, or you may request that a Claim Form be mailed to you by calling the Claims Administrator toll free at 1-866-274-4004 or emailing info@strategicclaims.net. Please retain all records of your ownership of and transactions in Hub common stock, as they may be needed to document your Claim. If you request exclusion from the Settlement Class or do not submit a timely and valid Claim Form, you will not be eligible to share in the Net Settlement Fund.

HOW MUCH WILL MY PAYMENT BE?

40. At this time, it is not possible to make any determination as to how much any individual Settlement Class Member may receive from the Settlement.

41. Pursuant to the Settlement, Defendants have agreed to pay or caused to be paid eleven million dollars (\$11,000,000) in cash. The Settlement Amount will be deposited into an escrow account. The Settlement Amount plus any interest earned thereon is referred to as the "Settlement Fund." If the Settlement is approved by the Court and the Effective Date occurs, the "Net Settlement Fund" (that is, the Settlement Fund less (a) all federal, state and/or local taxes on any income earned by the Settlement Fund and the reasonable costs incurred in connection

with determining the amount of and paying taxes owed by the Settlement Fund (including reasonable expenses of tax attorneys and accountants); (b) the costs and expenses incurred in connection with providing notice to Settlement Class Members and administering the Settlement on behalf of Settlement Class Members; and (c) any attorneys' fees and Litigation Expenses awarded by the Court) will be distributed to Settlement Class Members who submit valid Claim Forms, in accordance with the proposed Plan of Allocation or such other plan of allocation as the Court may approve.

42. The Net Settlement Fund will not be distributed unless and until the Court has approved the Settlement and a plan of allocation, and the time for any petition for rehearing, appeal or review, whether by certiorari or otherwise, has expired.

43. Neither Defendants nor any other person or entity that paid any portion of the Settlement Amount on their behalf are entitled to get back any portion of the Settlement Fund once the Court's order or judgment approving the Settlement becomes Final. Defendants shall not have any liability, obligation or responsibility for the administration of the Settlement, the disbursement of the Net Settlement Fund or the plan of allocation.

44. Approval of the Settlement is independent from approval of a plan of allocation. Any determination with respect to a plan of allocation will not affect the Settlement, if approved.

45. Unless the Court otherwise orders, any Settlement Class Member who fails to submit a Claim Form postmarked or received on or before May 13, 2026 shall be fully and forever barred from receiving payments pursuant to the Settlement but will in all other respects remain a Settlement Class Member and be subject to the provisions of the Stipulation, including the terms of any Judgment entered and the releases given. This means that each Settlement Class Member releases the Released Plaintiffs' Claims (as defined in ¶ 33 above) against the Released Defendants' Parties (as defined in ¶ 34 above) and will be enjoined and prohibited from filing, prosecuting, or pursuing any of the Released Plaintiffs' Claims against any of the Released Defendants' Parties whether or not such Settlement Class Member submits a Claim Form.

46. Participants in and beneficiaries of a plan covered by ERISA ("ERISA Plan") should NOT include any information relating to their transactions in Hub common stock held through the ERISA Plan in any Claim Form that they may submit in this Action. They should include ONLY those shares of Hub common stock that they purchased or acquired outside of the ERISA Plan. Claims based on any ERISA Plan's purchases of Hub common stock during the Settlement Class Period may be made by the plan's trustees. To the extent any of the Defendants or any of the other persons or entities excluded from the Settlement Class are participants in the ERISA Plan, such persons or entities shall not receive, either directly or indirectly, any portion of the recovery that may be obtained from the Settlement by the ERISA Plan.

47. The Court has reserved jurisdiction to allow, disallow, or adjust on equitable grounds the Claim of any Settlement Class Member.

48. Each Claimant shall be deemed to have submitted to the jurisdiction of the Court with respect to his, her or its Claim Form.

49. Only Settlement Class Members, *i.e.*, persons and entities who purchased publicly traded Hub common stock during the Settlement Class Period and were damaged as a result of the alleged fraud, will be eligible to share in the distribution of the Net Settlement Fund. Persons and entities that are excluded from the Settlement Class by definition or that exclude themselves from the Settlement Class pursuant to request will not be eligible to receive a distribution from the Net Settlement Fund and should not submit Claim Forms. The only security that is included in the Settlement is publicly traded Hub common stock.

PROPOSED PLAN OF ALLOCATION

50. The objective of the Plan of Allocation is to equitably distribute the Settlement proceeds to those Settlement Class Members who suffered economic losses as a proximate result of the alleged wrongdoing. The calculations made pursuant to the Plan of Allocation are not intended to be estimates of, nor indicative of, the amounts that Settlement Class Members might have been able to recover after a trial. Nor are the calculations pursuant to the Plan of Allocation intended to be estimates of the amounts that will be paid to Authorized Claimants pursuant to the Settlement. The computations under the Plan of Allocation are only a method to weigh the claims of Authorized Claimants against one another for the purpose of making *pro rata* allocations of the Net Settlement

Fund.

51. The Action asserts claims under the Securities Act with respect to Hub Securities⁵ purchased or otherwise acquired pursuant or traceable to the Offering Documents issued in connection with the business combination between Legacy Hub and Mount Rainier, which closed on February 28, 2023. Hub Securities deemed purchased or otherwise acquired pursuant or traceable to the Offering Documents include:

- i. Mount Rainier securities or Legacy Hub securities converted into Hub Securities on or about March 1, 2023 as part of the Business Combination; and
- ii. Hub Securities purchased in the open market during the period from March 1, 2023 through July 31, 2023, both dates inclusive.

52. For purposes of calculating a Claimant's Recognized Loss Amount, the purchase price for Hub Securities received in exchange for Mount Rainier or Legacy Hub securities as part of the Business Combination shall be deemed to be \$2.53 per share, which represents the opening price of Hub Securities on March 1, 2023, the first trading day following the Business Combination.

53. For purposes of the Plan of Allocation, it is assumed that Plaintiffs would prevail on their claims under Sections 11 and 12(a)(2) of the Securities Act, including being able to prove that the Offering Documents contained material misstatements or omissions at the time the Offering Documents became effective. The Plan further assumes that investors who held publicly traded Mount Rainier shares that were converted into Hub Securities are entitled to an upward adjustment to their Recognized Loss Amount because the Court ruled that only holders of Mount Rainier shares had standing to bring 12(a)(2) claims. Accordingly, the Recognized Loss Amount for such Mount Rainier shares will be increased by fifty percent (50%) by multiplying the Recognized Loss Amount by 1.5. This Plan is intended solely for settlement administration and does not reflect any view or finding on the merits of the claims or defenses in the Action.

54. In the calculations below, all purchase and sale prices shall exclude any fees, taxes, and commissions. If a Recognized Loss Amount is calculated to be a negative number, that Recognized Loss Amount shall be set to zero. Any transactions in Hub Securities executed outside of regular trading hours for the U.S. financial markets shall be deemed to have occurred during the next regular trading session.

CALCULATION OF PER-SHARE RECOGNIZED LOSS AMOUNTS

55. Based on the formula set forth below, a "Recognized Loss Amount" shall be calculated for each purchase or acquisition of Hub Securities pursuant or traceable to the Offering Documents that is listed in the Claim Form and for which adequate documentation is provided.

- i. For each share that was sold prior to the close of trading on July 31, 2023, the Recognized Loss Amount is the purchase price (not to exceed \$2.53) *minus* the sale price.
- ii. For each share still held as of the close of trading on July 31, 2023, the Recognized Loss Amount is the purchase price (not to exceed \$2.53) *minus* \$0.57.⁶

ADDITIONAL PROVISIONS

56. The Net Settlement Fund will be allocated among all Authorized Claimants whose Distribution Amount (defined in paragraph 63 below) is \$10.00 or greater.

57. **FIFO Matching:** All purchases/acquisitions and sales shall be matched on a First In, First Out ("FIFO") basis. Under FIFO, sales of Hub Securities will be matched against previous purchases/acquisitions of Hub Securities in chronological order, beginning with the earliest purchase/acquisition.

⁵ Following the Settlement Class Period, Hub effected 1-for-10 reverse stock splits on or about December 15, 2023 and March 31, 2025. Unless otherwise noted, share prices and quantities presented herein are *not adjusted* for these reverse splits.

⁶ July 31, 2023, is the filing date of the first complaint stating a claim under Section 11 of the Securities Act for shares acquired pursuant or traceable to the Offering Documents. The closing price for Hub Securities that day was \$0.57.

58. **Calculation of Claimant's "Recognized Claim":** A Claimant's "Recognized Claim" under the Plan of Allocation shall be the sum of his, her or its Recognized Loss Amounts for all shares of the Hub Securities purchased or otherwise acquired pursuant or traceable to the Registration Statement.

59. **"Purchase/Sale" Dates:** Purchases/acquisitions of Hub Securities shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. The receipt or grant by gift, inheritance or operation of law of Hub Securities shall not be deemed a purchase/acquisition of Hub Securities for the calculation of an Claimant's Recognized Loss Amount, nor shall the receipt or grant be deemed an assignment of any claim relating to the purchase/acquisition of any Hub Securities unless (i) the donor/decedent purchased or otherwise acquired such Hub Securities pursuant or traceable to the Registration Statement; (ii) no Claim Form was submitted by or on behalf of the donor, on behalf of the decedent, or by anyone else with respect to such Hub Securities; and (iii) it is specifically so provided in the instrument of gift or assignment.

60. **Short Sales:** The date of covering a "short sale" is deemed to be the date of purchase or acquisition of the Hub Securities. The date of a "short sale" is deemed to be the date of sale of Hub Securities. Under the Plan of Allocation, however, the Recognized Loss Amount on "short sales" is zero. In the event that a Claimant has a short position in Hub Securities, the earliest subsequent purchases or acquisitions of Hub Securities shall be matched against such short position, and not be entitled to a recovery, until that short position is fully covered.

61. **Common Stock Purchased/Sold Through the Exercise of Publicly Traded Options:** With respect to Hub Securities purchased or sold through the exercise of a publicly traded option, the purchase/sale date of the stock shall be the exercise date of the option and the purchase/sale price of the stock shall be the exercise price of the option. Any Recognized Loss Amount arising from purchases of Hub Securities through the exercise of a publicly traded option shall be computed as provided for other purchases of Hub Securities in the Plan of Allocation.

62. **Common Stock Acquired Through PIPE Subscription Agreements:** Hub Securities issued and sold pursuant to the PIPE subscription agreements entered into in connection with the Business Combination are not securities eligible to participate in the Settlement.

63. **Determination of Distribution Amount:** The Net Settlement Fund will be distributed to Authorized Claimants on a *pro rata* basis based on the relative size of their Recognized Claims. Specifically, a "Distribution Amount" will be calculated for each Authorized Claimant, which shall be the Authorized Claimant's Recognized Claim divided by the total Recognized Claims of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund. If any Authorized Claimant's Distribution Amount calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to such Authorized Claimant. Any Distribution Amounts of less than \$10.00 will be included in the pool distributed to those Authorized Claimants whose Distribution Amounts are \$10.00 or greater.

64. After the initial distribution of the Net Settlement Fund, the Claims Administrator shall make reasonable and diligent efforts to have Authorized Claimants cash 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 re-distribution of the funds remaining after payment of any unpaid fees and expenses incurred in administering the Settlement, including for such re-distribution, to Authorized Claimants who have cashed their initial distributions and who would receive at least \$10.00 from such re-distribution. Additional re-distributions to Authorized Claimants who have cashed their prior checks and who would receive at least \$10.00 on such additional re-distributions may occur thereafter if Lead Counsel, in consultation with the Claims Administrator, determines that additional re-distributions, after the deduction of any additional fees and expenses incurred in administering the Settlement, including for such re-distributions, would be cost-effective. At such time as it is determined that the re-distribution of funds remaining in the Net Settlement Fund is not cost-effective, the remaining balance shall be contributed to non-sectarian, not-for-profit organization(s), to be recommended by Lead Counsel and approved by the Court.

65. Payment pursuant to the Plan of Allocation, or such other plan of allocation as may be approved by the Court, shall be conclusive against all Authorized Claimants. No person shall have any claim against Plaintiffs, Lead Counsel, Plaintiffs' damages expert, Defendants, Defendants' Counsel, or any of the other Releasees, or the Claims Administrator or other agent designated by Lead Counsel arising from distributions made substantially in accordance with the Stipulation, the plan of allocation approved by the Court, or further Orders of the Court.

Plaintiffs, Defendants and their respective counsel, and all other Released Defendants' Parties, shall have no responsibility or liability whatsoever for the investment or distribution of the Settlement Fund, the Net Settlement Fund, the plan of allocation, or the determination, administration, calculation, or payment of any Claim Form or nonperformance of the Claims Administrator, the payment or withholding of taxes owed by the Settlement Fund, or any losses incurred in connection therewith.

66. The Plan of Allocation set forth herein is the plan that is being proposed to the Court for its approval by Plaintiffs after consultation with their damages expert. The Court may approve this plan as proposed or it may modify the Plan of Allocation without further notice to the Settlement Class. Any Orders regarding any modification of the Plan of Allocation will be posted on the Settlement Website, www.HubSecuritiesSettlement.com.

**WHAT PAYMENT ARE THE ATTORNEYS FOR THE SETTLEMENT CLASS SEEKING?
HOW WILL THE LAWYERS BE PAID?**

67. Plaintiffs' Counsel have not received any payment for their services in pursuing claims against the Defendants on behalf of the Settlement Class, nor have Plaintiffs' Counsel been reimbursed for their out-of-pocket expenses. Before final approval of the Settlement, Lead Counsel will apply, on behalf of all Plaintiffs' Counsel, to the Court for an award of attorneys' fees in an amount not to exceed 33⅓% of the Settlement Fund. At the same time, Lead Counsel also intends to apply, on behalf of all Plaintiffs' Counsel, for reimbursement of Litigation Expenses in an amount not to exceed \$205,000, which may include an application for reimbursement of the reasonable costs and expenses incurred by Plaintiffs directly related to their representation of the Settlement Class in an amount not to exceed \$30,000.⁷ The Court will determine the amount of any award of attorneys' fees or reimbursement of Litigation Expenses. Such sums as may be approved by the Court will be paid from the Settlement Fund. Settlement Class Members are not personally liable for any such fees or expenses.

**WHAT IF I DO NOT WANT TO BE A MEMBER OF THE SETTLEMENT CLASS?
HOW DO I EXCLUDE MYSELF?**

68. Each Settlement Class Member will be bound by all determinations and judgments in this lawsuit, whether favorable or unfavorable, unless such person or entity mails or delivers a written Request for Exclusion from the Settlement Class, addressed to the Claims Administrator at *In Re Hub Cyber Security Ltd. Securities Litigation*, EXCLUSIONS, c/o Strategic Claims Services, 600 N. Jackson St, Ste. 205, Media, PA 19063. The exclusion request must be received by, or postmarked no later than June 1, 2026. You will not be able to exclude yourself from the Settlement Class after that date. Each Request for Exclusion must: (a) state the name, address, and telephone number of the person or entity requesting exclusion, and in the case of entities, the name and telephone number of the appropriate contact person; (b) state that such person or entity "requests exclusion from the Settlement Class in *In Re Hub Cyber Security Ltd. Securities Litigation*, Master File No. 1:23-cv-05764-AS"; (c) state the number of shares of publicly traded Hub common stock that the person or entity requesting exclusion purchased, acquired and sold during the Settlement Class Period, as well as the dates and prices of each such purchase, acquisition and sale; and (d) be signed by the person or entity requesting exclusion or an authorized representative. A Request for Exclusion shall not be valid and effective unless it provides all the information called for in this paragraph and is submitted within the time stated above, or is otherwise accepted by the Court.

69. If you do not want to be part of the Settlement Class, you must follow these instructions for exclusion even if you have pending, or later file, another lawsuit, arbitration, or other proceeding relating to any Released Plaintiffs' Claim against any of the Released Defendants' Parties.

70. If you ask to be excluded from the Settlement Class, you will not be eligible to receive any payment out of

⁷ The attorney fee application will be made collectively on behalf of Glancy Prongay & Murray LLP, 1925 Century Park East, Suite 2100, Los Angeles, CA 90067 ("GPM"); Law offices of Jacob Sabo, 22a Mazzei Street, Tel-Aviv, Israel ("Sabo"); and Pomerantz LLP, 600 Third Avenue, 20th Floor, New York, NY 10016 ("Pomerantz"). Pursuant to a fee sharing agreement, additional Plaintiffs' Counsel Pomerantz will receive up to 20% of any attorneys' fees awarded by the Court.

the Net Settlement Fund.

71. Defendants have the right to terminate the Settlement if valid requests for exclusion are received from persons and entities entitled to be members of the Settlement Class in an amount that exceeds an amount agreed to by Plaintiffs and Defendants.

**WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE
SETTLEMENT? DO I HAVE TO COME TO THE HEARING?
MAY I SPEAK AT THE HEARING IF I DON'T LIKE THE SETTLEMENT?**

72. **Settlement Class Members do not need to attend the Settlement Hearing. The Court will consider any submission made in accordance with the provisions below even if a Settlement Class Member does not attend the hearing. You can participate in the Settlement without attending the Settlement Hearing.**

73. The Settlement Hearing will be held on June 29, 2026 at 11:00 a.m., before the Honorable Arun Subramanian in Courtroom 15A at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. The Court reserves the right to approve the Settlement, the Plan of Allocation, Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses and/or any other matter related to the Settlement at or after the Settlement Hearing without further notice to the members of the Settlement Class. The Court reserves the right to hold the Settlement Hearing telephonically or by other virtual means, in which event the Claims Administrator will update the Settlement Website regarding the Settlement Hearing's telephonic or virtual format.

74. Any Settlement Class Member who or which does not request exclusion may object to the Settlement, the proposed Plan of Allocation or Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses. Objections must be in writing. You must file any written objection, together with copies of all other papers and briefs supporting the objection, with the Clerk's Office at the United States District Court for the Southern District of New York at the address set forth below on or before June 8, 2026. You must also serve the papers on Lead Counsel and on Defendants' Counsel at the addresses set forth below so that the papers are received by June 8, 2026.

<u>Clerk's Office</u>	<u>Lead Counsel</u>	<u>Defendants' Counsel</u>
United States District Court Southern District of New York Clerk of the Court United States Courthouse 500 Pearl Street New York, NY 10007	Glancy Prongay & Murray LLP Casey E. Sadler, Esq. 1925 Century Park East Suite 2100 Los Angeles, CA 90067	Pillsbury Winthrop Shaw Pittman LLP Ari M. Berman, Esq. 31 West 52nd Street New York, NY 10019 -and- Pierson Ferdinand LLP Aurora Cassirer, Esq. 1270 Avenue of the Americas, 7th Floor New York, NY 10020

75. Any objection: (a) must state the name, address, and telephone number of the person or entity objecting and must be signed by the objector; (b) must contain a statement of the Settlement Class Member's objection or objections, and the specific reasons for each objection, including any legal and evidentiary support the Settlement Class Member wishes to bring to the Court's attention; and (c) must include documents sufficient to prove membership in the Settlement Class, including the number of shares of Hub common stock that the person or entity objecting purchased, acquired and sold during the Settlement Class Period, as well as the dates and prices of each such purchase, acquisition and sale. You may not object to the Settlement, the Plan of Allocation or Lead Counsel's motion for attorneys' fees and reimbursement of Litigation Expenses if you exclude yourself from the Settlement Class or if you are not a member of the Settlement Class.

76. You may submit a written objection without having to appear at the Settlement Hearing. You may not, however, appear at the Settlement Hearing to present your objection unless you first submit and serve a written objection in accordance with the procedures described above, unless the Court orders otherwise.

77. If you wish to be heard at the Settlement Hearing, and you have timely submitted a written objection as described above, you must also file a notice of appearance with the Clerk's Office and serve it on Lead Counsel and Defendants' Counsel at the addresses set forth above so that it is **received on or before June 8, 2026**. Persons who intend to appear at the Settlement Hearing **must** include in their written objection or notice of appearance the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the hearing. Such persons may be heard orally at the discretion of the Court.

78. You are not required to hire an attorney to represent you in making written objections or in appearing at the Settlement Hearing. However, if you decide to hire an attorney, it will be at your own expense, and that attorney must file a notice of appearance with the Court and serve it on Lead Counsel and Defendants' Counsel at the addresses set forth in ¶ 74 above so that the notice is **received on or before June 8, 2026**.

79. The Settlement Hearing may be adjourned by the Court without further written notice to the Settlement Class. If you intend to attend the Settlement Hearing, you should confirm the date and time on the Court's website, the Settlement Website, or with Lead Counsel.

80. **Settlement Class Members do not need to appear at the Settlement Hearing or take any other action to indicate their approval. Unless the Court orders otherwise, any Settlement Class Member who does not object in the manner described above will be deemed to have waived any objection and shall be forever foreclosed from making any objection to the proposed Settlement, the proposed Plan of Allocation or Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses.**

WHAT IF I BOUGHT SHARES ON SOMEONE ELSE'S BEHALF?

81. If you purchased or acquired the publicly traded common stock of Hub during the period between March 1, 2023 and July 31, 2023, both dates inclusive, for the beneficial interest of persons or organizations other than yourself, within seven (7) calendar days of receipt of the Claims Administrator's notice of the Settlement, you must either: (a) request from the Claims Administrator sufficient copies of the Postcard Notice to forward to all such beneficial purchasers/owners and, within seven (7) calendar days of receipt of those Postcard Notices, forward them to all such beneficial purchasers/owners; (b) request from the Claims Administrator a link to the Notice and Claim Form and, within seven (7) calendar days of receipt of the link, email the link to all such beneficial purchasers/owners for whom valid email addresses are available; or (c) provide a list of the names, mailing addresses, and email addresses (to the extent available) of all such beneficial purchasers/owners to the Claims Administrator at *In Re Hub Cyber Security Ltd. Securities Litigation*, c/o Strategic Claims Services, P.O. Box 230, 600 N. Jackson St, Ste. 205, Media, PA 19063, in which event the Claims Administrator shall promptly mail the Postcard Notice, or email a link to the Notice and Claim Form, to such beneficial purchasers/owners. Nominees that choose to follow procedures (a) or (b) shall also send a statement to the Claims Administrator confirming that the mailing or emailing was made as directed.

82. Upon full and timely compliance with these directions, nominees may seek reimbursement of their reasonable expenses actually incurred, not to exceed: (a) \$0.02 per name, mailing address, and email address (to the extent available) provided to the Claims Administrator; (b) \$0.02 per email for emailing notice; or (c) \$0.02 per postcard, plus postage at the pre-sort rate used by the Claims Administrator, for mailing the Postcard Notice, by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought. Any dispute concerning the reasonableness of reimbursement costs shall be resolved by the Court. **YOU ARE NOT AUTHORIZED TO PRINT THE POSTCARD NOTICE YOURSELF. POSTCARD NOTICES MAY ONLY BE PRINTED BY THE COURT-APPOINTED CLAIMS ADMINISTRATOR.**

CAN I SEE THE COURT FILE? WHOM SHOULD I CONTACT IF I HAVE QUESTIONS?

83. This Notice contains only a summary of the terms of the proposed Settlement. For more detailed information about the matters involved in this Action, you are referred to the papers on file in the Action, including

the Stipulation, which may be inspected during regular office hours at the Office of the Clerk, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. Additionally, copies of the Stipulation and any related orders entered by the Court will be posted on the website maintained by the Claims Administrator, www.HubSecuritiesSettlement.com.

84. All inquiries concerning this Notice and the Claim Form should be directed to the Claims Administrator or Lead Counsel at:

<i>In Re Hub Cyber Security Ltd. Securities Litigation</i> c/o Strategic Claims Services P.O. Box 230 600 N. Jackson St, Ste. 205 Media, PA 19063 Telephone: (866) 274-4004 Email: info@strategicclaims.net www.HubSecuritiesSettlement.com	and/or	Casey E. Sadler, Esq. Glancy Prongay & Murray LLP 1925 Century Park East, Suite 2100 Los Angeles, CA 90067 Telephone: (310) 201-9150 Email: settlements@glancylaw.com
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DO NOT CALL OR WRITE THE COURT, THE OFFICE OF THE CLERK OF THE COURT, DEFENDANTS, OR THEIR COUNSEL REGARDING THIS NOTICE.

Dated: December 10, 2025

By Order of the Court
United States District Court
Southern District of New York

In Re Hub Cyber Security Ltd. Securities Litigation

c/o Strategic Claims Services

P.O. Box 230

600 N. Jackson St., Ste. 205

Media, PA 19063

Toll Free Number: (866) 274-4004

Settlement Website: www.HubSecuritiesSettlement.com

Email: info@strategicclaims.net

PROOF OF CLAIM AND RELEASE FORM

To be eligible to receive a share of the Net Settlement Fund in connection with the Settlement of this Action, you must be a Settlement Class Member and complete and sign this Proof of Claim and Release Form (“Claim Form”) and mail it by first-class mail to the above address, or submit it through the Settlement Website listed above, **so that it is postmarked or submitted no later than 11:59 p.m. ET on May 13, 2026.**

Failure to submit your Claim Form by the date specified will subject your claim to rejection and may preclude you from being eligible to recover any money in connection with the Settlement.

Do not mail or deliver your Claim Form to the Court, the settling parties or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above.

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PART I – CLAIMANT INFORMATION

(Please read General Instructions below before completing this page.)

The Claims Administrator will use this information for all communications regarding this Claim Form. If this information changes, you MUST notify the Claims Administrator in writing at the address above.

Beneficial Owner's Name

Co-Beneficial Owner's Name

Entity Name (if Beneficial Owner is not an individual)

Representative or Custodian Name (if different from Beneficial Owner(s) listed above)

Address1 (street name and number)

Address2 (apartment, unit or box number)

City

State

Zip Code

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Foreign Country (only if not USA)

Last four digits of Social Security Number or Taxpayer Identification Number

Telephone Number (home)

Telephone Number (work)

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Email address (Email address is not required, but if you provide it, you authorize the Claims Administrator to use it in providing you with information relevant to this claim.):

Account Number (account(s) through which the securities were traded)⁸:

Claimant Account Type (check appropriate box):

- | | | |
|---|---------------------------------------|--------------------------------|
| ☐ Individual (includes joint owner accounts) | ☐ Pension Plan | ☐ Trust |
| ☐ Corporation | ☐ Estate | |
| ☐ IRA/401K | ☐ Other _____ | (please specify) |

⁸ If the account number is unknown, you may leave blank. If the same legal entity traded through more than one account, you may write "multiple." Please see paragraph 10 of the General Instructions for more information on when to file separate Claim Forms for multiple accounts, *i.e.*, when you are filing on behalf of distinct legal entities.

PART II – GENERAL INSTRUCTIONS

1. It is important that you completely read and understand the Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “Notice”) that accompanies this Claim Form, including the Plan of Allocation of the Net Settlement Fund set forth in the Notice. The Notice describes the proposed Settlement, how Settlement Class Members are affected by the Settlement, and the manner in which the Net Settlement Fund will be distributed if the Settlement and Plan of Allocation are approved by the Court. The Notice also contains the definitions of many of the defined terms (which are indicated by initial capital letters) used in this Claim Form. By signing and submitting this Claim Form, you will be certifying that you have read and that you understand the Notice, including the terms of the releases described therein and provided for herein.

2. This Claim Form is directed to the “Settlement Class,” which consists of all persons and entities that purchased or otherwise acquired Hub Securities⁹ pursuant and/or traceable to the Offering Documents issued in connection with the business combination between Hub Cyber Security (Israel) Ltd. (“Legacy Hub”) and Mount Rainier Acquisition Corp. (“Mount Rainier”) (the “Business Combination”), as defined in the Stipulation approved by the Court. The Settlement Class includes: (i) holders of Mount Rainier securities or Legacy Hub securities that were converted into Hub Securities on or about March 1, 2023 as part of the Business Combination; and (ii) all persons and entities that purchased Hub Securities in the open market during the period from March 1, 2023 through July 31, 2023, both dates inclusive, and were damaged thereby (the “Settlement Class Period”). All persons and entities that are members of the Settlement Class are referred to as “Settlement Class Members.”

3. Excluded from the Settlement Class are: (a) persons and entities that suffered no compensable losses; and (b)(i) Defendants; (ii) any person who served as a partner, control person, officer, and/or director of Hub or Mount Rainier between February 10, 2021 and July 31, 2023, both dates inclusive, and members of their Immediate Families; (iii) present and former parents, subsidiaries, assigns, successors, affiliates, and predecessors of Hub or Mount Rainier; (iv) any entity in which the Defendants have or had a controlling interest; (v) any trust of which an Individual Defendant is the settler or which is for the benefit of an Individual Defendant and/or member(s) of their Immediate Families; (vi) Defendants’ D&O Insurers; and (vii) the legal representatives, heirs, successors, and assigns of any person or entity excluded under provisions (i) through (vi) hereof. Also excluded from the Settlement Class are any persons and entities who or which submit a valid request for exclusion from the Settlement Class that is accepted by the Court.

4. If you are not a Settlement Class Member, do not submit a Claim Form. YOU MAY NOT, DIRECTLY OR INDIRECTLY, PARTICIPATE IN THE SETTLEMENT IF YOU ARE NOT A SETTLEMENT CLASS MEMBER. THUS, IF YOU ARE EXCLUDED FROM THE SETTLEMENT CLASS (AS SET FORTH IN PARAGRAPH 3 ABOVE), ANY CLAIM FORM THAT YOU SUBMIT, OR THAT MAY BE SUBMITTED ON YOUR BEHALF, WILL NOT BE ACCEPTED.

5. If you are a Settlement Class Member, you will be bound by the terms of any judgments or orders entered in the Action WHETHER OR NOT YOU SUBMIT A CLAIM FORM, unless you submit a request for exclusion from the Settlement Class. Thus, if you are a Settlement Class Member, the Judgment will release, and enjoin the filing or continued prosecution of, the Released Plaintiffs’ Claims against the Released Defendants’ Parties.

6. You are eligible to participate in the distribution of the Net Settlement Fund only if you are a member of the Settlement Class and if you complete and return this form as specified below. If you fail to submit a timely, properly addressed, and completed Claim Form with the required documentation, your claim may be rejected, and you may be precluded from receiving any distribution from the Net Settlement Fund.

⁹ “Hub Securities” refers to the publicly traded common stock of Hub Cyber Security Ltd. (“Hub”). During the Settlement Class Period, Hub common stock was listed and traded on the Nasdaq Capital Market under the ticker symbol “HUBC.” Following the Settlement Class Period, Hub effected 1-for-10 reverse stock splits on or about December 15, 2023 and March 31, 2025. Claimants should report all share quantities and prices on a pre-split basis (*i.e.*, unadjusted).

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7. Submission of this Claim Form does not guarantee that you will share in the proceeds of the Settlement. The distribution of the Net Settlement Fund will be governed by the Plan of Allocation set forth in the Notice, if it is approved by the Court, or by such other plan of allocation approved by the Court.

8. Use the Schedule of Transactions in Part III of this Claim Form to supply all required details of your transaction(s) (including free transfers) in and holdings of the applicable publicly traded Hub Securities. On the Schedule of Transactions, please provide all of the requested information with respect to your holdings, purchases, acquisitions, and sales of the applicable publicly traded Hub Securities, whether such transactions resulted in a profit or a loss. Failure to report all transaction and holding information during the requested time periods may result in the rejection of your claim.

9. You are required to submit genuine and sufficient documentation for all of your transactions and holdings of the applicable Hub Securities set forth in the Schedule of Transactions in Part III of this Claim Form. Documentation may consist of copies of brokerage confirmation slips or monthly brokerage account statements, or an authorized statement from your broker containing the transactional and holding information found in a broker confirmation slip or account statement. The Parties and the Claims Administrator do not independently have information about your investments in Hub Securities. IF SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN COPIES OR EQUIVALENT CONTEMPORANEOUS DOCUMENTS FROM YOUR BROKER. FAILURE TO SUPPLY THIS DOCUMENTATION MAY RESULT IN THE REJECTION OF YOUR CLAIM. DO NOT SEND ORIGINAL DOCUMENTS. **Please keep a copy of all documents that you send to the Claims Administrator. Also, please do not highlight any portion of the Claim Form or any supporting documents.**

10. Separate Claim Forms should be submitted for each separate legal entity (e.g., a claim from joint owners should not include separate transactions through an account that is in the name of just one of the joint owners, and an individual should not combine his or her IRA transactions with transactions made through an account in the individual's name). Conversely, a single Claim Form should be submitted on behalf of one legal entity including all transactions made by that entity on one Claim Form, no matter how many separate accounts that entity has (e.g., a corporation with multiple brokerage accounts should include all transactions made in all accounts on one Claim Form).

11. All joint beneficial owners must sign this Claim Form. If you purchased publicly traded Hub Securities during the Settlement Class Period and held the securities in your name, you are the beneficial owner as well as the record owner and you must sign this Claim Form to participate in the Settlement. If, however, you purchased or otherwise acquired publicly traded Hub Securities during the Settlement Class Period and the securities were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial owner of these securities, but the third party is the record owner. The beneficial owner, not the record owner, must sign this Claim Form.

12. Agents, executors, administrators, guardians, and trustees must complete and sign the Claim Form on behalf of persons represented by them, and they must:

- (a) expressly state the capacity in which they are acting;
- (b) identify the name, account number, Social Security Number (or taxpayer identification number), address, and telephone number of the beneficial owner of (or other person or entity on whose behalf they are acting with respect to) the Hub Securities; and
- (c) furnish herewith evidence of their authority to bind to the Claim Form the person or entity on whose behalf they are acting. (Authority to complete and sign a Claim Form cannot be established by stockbrokers demonstrating only that they have discretionary authority to trade stock in another person's accounts.)

13. By submitting a signed Claim Form, you will be swearing that you:

- (a) own(ed) the Hub Securities you have listed in the Claim Form; or
- (b) are expressly authorized to act on behalf of the owner thereof.

14. By submitting a signed Claim Form, you will be swearing to the truth of the statements contained therein and the genuineness of the documents attached thereto, subject to penalties of perjury under the laws of the

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United States of America. The making of false statements, or the submission of forged or fraudulent documentation, will result in the rejection of your claim and may subject you to civil liability or criminal prosecution.

15. If the Court approves the Settlement, payments to eligible Authorized Claimants pursuant to the Plan of Allocation (or such other plan of allocation as the Court approves) will be made after the completion of all claims processing. This could take substantial time. Please be patient.

16. PLEASE NOTE: As set forth in the Plan of Allocation, each Authorized Claimant shall receive his, her, or its pro rata share of the Net Settlement Fund. If the prorated payment to any Authorized Claimant, however, calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Authorized Claimant.

17. If you have questions concerning the Claim Form, or need additional copies of the Claim Form or the Notice, you may contact the Claims Administrator, Strategic Claims Services, by email at info@strategicclaims.net, or by toll-free phone at (866) 274-4004, or you may download the documents from the Settlement website, www.HubSecuritiesSettlement.com.

18. NOTICE REGARDING INSTITUTIONAL FILERS: Representatives with authority to file on behalf of: (a) accounts of multiple Settlement Class Members; and/or (b) institutional accounts with large numbers of transactions (“Representative Filers”) must submit information regarding their transactions in an electronic spreadsheet format. (This is different than the online claim portal on the Settlement Website.) To obtain the **mandatory** electronic filing requirements and file layout, you can visit the Settlement Website at www.HubSecuritiesSettlement.com, or you can email the Claims Administrator’s electronic filing department at efile@strategicclaims.net. **Any file not in accordance with the required electronic filing format will be subject to rejection.** All Representative Filers MUST also submit a manually signed Claim Form for each Settlement Class Member, as well as proof of authority to file, along with the electronic spreadsheet format. Only one claim should be submitted for each separate legal entity, sub-accounts should be rolled up into a parent account if the sub-accounts contain the same tax identification number, and the **complete** name of the beneficial owner of the securities must be entered where called for. No electronic files will be considered to have been submitted unless the Claims Administrator issues an email to that effect. **Do not assume that your file has been received until you receive the confirmation email. If you do not receive such an email within 10 days after your submission, you should contact the electronic filing department at efile@strategicclaims.net to inquire about your file and confirm it was received.**

19. NOTICE REGARDING ONLINE FILING: Claimants who are not Representative Filers may submit their claims online using the electronic version of the Claim Form hosted at www.HubSecuritiesSettlement.com. If you are not acting as a Representative Filer, you do not need to contact the Claims Administrator before filing. You will receive an automated e-mail confirming receipt once your Claim Form has been submitted. If you are unsure whether you should submit your claim as a Representative Filer, please contact the Claims Administrator at info@strategicclaims.net or (866) 274-4004. If you are not a Representative Filer, but your claim contains a large number of transactions, the Claims Administrator may request that you also submit an electronic spreadsheet showing your transactions to accompany your Claim Form. If you do not receive a confirmation email within 10 days of your submission, you should contact the Claims Administrator at info@strategicclaims.net to inquire about your claim and confirm it was received and acceptable.

IMPORTANT: PLEASE NOTE

YOUR CLAIM IS NOT DEEMED FILED UNTIL YOU RECEIVE AN ACKNOWLEDGEMENT POSTCARD OR EMAIL. THE CLAIMS ADMINISTRATOR WILL ACKNOWLEDGE RECEIPT OF YOUR CLAIM FORM BY MAIL OR EMAIL WITHIN 60 DAYS. IF YOU DO NOT RECEIVE AN ACKNOWLEDGEMENT POSTCARD OR CONFIRMATION EMAIL WITHIN 60 DAYS, PLEASE CALL THE CLAIMS ADMINISTRATOR TOLL FREE AT (866) 274-4004.

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PART III – SCHEDULE OF TRANSACTIONS IN HUB SECURITIES

Complete this Part III if and only if you purchased or acquired publicly traded Hub Securities during the period from March 1, 2023 through and including July 31, 2023. Please include proper documentation with your Claim Form as described in detail in Part II – General Instructions, Paragraph 9, above. Do not include information in this section regarding securities other than Hub Securities.

1. HUB SECURITIES ACQUIRED IN THE BUSINESS COMBINATION – State the total number of Hub Securities acquired through the conversion of Mount Rainier securities or Legacy Hub securities on or about March 1, 2023 as part of the Business Combination. (Must be documented.) If none, write “zero” or “0.” _____			
2. PURCHASES/ACQUISITIONS DURING THE SETTLEMENT CLASS PERIOD – Separately list each and every purchase/acquisition (including free receipts) of Hub Securities from after the opening of trading on March 1, 2023, through and including the close of trading on July 31, 2023. (Must be documented.)			
Date of Purchase/Acquisition (List Chronologically) (Month/Day/Year)	Number of Shares Purchased/ Acquired	Purchase/ Acquisition Price Per Share	Total Purchase/ Acquisition Price (excluding taxes, commissions, and fees)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
3. SALES DURING THE SETTLEMENT CLASS PERIOD – Separately list each and every sale/disposition (including free deliveries) of Hub Securities from after the opening of trading on March 1, 2023, through and including the close of trading on July 31, 2023. (Must be documented.)			IF NONE, CHECK HERE ○
Date of Sale (List Chronologically) (Month/Day/Year)	Number of Shares Sold	Sale Price Per Share	Total Sale Price (excluding taxes, commissions, and fees)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
4. ENDING HOLDINGS – State the total number of Hub Securities held as of the close of trading on July 31, 2023. (Must be documented.) If none, write “zero” or “0.” _____			

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST
PHOTOCOPY THIS PAGE AND CHECK THIS BOX ☐**
IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL NOT BE REVIEWED

PART IV – RELEASE OF CLAIMS AND SIGNATURE

YOU MUST ALSO READ THE RELEASE AND CERTIFICATION BELOW AND SIGN ON PAGE 23 OF THIS CLAIM FORM.

I (we) hereby acknowledge that as of the Effective Date of the Settlement, pursuant to the terms set forth in the Stipulation, I (we), on behalf of myself (ourselves) and on behalf of any other person or entity legally entitled to bring Released Plaintiffs’ Claims (as defined in the Stipulation and in the Notice) on my (our) behalf in such capacity only, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally, and forever released each and every Released Plaintiffs’ Claim against the Defendants and the other Released Defendants’ Parties, and shall forever be barred and enjoined from prosecuting any or all of the Released Plaintiffs’ Claims. This release shall not apply to any Excluded Claim (as defined in the Stipulation).

HUB CYBER

CERTIFICATION

By signing and submitting this Claim Form, the Claimant(s) or the person(s) who represent(s) the Claimant(s) certifies (certify), as follows:

1. that I (we) have read and understand the contents of the Notice and this Claim Form, including the releases provided for in the Settlement and the terms of the Plan of Allocation;
2. that the Claimant(s) is a (are) Settlement Class Member(s), as defined in the Notice and in paragraph 2 on page 19 of this Claim Form, and is (are) not excluded from the Settlement Class by definition or pursuant to request as set forth in the Notice and in paragraph 3 on page 19 of this Claim Form;
3. that I (we) own(ed) the publicly traded Hub Securities identified in this Claim Form and have not assigned the claim against the Released Defendants' Parties to another, or that, in signing and submitting this Claim Form, I (we) have the authority to act on behalf of the owner(s) thereof;
4. that the Claimant(s) submit(s) to the jurisdiction of the Court with respect to Claimant's (Claimants') claim and for purposes of enforcing the releases set forth herein;
5. that I (we) agree to furnish such additional information with respect to this Claim Form as Lead Counsel, the Claims Administrator or the Court may require;
6. that the Claimant(s) waive(s) the right to trial by jury, to the extent it exists, and agree(s) to the Court's summary disposition of the determination of the validity or amount of the claim made by this Claim Form;
7. that I (we) acknowledge that the Claimant(s) will be bound by and subject to the terms of any judgment(s) that may be entered in the Action; and
8. that the Claimant(s) is (are) NOT subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code because (a) the Claimant(s) is (are) exempt from backup withholding or (b) the Claimant(s) has (have) not been notified by the IRS that he/she/it is (they are) subject to backup withholding as a result of a failure to report all interest or dividends or (c) the IRS has notified the Claimant(s) that he/she/it is (they are) no longer subject to backup withholding. **If the IRS has notified the Claimant(s) that he, she, or it is (they are) subject to backup withholding, please strike out the language in the preceding sentence indicating that the claim is not subject to backup withholding in the certification above.**

UNDER THE PENALTIES OF PERJURY, I (WE) CERTIFY THAT ALL OF THE INFORMATION PROVIDED BY ME (US) ON THIS CLAIM FORM IS TRUE, CORRECT, AND COMPLETE, AND THAT THE DOCUMENTS SUBMITTED HERewith ARE TRUE AND CORRECT COPIES OF WHAT THEY PURPORT TO BE.

 Signature of Claimant

 Date

 Print your name here

 Signature of Joint Claimant, if any

 Date

 Print your name here

If the Claimant is other than an individual, or is not the person completing this form, the following also must be provided:

 Signature of person signing on behalf of Claimant

 Date

 Print your name here

CAPACITY OF PERSON SIGNING ON BEHALF OF CLAIMANT, IF OTHER THAN INDIVIDUAL, *E.G.*, EXECUTOR, PRESIDENT, TRUSTEE, CUSTODIAN, *ETC.* (MUST PROVIDE EVIDENCE OF AUTHORITY TO ACT ON BEHALF OF CLAIMANT – SEE PARAGRAPH 12 ON PAGE 20 OF THIS CLAIM FORM.)

HUB CYBER

REMINDER CHECKLIST:

1. Please sign the above release and certification. If this Claim Form is being made on behalf of joint Claimants, then both must sign.
2. Remember to attach only **copies** of acceptable supporting documentation as these documents will not be returned to you.
3. Please do not highlight any portion of the Claim Form or any supporting documents.
4. Do not send original security certificates or documentation. These items cannot be returned to you by the Claims Administrator.
5. Keep copies of the completed Claim Form and documentation for your own records.
6. The Claims Administrator will acknowledge receipt of your Claim Form by mail or email within 60 days. Your claim is not deemed filed until you receive an acknowledgement postcard or email. **If you do not receive an acknowledgement postcard or email within 60 days, please call the Claims Administrator toll free at (866) 274-4004 or by email at info@strategicclaims.net.**
7. If your address changes in the future, or if this Claim Form was sent to an old or incorrect address, please send the Claims Administrator written notification of your new address. If you change your name, please inform the Claims Administrator.
8. If you have any questions or concerns regarding your claim, please contact the Claims Administrator at the address below, by email at info@strategicclaims.net, or toll-free at (866) 274-4004, or visit www.HubSecuritiesSettlement.com. Please DO NOT call Defendants or their counsel with questions regarding your claim.

THIS CLAIM FORM MUST BE MAILED TO THE CLAIMS ADMINISTRATOR BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN MAY 13, 2026, ADDRESSED AS FOLLOWS:

In Re Hub Cyber Security Ltd. Securities Litigation
c/o Strategic Claims Services
600 N. Jackson St., Ste. 205
Media, PA 19063

OR SUBMITTED ONLINE BY 11:59 P.M. ET ON MAY 13, 2026 AT www.HubSecuritiesSettlement.com.

A Claim Form received by the Claims Administrator shall be deemed to have been submitted when posted, if a postmark date on or before May 13, 2026 is indicated on the envelope and it is mailed First Class and addressed in accordance with the above instructions. In all other cases, a Claim Form shall be deemed to have been submitted when actually received by the Claims Administrator.

You should be aware that it will take a significant amount of time to fully process all of the Claim Forms. Please be patient and notify the Claims Administrator of any change of address.

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In Re Hub Cyber Security Ltd. Securities Litigation
c/o Strategic Claims Services
600 N. Jackson Street, Suite 205
Media, PA 19063

IMPORTANT LEGAL NOTICE – PLEASE FORWARD

AFFIDAVIT

STATE OF NEW JERSEY)
) ss:
CITY OF MONMOUTH JUNCTION, in the COUNTY OF MIDDLESEX)

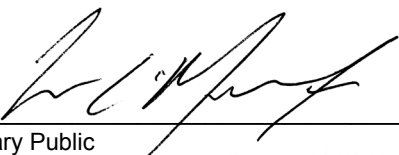
I, Wayne Sidor, being duly sworn, depose and say that I am the Advertising Clerk
for the Publisher of Investor's Business Daily, a weekly national newspaper of
general circulation throughout the United States, and that the notice attached to
this Affidavit has been regularly published in Investor's Business Daily for National
distribution for
1 insertion(s) on the following date(s): 01/26/2026

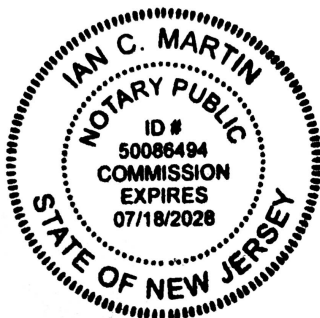
ADVERTISER: HUB CYBER SECURITY LTD.

and that the foregoing statements are true and correct to the best of my knowledge.

Sworn to
before me this
27th day of
January 2026

Wayne Sidor


Notary Public



GROWTH ETF (IUSG) VS VALUE ETF (IUSV)			
Nvidia Corp (NVDA)	14.23%	Microsoft (MSFT)	6.96%
Microsoft Corp (MSFT)	6.46%	Apple (AAPL)	6.41%
Meta Platforms (META)	4.91%	Amazon.com (AMZN)	3.47%
Apple Inc (AAPL)	4.68%	ExxonMobile (XOM)	1.83%
Broadcom (AVGO)	4.63%	Berkshire Hathaway (BRKB)	1.69%

When the line is heading up, growth funds are outperforming value funds

5 Yr	Net	36 Mo	YTD 12Wk	5 Yr	Net
After	Asset	Performance	%	After	Asset
	NAV		%		NAV



to them in the Stipulation and Agreement of Settlement dated December 9, 2025 (the "Stipulation"), which is available at www.HubCoWritingSettlement.com.

Josephine Bravata

From: phubs@prnewswire.com
Sent: Monday, January 26, 2026 9:00 AM
To: Josephine Bravata
Subject: PR Newswire: Press Release Distribution Confirmation for Glancy Prongay & Murray LLP. ID#4584843-1-1

Hello

Your press release was successfully distributed at: 26-Jan-2026 09:00:00 AM ET

Release headline: Glancy Prongay & Murray LLP Announces Proposed Settlement on Behalf of Purchasers of Hub Cyber Security Ltd. Publicly Traded Common Stock -- HUBC
Word Count: 941
Product Selections: Microlist - General Law
US1
Visibility Reports Email
Complimentary Press Release Optimization
PR Newswire ID: 4584843-1-1

View your release:* https://www.prnewswire.com/news-releases/glancy-prongay--murray-llp-announces-proposed-settlement-on-behalf-of-purchasers-of-hub-cyber-security-ltd-publicly-traded-common-stock--hubc-302648285.html?tc=eml_cleartime

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* If the page link does not load immediately, please refresh and try again after a few minutes.

* Share Your Feedback: North American customers, please watch for our survey in your inbox tomorrow. Your input matters! Coming soon to other regions.

Glancy Prongay & Murray LLP Announces Proposed Settlement on Behalf of Purchasers of Hub Cyber Security Ltd. Publicly Traded Common Stock - HUBC

NEWS PROVIDED BY
Glancy Prongay & Murray LLP →
Jan 26, 2026, 09:00 ET

NEW YORK, Jan. 26, 2026 /PRNewswire/ -- Glancy Prongay & Murray LLP announces that the United States District Court for the Southern District of New York has approved the following announcement of a proposed settlement that would benefit purchasers of Hub Cyber Security Ltd. publicly traded common stock (NASDAQ: **HUBC**):

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE HUB CYBER SECURITY LTD. MASTER FILE NO. 1:23-CV-05764-AS

SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION, CERTIFICATION OF SETTLEMENT CLASS, AND PROPOSED SETTLEMENT; (II) SETTLEMENT FAIRNESS HEARING; AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

TO: All persons and entities that purchased or otherwise acquired the publicly traded common stock of Hub Cyber Security Ltd. ("Hub") from March 1, 2023 through July 31, 2023, both dates inclusive, and were damaged thereby (the "Settlement Class")⁽¹⁾:

PLEASE READ THIS NOTICE CAREFULLY, AS YOUR RIGHTS WILL BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Southern District of New York, that the above-captioned litigation (the "Action") has been certified as a class action on behalf of the Settlement Class, except for certain persons and entities who are excluded from the Settlement Class by definition as set forth in the Notice of (I) Pendency of Class Action, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Notice").

YOU ARE ALSO NOTIFIED that Plaintiffs in the Action have reached a proposed settlement of the Action for \$11,000,000 in cash (the "Settlement"), that, if approved, will resolve all claims in the Action.

A hearing will be held on June 29, 2026 at 11:00 a.m., before the Honorable Arun Subramanian in Courtroom 15A at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, to determine (i) whether the proposed Settlement should be approved as fair, reasonable, and adequate; (ii) whether the Action should be dismissed with prejudice against Defendants, and the Releases specified and described in the Stipulation and in the Notice should be granted; (iii) whether the proposed Plan of Allocation should be approved as fair and reasonable; and (iv) whether Lead Counsel's application for an award of attorneys' fees and reimbursement of expenses should be approved.

If you are a member of the Settlement Class, your rights will be affected by the pending Action and the Settlement, and you may be entitled to share in the Settlement Fund. The Notice and Proof of Claim and Release Form ("Claim Form"), can be downloaded from the website maintained by the Claims Administrator at www.HubSecuritiesSettlement.com. You may also obtain copies of the Notice and Claim Form by contacting the Claims Administrator at *In Re Hub Cyber Security Ltd. Securities Litigation*, c/o Strategic Claims Services, 600 N. Jackson St., Ste. 205, Media, PA 19063; (Toll-Free) (866) 274-4004; (Fax) (610) 565-7985; info@strategicclaims.net.

If you are a member of the Settlement Class, in order to be eligible to receive a payment under the proposed Settlement, you must submit a Claim Form to the Claims Administrator *postmarked* by mail or submitted online no later than May 13, 2026. If you are a Settlement Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a member of the Settlement Class and wish to exclude yourself from the Settlement Class, you must submit a request for exclusion such that it is received by or postmarked no later than June 1, 2026 to the Claims Administrator, in accordance with the instructions set forth in the Notice. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Action and you will not be eligible to share in the proceeds of the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, or Lead Counsel's motion for attorneys' fees and reimbursement of expenses, must be delivered to the Clerk of the Court, Lead Counsel and Defendants' Counsel such that they are received by June 8, 2026, in accordance with the instructions set forth in the Notice.

Please do not contact the Court, the Clerk's office, Defendants, or their counsel regarding this notice. All questions about this notice, the proposed Settlement, or your eligibility to participate in the Settlement should be directed to Lead Counsel or the Claims Administrator.

Requests for the Notice and Claim Form should be made to the Claims Administrator:

In Re Hub Cyber Security Ltd. Securities Litigation
 c/o Strategic Claims Services
 P.O. Box 230
 600 N. Jackson St., Ste. 205
 Media, PA 19063
 Toll-free Telephone: (866) 274-4004
 Email: info@strategicclaims.net
www.HubSecuritiesSettlement.com

Inquiries, other than requests for the Notice and Claim Form, should be made to Lead Counsel:

GLANCY PRONGAY & MURRAY LLP
 Casey E. Sadler, Esq.
 1925 Century Park East, Suite 2100
 Los Angeles, CA 90067
 Telephone: (310) 201-9150
 Email: settlements@glancylaw.com

By Order of the Court

¹ All capitalized terms used in this notice that are not otherwise defined herein have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated December 9, 2025 (the "Stipulation"), which is available at www.HubSecuritiesSettlement.com.

SOURCE Glancy Prongay & Murray LLP



EXHIBIT 6

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Bernstein Litowitz Berger & Grossman LLP	Allegheny County Employees Retirement System v. Energy Transfer LP et al., No. 2:20-cv-00200-GAM	(E.D. Pa.) (Sep. 2025) (ECF No. 280)	Senior Counsel: \$825 - \$1,000 Associate: \$425 - \$800 Staff Attorney: \$410 - \$495 Financial Analyst: \$400 - \$700 Case Manager & Paralegal: \$325 - \$450	\$1,150 - \$1,700
	In re Silvergate Capital Corp. Sec. Litig., No. 3:22-cv-01936-JES-MSB	(S.D. Cal.) (Jul. 2025) (ECF No. 145-10)	Senior Counsel: \$1,000 Associate: \$425 - \$500 Financial Analyst: \$450 - \$700 Investigator: \$375 - \$650 Case Manager & Paralegal: \$350 - \$450	\$1,300 - \$1,700
	In re Qualcomm Incorporated Sec. Litig., No. 3:17-cv-00121-JO-MSB	(S.D. Cal.) (Aug. 2024) (ECF No. 441-5)	Senior Counsel: \$800 - \$875 Associate: \$425 - \$875 Senior Staff Attorney: \$425 - \$450 Staff Attorney: \$340 - \$425 Financial Analyst: \$335 - \$500 Case Manager & Paralegal: \$255 - \$425	\$800 - \$1,400

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Bernstein Litowitz Berger & Grossman LLP	In re James River Grp. Holdings, Ltd. Sec. Litig., No. 3:21-cv-00444-DJN	(E.D. Va.) (Apr. 2024) (ECF No. 126-7)	Senior Counsel: \$875	\$1,000 - \$1,350
			Associate: \$475 - \$700	
			Staff Attorney: \$425 - \$450	
			Financial Analyst: \$425 - \$675	
Boies, Schiller & Flexner LLP	Woodard v. Navient Solutions, LLC, et al., No. 8:23-cv-00301-RFR	(D. Neb.) (Nov. 2023) (ECF No. 13-4)	Case Manager & Paralegal: \$325 - \$425	
			Counsel: \$850 - \$880	
			Associate: \$670 - \$710	
			Staff Attorney: \$430	
	Doe 1 v. Deutsche Bank Aktiengesellschaft et al., No. 1:22-cv-10018-JSR	(S.D.N.Y.) (Sep. 2023) (ECF No. 106)	Paralegal: \$380	\$1,080 - \$2,110
			Counsel: \$940	
			Associate: \$670 - \$860	
			Staff Attorney: \$430 - \$500	
	In re Grupo Televisa Sec. Litig., No. 1:18-cv-01979	(S.D.N.Y.) (Jul. 2023) (ECF No. 356)	Paralegal: \$350	\$1,140 - \$2,110
			Managing Clerk: \$380	
			Counsel: \$940 - \$970	
			Associate: \$670 - \$830	
			Summer Associate: \$450	
			Staff Attorney: \$380 - \$460	
			Paralegal: \$350	

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Cohen Milstein Sellers & Toll, PLLC	In re Silvergate Capital Corp. Sec. Litig., No. 3:22-cv-01936-JES-MSB	(S.D. Cal.) (Jul. 2025) (ECF No. 145-11)	Of Counsel: \$1,005 Associate: \$680 Law Clerk: \$395 Investigator: \$715 Paralegal: \$395	\$895 - \$1,495
	City of Birmingham Firemen's and Policemen's Supplemental Pension System v. Pluralsight, Inc., No. 1:19-cv-00128	(D. Utah) (Jan. 2025) (ECF No. 287-6)	Of Counsel: \$875 - \$1,015 Associate: \$495 - \$755 Staff Attorney: \$620 Law Clerk: \$385 - \$395 Paralegal: \$325 - \$420	\$810 - \$1,320
	Iowa Public Employees' Retirement System et al v Bank of America Corp et al., No. 1:17-cv-06221-KPF-SLC	(S.D.N.Y.) (May 2024) (ECF No. 674-1)	Of Counsel: \$790 Associate: \$495 - \$600 Staff Attorney: \$485 - \$700 Discovery Attorney: \$250 - \$495 Paralegal: \$290 - \$380	\$630 - \$1,320
Hausfeld LLP	Pannozzi v. Deloitte Consulting LLP, No. 1:24-00524-MRD-LDA	(D.R.I.) (Dec. 2025) (ECF No. 34-2)	Of Counsel: \$750 - \$900 Associate: \$470 - \$520 Paralegal: \$370	\$1,025

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Hausfeld LLP	In re Broiler Chicken Grower Antitrust Litig. (No. II), No. 6:20-md-02977	(E.D.Okla.) (Nov. 2024) (ECF No. 628-1)	Associate: \$260 - \$650 Staff Attorney: \$460 - \$500 Paralegal: \$350 Law Clerk: \$260	\$830 - \$1,550
	OpenGov, Inc. v. GTY Technology Holdings Inc. et al., No. 3:18-cv-07198-JSC	(N.D. Cal.) (Mar. 2019) (ECF No. 40-1)	Of Counsel: \$775 - \$1,075 Paralegal: \$250 - \$290	\$700 - \$1,500
Labaton Sucharow LLP	In re Opendoor Technologies Inc. Sec. Litig., No. 2:22-cv-01717-MTL	(D. Ariz.) (Dec. 2025) (ECF No. 159-6)	Of Counsel: \$750 - \$975 Associate: \$350 - \$650 Staff Attorney: \$390 - \$475 Law Clerk: \$300 Investigator: \$475 - \$650 Paralegal: \$225 - \$415	\$800 - \$1,375
	In re Barclays PLC Sec. Litig., No. 1:22-cv-08172	(S.D.N.Y.) (Feb. 2025) (ECF No. 103-4)	Of Counsel: \$750 - \$975 Associate: \$350 - \$675 Staff Attorney: \$400 - \$475 Paralegal: \$375 - \$415	\$1,110 - \$1,375
	Chen v. Missfresh Ltd. et al., No. 1:22-cv-09836-JSR	(S.D.N.Y.) (Sep. 2024) (ECF No. 149-9)	Of Counsel: \$600 - \$1,000 Associate: \$450 - \$625 Staff Attorney: \$340 - \$475 Law Clerk: \$275 - \$300 Paralegal: \$200 - \$435	\$650 - \$1,375

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Levi & Korsinsky LLP	Lokman v. Azure Power Global Ltd. et al., No. 1:22-cv-07432-GHW	(S.D.N.Y.) (Aug. 2025) (ECF No. 129-3)	Of Counsel: \$850 Senior Associate: \$750 Associate: \$550 - \$575 Staff Attorney: \$475 Contract Attorney: \$475 Analyst: \$350 Paralegal: \$325 - \$350	\$975 - \$1,100
	In re Grab Holdings Ltd. Sec. Litig., No. 1:22-cv-02189-JLR	(S.D.N.Y.) (Apr. 2025) (ECF No. 151-5)	Of Counsel: \$850 Senior Associate: \$750 Associate: \$500 - \$575 Staff Attorney: \$475 Document Review Attorney: \$475 Law Clerk: \$375 Paralegal: \$350	\$975 - \$1,100
Lieff Cabraser Heimann & Bernstein, LLP	Katz-Lacabe, et al. v. Oracle America, Inc., No. 3:22-cv-04792-RS	(N.D. Cal.) (Aug. 2024) (ECF No. 136-2)	Associate: \$530 - \$720 Staff Attorney: \$525 Litigation Support Specialist: \$535 Paralegal: \$510	\$1,015 - \$1,380
Motley Rice LLC	Leventhal v. Chegg, Inc., et al, No. 5:21-cv-09953-PCP	(N.D. Cal.) (Feb. 2025) (ECF No. 195-4)	Associate: \$660 - \$1,150 Law Clerk: \$325 - \$400 Paralegal: \$275 - \$425	\$1,150 - \$1,500 ("Member" Rates)

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Motley Rice LLC	In re Qualcomm Incorporated Sec. Litig., No. 3:17-cv-00121-JO-MSB	(S.D. Cal.) (Aug. 2024) (ECF No. 441-6)	Senior Counsel: \$860 - \$1,150 Of Counsel: \$1,150 Associate: \$550 - \$725 Contract Attorney: \$325 - \$470 Paralegal: \$275 - \$425	\$950 - \$1,300 ("Member" Rates)
	In re Grab Holdings Ltd. Sec. Litig., No. 1:22-cv-02189-JLR	(S.D.N.Y.) (Apr. 2025) (ECF No. 151-4)	Of Counsel: \$800 Associate: \$550 - \$750 Staff Attorney: \$535 - \$725 Project Associate: \$495 - \$530 Paralegal: \$375	\$1,050 - \$1,375
	In re Emergent BioSolutions, Inc. Sec. Litig., No. 8:21-cv-00955-DLB	(D. Md.) (Feb. 2025) (ECF No. 194-2)	Of Counsel: \$850 Associate: \$600 - \$750 Staff Attorney: \$565 Project Associate: \$465 - \$530 Paralegal: \$110 - \$375	\$950 - \$1,375
Quinn Emanuel Urquhart & Sullivan, LLP	Chemimage Corp. v. Johnson & Johnson and Ethicon, Inc., No. 1:24-cv-02646-JMF	(S.D.N.Y.) (Jul. 2025) (ECF No. 216)	Counsel: \$1,570 - \$1,775 Associate: \$1,060 - \$1,560 Law Clerk: \$710 Managing Clerk: \$620 - \$680 Attorney: \$545 - \$640 Paralegal: \$550 - \$655	\$1,645 - \$2,700

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range	
Quinn Emanuel Urquhart & Sullivan, LLP	Iowa Public Employees' Retirement System et al v Bank of America Corp et al., No. 1:17-cv-06221-KPF-SLC	(S.D.N.Y.) (May 2024) (ECF No. 673-1)	Of Counsel: \$1,170 - \$1,570	\$1,645 - \$2,410	
			Attorney: \$580 - \$1,515		
			Paralegal: \$320 - \$550		
			Lit. Support: \$190 - \$270		
Robbins Geller Rudman & Dowd LLP	County of York Retirement Fund v. HP Inc., et al., No. 4:20-cv-07835-JSW	(N.D. Cal.) (Dec. 2025) (ECF No. 114-1)	Of Counsel: \$1,045	\$830 - \$1,480	
			Associate: \$280 - \$520		
			Research Analyst: \$335		
	In re Alta Mesa Resources, Inc. Sec. Litig., No. 4:19-cv-00957	(S.D. Tex.) (Mar. 2025) (ECF No. 1024-5)	Paralegal: \$350 - \$435	\$835 - \$1,400	
			Of Counsel: \$460 - \$1,200		
			Associate: \$250 - \$700		
			Staff Attorney: \$475 - \$485		
	In re Apple Inc. Sec. Litig., No. 4:19-cv-02033-YGR	(N.D. Cal.) (Jul. 2024) (ECF No. 438-1)	Economic Analyst: \$315 - \$485	\$755 - \$1,400	
			Of Counsel: \$535 - \$1,135		
			Associate: \$465 - \$540		
			Staff Attorney: \$460 - \$475		
			Economic Analyst: \$370 - \$470		
			Paralegal: \$325 - \$410		
			Counsel: \$1,119		\$1,273 - \$1,512
			Associate: \$717 - \$932		
The Rosen Law Firm, P.A.	Valentine v. Compass Minerals Int'l Inc., et al., No. 2:24-cv-02165-EFM-ADM	(D. Kan.) (Oct. 2025) (ECF No. 43)	Paralegal: \$383	\$1,273 - \$1,512	
			Counsel: \$1,119 - \$1,169		
			Associate: \$717 - \$826		
	Winter v. Stronghold Digital Mining, Inc., et al, No. 1:22-cv-03088-RA	(S.D.N.Y.) (Mar. 2025) (ECF No. 131-4)	Staff Attorney: \$492		

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Plaintiffs' Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Scott+Scott, Attorneys at Law, LLP	In re Alphabet, Inc., Shareholder Deriv. Litig., No. 3:21-cv-09388-RFL	(N.D. Cal.) (Aug. 2025) (ECF No. 108-4)	Of Counsel: \$875 - \$2,050 Associate: \$675 - \$875 Staff Attorney: \$525 - \$720 Paralegal: \$435	\$895 - \$1,900
	In re Oatly Grp. AB Sec. Litig., No. 1:21-cv-06360-AKH	(S.D.N.Y.) (Jun. 2024) (ECF No. 115-2)	Associate: \$665 - \$850 Investigator: \$550 - \$675 Research Analyst: \$435 Paralegal: \$415 - \$435	\$795 - \$1,900
	Abadilla, et al. v. Precigen, Inc. et al., No. 5:20-cv-06936-BLF	(N.D. Cal.) (Sep. 2023) (ECF No. 138)	Of Counsel: \$1,050 Associate: \$625 - \$795 Staff Attorney: \$675 Paralegal: \$395 - \$415	\$1,095 - \$1,595

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Akin Gump Strauss Hauer & Feld LLP	In re Steward Health Care System LLC, et al., Debtors, No. 24-90213 (CML)	(Bankr. S.D. Tex.) (Aug 2025) (ECF No. 5924)	Senior Counsel and Counsel: \$1,560 - \$1,900 Associate and Practice Attorney: \$995 - \$1,195 Paraprofessional: \$555	\$2,100 - \$2,495
	In re NV Texas, LLC, Debtor, No. 24-90576 (ARP)	(Bankr. S.D. Tex.) (May 2025) (ECF No. 6)	Senior Counsel and Counsel: \$1,405 - \$1,800 Associate: \$895 - \$1,310 Paraprofessional: \$395 - \$555	\$2,250 - \$2,495
	In re Covington Credit of Texas, Inc., Reorganized Debtor, No. 24-90164 (MI)	(Bankr. S.D. Tex.) (Aug. 2024) (ECF No. 16)	Senior Counsel and Counsel: \$1,250 - \$1,650 Associate: \$840 - \$1,200 Paraprofessional: \$305 - \$530	\$1,775 - \$2,195
Allen Overy Shearman Sterling US LLP	In re SWC Industries LLC et al., Debtors, No. 24-51721-MEH	(Bankr. N.D. Cal.) (Jun. 2025) (ECF No. 702)	Counsel: \$1,615 - \$1,715 Associate: \$825 - \$1,485 Law Clerk: \$825 Paralegal: \$430 - \$565	\$1,595 - \$2,285
	In re Amyris, Inc., et al., Reorganized Debtors, No. 23-11131 (TMH)	(Bankr. D. Del.) (Jun. 2024) (ECF No. 1558)	Counsel: \$1,425 - \$1,555 Associate: \$775 - \$1,415 Legal Assistant: \$375 - \$525	\$1,460 - \$2,130
	In re Venus Liquidation Inc., et al., Debtors, No. 23-10738 (JPM)	(Bankr. S.D.N.Y.) (Jan. 2024) (ECF No. 727)	Counsel: \$1,300 Associate: \$1,215 - \$1,415 Law Clerk: \$225 - \$995	\$1,975 - \$2,130

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Cleary Gottlieb Steen & Hamilton LLP	In re ViewRay, Inc., et al., Debtors, No. 23-10935 (KBO)	(Bankr. D. Del.) (Nov. 2023) (ECF No. 428-2)	Associate: \$965 - \$1,105 Paralegal: \$430 Non-Legal: \$370	\$1,305 - \$1,930
Cooley LLP	In re Clearside Biomedical, Inc., Debtor, No. 25-12109 (TMH)	(Bankr. D. Del.) (Feb. 2026) (ECF No. 221)	Of Counsel: \$1,695 - \$2,275 Special Counsel: \$1,500 - \$1,625 Associate: \$830 - \$1,525 Paralegal: \$460 - \$505	\$1,590 - \$2,305
	In re Lutheran Home and Services for the Aged, Inc., et al., Debtors, No. 25-01705	(Bankr. N.D. Ill.) (Mar. 2025) (ECF No. 205)	Associate: \$830 - \$1,500 Paralegal: \$460	\$1,710
	In re CR Holding Liquidating, Inc., et al., Debtors, No. 19-10210-LSS	(Bankr. D. Del.) (May 2023) (ECF No. 1820)	Senior Counsel: \$1,650 Associate: \$1,235 - \$1,245 Law Clerk: \$670 Paralegal: \$380 - \$605	\$1,285 - \$1,895
Davis Polk & Wardwell LLP	In re Spirit Aviation Holdings, Inc., et al., Debtors, No. 25-11897 (SHL)	(Bankr. S.D.N.Y.) (Oct. 2025) (ECF No. 196)	Counsel: \$1,790 - \$2,040 Associate: \$730 - \$1,780 Paraprofessional: \$505 - \$715	\$2,140 - \$2,645
	In re Azul S.A., et al., Debtors, No. 25-11176 (SHL)	(Bankr. S.D.N.Y.) (Jun. 2025) (ECF No. 117)	Counsel: \$1,790 - \$2,040 Associate: \$730 - \$1,780 Paraprofessional: \$505 - \$715	\$2,140 - \$2,645
	In re Spirit Finance Cayman 1 Ltd, Reorganized Debtors, No. 24-12038 (SHL)	(Bankr. S.D.N.Y.) (Apr. 2025) (ECF No. 6)	Counsel: \$1,725 - \$2,040 Associate: \$965 - \$1,780 Law Clerk: \$695 - \$1,065 Legal Assistant: \$505 - \$715	\$2,375 - \$2,645

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Dechert LLP	In re Eletson Holdings Inc., et al., Debtors, No. 23-10322 (JPM)	(Bankr. S.D.N.Y.) (Dec. 2024) (ECF No. 1321)	Associate: \$830 - \$1,220 Staff Attorney: \$625 Legal Assistant: \$350 - \$525	\$1,425 - \$1,975
	In re Bintago Inc., et al., Debtors, No. 23-11394 (SHL)	(Bankr. S.D.N.Y.) (Feb. 2024) (ECF No. 433)	Counsel: \$1,105 - \$1,300 Associate: \$775 - \$1,140 Law Clerk: \$680 Legal Assistant: \$435 - \$525 E-Discovery Specialist: \$525	\$1,275 - \$1,825
DLA Piper LLP (US)	In re Hudson 1701/1706, LLC, et al., Debtors, No. 25-11853 (KBO)	(Bankr. D. Del.) (Nov. 2025) (ECF No. 99-2)	Of Counsel: \$1,420 - \$1,765 Associate: \$895 - \$1,585 Paralegal: \$455 - \$640	\$1,585 - \$2,350
	In re Azzur Group Holdings LLC, et al., Debtors, No. 25-10342 (KBO)	(Bankr. D. Del.) (Mar. 2025) (ECF No. 109-2)	Of Counsel: \$1,425 Associate: \$795 - \$1,305 Paraprofessional: \$575	\$1,585 - \$2,085
	In re Vestoo Ltd., et al., Debtors, No. 23-11160 (MFW)	(Bankr. D. Del.) (Jan. 2024) (ECF No. 619)	Associate: \$730 - \$1,215 Law School Graduate: \$730 Research Analyst: \$500 Paralegal: \$340 - \$475	\$1,215 - \$1,800
Freshfields Bruckhaus Deringer LLP	In re Molekule Grp., Inc. et al., Debtors, No. 23-18094-EPK	(Bankr. S.D. Fla.) (Jan. 2024) (ECF No. 392)	Associate: \$1,195	\$1,825 - \$2,125
	In re Talen Energy Supply, LLC, et al., Debtors, No. 22-90054 (MI)	(Bankr. S.D. Tex.) (Jun. 2023) (ECF No. 2114-2)	Counsel: \$1,425 Associate: \$980 - \$1,200	\$1,690 - \$1,945

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Freshfields Bruckhaus Deringer LLP	In re Revlon, Inc. et al., Debtors, No. 22-10760 (DSJ)	(Bankr. S.D.N.Y.) (Apr. 2023) (ECF No. 1835)	Counsel: \$843 Associate: \$321 - \$1,323 Paralegal/Non-Legal Staff: \$320 - \$525	\$1,057 - \$1,723
Gibson, Dunn & Crutcher LLP	In re Walker Edison Holdco LLC, et al., Debtors, No. 25-11602 (TMH)	(Bankr. D. Del.) (Sep. 2025) (ECF No. 191)	Associate and Of Counsel: \$905 - \$1,725 Paralegal: \$350 - \$800 Other Timekeeper: \$370 - \$695	\$1,840 - \$3,050
	In re High Valley Investments, LLC, et al., Debtors, No. 23-11616 (TMH)	(Bankr. D. Del.) (Apr. 2024) (ECF No. 343)	Of Counsel: \$1,260 Associate: \$1,005 - \$1,060 Paralegal: \$705	\$1,530 - \$1,675
	In re Stimwave Tech. Inc., et al., Debtors, No. 22-10541 (TMH)	(Bankr. D. Del.) (May 2023) (ECF No. 901)	Associate: \$1,105 - \$1,210	\$1,860
Goodwin Procter LLP	In re iRobot Corporation, et al., Debtors, No. 25-12197 (BLS)	(Bankr. D. Del.) (Dec. 2025) (ECF No. 68)	Counsel: \$1,275 - \$2,475 Associate: \$995 - \$1,495 Paralegal: \$375 - \$815	\$1,475 - \$2,625
	In re Alachua Government Services, Inc., Debtor, No. 25-11289 (JKS)	(Bankr. D. Del.) (Aug. 2025) (ECF No. 148)	Of Counsel: \$1,170 - \$2,052 Associate: \$783 - \$1,233 Paralegal: \$342 - \$666	\$1,260 - \$2,205
	In re Old Mbria Inc., Debtor, No. 24-10952 (LSS)	(Bankr. D. Del.) (Aug. 2024) (ECF No. 289-1)	Counsel: \$1,260 - \$1,300 Associate: \$770 - \$1,270 Senior Paralegal: \$510 - \$620 Research Analyst: \$295 - \$660	\$1,300 - \$1,900

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Greenberg Traurig LLP	In re Wellmade Floor Coverings Int'l, Inc., et al., Debtors, No. 25-58764	(Bankr. N.D. Ga.) (Aug. 2025) (ECF No. 102)	Of Counsel: \$550 - \$1,975 Associate: \$350 - \$1,220 Legal Assistant or Paralegal: \$140 - \$655	\$615 - \$2,250
	In re Steward Health Care System LLC, et al., Debtors, No. 24-90213 (CML)	(Bankr. S.D. Tex.) (Sep. 2024) (ECF 2565)	Of Counsel: \$875 Associate: \$875 Paralegal: \$515 J.D. Candidate: \$395	\$995 - \$1,670
	In re Vesttoo Ltd., et al., Debtors, No. 23-11160 (MFW)	(Bankr. D. Del.) (Nov. 2023) (ECF No. 399)	Senior Counsel: \$1,645 Of Counsel: \$855 - \$900 Associate: \$650 - \$895 Paralegal: \$390 - \$475	\$880 - \$1,665
Hogan Lovells US LLP	In re Dtech Liquidating, Inc. et al., Debtors, No. 24-11378 (JTD)	(Bankr. D. Del.) (Jan. 2025) (ECF No. 453)	Senior Associate: \$1,190 Associate: \$785 Law Clerk: \$695 Senior Paralegal: \$600	\$1,485 - \$1,970
	In re Mallinckrodt PLC, et al., Debtors, No. 23-11258 (JTD)	(Bankr. D. Del.) (Dec. 2023) (ECF No. 744)	Senior Counsel: \$1,444 Of Counsel: \$1,135 - \$1,175 Senior Associate: \$1,065 - \$1,110 Associate: \$650 - \$890 Senior Research Analyst: \$390 Paralegal: \$390	\$885 - \$1,585

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Hogan Lovells US LLP	In re LTL Management LLC, Debtor, No. 21-30589 (JCW)	(Bankr. D.N.J.) (May 2022) (ECF No. 2240-1)	Counsel: \$910 - \$1,735 Associate: \$605 - \$1,055 Paralegal: \$275 - \$550	\$950 - \$2,465
Jones Day	In re Flying Star LLC, et al., Debtors and Debtors-in-Possession, No. 25-bk-11380-WB	(Bankr. C.D. Cal.) (Sep. 2025) (ECF No. 162)	Associate: \$775 - \$825 Paralegal: \$450 - \$600	\$1,225 - \$1,800
	In re Meier's Wine Cellars Acquisition, LLC, et al., No. 24-11575 (MFW)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 784)	Of Counsel: \$1,000 Associate: \$550 - \$1,175	\$1,150 - \$1,850
	In re LTL Mgmt. LLC, Debtor, No. 23-12825 (MBK)	(Bankr. D.N.J.) (Sep. 2023) (ECF No. 1327)	Of Counsel: \$925 - \$1,275 Associate: \$325 - \$925 Staff Attorney: \$600 - \$625 Paralegal: \$213 - \$500	\$563 - \$1,800
Katten Muchin Rosenman LLP	In re Vanderbilt Minerals, LLC, Debtor, No. 26-60110 (WAK)	(Bankr. N.D.N.Y.) (Mar. 2026) (ECF No. 117)	Of Counsel: \$1,220 - \$2,310 Associate: \$835 - \$1,315 Paralegal: \$350 - \$945	\$1,370 - \$2,645
	In re Genesis Healthcare, Inc., et al., Debtors, No. 25-80185 (SGJ)	(Bankr. N.D. Tex.) (Jul. 2025) (ECF No. 249)	Of Counsel: \$1,110 - \$2,100 Counsel and Special Staff: \$610 - \$1,615 Associate: \$715 - \$1,210 Paralegal: \$230 - \$860	\$1,205 - \$2,380
	In re 2U, Inc., et al., Reorganized Debtors, No. 24-11279 (MEW)	(Bankr. S.D.N.Y.) (Oct. 2024) (ECF No. 221)	Associate: \$700 - \$1,035 Paraprofessional: \$500	\$1,360 - \$1,920

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Katten Muchin Rosenman LLP	In re Capstone Green Energy Corp., et al., Debtors, No. 23-11634 (LSS)	(Bankr. D. Del.) (Dec. 2023) (ECF No. 148-2)	Of Counsel: \$735 - \$1,440 Counsel and Special Staff: \$460 - \$1,230 Associate: \$300 - \$935 Paralegal: \$90 - \$650	\$835 - \$1,795
King & Spalding LLP	In re Luminar Technologies, Inc., Debtors, No. 25-90807 (CML)	(Bankr. S.D. Tex.) (Jan. 2026) (ECF No. 200)	Counsel: \$945 - \$2,900 Associate: \$780 - \$2,060	\$1,520 - \$2,820
	In re Red River TALC LLC, Debtor, No. 24-90505 (CML)	(Bankr. S.D. Tex.) (Oct. 2024) (ECF No. 289)	Counsel: \$655 - \$2,000 Associate: \$540 - \$1,395 Paralegal: \$275 - \$675	\$1,005 - \$2,180
	In re Red Lobster Mgmt. LLC, et al., Debtors, No. 6:24-bk-02486-GER	(Bankr. M.D. Fla.) (Aug. 2024) (ECF No. 926)	Counsel: \$1,365 - \$1,440 Associate: \$660 - \$1,515 Staff Attorney: \$315 - \$495 Project Attorney: \$165 - \$1,000 Paralegal: \$275 - \$675 Litigation Support: \$425	\$1,175 - \$1,920
Kirkland & Ellis, LLP	In re KLEOPATRA FINCO S.A. R.L., et al., Debtors, No. 25-90642 (CML)	(Bankr. S.D. Tex.) (Dec. 2025) (ECF No. 196-1)	Of Counsel: \$875 - \$2,495 Associate: \$825 - \$1,775 Paraprofessional: \$385 - \$775	\$1,395 - \$2,975
	In re American Tire Distributors, Inc., et al., Debtors, No. 24-12391 (CTG)	(Bankr. D. Del.) (Dec. 2024) (ECF No. 568)	Associate: \$815 - \$1,395	\$1,575 - \$2,305

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Latham & Watkins LLP	In re FAT BRANDS INC., et al., Debtors, No. 26-90126 (ARP)	(Bankr. S.D. Tex.) (Feb. 2026) (ECF No. 226-1)	Counsel: \$1,815 - \$2,550 Associate: \$945 - \$1,850 Professional Staff: \$280 - \$1,410 Paralegal: \$390 - \$970	\$1,895 - \$3,050
	In re Docudata Solutions, L.C., et al., Debtors, No. 25-90023 (CML)	(Bankr. S.D. Tex.) (Mar. 2025) (ECF No. 143-1)	Counsel: \$1,595 - \$2,070 Associate: \$835 - \$1,635 Professional Staff: \$255 - \$980 Paraprofessionals: \$355 - \$755	
	In re Purdue Pharma L.P., et al., Debtors, No. 19-23649 (RDD)	(Bankr. S.D.N.Y.) (May 2024) (ECF No. 6360)	Associate: \$890 - \$1,345	
	In re Sorrento Therapeutics Inc., et al., Post Effective Date Debtors, No. 23-90085 (CML)	(Bankr. S.D. Tex.) (May 2024) (ECF No. 2181)	Counsel: \$1,470 - \$1,605 Associate: \$760 - \$1,340 Financial Analyst: \$570 Paralegal: \$355 - \$525	
Mayer Brown LLP	In re Ligado Networks LLC, et al., Debtors, No. 25-10006 (TMH)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 181)	Counsel: \$1,080 - \$1,685 Associate: \$775 - \$1,320 Paralegal: \$255 - \$580	\$1,280 - \$2,870
McDermott Will & Emery LLP	In re Inspired Healthcare Capital Holdings, LLC, et al., Debtors, No. 26-90004 (MXM)	(Bankr. N.D. Tex.) (Mar. 2026) (ECF No. 238)	Associate: \$985 - \$1,645 Paraprofessional: \$440 - \$910	\$1,700 - \$2,740
	In re Wellpath Holdings, Inc., et al., Debtors, No. 24-90533 (ARP)	(Bankr. S.D. Tex.) (Jan. 2025) (ECF No. 1042)	Counsel: \$1,345 - \$1,600 Associate: \$805 - \$1,245 Paralegal: \$460 - \$745 Legal Assistant: \$540	\$1,290 - \$2,290

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Milbank LLP	In re Saks Global Enterprises LLC, et al., Debtors, No. 26-90103 (ARP)	(Bankr. S.D. Tex.) (Feb. 2026) (ECF No. 884)	Counsel: \$1,995 - \$2,270 Associate: \$745 - \$1,820 Paraprofessional: \$410 - \$595	\$2,145 - \$2,725
	In re Edgio, Inc., et al., Debtors, No. 24-11985 (KBO)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 734)	Of Counsel: \$1,795 Special Counsel: \$1,575 Associate: \$595 - \$1,475 Case Manager: \$480 Legal Assistant: \$430	\$1,695 - \$2,245
O'Melveny & Myers LLP	In re F-Star Socorro, L.P., et al., Debtors, No. 25-90607 (ARP)	(Bankr. S.D. Tex.) (Jan. 2026) (ECF No. 392)	Counsel: \$1,370 - \$1,525 Associate: \$825 - \$1,215 Atty Bar Applicant: \$825 Paralegal: \$435 Research Analyst: \$450	\$1,525 - \$2,100
	In re Merit Street Media, Inc., Debtor, No. 25-80156 (SWE)	(Bankr. S.D. Tex.) (Aug. 2025) (ECF No. 228)	Counsel: \$1,295 - \$1,525 Associate: \$825 - \$1,215 Paraprofessional: \$250 - \$550	\$1,525 - \$2,400
	In re Millenkamp Cattle, Inc., Debtors, No. 24-40158-NGH	(Bankr. D. Idaho) (Aug. 2024) (ECF No. 585)	Counsel: \$1,265 Associate: \$860 - \$1,070 Paralegal: \$510 Summer Associate: \$370	\$1,385 - \$1,585
	In re Ebix, Inc., et al., Debtors, No. 23-80004-swe11	(Bankr. N.D. Tex.) (May 2024) (ECF No. 595)	Counsel: \$1,265 Associate: \$1,200	\$1,885

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Paul, Weiss, Rifkind, Wharton & Garrison LLP	In re New Rite Aid, LLC, et al., Debtors, No. 25-14831-MBK	(Bankr. D.N.J.) (Jan. 2026) (ECF No. 74)	Counsel: \$1,995 Associate: \$975 - \$1,695 Paralegal: \$460 - \$560	\$2,245 - \$2,595
	In re Enviva Pellets Epes Holdings, LLC, Reorganized Debtor, No. 24-10454 (BFK)	(Bankr. E.D. Va.) (Jan. 2025) (ECF No. 20)	Counsel: \$1,995 Associate: \$975 - \$1,695 Staff Attorney: \$645 - \$675 Paralegal: \$375 - \$560	\$2,350 - \$2,595
Pillsbury Winthrop Shaw Pittman LLP	In re Partners Pharmacy Services, LLC, Debtors, No. 25-34698 (CML)	(Bankr. S.D. Tex.) (Aug. 2025) (ECF No. 49)	Counsel: \$1,275 Associate: \$795 - \$1,180 Paraprofessional: \$510	\$1,390 - \$1,690
Proskauer Rose LLP	In re Genesis Healthcare, Inc., et al., No. 25-80185 (SGJ)	(Bankr. N.D. Tex.) (Feb. 2026) (ECF No. 2313)	Senior Counsel: \$1,605 Associate: \$1,045 - \$1,780 Paraprofessional: \$320 - \$795	\$1,705 - \$2,505
	In re Zachry Holdings, Inc., et al., Debtors, No. 24-90377 (MI)	(Bankr. S.D. Tex.) (Jan. 2025) (ECF No. 1959)	Special Counsel: \$1,690 Associate: \$1,045 - \$1,560 Paralegal: \$485	\$1,705 - \$2,435
Quinn Emanuel Urquhart & Sullivan, LLP	In re Office Properties Income Trust, et al., No. 25-90530 (CML)	(Bankr. S.D. Tex.) (Nov. 2025) (ECF No. 205)	Counsel: \$1,775 - \$2,725 Associate: \$1,035 - \$1,665	\$1,860 - \$3,000
	In re Accuride Corp., et al., Debtors, No. 24-12289 (JKS)	(Bankr. D. Del.) (Jan. 2025) (ECF No. 535)	Counsel: \$1,570 Associate: \$1,060 - \$1,420 Litigation Support: \$190	\$1,645 - \$2,410

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Ropes & Gray LLP	In re PS Holdings Wind Down, Inc., et al., Debtors, No. 25-11677 (KBO)	(Bankr. D. Del.) (Dec. 2025) (ECF No. 270)	Associate: \$900 Paralegal: \$625 - \$670	\$2,000
	In re Exactech, Inc., et al., Debtors, No. 24-12441 (LSS)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 582)	Counsel: \$1,390 - \$1,580 Associate: \$830 - \$1,460 Trainee Solicitor: \$570 Senior Paralegal: \$575	\$1,700 - \$1,880
	In re VH Legacy/Liquidation, LLC, et al., Debtors, No. 22-11019 (LSS)	(Bankr. D. Del.) (May 2023) (ECF No. 417)	Associate: \$900 - \$1,310 Law Clerk: \$770 Paralegal: \$320 - \$565	\$1,520 - \$1,900
Sheppard, Mullin, Richter & Hampton LLP	In re Silvergate Capital Corp., et al., Debtors, No. 24-12158 (KBO)	(Bankr. D. Del.) (Jan. 2025) (ECF No. 455)	Special Counsel: \$865 - \$930 Associate: \$765 - \$930	\$990 - \$1,460
	In re Mariner Health Central, Inc., et al., Debtors, No. 22-41079	(Bankr. N.D. Cal.) (Apr. 2023) (ECF No. 522)	Associate: \$700 - \$945	\$1,355 - \$1,555
Sidley Austin LLP	In re Merit Street Media, Inc., Debtor, No. 25-80156 (SWE)	(Bankr. S.D. Tex.) (Feb. 2026) (ECF No. 712-1)	Counsel: \$1,790 Senior Associate: \$1,505 - \$1,530 Managing Associate: \$1,265 - \$1,355 Associate: \$835 - \$1,140 Paralegal: \$540 - \$650 Research Analyst: \$335	\$1,790 - \$2,530

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Sidley Austin LLP	In re Independence Contract Drilling, Inc., et al., Reorganized Debtors, No. 24-90612 (ARP)	(Bankr. S.D. Tex.) (Feb. 2025) (ECF No. 144)	Counsel: \$1,790 Senior Associate: \$1,485 - \$1,505 Managing Associate: \$1,230 - \$1,265 Associate: \$835 - \$1,140 Paralegal: \$600 - \$650 Research Analyst: \$305 - \$335	\$1,675 - \$2,040
Simpson Thacher & Bartlett LLP	In re Zynex, Inc. et al., Debtors, No. 25-90810 (ARP)	(Bankr. S.D. Tex.) (Jan. 2026) (ECF No. 172)	Senior Counsel: \$2,050 Counsel: \$1,995 Associate: \$895 - \$1,690 Paraprofessional: \$470 - \$725	\$2,220 - \$2,730
	In re WW International, Inc., et al., Debtors, No. 25-cv-10829 (CTG)	(Bankr. D. Del.) (May 2025) (ECF No. 81)	Senior Counsel: \$2,050 Counsel: \$1,995 Associate: \$895 - \$1,690 Paraprofessional: \$470 - \$725	\$2,220 - \$2,730
	In re Zymergen Inc., et al., Debtors, No. 23-11661 (KBO)	(Bankr. D. Del.) (Mar. 2024) (ECF No. 443)	Counsel: \$1,800 Associate: \$795 - \$1,415 Paralegal: \$600	\$2,165 - \$2,405
Skadden, Arps, Slate, Meagher & Flom LLP	In re True Value Co., L.L.C., et al., Debtors, No. 24-12337 (KBO)	(Bankr. D. Del.) (Jun. 2025) (ECF No. 1311)	Of Counsel: \$1,238 - \$2,475 Counsel: \$1,795 Associate: \$813 - \$1,625 Law Clerk: \$745 Paraprofessional: \$650	\$1,995 - \$2,375

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Skadden, Arps, Slate, Meagher & Flom LLP	In re True Value Co., L.L.C., et al., Debtors, No. 24-12337 (KBO)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 923)	Of Counsel: \$1,105 Counsel: \$1,580 - \$1,800 Associate/Law Clerk: \$675 - \$1,510 Paraprofessional: \$325 - \$580	\$1,060 - \$2,120
	In re Armstrong Flooring, Inc., No. 22-bk-10426	(Bankr. D. Del.) (May 2022) (ECF No. 187)	Of Counsel: \$1,300 - \$1,495 Associate: \$550 - \$1,275	\$1,465 - \$1,980
	In re VIVUS, Inc. et al., Reorganized Debtors, No. 20-bk-11779 (LSS)	(Bankr. D. Del.) (Jan. 2021) (ECF No. 443)	Of Counsel: \$1,260 Associate: \$695 - \$1,120 (\$495 for Associate Pending Admission)	\$1,425 - \$1,565
Sullivan & Cromwell LLP	In re KFI Wind-Down Corp., Debtor, No. 23-10638 (LSS)	(Bankr. D. Del.) (Jan. 2025) (ECF No. 1850)	Special Counsel: \$1,675 Associate: \$850 - \$1,575 Paralegal: \$450 - \$565	\$1,695 - \$2,375
	In re FTX Trading Ltd., et al., Debtors, No. 22-11068 (JTD)	(Bankr. D. Del.) (Aug. 2023) (ECF No. 2271)	Of Counsel: \$2,165 Special Counsel: \$1,575 - \$1,825 Associate: \$775 - \$1,475 Law Clerk: \$550 Paralegal: \$425 - \$595 Legal Analyst: \$595	\$1,595 - \$2,165
Vinson & Elkins LLP	In re DSI WINDDOWN, INC., et al., Debtors, No. 25-10518 (MFW)	(Bankr. D. Del.) (Sep. 2025) (ECF No. 555)	Counsel: \$1,550 - \$1,995 Associate: \$910 - \$1,400	\$2,125 - \$2,250

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Vinson & Elkins LLP	In re Kidkraft, Inc., et al., Debtors, No. 24-80045mvl11	(Bankr. N.D. Tex.) (Aug. 2024) (ECF No. 340)	Counsel: \$1,550 - \$1,810 Associate: \$910 - \$1,400 Paralegal: \$615 - \$650 eDiscovery Analyst: \$495	\$1,810 - \$2,250
	In re Core Scientific, Inc., et al., Debtors, No. 22-90341 (DRJ)	(Bankr. S.D. Tex.) (Sep. 2023) (ECF No. 1251)	Counsel: \$1,590 Associate: \$730 - \$1,220 Paralegal: \$420	\$1,425 - \$1,920
Weil, Gotshal & Manges LLP	In re Valves and Controls US, Inc., Debtor, No. 25-11403 (TMH)	(Bankr. D. Del.) (Jan. 2026) (ECF No. 249)	Counsel: \$1,725 Associate: \$1,070 - \$1,560 Paralegal: \$375 - \$630 Litigation Support: \$490	\$2,050 - \$2,395
	In re AIO US, Inc., et al., Debtors, No. 24-11836 (CTG)	(Bankr. D. Del.) (Feb. 2025) (ECF No. 786)	Counsel: \$1,595 - \$1,760 Associate: \$850 - \$1,485 Paralegal: \$350 - \$595 Litigation Support: \$510	\$1,750 - \$2,350
Willkie Farr & Gallagher LLP	In re Saks Global Enterprises LLC, et al., Debtors, No. 26-90103 (ARP)	(Bankr. S.D. Tex.) (Jan. 2026) (ECF No. 466)	Associate: \$1,150 - \$1,850 Law Clerk: \$925 Paraprofessional: \$485 - \$650	\$2,075 - \$2,795
	In re Vertex Energy, Inc., et al., Debtors, No. 24-90507 (CML)	(Bankr. S.D. Tex.) (Jan. 2025) (ECF No. 627-2)	Associate: \$1,325 - \$1,625 Law Clerk: \$625 Senior Paralegal: \$590 Paralegal: \$380	\$2,025 - \$2,500

Survey of Law Firm Billing Rates - Plaintiffs' and Defense Firms

Defense Firm Name	Case Name	Citation	Non-Partner Attorneys' Fee Range	Partners' Fee Range
Wilmer Cutler Pickering Hale and Dorr LLP	In re 23andMe Holding Co., et al., Debtors, No. 25-40976	(Bankr. E.D. Mo.) (May 2025) (ECF No. 406)	Counsel: \$1,400 - \$1,600 Associate: \$825 - \$1,370 Paraprofessional: \$550 - \$820	\$1,600 - \$2,600
	In re Invivo Therapeutics Corp., et al., Debtors, No. 24-10137 (MFW)	(Bankr. D. Del.) (Jul. 2024) (ECF No. 282)	Counsel: \$1,360 Senior Paralegal: \$710	\$1,795
Wilson Sonsini Goodrich & Rosati, P.C.	In re Plenty Unlimited Texas LLC, et al., Debtors, No. 25-90105 (CML)	(Bankr. S.D. Tex.) (Apr. 2025) (ECF No. 198)	Counsel: \$1,085 - \$2,100 Associate: \$615 - \$1,380 Staff: \$260 - \$1,250	\$1,350 - \$2,545
	In re Potrero Medical, Inc., Debtor, No. 23-11900 (LSS)	(Bankr. D. Del.) (Mar. 2024) (ECF No. 200)	Associate: \$705 - \$1,090 Senior Paralegal: \$445	\$1,085 - \$1,400

EXHIBIT 7

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF JACOB SABO, ESQ. IN SUPPORT OF LEAD COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF
LITIGATION EXPENSES FILED ON BEHALF OF
THE LAW OFFICE OF JACOB SABO**

I, Jacob Sabo, declare as follows:

1. I am a partner at the The Law Office of Jacob Sabo (“Sabo Law”), which is located in Tel Aviv, Israel.¹ Sabo Law is one of the Court-appointed Lead Counsel in the above-captioned action (the “Action”). ECF No. 40. I submit this declaration in support of Lead Counsel’s application for an award of attorneys’ fees in connection with services rendered in the Action. I have personal knowledge of the facts set forth herein and, if called upon, could and would testify thereto.

2. As one of the Lead Counsel for Plaintiffs in this Action, Sabo Law, among other things: (a) participated in the motion for the appointment of Lead Plaintiffs Aryeh Agam and Shimon Aharon (collectively, “Lead Plaintiffs”) pursuant to the PSLRA in conjunction with Glancy Prongy Wolke & Rotter LLP (“GPWR”; f/k/a Glancy Prongay & Murray LLP), and attended the lead plaintiff hearing on Lead Plaintiffs behalf by my colleague Ohad Rosen; (b) oversaw the investigation in Israel, which included, *inter alia*, (i) reviewing and analyzing Legacy Hub’s filings with the Tel Aviv Stock Exchange, and publicly available information in Israeli publications, blog posts and media concerning Legacy Hub and Hub, and (ii) retaining and working with the private investigator who conducted an investigation in Israel that involved, *inter alia*, numerous interviews of former Hub employees and other sources of relevant information; (c) worked with GPWR on the drafting of the Amended Complaint by, among other things, reviewing certain documents written Hebrew, conducting factual research in Israel, reviewing and staying up to date with lawsuits in Israel related to Hub (*i.e.*, PIPE litigation and former employee lawsuits), and spoke with the lawyers in the those cases; (d) communicated on a regular basis with Lead

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

Plaintiffs both of whom are Israeli, as well as other putative Class members, to keep them apprised of the litigation and settlement matters; (e) worked with Lead Plaintiffs in responding to discovery; and (f) participated in the mediation process leading to the Settlement, including attending the mediation overseen by Jed Melnick, Esq. of JAMS.

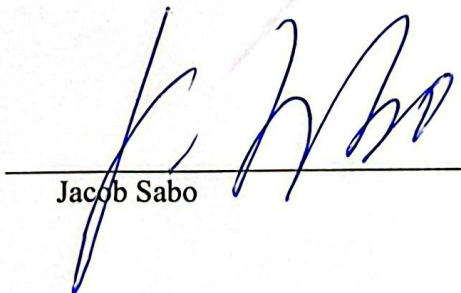
3. In the ordinary course of business, Sabo Law does not keep daily time records; rather, it normally bills on a transaction basis. This is consistent with the practice of many law firms in Israel. Sabo Law did not keep time records in this Action.

4. I, along with attorney Ohad Rosen, Esq., had primary responsibility for the Action on behalf of Sabo Law. I conservatively estimate that Sabo Law spent approximately 350 hours working on the litigation. No time expended on the application for fees and reimbursement of expenses is included in this estimate.

5. In addition Sabo Law incurred expenses for: (a) travel from Israel to the United States and back, as well as the expenses of staying in New York City during the Lead Plaintiff hearing and mediation; and (b) in meeting & discussing the action with Lead Plaintiffs in Israel. Sabo Law is not seeking reimbursement for these expenses.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on May

11th, 2026, in Tel Aviv, Israel.



Jacob Sabo

EXHIBIT 8

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF JONATHAN D. PARK, ESQ. IN SUPPORT OF LEAD COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF
LITIGATION EXPENSES FILED ON BEHALF OF POMERANTZ LLP**

I, Jonathan D. Park, declare as follows:

1. I am Of Counsel at Pomerantz LLP (“Pomerantz”), one of Plaintiffs’ Counsel in the above-captioned action (the “Action”).¹ I submit this declaration in support of Lead Counsel’s application for an award of attorneys’ fees in connection with services rendered in the Action, as well as for reimbursement of litigation expenses incurred in connection with the Action. I have personal knowledge of the facts set forth herein based on my active supervision of, and participation in, the prosecution and settlement of the claims asserted in the Action and, if called upon, could and would testify thereto.

2. As one of the counsel for Plaintiffs in this Action, Pomerantz, among other things: (a) researched and drafted the initial complaint in the case styled *Green v. Hub Cyber Security Ltd.*, Case No. 1:23-cv-06668-AS; (b) researched and worked with Lead Counsel on the drafting of the amended complaint; (c) communicated on a regular basis with additional named plaintiffs Rodrigue Fodjo and Dustin Green to keep them apprised of the litigation and settlement matters; (d) worked with additional named plaintiffs Rodrigue Fodjo and Dustin Green to identify and collect documents relevant to the litigation; (e) conducted research for Plaintiffs’ opposition to Defendants’ motion to dismiss; and (f) participated in the mediation process leading to the Settlement.

3. The schedule attached hereto as Exhibit A is a detailed summary indicating the amount of time spent by attorneys and professional support staff employees of my firm who, from inception of the Action through and including May 4, 2026, billed ten or more hours to the Action, and the lodestar calculation for those individuals based on my firm’s current billing rates. For

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm.

4. I am the attorney who oversaw or conducted the day-to-day activities in the Action following the Court's March 20, 2025 order granting in part and denying in part Defendants' motion to dismiss the Complaint (ECF No. 115). I reviewed these daily time records in connection with the preparation of this declaration, and spoke to other attorneys at the firm who spent time on this action prior to my involvement. The purpose of these efforts was to confirm both the accuracy of the records as well as the necessity for, and reasonableness of, the time committed to the litigation. As a result of this review, I made reductions to certain of my firm's time entries such that the time included in Exhibit A reflect that exercise of billing judgment. Based on this review and the adjustments made, I believe that the time of Pomerantz attorneys and staff reflected in Exhibit A was reasonable and necessary for the effective and efficient prosecution and resolution of the Action. No time expended on the application for fees and reimbursement of expenses has been included.

5. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are consistent with the rates approved by courts in other securities or shareholder litigation when conducting a lodestar cross-check.

6. The total number of hours reflected in Exhibit A is 77.98 hours. The total lodestar reflected in Exhibit A is \$58,194.00, consisting entirely of attorneys' time.

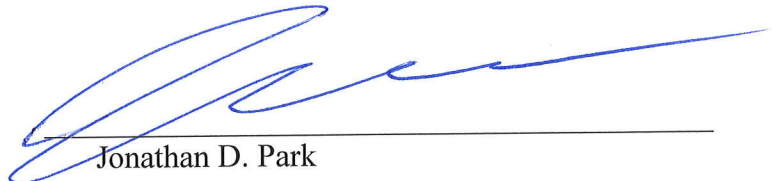
7. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately, and such charges are not duplicated in my firm's billing rates.

8. As detailed in Exhibit B, my firm is seeking reimbursement of a total of \$2,305.13 in expenses incurred in connection with the prosecution of this Action.

9. The litigation expenses incurred in the Action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, check records, and other source materials and are an accurate record of the expenses incurred. The expenses reflected in Exhibit B are the expenses actually incurred by my firm.

10. Attached hereto as Exhibit C is a brief biography of Pomerantz, including the attorneys who were involved in the Action.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on May 12, 2026, in New York, New York.



Jonathan D. Park

EXHIBIT A

In Re Hub Cyber Security Ltd.,
Master File No. 1:23-cv-05764-AS

Pomerantz LLP

**LODESTAR REPORT
FROM INCEPTION THROUGH MAY 4, 2026**

TIMEKEEPER/CASE	STATUS	HOURS	RATE	LODESTAR
ATTORNEYS:				
Jonathan Park	Of Counsel	24.70	\$900	\$22,230.00
James LoPiano	Attorney	53.28	\$675	\$35,964.00
TOTAL LODESTAR		77.98		\$58,194.00

EXHIBIT B

In Re Hub Cyber Security Ltd.,
Master File No. 1:23-cv-05764-AS

Pomerantz LLP

EXPENSE REPORT

FROM INCEPTION THROUGH MAY 4, 2026

ITEM	AMOUNT
COURIER & SPECIAL POSTAGE	\$59.68
COURT FILING FEES	\$402.00
PROCESS SERVER	\$885.00
ONLINE RESEARCH	\$291.25
PHOTOCOPYING/IMAGING	\$67.20
PRESS RELEASE	\$600.00
GRAND TOTAL	\$2,305.13

EXHIBIT C
Pomerantz LLP
FIRM RESUME

POMERANTZLLP

History Pomerantz LLP is one of the most respected law firms in the United States dedicated to representing investors. The Firm was founded in 1936 by the late Abraham L. Pomerantz, widely regarded as a legal pioneer and “dean” of the plaintiffs’ securities bar, who helped secure the right of investors to bring class and derivative actions.

Leadership Today, led by Managing Partner Jeremy A. Lieberman, the Firm maintains the commitments to excellence and integrity passed down by Abe Pomerantz.

Results Pomerantz achieved a historic \$3 billion settlement for defrauded investors in 2018 as well as precedent-setting legal rulings, in *In re Petrobras Securities Litigation*. Pomerantz consistently shapes the law, winning landmark decisions that expand and protect investor rights and initiating historic corporate governance reforms.

Global Expertise Beyond its three American offices, the Firm has offices in Paris, London, and Tel Aviv. Pomerantz also partners with an extensive network of prominent law firms across the globe to assist clients, wherever they are situated, in recovering monies lost due to corporate misconduct and securities fraud. Our team of attorneys is collectively fluent in English, Arabic, Cantonese, Mandarin, French, Hebrew, Italian, Portuguese, Romanian, Russian, Spanish, and Ukrainian.

Practice Pomerantz protects, expands, and vindicates shareholder rights through our securities litigation services and portfolio monitoring service. The Firm represents some of the largest and most influential pension funds, asset managers and institutional investors around the globe, monitoring assets of over \$9.4 trillion and growing. Pomerantz’s practice includes corporate governance, antitrust, and strategic consumer litigation.

Recognition Pomerantz has been recognized as a top tier firm by *The Legal 500*, *Benchmark Litigation*, and *Chambers USA*, among others. In 2020, Pomerantz was named the Plaintiff Firm of the Year by *Benchmark Litigation* and honored with *European Pensions’* inaugural Thought Leadership Award. Courts across the country have noted the quality of our legal work, and Pomerantz attorneys regularly receive praise from their peers. The 2024 *Benchmark Litigation* guide describes Pomerantz’s “prodigious capacity for cases and its tenacity to keep pursuing them” as well as the Firm’s work on litigation “with more meaningful angles.” The Firm’s attorneys have been recognized by major industry publications, including *The National Law Journal*, *The New York Law Journal*, *Law360*, and *Lawdragon*. Among the prestigious honors received by Pomerantz attorneys are the *Benchmark Litigation* Plaintiff Litigator of the Year Award (Jeremy Lieberman, 2019; Emma Gilmore 2024), *New York Law Journal* Innovation Award (Jennifer Pafiti, 2023), and *Law360* Titan of the Plaintiffs Bar (Murielle Steven Walsh, 2024).

Pomerantz is headquartered in New York City, with offices in Chicago, Los Angeles, London, Paris, and Tel Aviv.

Securities Litigation

Significant Landmarks

***In re Petrobras Sec. Litig.*, No. 14-cv-9662 (S.D.N.Y. 2018)**

On January 3, 2018, in a significant victory for investors, Pomerantz, as sole Lead Counsel for the class, along with Lead Plaintiff Universities Superannuation Scheme Limited (“USS”), achieved a historic \$2.95 billion settlement with Petróleo Brasileiro S.A. (“Petrobras”) and its related entity, Petrobras International Finance Company, as well as certain of Petrobras’ former executives and directors. On February 2, 2018, Pomerantz and USS reached a \$50 million settlement with Petrobras’ auditors, PricewaterhouseCoopers Auditores Independentes, bringing the total recovery for Petrobras investors to \$3 billion.

This is not only the largest securities class action settlement in a decade but is the largest settlement ever in a securities class action involving a foreign issuer, the fifth-largest securities class action settlement ever achieved in the United States, the largest securities class action settlement achieved by a foreign Lead Plaintiff, and the largest securities class action settlement in history not involving a restatement of financial reports.

The class action, brought on behalf of all purchasers of common and preferred American Depositary Shares (“ADSs”) on the New York Stock Exchange, as well as purchasers of certain Petrobras debt, principally alleged that Petrobras and its senior executives engaged in a multi-year, multi-billion-dollar money-laundering and bribery scheme, which was concealed from investors.

In addition to the multi-billion-dollar recovery for defrauded investors, Pomerantz secured precedent-setting decisions when the Second Circuit Court of Appeals squarely rejected defendants’ invitation to adopt the heightened ascertainability requirement promulgated by the Third Circuit, which would have required plaintiffs to demonstrate that determining membership in a class is “administratively feasible.” The Second Circuit’s rejection of this standard is not only a victory for bondholders in securities class actions, but also for plaintiffs in consumer fraud class actions and other class actions where documentation regarding Class membership is not readily attainable. The Second Circuit also refused to adopt a requirement, urged by defendants, that all securities class action plaintiffs seeking class certification prove through direct evidence (i.e., an event study) that the prices of the relevant securities moved in a particular direction in response to new information.

***Pirnik v. Fiat Chrysler Automobiles N.V. et al.*, No. 1:15-cv-07199-JMF (S.D.N.Y)**

In August 2019, Pomerantz, as Lead Counsel, achieved final approval of a \$110 million settlement for the Class in this high-profile securities class action. Plaintiffs alleged that Fiat Chrysler concealed from investors that it improperly outfitted its diesel vehicles with “defeat device” software designed to cheat NOx emissions regulations in the U.S. and Europe, and that regulators had accused Fiat Chrysler of violating the emissions regulations. The *Fiat Chrysler* recovery provides the class of investors with as much as 20% of recoverable damages—an excellent result when compared to historical statistics in class action settlements, where typical recoveries for cases of this size are between 1.6% and 3.3%.

In addition to creating precedent-setting case law in successfully defending the various motions to dismiss the *Fiat Chrysler* litigation, Pomerantz also significantly advanced investors' ability to obtain critically important discovery from regulators that are often at the center of securities actions. During the litigation, Pomerantz sought the deposition of a former employee of the National Highway Traffic Safety Administration ("NHTSA"). The United States Department of Transportation ("USDOT"), like most federal agencies, has enacted a set of regulations—known as "Touhy regulations"—governing when its employees may be called by private parties to testify in court. On their face, USDOT's regulations apply to both "current" and "former" employees. In response to Pomerantz's request to depose a former employee of NHTSA that interacted with Fiat Chrysler, NHTSA denied the request, citing the Touhy regulation. Despite the widespread application, and assumed appropriateness, of applying these regulations to former employees throughout the case law, Pomerantz filed an action against USDOT and NHTSA, arguing that the statute pursuant to which the Touhy regulations were enacted speaks only of "employees," which should be interpreted to apply only to current employees. The court granted summary judgment in favor of Pomerantz's clients, holding that "USDOT's Touhy regulations are unlawful to the extent that they apply to former employees." This victory will greatly shift the discovery tools available, so that investor plaintiffs in securities class actions against highly regulated entities (for example, companies subject to FDA regulations) will now be able to depose former employees of the regulators that interacted with the defendants during the class period to get critical testimony concerning the company's violations and misdeeds.

***Karimi v. Deutsche Bank AG*, 1:22-cv-02854 (S.D.N.Y.)**

On September 27, 2022, Pomerantz reached a \$26.25 million settlement on behalf of defrauded investors in a securities class action against Deutsche Bank AG. The settlement represents over 49% of estimated recoverable damages, far in excess of the 1.8% median recovery in similar cases.

The complaint alleges that Deutsche Bank failed to properly adhere to its own Know Your Customer ("KYC") policies when dealing with customers it considered high-risk, such as accused sex offender Jeffrey Epstein, Russian oligarchs and politically exposed persons ("PEPs") reportedly engaged in criminal activities. The Bank repeatedly assured investors that it had "developed effective procedures for assessing clients and processes for accepting new clients in order to facilitate comprehensive compliance" with these policies. In reality, however, during the Class Period, defendants repeatedly exempted high net-worth individuals and PEPs from any meaningful due diligence, further enabling their crimes through the use of the Bank's facilities.

For example, in 2013, Deutsche Bank took on Jeffrey Epstein as a client, despite his previous convictions for and new allegations of child sex trafficking and abuse. Because Epstein was regarded as a "high-risk" customer, he should have been subject to the strict due diligence required by the Bank's KYC program; however, he was instead classified as an "Honorary PEP," and his activities within the Bank were allowed to continue, largely due to the business he could generate for the Bank. Prior to his onboarding as a client, "40 underage girls had come forward with testimony of Epstein sexually assaulting them," and despite these allegations, Deutsche Bank remained "comfortable with things continuing."

Howard v. Arconic et al., No. 2:17-cv-01057 (W.D.Pa.)

In August 2023, Pomerantz, as Co-Lead Counsel, achieved final approval of a \$74 million settlement on behalf of defrauded investors in a securities class action against the American industrial company Arconic.

On June 14, 2017, a devastating fire broke out in the Grenfell Tower block of flats in London, United Kingdom, resulting in the deaths of 72 people and injuries to more than 70 other tenants. In the wake of the tragedy, numerous investigations were conducted, ultimately revealing that, while an electrical fault within the building instigated the blaze, Arconic's Reynobond PE panels, which covered the outside of the building, likely acted as an accelerant, contributing to the rapid spread of the flames to the floors above.

In August 2017, Pomerantz filed a securities class action against Arconic alleging that its stock price was artificially inflated during the Class Period by the company's misstatements about the safety of its Reynobond PE insulating panels. Following a partial dismissal, Pomerantz filed a second amended complaint, which cited numerous instances in which Arconic sold Reynobond PE panels for use in other high-rise towers in the UK and across the globe.

Notably, despite the United States' near universal ban of combustible Reynobond for buildings taller than twelve meters (40 feet), plaintiffs found that Arconic had sold these panels for use in the construction of numerous structures measuring twelve meters or higher throughout the country, including a terminal at the Dallas/Fort Worth airport and Ohio's Cleveland Browns stadium. The complaint also pointed to at least eighteen other instances in which deadly fires had spread through exterior wall assemblies, most of which involved high-rise buildings. The new allegations included in the second amended complaint convinced Chief U.S. District Judge Mark R. Hornak to not only change his mind on many of the claims he had previously dismissed, but also to make new law in plaintiffs favor on several significant issues, including the element of scienter, i.e., intent to deceive investors.

The \$74 million settlement represents approximately 22% of recoverable damages for defrauded Arconic shareholders, an amount far exceeding the 1.8% median recovery for all securities class action settlements in 2022.

Kaplan v. S.A.C. Capital Advisors, L.P., No. 12-cv-9350 (S.D.N.Y.)

In May 2017, Pomerantz, as Co-Lead Counsel, achieved final approval of a \$135 million recovery for the Class in this securities class action that stemmed from what has been called the most profitable insider trading scheme in U.S. history. After years of vigorous litigation, billionaire Steven A. Cohen's former hedge fund, S.A.C. Capital Advisors LP, agreed to settle the lawsuit by investors in the drug maker Elan Corp, who said they lost money because of insider trading by one of his portfolio managers.

In re BP p.l.c. Securities Litigation, MDL No. 2185 (S.D. Tex.)

Beginning in 2012, Pomerantz pursued ground-breaking individual lawsuits for institutional investors to recover losses in BP p.l.c.'s London-traded common stock and NYSE-traded American Depositary Shares (ADSs) arising from its 2010 Gulf of Mexico oil spill. Over nine years, Pomerantz briefed and argued every significant dispute on behalf of 125+ institutional plaintiffs, successfully opposed three motions to dismiss, won other contested motions, oversaw e-discovery of 1.75 million party and non-party documents, led

the Individual Action Plaintiffs Steering Committee, served as sole Liaison with BP and the Court, and worked tirelessly with our clients' outside investment management firms to develop crucial case evidence.

A threshold challenge was how to litigate in U.S. court given the U.S. Supreme Court's decision in *Morrison v. National Australia Bank*, 130 S. Ct. 2869 (2010), which barred recovery for losses in foreign-traded securities under the U.S. federal securities laws. In 2013 and 2014, Pomerantz won significant victories in defeating BP's *forum non conveniens* arguments, which sought to force dismissal of the English common law claims from U.S. courts for refiling in English courts, first as regards U.S. institutions and, later, foreign institutions. Pomerantz also defeated BP's attempt to extend the U.S. federal Securities Litigation Uniform Standards Act of 1998 to reach, and dismiss, these foreign law claims in deference to non-existent remedies under the U.S. federal securities laws. These rulings paved the way for 125+ global institutional investors to pursue their claims and marked the first time, post-*Morrison*, that U.S. and foreign investors, pursuing foreign claims seeking recovery for losses in a foreign company's foreign-traded securities, did so in a U.S. court. In 2017, Pomerantz earned an important victory that expanded investor rights under English law, permitting certain BP investors to pursue a "holder claim" theory seeking to recover losses in securities held, rather than purchased anew, in reliance on the alleged fraud—a theory barred under the U.S. federal securities laws since *Blue Chip Stamps v. Manor Drug Stores*, 421 U.S. 723 (1975). This win was significant, given the dearth of precedent from anywhere recognizing the viability of a "holder claim" under any non-U.S. law and holding that a given plaintiff alleged facts sufficiently evidencing reliance and documenting the resulting retention of an identifiable amount of shares on a date certain.

In Q1 2021, Pomerantz secured confidential, favorable monetary settlements from BP for our nearly three dozen clients, including public and private pension funds, money management firms, partnerships, and investment trusts from the U.S., Canada, the U.K., France, the Netherlands, and Australia.

***In re Comverse Technology, Inc. Sec. Litig.*, No. 06-CV-1825 (E.D.N.Y.)**

In June 2010, Judge Nicholas G. Garaufis of the U.S. District Court for the Eastern District of New York granted final approval of a \$225 million settlement proposed by Pomerantz and Lead Plaintiff the Menora Group, with Comverse Technology and certain of Comverse's former officers and directors, after four years of highly contested litigation. The *Comverse* settlement is one of the largest securities class action settlements reached since the passage of the Private Securities Litigation Reform Act ("PSLRA").¹ It is the second-largest recovery in a securities litigation involving the backdating of options, as well as one of the largest recoveries—\$60 million—from an individual officer-defendant, Comverse's founder and former CEO, Kobi Alexander.

Other Significant Settlements

Even before the enactment of the PSLRA, Pomerantz represented state agencies in securities class actions, including the Treasurer of the Commonwealth of Pennsylvania (recovered \$100 million) against a major investment bank. *In re Salomon Brothers Treasury Litig.*, No. 91-cv-5471 (S.D.N.Y.).

Pomerantz recovered \$50 million for the Treasurer of the State of New Jersey and several New Jersey pension funds in an individual action. This was a substantially higher recovery than what our clients

¹ Institutional Shareholder Services, *SCAS Top 100 Settlements Quarterly Report* (Sept. 30, 2010).

would have obtained had they remained in a related federal class action. *Treasurer of State of New Jersey v. AOL Time Warner, Inc.* (N.J. Super. Ct. Law Div., Mercer Cty.).

Pomerantz has litigated numerous cases for the Louisiana School Employees' Retirement System. For example, as Lead Counsel, Pomerantz recovered \$74.75 million in a securities fraud class action against Citigroup, its CEO Sanford Weill, and its now infamous telecommunications analyst Jack Grubman. *In re Salomon Analyst AT&T Litig.*, No. 02-cv-6801 (S.D.N.Y.) Also, the Firm played a major role in a complex antitrust and securities class action which settled for over \$1 billion. *In re NASDAQ Market-Makers Antitrust Litig.*, MDL No. 1023 (S.D.N.Y.). Pomerantz was a member of the Executive Committee in *In re Transkaryotic Therapies, Inc. Securities Litigation*, C.A. No. 03-10165 (D. Mass.), helping to win a \$50 million settlement for the class.

In 2008, together with Co-Counsel, Pomerantz identified a substantial opportunity for recovery of losses in Countrywide mortgage-backed securities ("MBS") for three large New Mexico funds (New Mexico State Investment Council, New Mexico Public Employees' Retirement Association, and New Mexico Educational Retirement Board), which had been overlooked by all of the firms then in their securities litigation pool. We then filed the first non-class lawsuit by a public institution with respect to Countrywide MBS. *See N.M. State Inv. Council v. Countrywide Fin. Corp.*, No. D-0101-CV-2008-02289 (N.M. 1st Dist. Ct.). In Fall 2010, we negotiated for our clients an extremely favorable but confidential settlement.

Over its long history, Pomerantz has achieved significant settlements in numerous cases, a sampling of which appears below:

- *In re Petrobras Sec. Litig.*, No. 14-cv-9662 (S.D.N.Y. 2018)
\$3 billion settlement of securities class action in which Pomerantz was Lead Counsel.
- *Pirnik v. Fiat Chrysler Automobiles N.V. et al.*, No. 1:15-cv-07199-JMF (S.D.N.Y.)
\$110 million settlement of securities class action in which Pomerantz was Lead Counsel
- *In re Yahoo!, Inc. Sec. Litig.*, No. 17-cv-00373 (N.D. Cal. 2018)
\$80 million settlement of securities class action in which Pomerantz was Co-Lead Counsel
- *In re Libor Based Financial Instruments Antitrust Litig.*, 1:11-md-2262
\$31 million partial settlement with three defendants in this multi-district litigation in which Pomerantz represents the Berkshire Bank and the Government Development Bank for Puerto Rico
- *Kaplan v. S.A.C. Capital Advisors, L.P.*, No. 12-cv-9350 (S.D.N.Y. 2017)
\$135 million settlement of class action in which Pomerantz was Co-Lead Counsel.
- *In re Groupon, Inc. Sec. Litig.*, No. 12-cv-02450 (N.D. Ill. 2015)
\$45 million settlement of class action in which Pomerantz was sole Lead Counsel.
- *In re Elan Corp. Sec. Litig.*, No. 05-cv-2860 (S.D.N.Y. 2005)
\$75 million settlement in class action arising out of alleged accounting manipulations.
- *In re Safety-Kleen Corp. Stockholders Litig.*, No. 00-cv-736-17 (D.S.C. 2004)
\$54.5 million in total settlements in class action alleging accounting manipulations by corporate officials and auditors; last settlement reached on eve of trial.
- *Duckworth v. Country Life Ins. Co.*, No. 1998-CH-01046 (Ill. Cir. Ct., Cook Cty. 2000)
\$45 million recovery.

- *Snyder v. Nationwide Ins. Co.*, No. 97/0633 (N.Y. Sup. Ct. Onondaga Cty. 1998)
Settlement valued at \$100 million in derivative case arising from injuries to consumers purchasing life insurance policies.
- *In re National Health Lab., Inc. Sec. Litig.*, No. CV 92-1949 (S.D. Cal. 1995)
\$64 million recovery.
- *In re First Executive Corp. Sec. Litig.*, No. 89-cv-07135 (C.D. Cal. 1994)
\$102 million recovery for the class, exposing a massive securities fraud arising out of the Michael Milken debacle.
- *In re Boardwalk Marketplace Sec. Litig.*, MDL No. 712 (D. Conn. 1994)
Over \$66 million benefit in securities fraud action.
- *In re Telerate, Inc. S'holders Litig.*, C.A. No. 1115 (Del. Ch. 1989)
\$95 million benefit in case alleging violation of fiduciary duty under state law.

Pomerantz has also obtained stellar results for private institutions and Taft-Hartley funds. Below are a few examples:

- *In re Charter Commc'ns, Inc. Sec. Litig.*, No. 02-cv-1186 (E.D. Mo. 2005) (sole Lead Counsel for Lead Plaintiff StoneRidge Investment Partners LLC); \$146.25 million class settlement, where Charter also agreed to enact substantive improvements in corporate governance.
- *In re Am. Italian Pasta Sec. Litig.*, No. 05-cv-865 (W.D. Mo. 2008) (sole Lead Counsel for Lead Plaintiff Ironworkers Locals 40, 361 and 417; \$28.5 million aggregate settlements).
- *Richardson v. Gray*, No. 116880/1995 (N.Y. Sup. Ct. N.Y. Cty. 1999); and *In re Summit Metals*, No. 98-2870 (Bankr. D. Del. 2004) (two derivative actions where the Firm represented C.C. Partners Ltd. and obtained judgment of contempt against controlling shareholder for having made "extraordinary" payments to himself in violation of a preliminary injunction; persuaded the court to jail him for two years upon his refusal to pay; and, in a related action, won a \$43 million judgment after trial and obtained turnover of stock of two companies).

Shaping the Law

Not only has Pomerantz established a long track record of obtaining substantial monetary recoveries for our clients; whenever appropriate, we also pursue corporate governance reforms on their behalf. In *In re Chesapeake Shareholders Derivative Litigation*, No. CJ-2009-3983 (Okla. Dist. Ct., Okla. Cty. 2011), for example, the Firm served as Co-Lead Counsel, representing a public pension client in a derivative case arising from an excessive compensation package granted to Chesapeake's CEO and founder. This was a derivative action, not a class action. Yet it is illustrative of the results that can be obtained by an institutional investor in the corporate governance arena. There we obtained a settlement which called for the repayment of \$12.1 million and other consideration by the CEO. The Wall Street Journal (Nov. 3, 2011) characterized the settlement as "a rare concession for the 52-year-old executive, who has run the company largely by his own rules since he co-founded it in 1989." The settlement also included comprehensive corporate governance reforms.

The Firm has won many landmark decisions that have enhanced shareholders' rights and improved corporate governance. These include decisions that established that:

- defendants seeking to rebut the *Basic* presumption of reliance on an efficient market must do so by a preponderance of the evidence. *Waggoner v. Barclays PLC*, 875 F.3d 79 (2d Cir. 2017) (*Strougo v. Barclays PLC*, in the court below);
- plaintiffs have no burden to show price impact at the class certification stage. *Waggoner v. Barclays PLC*, 875 F.3d 79 (2d Cir. 2017) (*Strougo v. Barclays PLC*, in the court below);
- the ascertainability doctrine requires only that a class be defined using objective criteria that establish a membership with definite boundaries. *Universities Superannuation Scheme Ltd. v. Petróleo Brasileiro S.A. Petrobras*, 862 F.3d 250 (2d Cir. 2017);
- companies cannot adopt bylaws to regulate the rights of former stockholders. *Strougo v. Hollander*, C.A. No. 9770-CB (Del. Ch. 2015);
- a temporary rise in share price above its purchase price in the aftermath of a corrective disclosure does not eviscerate an investor's claim for damages. *Acticon AG v. China Ne. Petroleum Holdings Ltd.*, 692 F.3d 34 (2d Cir. 2012);
- an MBS holder may bring claims if the MBS price declines even if all payments of principal and interest have been made. Transcript of Proceedings, *N.M. State Inv. Council v. Countrywide Fin. Corp.*, No. D-0101-CV-2008-02289 (N.M. 1st Dist. Ct. Mar. 25, 2009);
- when a court selects a Lead Plaintiff under the Private Securities Litigation Reform Act ("PSLRA"), the standard for calculating the "largest financial interest" must take into account sales as well as purchases. *In re Comverse Tech., Inc. Sec. Litig.*, No. 06-cv-1825, 2007 U.S. Dist. LEXIS 14878 (E.D.N.Y. Mar. 2, 2007);
- a managing underwriter can owe fiduciary duties of loyalty and care to an issuer in connection with a public offering of the issuer stock, even in the absence of any contractual agreement. Professor John C. Coffee, a renowned Columbia University securities law professor, commenting on the ruling, stated: "It's going to change the practice of all underwriting." *EBC I, Inc. v. Goldman Sachs & Co.*, 5 N.Y. 3d 11 (2005);
- purchasers of options have standing to sue under federal securities laws. *In re Green Tree Fin. Corp. Options Litig.*, No. 97-2679, 2002 U.S. Dist. LEXIS 13986 (D. Minn. July 29, 2002);
- shareholders have a right to a jury trial in derivative actions. *Ross v. Bernhard*, 396 U.S. 531 (1970);
- a company may have the obligation to disclose to shareholders its Board's consideration of important corporate transactions, such as the possibility of a spin-off, even before any final decision has been made. *Kronfeld v. Trans World Airlines, Inc.*, 832 F.2d 726 (2d Cir. 1987);
- specific standards for assessing whether mutual fund advisors breach fiduciary duties by charging excessive fees. *Gartenberg v. Merrill Lynch Asset Mgmt., Inc.*, 740 F.2d 190 (2d Cir. 1984);
- investment advisors to mutual funds are fiduciaries who cannot sell their trustee positions for a profit. *Rosenfeld v. Black*, 445 F.2d 1337 (2d Cir. 1971); and
- management directors of mutual funds have a duty to make full disclosure to outside directors "in every area where there was even a possible conflict of interest." *Moses v. Burgin*, 445 F.2d 369 (1st Cir. 1971).

Comments from the Courts

Throughout its history, courts time and again have acknowledged the Firm's ability to vigorously pursue and successfully litigate actions on behalf of investors.

U.S. District Judge Noel L. Hillman, in approving the *In re Toronto-Dominion Bank Securities Litigation* settlement in October 2019, stated:

I commend counsel on both sides for their hard work, their very comprehensive and thoughtful submissions during the motion practice aspect of this case . . . It's clear to me that this was comprehensive, extensive, thoughtful, meaningful litigation leading up to the settlement . . . This settlement appears to have been obtained through the hard work of the Pomerantz firm . . . It was through their efforts and not piggybacking on any other work that resulted in this settlement.

In approving the settlement in *Strougo v. Barclays PLC* in June 2019, Judge Victor Marrero of the Southern District of New York wrote:

Let me thank counsel on both sides for the extraordinary work both sides did in bringing this matter to a reasonable conclusion. As the parties have indicated, the matter was intensely litigated, but it was done in the most extraordinary fashion with cooperation, collaboration, and high levels of professionalism on both sides, so I thank you.

In approving the \$3 billion settlement in *In re Petrobras Securities Litigation* in June 2018, Judge Jed S. Rakoff of the Southern District of New York wrote:

[T]he Court finds that Class Counsel's performance was in many respects exceptional, with the result that, as noted, the class is poised to enjoy a substantially larger per share recovery [65%] than the recovery enjoyed by numerous large and sophisticated plaintiffs who separately settled their claims.

At the hearing for preliminary approval of the settlement in *In re Petrobras Securities Litigation* in February 2018, Judge Rakoff stated:

[T]he lawyers in this case [are] some of the best lawyers in the United States, if not in the world.

Two years earlier, in certifying two Classes in *In re Petrobras Securities Litigation* in February 2016, Judge Rakoff wrote:

[O]n the basis not only of USS's counsel's prior experience but also the Court's observation of its advocacy over the many months since it was appointed Lead Counsel, the Court concludes that Pomerantz, the proposed class counsel, is "qualified, experienced and able to conduct the litigation." . . . [T]he Pomerantz firm has both the skill and resources to represent the Classes adequately.

In approving the settlement in *Thorpe v. Walter Investment Management Corp.*, No. 14-cv-20880, 2016 U.S. Dist. LEXIS 144133 (S.D. Fla. Oct. 14, 2016) Judge Ursula Ungaro wrote:

Class Counsel has developed a reputation for zealous advocacy in securities class actions . . . The settlement amount of \$24 million is an outstanding result.

At the May 2015 hearing wherein the court approved the settlement in *Courtney v. Avid Technology, Inc.*, No. 13-cv-10686 (D. Mass. May 12, 2015), following oral argument by Jeremy A. Lieberman, Judge William G. Young stated:

This has been very well litigated. It is always a privilege. I don't just say that as a matter of form. And I thank you for the vigorous litigation that I've been permitted to be a part of. [Tr. at 8-9.]

At the January 2012 hearing wherein the court approved the settlement in *In re Chesapeake Energy Corp. Shareholder Derivative Litigation*, No. CJ-2009-3983 (Okla. Dist. Ct., Okla. Cty. Jan. 30, 2012), following oral argument by Marc I. Gross, Judge Daniel L. Owens stated:

Counsel, it's a pleasure, and I mean this and rarely say it. I think I've said it two times in 25 years. It is an extreme pleasure to deal with counsel of such caliber. [Tr. at 48.])

In approving the \$225 million settlement in *In re Comverse Technology, Inc. Securities Litigation*, No. 06-CV-1825 (E.D.N.Y.) in June 2010, Judge Nicholas G. Garaufis stated:

As outlined above, the recovery in this case is one of the highest ever achieved in this type of securities action . . . The court also notes that, throughout this litigation, it has been impressed by Lead Counsel's acumen and diligence. The briefing has been thorough, clear, and convincing, and . . . Lead Counsel has not taken short cuts or relaxed its efforts at any stage of the litigation.

In approving a \$146.25 million settlement in *In re Charter Communications Securities Litigation*, No. 02-CV-1186, 2005 U.S. Dist. LEXIS 14772 (E.D. Mo. June 30, 2005), in which Pomerantz served as sole Lead Counsel, Judge Charles A. Shaw praised the Firm's efforts, citing "the vigor with which Lead Counsel . . . investigated claims, briefed the motions to dismiss, and negotiated the settlement." He further stated:

This Court believes Lead Plaintiff achieved an excellent result in a complex action, where the risk of obtaining a significantly smaller recovery, if any, was substantial.

In approving a \$24 million settlement in *In re Force Protection, Inc.*, No. 08 CV 845 (D.S.C. 2011), Judge C. Weston Houk described the Firm as "attorneys of great ability and great reputation" and commended the Firm for having "done an excellent job."

In certifying a class in a securities fraud action against analysts in *DeMarco v. Robertson Stephens, Inc.*, 228 F.R.D. 468 (S.D.N.Y. 2005), Judge Gerard D. Lynch stated that Pomerantz had "ably and zealously represented the interests of the class."

Numerous courts have made similar comments:

- Appointing Pomerantz Lead Counsel in *American Italian Pasta Co. Securities Litigation*, No 05-CV-0725 (W.D. Mo.), a class action that involved a massive fraud and restatements spanning several years, the District Court observed that the Firm "has significant experience (and has been extremely effective)

litigating securities class actions, employs highly qualified attorneys, and possesses ample resources to effectively manage the class litigation and protect the class's interests."

- In approving the settlement in *In re Wiring Devices Antitrust Litigation*, MDL No. 331 (E.D.N.Y. Sept. 9, 1980), Chief Judge Jack B. Weinstein stated that "Counsel for the plaintiffs I think did an excellent job . . . They are outstanding and skillful. The litigation was and is extremely complex. They assumed a great deal of responsibility. They recovered a very large amount given the possibility of no recovery here which was in my opinion substantial."
- In *Snyder v. Nationwide Insurance Co.*, No. 97/0633, (N.Y. Supreme Court, Onondaga Cty.), a case where Pomerantz served as Co-Lead Counsel, Judge Tormey stated, "It was a pleasure to work with you. This is a good result. You've got some great attorneys working on it."
- In *Steinberg v. Nationwide Mutual Insurance Co.* (E.D.N.Y. 2004), Judge Spatt, granting class certification and appointing the Firm as class counsel, observed: "The Pomerantz firm has a strong reputation as class counsel and has demonstrated its competence to serve as class counsel in this motion for class certification." (224 F.R.D. 67, 766.)
- In *Mercury Savings & Loan*, No. 90-cv-00087 LHM (C.D. Cal. 1993), Judge McLaughlin commended the Firm for the "absolutely extraordinary job in this litigation."
- In *Boardwalk Marketplace Securities Litigation*, MDL No. 712 (D. Conn.), Judge Eginton described the Firm's services as "exemplary," praised it for its "usual fine job of lawyering . . . [in] an extremely complex matter," and concluded that the case was "very well-handled and managed." (Tr. at 6, 5/20/92; Tr. at 10, 10/10/92.)
- In *Nodar v. Weksel*, No. 84 Civ. 3870 (S.D.N.Y.), Judge Broderick acknowledged "that the services rendered [by Pomerantz] were excellent services from the point of view of the class represented, [and] the result was an excellent result." (Tr. at 21-22, 12/27/90.)
- In *Klein v. A.G. Becker Paribas, Inc.*, No. 83 Civ. 6456 (S.D.N.Y.), Judge Goettel complimented the Firm for providing "excellent . . . absolutely top-drawer representation for the class, particularly in light of the vigorous defense offered by the defense firm." (Tr. at 22, 3/6/87.)
- In *Digital Securities Litigation*, No. 83-3255 (D. Mass.), Judge Young lauded the Firm for its "[v]ery fine lawyering." (Tr. at 13, 9/18/86.)
- In *Shelter Realty Corp. v. Allied Maintenance Corp.*, 75 F.R.D. 34, 40 (S.D.N.Y. 1977), Judge Frankel, referring to Pomerantz, said: "Their experience in handling class actions of this nature is known to the court and certainly puts to rest any doubt that the absent class members will receive the quality of representation to which they are entitled."
- In *Rauch v. Bilzerian*, No. 88 Civ. 15624 (N.J. Sup. Ct.), the court, after trial, referred to Pomerantz partners as "exceptionally competent counsel," and as having provided "top drawer, topflight [representation], certainly as good as I've seen in my stay on this court."

Corporate Governance Litigation

Pomerantz is committed to ensuring that companies adhere to responsible business practices and practice good corporate citizenship. We strongly support policies and procedures designed to give shareholders the ability to oversee the activities of a corporation. We vigorously pursue corporate governance reform, particularly in the area of excess compensation, where it can address the growing disparity between the salaries of executives and the workers of major corporations. We have successfully utilized litigation to bring about corporate governance reform in numerous cases, and always consider whether such reforms are appropriate before any case is settled.

Pomerantz's Corporate Governance Practice Group, led by Partner Gustavo F. Bruckner, enforces shareholder rights and prosecutes actions challenging corporate transactions that arise from an unfair process or result in an unfair price for shareholders.

In September 2017, New Jersey Superior Court Judge Julio Mendez, of Cape May County Chancery Division, approved Pomerantz's settlement in a litigation against Ocean Shore Holding Co. The settlement provided non-pecuniary benefits for a non-opt out class. In so doing, Judge Mendez became the first New Jersey state court judge to formally adopt the Third Circuit's nine-part *Girsh* factors, *Girsh v. Jepsen*, 521 F.2d 153 (3d Cir. 1975). There has never before been a published New Jersey state court opinion setting out the factors a court must consider in evaluating whether a class action settlement should be determined to be fair and adequate. After conducting an analysis of each of the nine *Girsh* factors and holding that "class actions settlements involving non-monetary benefits to the class are subject to more exacting scrutiny," Judge Mendez held that the proposed settlement provided a material benefit to the shareholders.

In February 2018, the Maryland Circuit Court, Montgomery County, approved a \$17.5 million settlement that plaintiffs achieved as additional consideration on behalf of a class of shareholders of American Capital, Ltd. *In re Am. Capital, Ltd. S'holder Litig.*, C.A. No. 422598-V (2018). The settlement resolved Plaintiffs' claims regarding a forced sale of American Capital.

Pomerantz filed an action challenging the sale of American Capital, a Delaware corporation with its headquarters in Maryland. Among other things, American Capital's board of directors (the "Board") agreed to sell the company at a price below what two other bidders were willing to offer. Worse, the merger price was even below the amount that shareholders would have received in the company's planned phased liquidation, which the company was considering under pressure from Elliott Management, an activist hedge fund and holder of approximate 15% of American Capital stock. Elliott was not originally named as a defendant, but after initial discovery showed the extent of its involvement in the Board's breaches of fiduciary duty, Elliott was added as a defendant in an amended complaint under the theory that Elliott exercised actual control over the Board's decision-making. Elliott moved to dismiss on jurisdictional grounds and additionally challenged its alleged status as a controller of American Capital. In June 2017, minutes before the hearing on defendants' motion to dismiss, a partial settlement was entered into with the members of the Board for \$11.5 million. The motion to dismiss hearing proceeded despite the partial settlement, but only as to Elliott. In July 2017, the court denied the motion to dismiss, finding that Elliott, "by virtue solely of its own conduct, . . . has easily satisfied the transacting business prong of the Maryland long arm statute." The court also found that the "amended complaint in this case sufficiently pleads that Elliott was a controller with respect to" the sale, thus implicating a higher standard of review. Elliott subsequently settled the remaining claims for an additional \$6 million. Pomerantz served as Co-Lead Counsel.

In May 2017, the Circuit Court of the State of Oregon approved the settlement achieved by Pomerantz and co-counsel of a derivative action brought by two shareholders of Lithia Motors, Inc. The lawsuit alleged breach of fiduciary duties by the board of directors in approving, without any meaningful review, the Transition Agreement between Lithia Motors and Sidney DeBoer, its founder, controlling shareholder, CEO, and Chairman, who was stepping down as CEO. DeBoer and his son, the current CEO, Bryan DeBoer, negotiated virtually all the material terms of the Agreement, by which the company agreed to pay the

senior DeBoer \$1,060,000 and a \$42,000 car allowance annually for the rest of his life, plus other benefits, in addition to the \$200,000 per year that he would receive for continuing to serve as Chairman.

The *Lithia* settlement extracted corporate governance therapeutics that provide substantial benefits to Lithia and its shareholders and redress the wrongdoing alleged by plaintiffs. The board will now be required to have at least five independent directors—as defined under the New York Stock Exchange rules—by 2020; a number of other new protocols will be in place to prevent self-dealing by board members. Further, the settlement calls for the Transition Agreement to be reviewed by an independent auditor who will determine whether the annual payments of \$1,060,000 for life to Sidney DeBoer are reasonable. Lithia has agreed to accept whatever decision the auditor makes.

In January 2017, the Group received approval of the Delaware Chancery Court for a \$5.6 million settlement it achieved on behalf of a class of shareholders of Physicians Formula Holdings, Inc. over an ignored merger offer in 2012. *In re Physicians Formula Holdings, Inc.*, C.A. No. 7794-VCL (Del. Ch.).

The Group obtained a landmark ruling in *Strougo v. Hollander*, C.A. No. 9770-CB (Del. Ch.), that fee-shifting bylaws adopted after a challenged transaction do not apply to shareholders affected by the transaction. They were also able to obtain a 25% price increase for members of the class cashed out in the going private transaction.

In *Miller v. Bolduc*, No. SUCV 2015-00807 (Mass. Super. Ct.), the Group caused Implant Sciences to hold its first shareholder annual meeting in five years and put an important compensation grant up for a shareholder vote.

In *Smollar v. Potarazu*, C.A. No. 10287-VCN (Del. Ch.), the Group pursued a derivative action to bring about the appointment of two independent members to the board of directors, retention of an independent auditor, dissemination of financials to shareholders and the holding of first ever in-person annual meeting, among other corporate therapeutics.

In *Hallandale Beach Police Officers & Firefighters' Personnel Retirement Fund vs. Lululemon athletica, Inc.*, C.A. No. 8522-VCP (Del. Ch.), in an issue of first impression in Delaware, the Chancery Court ordered the production of the chairman's 10b5-1 stock trading plan. The court found that a stock trading plan established by the company's chairman, pursuant to which a broker, rather than the chairman himself, would liquidate a portion of the chairman's stock in the company, did not preclude potential liability for insider trading.

In *Strougo v. North State Bancorp*, No. 15 CVS 14696 (N.C. Super. Ct.), the Group caused the Merger Agreement to be amended to provide a “majority of the minority” provision for the holders of North State Bancorp's common stock in connection with the shareholder vote on the merger. As a result of the Action, common shareholders could stop the merger if they did not wish it to go forward.

In Re Qurate Retail, Inc. Derivative Litigation, C.A. No. 2021-1116-SG (Del. Ch.): In a significant victory for stockholders, Pomerantz LLP, as co-counsel, secured a groundbreaking settlement on behalf of Qurate Retail, Inc., addressing allegations of breaches of fiduciary duty and unjust enrichment involving senior executives Gregory B. Maffei and Dr. John C. Malone. Plaintiff filed suit on behalf of nominal defendant Qurate following a series of allegedly sham transactions in 2021 between Maffei and Malone that resulted

in the elimination of a call right held by Qurate, for which its predecessor paid \$150 million in 1998. The litigation challenged these transactions, including stock exchanges and executive compensation agreements, as unfair and detrimental to Qurate's long-term interests. After defendants moved to dismiss the case, the Court of Chancery issued rulings allowing claims against Mr. Maffei and Dr. Malone to proceed. Pomerantz ultimately settled the action in exchange for the reimposition of the call right, an agreement that Dr. Malone would leave the Qurate Board of Directors, and enhanced independent oversight at the company.

Pomerantz's commitment to advancing sound corporate governance principles is further demonstrated by the more than 26 years that we have co-sponsored the Abraham L. Pomerantz Lecture Series with Brooklyn Law School. These lectures focus on critical and emerging issues concerning shareholder rights and corporate governance and bring together top academics and litigators.

Our bi-monthly newsletter, *The Pomerantz Monitor*, provides institutional investors updates and insights on current issues in corporate governance.

Strategic Consumer Litigation

Pomerantz's Strategic Consumer Litigation practice group, led by Partner Jordan Lurie, represents consumers in actions that seek to recover monetary and injunctive relief on behalf of class members while also advocating for important consumer rights. The attorneys in this group have successfully prosecuted claims involving California's Unfair Competition Law, California's Consumers Legal Remedies Act, the Song Beverly Consumer Warranty Act and the Song Beverly Credit Card Act. They have resolved data breach privacy cases and cases involving unlawful recording, illegal background checks, unfair business practices, misleading advertising, and other consumer finance related actions. All of these actions also have resulted in significant changes to defendants' business practices.

Pomerantz currently represents consumers in a nationwide class action against Facebook for mistargeting ads. Plaintiff alleges that Facebook programmatically displays a material percentage of ads to users outside the defined target market and displays ads to "serial Likers" outside the defined target audience in order to boost Facebook's revenue. *IntegrityMessageBoards.com v. Facebook, Inc.* (N.D. Cal.) Case No. 4:18-cv-05286 PJH.

Pomerantz has pioneered litigation to establish claims for public injunctive relief under California's unfair business practices statute. For example, Pomerantz has filed cases seeking to prevent major auto manufacturers from unauthorized access to, and use of, drivers' vehicle data without compensation, and seeking to require the auto companies to share diagnostic data extracted from drivers' vehicles. The Strategic Consumer Litigation practice group is also prosecuting class cases against auto manufacturers for failing to properly identify high-priced parts that must be covered in California under extended emissions warranties.

Other consumer matters handled by Pomerantz's Strategic Consumer Litigation practice group include actions involving cryptocurrency, medical billing, price fixing, and false advertising of various consumer products and services.

Antitrust Litigation

Pomerantz has earned a reputation for prosecuting complex antitrust and consumer class actions with vigor, innovation, and success. Pomerantz's Antitrust and Consumer Group has recovered billions of dollars for the Firm's business and individual clients and the classes that they represent. Time and again, Pomerantz has protected our free-market system from anticompetitive conduct such as price fixing, monopolization, exclusive territorial division, pernicious pharmaceutical conduct, and false advertising. Pomerantz's advocacy has spanned across diverse product markets, exhibiting the Antitrust and Consumer Group's versatility to prosecute class actions on any terrain.

Pomerantz has served and is currently serving in leadership or Co-Leadership roles in several high-profile multi-district litigation class actions. In December 2018, the Firm achieved a \$31 billion partial settlement with three defendants on behalf of a class of U.S. lending institutions that originated, purchased or held loans paying interest rates tied to the U.S. Dollar London Interbank Offered Rate (USD LIBOR). It is alleged that the class suffered damages as a result of collusive manipulation by the LIBOR contributor panel banks that artificially suppressed the USD LIBOR rate during the class period, causing the class members to receive lower interest payments than they would have otherwise received. *In re Libor Based Financial Instruments Antitrust Litig.*, 1:11-md-2262.

Pomerantz represented baseball and hockey fans in a game-changing antitrust class action against Major League Baseball and the National Hockey League, challenging the exclusive territorial division of live television broadcasts, internet streaming, and the resulting geographic blackouts. *See Laumann v. NHL and Garber v. MLB* (S.D.N.Y. 2012).

Pomerantz has spearheaded the effort to challenge harmful anticompetitive conduct by pharmaceutical companies—including Pay-for-Delay Agreements—that artificially inflates the price of prescription drugs by keeping generic versions off the market.

Even prior to the 2013 precedential U.S. Supreme Court decision in *Actavis*, Pomerantz litigated and successfully settled the following generic-drug-delay cases:

- *In re Flonase Antitrust Litig.* (E.D. Pa. 2008) (\$35 million);
- *In re Toprol XL Antitrust Litig.* (D. Del. 2006) (\$11 million); and
- *In re Wellbutrin SR Antitrust Litig.* (E.D. Pa. 2004) (\$21.5 million).

Other exemplary victories include Pomerantz's prominent role in *In re NASDAQ Market-Makers Antitrust Litigation* (S.D.N.Y.), which resulted in a settlement in excess of \$1 billion for class members, one of the largest antitrust settlements in history. Pomerantz also played prominent roles in *In re Sorbates Direct Purchaser Antitrust Litigation* (N.D. Cal.), which resulted in over an \$82 million recovery, and in *In re Methionine Antitrust Litigation* (N.D. Cal.), which resulted in a \$107 million recovery. These cases illustrate the resources, expertise, and commitment that Pomerantz's Antitrust Group devotes to prosecuting some of the most egregious anticompetitive conduct.

A Global Advocate for Asset Managers and Public and Taft-Hartley Pension Funds

Pomerantz represents some of the largest pension funds, asset managers, and institutional investors around the globe, monitoring assets of over \$9 trillion, and growing. Utilizing cutting-edge legal strategies and the latest proprietary techniques, Pomerantz protects, expands, and vindicates shareholder rights through our securities litigation services and portfolio monitoring program.

Pomerantz partners routinely advise foreign and domestic institutional investors on how best to evaluate losses to their investment portfolios attributable to financial misconduct and how best to maximize their potential recoveries worldwide. In particular, Pomerantz Partners Jeremy Lieberman and Jennifer Pafiti regularly travel throughout the U.S. and across the globe to meet with clients on these issues and are frequent speakers at investor conferences and educational forums in North America, Europe, and the Middle East.

Pomerantz was honored by European Pensions with its inaugural 2020 Thought Leadership award in recognition of significant contributions the Firm has made in the European pension environment.

Institutional Investor Services

Pomerantz offers a variety of services to institutional investors. Through the Firm's proprietary system, PomTrack®, Pomerantz monitors client portfolios to identify and evaluate potential and pending securities fraud, ERISA and derivative claims, and class action settlements. Monthly customized PomTrack® reports are included with the service. PomTrack® currently monitors assets of over \$9.4 trillion for some of the most influential institutional investors worldwide.

When a potential securities claim impacting a client is identified, Pomerantz offers to analyze the case's merits and provide a written analysis and recommendation. If litigation is warranted, a team of Pomerantz attorneys will provide efficient and effective legal representation. The experience and expertise of our attorneys—which have consistently been acknowledged by the courts—allow Pomerantz to vigorously pursue the claims of investors, taking complex cases to trial when warranted.

Pomerantz is committed to ensuring that companies adhere to responsible business practices and practice good corporate citizenship. The Firm strongly support policies and procedures designed to give shareholders the ability to oversee the activities of a corporation. Pomerantz has successfully utilized litigation to bring about corporate governance reform, and always considers whether such reforms are appropriate before any case is settled.

Pomerantz provides clients with insightful and timely commentary on matters essential to effective fund management in our bi-monthly newsletter, *The Pomerantz Monitor* and regularly sponsors conferences and roundtable events around the globe with speakers who are experts in securities litigation and corporate governance matters.

Attorneys

Partners

Jeremy A. Lieberman

Jeremy A. Lieberman is Pomerantz's Managing Partner. He became associated with the Firm in August 2004 and was elevated to Partner in January 2010. The Legal 500, in honoring Jeremy as a Leading Lawyer and Pomerantz as a 2021 and 2022 Tier 1 Plaintiffs Securities Law Firm, stated that "Jeremy Lieberman is super impressive—a formidable adversary for any defense firm." Among the client testimonials posted on The Legal 500's website: "Jeremy Lieberman led the case for us with remarkable and unrelenting energy and aggression. He made a number of excellent strategic decisions which boosted our recovery." Lawdragon has named Jeremy among the Leading 500 Plaintiff Financial Lawyers in the United States each year from 2019 to 2024. Super Lawyers® named him among the Top 100 Lawyers in the New York Metro area in 2021. In 2020, Jeremy won a Distinguished Leader award from the *New York Law Journal*. He was honored as Benchmark Litigation's 2019 Plaintiff Attorney of the Year. In 2018, Jeremy was honored as a Titan of the Plaintiffs Bar by Law360 and as a Benchmark Litigation Star. The Pomerantz team that Jeremy leads was named a 2018 Securities Practice Group of the Year.

Jeremy led the securities class action litigation *In re Petrobras Securities Litigation*, which arose from a multi-billion-dollar kickback and bribery scheme involving Brazil's largest oil company, Petróleo Brasileiro S.A.—Petrobras, in which Pomerantz was sole Lead Counsel. The biggest instance of corruption in the history of Brazil ensnared not only Petrobras' former executives but also Brazilian politicians, including former president Lula da Silva and one-third of the Brazilian Congress. In January and February 2018, Jeremy achieved a historic \$3 billion settlement for the Class. This is not only the largest securities class action settlement in a decade but is the largest settlement ever in a securities class action involving a foreign issuer, the fifth-largest securities class action settlement ever achieved in the United States, the largest securities class action settlement achieved by a foreign Lead Plaintiff, and the largest securities class action settlement in history not involving a restatement of financial reports.

Jeremy also secured a significant victory for Petrobras investors at the Second Circuit Court of Appeals, when the court rejected the heightened ascertainability requirement for obtaining class certification that had been imposed by the Third Circuit Courts of Appeals. The ruling will have a positive impact on plaintiffs in securities fraud litigation. Indeed, the *Petrobras* litigation was honored in 2019 as a National Impact Case by Benchmark Litigation.

Jeremy was Lead Counsel in *Pirnik v. Fiat Chrysler Automobiles N.V. et al.*, No. 1:15-cv-07199-JMF (S.D.N.Y.), in which the Firm achieved a \$110 million settlement for the class. Plaintiff alleged that Fiat Chrysler concealed from investors that it improperly outfitted its diesel vehicles with "defeat device" software designed to cheat NOx emissions regulations in the U.S. and Europe, and that regulators had accused Fiat Chrysler of violating the emissions regulations. The *Fiat Chrysler* recovery provided the class of investors with as much as 20% of recoverable damages—an excellent result when compared to historical statistics in class action settlements, where typical recoveries for cases of this size are between 1.6% and 3.3%.

In November 2019, Jeremy achieved a critical victory for investors in the securities fraud class action against Perrigo Co. plc when Judge Arleo of the United States District Court for the District of New Jersey certified classes of investors that purchased Perrigo securities on both the New York Stock Exchange and the Tel Aviv Stock Exchange. Pomerantz represents a number of institutional investors that purchased Perrigo securities on both exchanges after an offer by Mylan N.V. to tender Perrigo shares. This is the first time since *Morrison* that a U.S. court has independently analyzed the market of a security traded on a non-U.S. exchange and found that it met the standards of market efficiency necessary allow for class certification.

Jeremy headed the Firm's individual action against pharmaceutical giant Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. (together, "Teva"), and certain of Teva's current and former employees and officers, relating to alleged anticompetitive practices in Teva's sales of generic drugs. Teva is a dual-listed company, and the Firm represents several Israeli institutional investors who purchased Teva shares on the Tel Aviv Stock Exchange. In early 2021, Pomerantz achieved a major victory for global investors when the district court agreed to exercise supplemental jurisdiction over the Israeli law claims. *Clal Insurance Company Ltd. v. Teva Pharmaceutical Industries Ltd.*

In 2019, Jeremy achieved a \$27 million settlement for the Class in *Strougo v. Barclays PLC*, a high-profile securities class action in which Pomerantz was Lead Counsel. Plaintiffs alleged that Barclays PLC misled institutional investors about the manipulation of the banking giant's so-called "dark pool" trading systems in order to provide a trading advantage to high-frequency traders over its institutional investor clients. This case turned on the duty of integrity owed by Barclays to its clients. In November 2017, Jeremy achieved precedent-setting victories for investors, when the Second Circuit Court of Appeals held that direct evidence of price impact is not always necessary to demonstrate market efficiency to invoke the presumption of reliance, and that defendants seeking to rebut the presumption of reliance must do so by a preponderance of the evidence rather than merely meeting a burden of production.

Jeremy led the Firm's securities class action litigation against Yahoo!, Inc., in which Pomerantz, as Lead Counsel, achieved an \$80 million settlement for the Class in 2018. The case involved the biggest data breaches in U.S. history, in which over 3 billion Yahoo accounts were compromised. This was the first significant settlement to date of a securities fraud class action filed in response to a data breach.

In 2018 Jeremy achieved a \$3.3 million settlement for the Class in the Firm's securities class action against Corinthian Colleges, one of the largest for-profit college systems in the country, for alleged misrepresentations about its job placement rates, compliance with applicable regulations, and enrollment statistics. Pomerantz prevailed in the motion to dismiss the proceedings, a particularly noteworthy victory because Chief Judge George King of the Central District of California had dismissed two prior lawsuits against Corinthian with similar allegations. *Erickson v. Corinthian Colleges, Inc.* (C.D. Cal.).

Jeremy led the Firm's litigation team that in 2018 secured a \$31 million partial settlement with three defendants in *In re Libor Based Financial Instruments Antitrust Litigation*, a closely watched multi-district litigation, which concerns the London Interbank Offered Rate (LIBOR) rigging scandal.

In *In re China North East Petroleum Corp. Securities Litigation*, Jeremy achieved a significant victory for shareholders in the United States Court of Appeals for the Second Circuit, whereby the Appeals Court ruled that a temporary rise in share price above its purchase price in the aftermath of a corrective

disclosure did not eviscerate an investor's claim for damages. The Second Circuit's decision was deemed "precedential" by the *New York Law Journal* and provides critical guidance for assessing damages in a § 10(b) action.

Jeremy had an integral role in *In re Comverse Technology, Inc. Securities Litigation*, in which he and his partners achieved a historic \$225 million settlement on behalf of the Class, which was the second-largest options backdating settlement to date.

Jeremy regularly consults with Pomerantz's international institutional clients, including pension funds, regarding their rights under the U.S. securities laws. Jeremy is working with the Firm's international clients to craft a response to the Supreme Court's ruling in *Morrison v. National Australia Bank, Ltd.*, which limited the ability of foreign investors to seek redress under the federal securities laws.

Jeremy is a frequent lecturer worldwide regarding current corporate governance and securities litigation issues.

Jeremy graduated from Fordham University School of Law in 2002. While in law school, he served as a staff member of the *Fordham Urban Law Journal*. Upon graduation, he began his career at a major New York law firm as a litigation associate, where he specialized in complex commercial litigation.

Jeremy is admitted to practice in New York; United States District Courts for the Northern, Southern, Eastern, and Western Districts of New York, United States District Courts for the Northern and Southern Districts of Texas, the District of Colorado, the Eastern District of Michigan, the Eastern District of Wisconsin, and the Northern District of Illinois; United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, Eleventh, and D.C. Circuits; and the United States Supreme Court.

Gustavo F. Bruckner

Gustavo F. Bruckner heads Pomerantz's Corporate Governance practice group, which enforces shareholder rights and prosecutes litigation challenging corporate actions that harm shareholders. Under Gustavo's leadership, the Corporate Governance group has achieved numerous noteworthy litigation successes. He has been quoted on corporate governance issues by *The New York Times*, *The Wall Street Journal*, *Bloomberg*, *Law360*, and *Reuters*, and was honored from 2016 through 2021 by Super Lawyers® as a "Top-Rated Securities Litigation Attorney," a recognition bestowed on no more than 5% of eligible attorneys in the New York Metro area. In 2023, he was included on Lawdragon's list of the 500 Leading Plaintiff Financial Lawyers. Gustavo regularly appears in state and federal courts across the nation. Gustavo presented at the prestigious Institute for Law and Economic Policy conference.

Gustavo is a fierce advocate of aggressive corporate clawback policies that allow companies to recover damages from officers and directors for reputational and financial harm. Most recently, in *McIntosh vs Keizer, et al.*, Docket No. 2018-0386 (Del. Ch.), Pomerantz filed a derivative suit on behalf of Hertz Global Holdings, Inc. shareholders, seeking to compel the Hertz board of directors to claw back millions of dollars in unearned and undeserved payments that the Company made to former officers and directors who significantly damaged Hertz through years of wrongdoing and misconduct. Under pressure from plaintiff's litigation efforts, the Hertz board of directors elected to take unprecedented action and mooted plaintiff's

claims, initiating litigation to recover tens of millions of dollars in incentive compensation and more than \$200 million in damages from culpable former Hertz executives.

Pomerantz, through initiation and prosecution of a shareholder derivative action, forced the Hertz board to seek clawback from former officers and directors of the company, unjustly enriched after causing the Company to file inaccurate and false financial statements leading to a \$235 million restatement and \$16 million fee to the SEC.

In September 2017, Gustavo's Corporate Governance team achieved a settlement in New Jersey Superior Court that provided non-pecuniary benefits for a non-opt out class. In approving the settlement, Judge Julio Mendez, of Cape May County Chancery Division, became the first New Jersey state court judge to formally adopt the Third Circuit's nine-part *Girsh* factors, *Girsh v. Jepsen*, 521 F.2d 153 (3d Cir. 1975). Never before has there been a published New Jersey state court opinion setting out the factors a court must consider in evaluating whether a class action settlement should be determined to be fair and adequate.

Gustavo successfully argued *Strougo v. Hollander*, C.A. No. 9770-CB (Del. Ch. 2015), obtaining a landmark ruling in Delaware that bylaws adopted after shareholders are cashed out do not apply to shareholders affected by the transaction. In the process, Gustavo and the Corporate Governance team beat back a fee-shifting bylaw and were able to obtain a 25% price increase for members of the class cashed out in the "going private" transaction. Shortly thereafter, the Delaware Legislature adopted legislation to ban fee-shifting bylaws.

In *Stein v. DeBoer* (Or. Cir. Ct. 2017), Gustavo and the Corporate Governance group achieved a settlement that provides significant corporate governance therapeutics on behalf of shareholders of Lithia Motors, Inc. The company's board had approved, without meaningful review, the Transition Agreement between the company and Sidney DeBoer, its founder, controlling shareholder, CEO, and Chairman, who was stepping down as CEO. DeBoer and his son, the current CEO, negotiated virtually all the material terms of the Agreement, by which the company agreed to pay the senior DeBoer \$1,060,000 and a \$42,000 car allowance annually for the rest of his life, plus other benefits, in addition to the \$200,000 per year that he would receive for continuing to serve as Chairman.

In *Miller v. Bolduc*, No. SUCV 2015-00807 (Mass. Sup. Ct. 2015), Gustavo and the Corporate Governance group, by initiating litigation, caused Implant Sciences to hold its first shareholder annual meeting in 5 years and to place an important compensation grant up for a shareholder vote.

In *Strougo v. North State Bancorp*, No. 15 CVS 14696 (N.C. Super. Ct. 2015), Gustavo and the Corporate Governance team caused the North State Bancorp merger agreement to be amended to provide a "majority of the minority" provision for common shareholders in connection with the shareholder vote on the merger. As a result of the action, common shareholders had the ability to stop the merger if they did not wish it to go forward.

In *Hallandale Beach Police Officers and Firefighters' Personnel Retirement Fund vs. Lululemon Athletica, Inc.*, C.A. No. 8522-VCP (Del. Ch. 2014), in an issue of first impression in Delaware, Gustavo successfully argued for the production of the company chairman's Rule 10b5-1 stock trading plan. The court found that a stock trading plan established by the company's chairman, pursuant to which a broker, rather than

the chairman himself, would liquidate a portion of the chairman's stock in the company, did not preclude potential liability for insider trading.

Gustavo was Co-Lead Counsel in *In re Great Wolf Resorts, Inc. Shareholders Litigation*, C.A. No. 7328-VCN (Del. Ch. 2012), obtaining the elimination of stand-still provisions that allowed third parties to bid for Great Wolf Resorts, Inc., resulting in the emergence of a third-party bidder and approximately \$94 million (57%) in additional merger consideration for Great Wolf shareholders.

In *In Re Qurate Retail, Inc. Derivative Litigation*, Gustavo secured a groundbreaking settlement on behalf of Qurate Retail, Inc., addressing allegations of breaches of fiduciary duty and unjust enrichment involving senior executives Gregory B. Maffei and Dr. John C. Malone. Plaintiff filed suit on behalf of nominal defendant Qurate following a series of allegedly sham transactions in 2021 between Maffei and Malone that resulted in the elimination of a call right held by Qurate, for which its predecessor paid \$150 million in 1998. The litigation challenged these transactions, including stock exchanges and executive compensation agreements, as unfair and detrimental to Qurate's long-term interests. After defendants moved to dismiss the case, the Court of Chancery issued rulings allowing claims against Mr. Maffei and Dr. Malone to proceed. Pomerantz ultimately settled the action in exchange for the reimposition of the call right, an agreement that Dr. Malone would leave the Qurate Board of Directors, and enhanced independent oversight at the company.

Gustavo received his law degree in 1992 from the Benjamin N. Cardozo School of Law, where he served as an editor of the Moot Court Board and on the Student Council. Upon graduation, he received the award for outstanding student service.

After graduating law school, Gustavo served as Chief-of-Staff to a New York City legislator.

Gustavo is a Mentor and Coach to the NYU Stern School of Business, Berkley Center for Entrepreneurial Studies, New Venture Competition. He was a University Scholar at NYU where he obtained a B.S. in Marketing and International Business in 1988 and an MBA in Finance and International Business in 1989. Gustavo is a Trustee and former Treasurer of the Beit Rabban Day School, and an arbitrator in the Civil Court of the City of New York.

Gustavo is admitted to practice in New York and New Jersey; the United States District Courts for the Eastern, Northern, and Southern Districts of New York and the District of New Jersey; the United States District Court for Connecticut; the Eastern District of Wisconsin; the United States Courts of Appeals for the Second and Seventh Circuits; and the United States Supreme Court.

Brian Calandra

Brian Calandra joined Pomerantz in June 2019 as Of Counsel and was elevated to Partner in January 2023. He has extensive experience in securities, antitrust, complex commercial, and white-collar matters in federal and state courts nationwide. Brian has represented issuers, underwriters, and individuals in securities class actions involving the financial, telecommunications, real estate, and pharmaceutical industries. He has also represented financial institutions in antitrust class actions concerning foreign exchange; supra-national, sub-sovereign and agency bonds; bonds issued by the government of Mexico;

and credit card fees. In 2021, Brian was honored as a Super Lawyers® “Top-Rated Securities Litigation Attorney”.

Brian has written multiple times on developments in securities law and other topics, including co-authoring an overview of insider trading law and enforcement for *Practical Compliance & Risk Management for the Securities Industry*, co-authoring an analysis of anti-corruption compliance risks posed by sovereign wealth funds for *Risk & Compliance*, and authoring an analysis of the effects of the 2005 Bankruptcy Abuse Prevention and Consumer Protection Act on women in bankruptcy for the *Women’s Rights Law Reporter*.

Before joining Pomerantz, Brian was a litigation associate at Shearman & Sterling LLP. Brian graduated from Rutgers School of Law-Newark in 2009, *cum laude*, Order of the Coif. While at Rutgers, Brian was co-editor-in-chief of the *Women’s Rights Law Reporter* and received the Justice Henry E. Ackerson Prize for Distinction in Legal Skills and the Carol Russ Memorial Prize for Distinction in Promoting Women’s Rights.

Brian is admitted to practice in New York; the United States District Courts for the Northern, Southern and Eastern Districts of New York; the District of New Jersey, and the Eastern District of Wisconsin; the United States Courts of Appeals for the First, Second, Third, Fifth and Tenth Circuits; and the United States Supreme Court.

Justin D. D’Aloia

Justin D. D’Aloia is a Partner in Pomerantz’s New York office, where he specializes in securities class action litigation. He has extensive experience litigating high-profile securities cases in federal and state courts across the country. Justin has represented issuers, underwriters, and senior executives in matters involving a range of industries, including the financial services, life sciences, real estate, technology, and consumer retail sectors. His practice covers the full spectrum of proceedings from pre-suit demand through settlement.

Justin joined Pomerantz as a Partner in October 2022. Before joining Pomerantz, Justin was counsel at a large international law firm where he focused on securities litigation and other complex shareholder class action litigation. He previously served as a law clerk to Judge Mark Falk of the United States District Court for the District of New Jersey.

Justin received his J.D. from Fordham University School of Law, where he was Editor-in-Chief of the Fordham International Law Journal. He earned his undergraduate degree from Rutgers University with a concentration in Business and Economics.

Justin is admitted to practice in New York; United States District Courts for the Southern and Eastern Districts of New York and the District of Colorado; United States Courts of Appeals for the Second, Third, and Tenth Circuits.

Emma Gilmore

Emma Gilmore is a Partner at Pomerantz and is regularly involved in high-profile class-action litigation. In 2024, *Benchmark Litigation* selected her as “Plaintiff Litigator of the Year.” In 2023, the *National Law*

Journal named her a Plaintiffs' Attorney Trailblazer and *Benchmark Litigation* shortlisted her for Plaintiff Litigator of the Year.

Emma was honored by *Law360* in 2023 and in 2018 as an MVP in Securities Litigation, part of an "elite slate of attorneys [who] have distinguished themselves from their peers by securing hard-earned successes in high-stakes litigation, complex global matters and record-breaking deals." Only up to six attorneys nationwide are selected each year as MVPs in Securities Litigation. In 2018, Emma was the first woman plaintiff attorney to receive this outstanding award since it was initiated in 2011. In 2021, Emma was awarded a spot on *National Law Journal's* prestigious Elite Women of the Plaintiffs Bar list. In 2021 and 2020, she was named by *Benchmark Litigation* as one of the Top 250 Women in Litigation—an honor bestowed on only seven plaintiffs' lawyers in the U.S. those years. The *National Law Journal* and the *New York Law Journal* honored her as a "Plaintiffs' Lawyer Trailblazer." Emma has been honored since 2018 as a *Super Lawyer*®. She has been recognized by *Lawdragon* as one of the top 500 Leading Plaintiff Financial Lawyers.

Emma is regularly invited to speak about recent trends and developments in securities litigation. She serves on the New York City Bar Association's Securities Litigation Committee. Emma regularly counsels clients around the world on how to maximize recoveries on their investments.

Emma leads the Firm's high-profile litigation against Koninklijke Philips N.V., arising from the company's alleged misrepresentations about its compliance with FDA regulations and about Philips' business and specific products, including devices used to treat breathing conditions in millions of people worldwide. The complaint alleges that, unbeknownst to the market and the device users, but known to Defendants, the foam in the devices was degrading, allowing foam particles to enter the devices' air pathway and be ingested or inhaled. The degrading foam could also off-gas chemicals with carcinogenic effects. As of September 30, 2023, according to the latest death-related updates from the FDA, there have been 561 reported deaths connected to the devices.

Emma co-leads the Firm's litigation against Alphabet and Google over alleged misrepresentations Alphabet's CEO made in testimony to Congress when it described the workings of Google's advertising technology. The complaint alleges that, unbeknownst to investors and contrary to its public representations, Google enjoyed special advantages over other bidding participants. Google has also been sued by the U.S. Department of Justice and the Attorneys General of dozens of states for related antitrust violations.

Emma played a leading role in the Firm's class action case in the Southern District of New York against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm was sole Lead Counsel. In a significant victory for investors, Pomerantz achieved a historic \$3 billion settlement with Petrobras. This is not only the largest securities class action settlement in a

decade but is the largest settlement ever in a class action involving a foreign issuer, the fifth-largest class action settlement ever achieved in the United States, and the largest settlement achieved by a foreign lead plaintiff. The biggest instance of corruption in the history of Brazil had ensnared not only Petrobras' former executives but also Brazilian politicians, including former president Lula da Silva and one-third of the Brazilian Congress. Emma traveled to Brazil to uncover evidence of fraud and drafted the complaint. She deposed and defended numerous fact and expert witnesses, including deposing the former CEO of Petrobras, the whistleblower, and the chief accountant. She drafted the appellate brief, playing an instrumental role in securing a significant victory for investors in this case at the Second Circuit Court of Appeals, when the Court rejected the heightened ascertainability requirement for obtaining class certification that had been imposed by other circuit courts. She opposed defendants' petition for a writ of certiorari to the Supreme Court. Emma successfully obtained sanctions against a professional objector challenging the integrity of the settlement, both in the District Court and in the Court of Appeals for the Second Circuit.

Emma organized a group of twenty-seven of the foremost U.S. scholars in the field of evidence and spearheaded the effort to submit an amicus brief to the U.S. Supreme Court on their behalf in a critical issue for investors. One of the two issues before the High Court in *Goldman Sachs Group, Inc. et al v. Arkansas Teachers Retirement System, et al. (No. 20-222)* squarely affected investors' ability to pursue claims collectively as a class: whether, in order to rebut the presumption of reliance originated by the Court in the landmark *Basic v. Levinson* decision, defendants bear the burden of persuasion, or whether they bear only the much lower burden of production. The scholars argued that defendants carry the higher burden of persuasion. In a 6-3 decision, the Supreme Court sided with Pomerantz and the scholars.

Emma led the Firm's class action litigation against Deutsche Bank and its executives, arising from the Bank's improper anti-money-laundering and know-your-customer procedures. Plaintiffs alleged that, despite the Bank's representations that it implemented a "robust and strict" Know Your Customer program with "special safeguards" for politically exposed persons (PEPs), defendants repeatedly exempted high-net-worth individuals and PEPs from any meaningful due diligence, enabling their criminal activities through the Bank's facilities. For example, Deutsche Bank continued "business as usual" with Jeffrey Epstein even after learning that 40 underage girls had come forward with testimony that he had sexually assaulted them. Deutsche Bank's former CEOs also onboarded, retained, and serviced Russian oligarchs and other clients reportedly engaged in criminal activities, with little or no due diligence. On October 20, 2022, Emma secured for investors nearly 50% of recoverable damages, which reflects a premium for the palpable misconduct and is exceptionally high for securities class action settlements. The Deutsche Bank litigation and settlement serve as important legal precedents aimed to deter financial institutions from enabling the wealthy and powerful to commit crimes in return for financial benefits to the institutions.

Emma played a leading role in *Strougo v. Barclays PLC*, a high-profile securities class action that alleged Barclays PLC misled institutional investor clients about the extent of the banking giant's use of so-called "dark pool" trading systems. She secured an important precedent-setting opinion from the Second Circuit. Emma organized a group of leading evidence experts who filed amicus briefs supporting plaintiffs' position in the Second Circuit.

Emma secured a unanimous decision by a panel of the Ninth Circuit Court of Appeals, benefiting defrauded investors in *Costa Brava Partnership III LP v. ChinaCast Education Corp.* In an issue of first impression, the Ninth Circuit held that imputation of the CEO's scienter to the company was warranted vis-a-vis innocent third parties, despite the fact that the executive acted for his own benefit and to the company's detriment.

She was Lead Counsel in the Firm's class action litigation against Arconic, in which she secured a \$74 million settlement for the class. Arconic is the U.S. company that manufactured the highly flammable aluminum cladding allegedly responsible for the 2017 Grenfell Tower fire in London that eradicated a public housing block, killing 72 people and injuring 70 other tenants. Arconic repeatedly misrepresented to the market its safety protocols and the safety classification of its cladding products. When the truth about Arconic's unsafe practices emerged, investors lost over \$1 billion in damages.

Before joining Pomerantz, Emma was a litigation associate with the firms of Skadden, Arps, Slate, Meagher and Flom, LLP, and Sullivan & Cromwell, LLP. She worked on the WorldCom Securities Litigation, which settled for \$2 billion.

She also served as a law clerk to the Honorable Thomas C. Platt, former U.S. Chief Judge for the Eastern District of New York.

Emma graduated cum laude from Brooklyn Law School, where she served as a staff editor for the Brooklyn Law Review. She was the recipient of two CALI Excellence for the Future Awards, in the subjects of evidence and discovery. She graduated summa cum laude from Arizona State University, with a BA in French and a minor in Business.

She serves on the Firm's Anti-Harassment and Discrimination Committee.

Michael Grunfeld

Michael Grunfeld is a Partner at Pomerantz LLP. He has extensive experience in securities, derivative, complex commercial, and white-collar matters in both federal and state courts nationwide.

He has played a leading role in some of the Firm's significant class action litigation, including its case against Yahoo!, Inc. arising out of the biggest data breaches in U.S. history, in which the Firm, as Lead

Counsel, achieved an \$80 million settlement on behalf of the Class. This settlement made history as the first substantial shareholder recovery in a securities fraud class action related to a cybersecurity breach. Michael also plays a leading role in many of the Firm's other ongoing class actions.

In 2020 and 2022, Michael was included on Benchmark Litigation's 40 & Under Hot List, an honor granted to a few of the "best and brightest law firm partners [under 40 years old] who stand out in their practices." In 2019, Law360 named him a Rising Star. Michael has been ranked by Super Lawyers® as a Top-Rated Securities Litigation Attorney from 2020 - 2024, and as a New York Metro Rising Star in 2018 and 2019.

Michael also leads Pomerantz's litigation on behalf of the Colorado Public Employees' Retirement System as an intervenor in *The Doris Behr 2012 Irrevocable Trust v. Johnson & Johnson*. At issue is an activist investor's attempt to have Johnson & Johnson ("J&J") shareholders vote on a proxy proposal instituting a corporate bylaw that would require all securities fraud claims against the company to be pursued through mandatory arbitration, and that would waive shareholder's rights to bring securities class actions. In March 2022, the district court handed down an important victory for shareholders when it granted J&J's and the Intervenor's Motion to Dismiss the Third Amended Complaint.

Michael co-authored a chapter on damages in securities class actions for the LexisNexis treatise, *Litigating Securities Class Actions*.

His earlier career highlights include serving as a clerk for Judge Ronald Gilman of the Sixth Circuit Court of Appeals and as a foreign law clerk for Justice Asher Grunis of the Israeli Supreme Court. Before joining Pomerantz, he worked as a litigation associate at Shearman & Sterling LLP and Paul, Weiss, Rifkind, Wharton & Garrison LLP.

Michael graduated from Columbia Law School in 2008, where he was a Harlan Fiske Stone Scholar. He graduated from Harvard University with an A.B. in Government, *magna cum laude*, in 2004.

Michael is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York, Eastern District of Michigan, and the District of Colorado; and the United States Courts of Appeal for the First, Second, Third, Fourth, Sixth, Ninth, and Tenth Circuits.

J. Alexander Hood II

J. Alexander Hood II joined Pomerantz in June 2015 and was elevated to Of Counsel to the Firm in 2019. He was elevated to Partner in 2022. Alex leads the Firm's case origination team, identifying and investigating potential violations of the federal securities laws. In 2023, Alex was selected as a Rising Star in the *National Law Journal's* Elite Trial Lawyers awards competition. This award honors lawyers under 40 who represent the next generation of legal leaders. He has been named a Super Lawyers® Rising Star each year since 2019.

He has been named a Super Lawyers® Rising Star each year since 2019.FF

Alex played a key role in securing Pomerantz's appointment as Lead Counsel in actions against Meta Platforms, Inc., AT&T, Inc., Adobe, Inc., Hawaiian Electric Industries, Inc., Rite Aid Corporation, Yahoo!, Inc., Fiat Chrysler Automobiles N.V., Wynn Resorts Limited, Perrigo Company plc, among others.

Alex also oversees the firm's involvement on behalf of institutional investors in non-U.S. litigations, assisting Pomerantz clients with respect to evaluating and pursuing recovery in foreign jurisdictions, including matters in the Netherlands, Germany, the UK, Australia, Brazil, Denmark, and elsewhere.

Prior to joining Pomerantz, Alex practiced at nationally recognized law firms, where he was involved in commercial, financial services, corporate governance, and securities matters.

Alex graduated from Boston University School of Law (J.D.) and from the University of Oregon School of Law (LL.M.). During law school, he served as a member of the Boston University Review of Banking & Financial Law and participated in the Thomas Tang Moot Court Competition. In addition, Alex clerked for the American Civil Liberties Union of Tennessee and, as a legal extern, worked on the Center for Biological Diversity's Clean Water Act suit against BP in connection with the Deepwater Horizon oil spill.

Alex is admitted to practice in New York; the United States District Courts for the Southern, Eastern, Western and Northern Districts of New York; the District of Colorado; the Eastern District of Michigan; the Eastern District of Wisconsin; the Northern District of Illinois; the Northern District of Indiana; the Southern District of Texas; and the United States Courts of Appeals for the Second Circuit.

Omar Jafri

Omar Jafri is a Partner at Pomerantz. He represents defrauded investors in individual and class action securities litigation. *Lawdragon* has named him one of the country's Leading Plaintiff Financial Lawyers, and Super Lawyers® has recognized him as a Top-Rated Securities Litigator. Previously, Omar was recognized by the *National Law Journal* as a Rising Star of the Plaintiffs' Bar. The *National Law Journal* selected lawyers who "demonstrated repeated success in cutting-edge work on behalf of plaintiffs over the last 18 months [and] possess a solid track record of client wins over the past three to five years." He was also recognized by Super Lawyers® as a Rising Star in Securities Litigation between 2021 and 2023.

Omar has played an integral role in numerous cases where the Firm achieved significant recoveries for defrauded shareholders as Lead, Co-Lead or Additional Counsel, including: *Roofer's Pension Fund v. Papa et al.* (\$97 million recovery); *Glazer Capital Management, L.P. et al. v. Forescout Technologies, Inc. et al.* (\$45 million recovery); *In re Chicago Bridge & Iron Co. N.V. Securities Litigation* (\$44 million recovery); *In re Juno Therapeutics, Inc. Securities Litigation* (\$24 million recovery); *In re Aveo Pharmaceuticals, Inc. Securities Litigation* (\$18 million recovery, which was more than four times larger than the SEC's fair fund recovery in its parallel litigation); *Sudunagunta v. NantKwest, Inc.* (\$12 million settlement); *Cooper v. Thoratec Corporation et al.* (\$11.9 million settlement following a reversal in the United States Court of Appeals for the Ninth Circuit after the lower court repeatedly dismissed the case); *Felipe v. Playstudios, Inc. et al.* (\$6.5 million settlement); *Thomas v. MagnaChip Semiconductor Corp. Securities Litigation* (\$6.2 million settlement with majority shareholder, Avenue Capital); *Solomon v. Sprint Corporation et al.* (\$3.75 million settlement); *In re Paysign, Inc. Securities Litigation* (\$3.75 million settlement); *Schaeffer v. Nabriva Therapeutics plc et al.* (\$3 million settlement); *In re Sequans Communications S.A. Securities Litigation* (\$2.75 million settlement); *Torres et al. v. Berry Corporation et al.* (\$2.5 million settlement); and *Busic v. Orphazyme A/S et al.* (\$2.5 million settlement).

Through vigorous litigation, Omar has helped shape important precedents for all investors. *NantKwest* was the first case in the United States to recognize statistical proof of traceability. In *Roofer's Pension Fund v. Papa et al.*, the District Court independently analyzed the market of a security traded on a foreign exchange and found that it met the standards of market efficiency to allow for class certification for the first time since the U.S. Supreme Court decided *Morrison*. *Nabriva* was the first case in the Second Circuit to sustain a complaint based on the failure to disclose the FDA's serious criticisms identified in a Form 483 letter. In *Yan v. ReWalk Robotics et al.*, while the United States Court of Appeals for the First Circuit disagreed on the merits, the Circuit held that it is erroneous to dismiss a case for lack of standing when a named plaintiff can be substituted with another class member, shutting the door on such defense tactics in any future case filed in that Circuit. *In re Bed Bath & Beyond Corporation Securities Litigation* was one of the first decisions in the country to conclude that the dissemination of a misleading emoji can be an actionable misrepresentation under the federal securities laws. And in *Glazer Capital Management, L.P. et al. v. Forescout Technologies, Inc. et al.*, Omar won a rare reversal in a securities fraud class action in the United States Court of Appeals for the Ninth Circuit. In a published decision that reversed the dismissal in *Forescout*, the Ninth Circuit held that lower courts must not conflate the lower standard for falsity with the higher standard for scienter in analyzing the sufficiency of a securities fraud complaint, and repudiated numerous arguments concerning the testimony of Confidential Witnesses that the defense bar had convinced many lower courts to erroneously endorse over the years.

Omar started his legal career at the height of the financial crisis in 2008 and has litigated major disputes on behalf of institutional investors arising out of the credit crisis, including disputes related to Collateralized Debt Obligations, Residential Mortgage-Backed Securities, Credit Default Swaps and other complex financial investments. Omar also represented the Examiner in the *Lehman Brothers* bankruptcy, the largest in history at the time, and helped draft a report that identified colorable claims against Lehman's senior executives for violating their fiduciary duties. He also has a robust *pro bono* criminal defense practice and has represented indigent defendants charged with crimes that range from simple battery to arson and murder.

Before joining Pomerantz, Omar was a law clerk to Judge William S. Duffey, Jr. of the United States District Court for the Northern District of Georgia, and an associate at an international law firm where he represented clients in a wide variety of matters, including securities litigation, complex commercial litigation, white collar criminal defense, and internal investigations.

Omar is a 2004 honors graduate of the University of Texas at Austin, and a 2008, *magna cum laude*, graduate of the University of Illinois College of Law, where he was inducted into the *Order of the Coif* and received the Rickert Award for Excellence in Advocacy. He is a fellow of the American Bar Foundation.

Omar is admitted to practice in Illinois; the United States District Courts for the Northern District of Illinois (Trial Bar) and the Northern District of Indiana; the United States Courts of Appeals for the First, Second, Fifth, Ninth and D.C. Circuits; and the United States Supreme Court.

Jordan L. Lurie

Jordan L. Lurie joined Pomerantz as a partner in the Los Angeles office in December 2018. Jordan heads Pomerantz's Strategic Consumer Litigation practice. He was named a 2021 Southern California Super Lawyer®.

Jordan has litigated shareholder class and derivative actions, complex corporate securities and consumer litigation, and a wide range of fraud and misrepresentation cases brought under state and federal consumer protection statutes involving unfair competition, false advertising, and privacy rights. Among his notable representations, Jordan served as Lead Counsel in the prosecution and successful resolution of major nationwide class actions against Nissan, Ford, Volkswagen, BMW, Toyota, Chrysler and General Motors. He also successfully preserved a multi-million dollar nationwide automotive class action settlement by convincing the then Chief Judge of the Ninth Circuit and his wife, who were also class members and had filed objections to the settlement, to withdraw their objections and endorse the settlement.

Jordan has argued cases in the California Court of Appeals and in the Ninth Circuit that resulted in published opinions establishing class members' rights to intervene and clarifying the standing requirements for an objector to appeal. He also established a Ninth Circuit precedent for obtaining attorneys' fees in a catalyst fee action. Jordan has tried a federal securities fraud class action to verdict. He has been a featured speaker at California Mandatory Continuing Legal Education seminars and is a trained ombudsman and mediator. In 2020, Jordan was recognized as a 2021 Southern California Super Lawyer.

Outside of his legal practice, Jordan is an active educator and community leader and has held executive positions in various organizations in the Los Angeles community. Jordan participated in the first Wexner Heritage Foundation leadership program in Los Angeles and the first national cohort of the Board Member Institute for Jewish Nonprofits at the Kellogg School of Management.

Prior to joining Pomerantz, Jordan was the Managing Partner of the Los Angeles office of Weiss & Lurie and Senior Litigator at Capstone Law APC.

Jordan graduated cum laude from Yale University in 1984 with a B.A in Political Science and received his law degree in 1987 from the University of Southern California Gould School of Law, where he served as Notes Editor of the *University of Southern California Law Review*.

Jordan is a member of the State Bar of California and has been admitted to practice before the United States District Courts for the Northern, Southern, Central and Eastern Districts of California, the Eastern and Western Districts of Michigan, and the District of Colorado.

Jennifer Pafiti

Jennifer Pafiti became associated with the Firm in April 2014 and was elevated to Partner in December 2015. A dually qualified U.K. solicitor and U.S. attorney, she is the Firm's Head of Client Services and also takes an active role in complex securities litigation, representing clients in both class and non-class action securities litigation.

Jennifer received the Innovative Leader Award in Corporate Counsel's 2024 Women, Influence, and Power in Law Awards. She has been recognized with inclusion in the 2024 Lawdragon 500 Global Plaintiff Lawyers list and the 2024 Lawdragon 500 Leading Plaintiff Financial Leaders list. In 2023, Jennifer was one of only four individuals to be honored with the *New York Law Journal's* Innovation Award, which recognizes

“creative and inspiring approaches by forward-thinking firms and individuals.” Jennifer was nominated as a 2023 Lawyer of Distinction. In 2022, *The Enterprise World* named Jennifer as *The Most Successful Business Leader to Watch*. In 2021, Jennifer was selected as one of the “Women, Influence and Power in Law” honorees by Corporate Counsel, in the Collaborative Leadership—Law Firm category. Lawdragon has named Jennifer among the Leading 500 Lawyers in the United States every year since 2021. In 2020 she was named a Southern California Rising Star by Super Lawyers® and was recognized by Benchmark Litigation as a Future Star. Lawdragon has recognized Jennifer as a Leading Plaintiff Financial Attorney from 2019 through 2021. In 2019, she was also honored by Super Lawyers® as a Southern California Rising Star in Securities Litigation, named to Benchmark Litigation’s *40 & Under Hot List* of the best young attorneys in the United States, and recognized by *Los Angeles Magazine* as one of Southern California’s Top Young Lawyers. In 2018, Jennifer was recognized as a Lawyer of Distinction. She was honored by Super Lawyers® in 2017 as both a Rising Star and one of the Top Women Attorneys in Southern California. In 2016, the *Daily Journal* selected Jennifer for its “Top 40 Under 40” list of the best young attorneys in California.

Jennifer was an integral member of the Firm’s litigation team for *In re Petrobras Securities Litigation*, a case relating to a multi-billion-dollar kickback and bribery scheme at Brazil’s largest oil company, Petróleo Brasileiro S.A.—Petrobras, in which the Firm was sole Lead Counsel. She helped secure a significant victory for investors in this case at the Second Circuit Court of Appeals, when the court rejected the heightened ascertainability requirement for obtaining class certification that had been imposed by other Circuit courts such as the Third and Sixth Circuit Courts of Appeals. Working closely with Lead Plaintiff, Universities Superannuation Scheme Limited, she was also instrumental in achieving the historic settlement of \$3 billion for Petrobras investors. This is not only the largest securities class action settlement in a decade but is the largest settlement ever in a securities class action involving a foreign issuer, the fifth-largest securities class action settlement ever achieved in the United States, the largest securities class action settlement achieved by a foreign Lead Plaintiff, and the largest securities class action settlement in history not involving a restatement of financial reports.

Jennifer was involved, among other cases, in the securities class action against rare disease biopharmaceutical company, KaloBios, and certain of its officers, including CEO Martin Shkreli. In 2018, Pomerantz achieved a settlement of \$3 million plus 300,000 shares for defrauded investors—an excellent recovery in light of the company’s bankruptcy. *Isensee v. KaloBios*. Jennifer also helped achieve a \$10 million recovery for the class in a securities litigation against the bankrupt Californian energy company, PG&E, which arose from allegedly false statements made by the company about its rolling power outages in the wake of the catastrophic wildfire incidents that occurred in California in 2015, 2017, and 2018. *Vataj v. Johnson, et al.*

Jennifer earned a Bachelor of Science degree in Psychology at Thames Valley University in England, prior to studying law. She earned her law degrees at Thames Valley University (G.D.L.) and the Inns of Court School of Law (L.P.C.) in the U.K.

Before studying law in England, Jennifer was a regulated financial advisor and senior mortgage underwriter at a major U.K. financial institution. She holds full CeFA and CeMAP qualifications. After qualifying as a solicitor, Jennifer specialized in private practice civil litigation, which included the representation of clients in high-profile cases in the Royal Courts of Justice. Prior to joining Pomerantz, Jennifer was an associate with Robbins Geller Rudman & Dowd LLP in their San Diego office.

Jennifer regularly travels throughout the U.S. and Europe to advise clients on how best to evaluate losses to their investment portfolios attributable to financial fraud or other misconduct, and how best to maximize their potential recoveries. Jennifer is also a regular speaker at events on securities litigation and fiduciary duty. In 2022, Thought Leaders 4 Disputes published Jennifer's article entitled "The Globalisation of Securities Litigation."

Jennifer served on the Honorary Steering Committee of Equal Rights Advocates ("ERA"), which focuses on specific issues that women face in the legal profession. ERA is an organization that protects and expands economic and educational access and opportunities for women and girls.

Jennifer is a member of the National Association of Pension Fund Attorneys and represents the Firm as a member of the California Association of Public Retirement Systems, the State Association of County Retirement Systems, the National Association of State Treasurers, the National Conference of Employee Retirement Systems, the Texas Association of Public Employee Retirement Systems, and the U.K.'s National Association of Pension Funds.

Jennifer is admitted to practice in England and Wales; California; the United States District Courts for the Northern, Central and Southern Districts of California; and the United States Court of Appeals for the Ninth Circuit.

Joshua B. Silverman

Joshua B. Silverman is a partner in Pomerantz's Chicago office. He specializes in individual and class action securities litigation.

Josh was Lead Counsel in *In re Groupon, Inc. Securities Litigation*, achieving a \$45 million settlement, one of the highest percentage recoveries in the Seventh Circuit. He was also Lead or Co-Lead Counsel in *In re MannKind Corp. Securities Litigation* (\$23 million settlement); *In re AVEO Pharmaceuticals, Inc. Securities Litigation* (\$18 million settlement, more than four times larger than the SEC's fair fund recovery in parallel litigation); *New Mexico State Investment Council v. Countrywide Financial Corp.* (very favorable confidential settlement); *New Mexico State Investment Council v. Cheslock Bakker & Associates* (summary judgment award in excess of \$30 million); *Sudunagunta v. NantKwest, Inc.* (\$12 million settlement); *Bruce v. Suntech Power Holdings Corp.* (\$5 million settlement); *In re AgFeed, Inc. Securities Litigation* (\$7 million settlement); and *In re Hemispherx BioPharma Securities Litigation* (\$2.75 million settlement). Josh also played a key role in the Firm's representation of investors before the United States Supreme Court in *StoneRidge*, and prosecuted many of the Firm's other class cases, including *In re Sealed Air Corp. Securities Litigation* (\$20 million settlement).

Josh, together with Managing Partner Jeremy Lieberman, achieved a critical victory for investors in the securities fraud class action against Perrigo Co. plc when Judge Arleo of the United States District Court for the District of New Jersey certified classes of investors that purchased Perrigo securities on both the New York Stock Exchange and the Tel Aviv Stock Exchange. Pomerantz represents a number of institutional investors that purchased Perrigo securities on both exchanges after an offer by Mylan N.V. to tender Perrigo shares. This is the first time since *Morrison* that a U.S. court has independently analyzed

the market of a security traded on a non-U.S. exchange and found that it met the standards of market efficiency necessary allow for class certification.

Several of Josh's cases have set important precedent. For example, *In re MannKind* established that investors may support complaints with expert information. *New Mexico v. Countrywide* recognized that investors may show Section 11 damages for asset-backed securities even if there has been no interruption in payment or threat of default. More recently, *NantKwest* was the first Section 11 case in the nation to recognize statistical proof of traceability.

In addition to prosecuting cases, Josh regularly speaks at investor conferences and continuing legal education programs.

Before joining Pomerantz, Josh practiced at McGuireWoods LLP and its Chicago predecessor, Ross & Hardies, where he represented one of the largest independent futures commission merchants in commodities fraud and civil RICO cases. He also spent two years as a securities trader, and continues to actively trade stocks, futures, and options for his own account.

Josh is a 1993 graduate of the University of Michigan, where he received Phi Beta Kappa honors, and a 1996 graduate of the University of Michigan Law School.

Josh is admitted to practice in Illinois; the United States District Court for the Northern District of Illinois; the United States Courts of Appeals for the First, Second, Third, Seventh, Eighth and Ninth Circuits; and the United States Supreme Court.

Brenda Szydlo

Brenda Szydlo joined Pomerantz in January 2016 as Of Counsel and was elevated to Partner in 2022. She brings to the Firm extensive experience in complex civil litigation in federal and state court on behalf of plaintiffs and defendants, with a particular focus on securities and financial fraud litigation, litigation against pharmaceutical corporations, accountants' liability, and commercial litigation. In 2020-2024, Brenda was recognized by Super Lawyers® as a "Top-Rated Securities Litigation Attorney." She was included on the *Lawdragon 500 Leading Plaintiff Financial Lawyers* list in 2022–2025 and was named New York Metro Top Women 2024 for Securities Litigation.

Brenda played a leading role in the Firm's securities class action case in the Southern District of New York against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm, as sole Lead Counsel, achieved a precedent-setting legal ruling and a historic \$3 billion settlement for the Class. This is not only the largest securities class action settlement in a decade but is the largest settlement ever in a securities class action involving a foreign issuer, the fifth-largest securities class action settlement ever achieved in the United States, the largest securities class action settlement achieved by a foreign Lead Plaintiff, and the largest securities class action settlement in history not involving a restatement of financial reports.

Brenda has represented investors in additional class and private actions that have resulted in significant recoveries, such as *In re Pfizer, Inc. Securities Litigation*, where the recovery was \$486 million, and *In re Refco, Inc. Securities Litigation*, where the recovery was in excess of \$407 million. She has also represented

investors in opt-out securities actions, such as investors opting out of *In re Bank of America Corp. Securities, Derivative & ERISA Litigation* in order to pursue their own securities action.

Prior to joining Pomerantz, Brenda served as Senior Counsel in a prominent plaintiff advocacy firm, where she represented clients in securities and financial fraud litigation, and litigation against pharmaceutical corporations and accounting firms. Brenda also served as Counsel in the litigation department of one of the largest premier law firms in the world, where her practice focused on defending individuals and corporations in securities litigation and enforcement, accountants' liability actions, and commercial litigation.

Brenda is a graduate of St. John's University School of Law, where she was a St. Thomas More Scholar and member of the Law Review. She received a B.A. in economics from Binghamton University.

Brenda is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York; the U.S. Courts of Appeals for the Second, Third, and Ninth Circuits; the United States District Court for the District of Colorado; and the United States Supreme Court.

Matthew L. Tuccillo

A Partner since 2013, Matthew L. Tuccillo joined Pomerantz in 2011. With 26+ years of experience, he is recognized as a top national securities litigator.

Matt serves as the Firm's lead litigator on high-stakes securities class action litigation in courts nationwide. He closely advises institutional clients, which are regularly appointed to serve as lead plaintiffs overseeing such lawsuits, which often have class-wide damages of \$500 million - \$1 billion+. Matt's representative cases include:

- In *In re Emergent Biosolutions, Inc. Securities Litigation*, No. 8:21-cv-00955-PWG (D. Md.), arising from a company's COVID-19 vaccine manufacturing failures, Matt investigated and prepared a robust amended complaint, then succeeded in overcoming Defendants' motion to dismiss in September 2023, in securing class certification in June 2024, and in leading the case through discovery. Matt secured a \$40 million class-wide settlement following a mediation and months of ensuring negotiations. The court granted final approval in February 2025 and distributed in August 2025.
- In *Edwards v. McDermott Int'l, Inc.*, No. 4:18-cv-4330-AB (S.D. Tex.), Matt successfully opposed a motion to dismiss a class action lawsuit alleging a years-long, multi-prong fraud by an engineering and construction company that did a risky merger, delayed massive write-downs, and declared bankruptcy. Matt led the case through discovery. He secured court orders that required defendants to review for production 1.25 million+ documents identified via plaintiff-authored search terms on plaintiff-selected custodians. He oversaw review of 450,000+ defense and third party documents and 40 party and non-party fact depositions. Matt secured an order partially certifying the class in June 2024, which he successfully defended on Rule 23(f) appeal to the Fifth Circuit, which issued its order in December 2025. The litigation is ongoing.

- In *In re Miniso Group Holding Limited Securities Litigation*, No. CV-22-5815 (MR Wx) (S.D.N.Y.), securities class action claims arose from a China-based retail company's U.S. IPO. A motion to dismiss the third amended complaint has been fully briefed and is awaiting decision.
- In *Chun v. Fluor Corp., et al.*, No. 3:18-cv-01338-S (N.D. Tex.), Matt served as co-lead counsel in hard-fought litigation concerning underperforming, large-scale, fixed-bid projects through two motions to dismiss. A months-long mediation and negotiation process resulted in a court-approved \$33 million settlement, which was a 37.5% recovery of the upheld claim value.
- In *Kendall v. Odonate Therapeutics, Inc., et al.*, No. 3:20-01828-H-LL (S.D. Cal.), Matt successfully opposed a motion to dismiss a securities lawsuit arising from a pharmaceuticals company's failure to advance its lead drug candidate to FDA approval. Notably, the court held that the individual defendants' scienter (intent) was sufficiently pled, even though they bought, rather than sold, company stock during the period of alleged fraud. A successful mediation resulted in a court-approved \$12.75 million settlement.
- In *In re BP p.l.c. Securities Litigation*, No. 4:10-md-2185 (S.D. Tex.), where the court praised the "uniformly excellent" "quality of lawyering," Matt spearheaded lawsuits over BP's Gulf of Mexico oil spill by 125+ global institutional investors. Over 9 years, he successfully opposed three motions to dismiss, oversaw e-discovery of 1.75 million documents, led the Plaintiffs Steering Committee, was the sole interface with BP and the Court, and secured some of the Firm's most ground-breaking rulings. In a ruling of first impression, he successfully argued that investors asserted viable English law "holder claims" for losses due to retention of already-owned shares in reliance on a fraud, a theory barred under U.S. law since *Blue Chip Stamps v. Manor Drug Stores*, 421 U.S. 723 (1975). He successfully argued against *forum non conveniens* (wrong forum) dismissal of 80+ global institutions' lawsuits - the first ruling after *Morrison v. Nat'l Australia Bank Ltd.*, 130 S. Ct. 2869 (2010), to permit foreign investors to pursue in U.S. court their foreign law claims for losses in a foreign company's securities traded on a foreign exchange. He successfully argued that the U.S. Securities Litigation Uniform Standards Act of 1998 (SLUSA), which extinguishes U.S. state law claims in deference to the U.S. federal law, should not extend to the foreign law claims of U.S. and foreign investors, a ruling that saved those claims from dismissal where U.S. federal law afforded no remedy after *Morrison*. In 2021, Matt achieved mediator-assisted, confidential, favorable monetary settlement for all 35 Firm clients including public and private pension funds, money management firms, partnerships, and trusts from the U.S., Canada, the U.K., France, the Netherlands, and Australia. Notably, seven of these plaintiffs were Matt's institutional clients from the U.S., U.K., and Canada.
- In *In re Toronto-Dominion Bank Securities Litigation*, No. 1:17-cv-01735 (D.N.J.), Matt pled a multi-year fraud arising at one of Canada's largest banks, based on extensive statements by former employees detailing underlying retail banking misconduct. Matt persuaded the court to reject a motion to dismiss in an order noteworthy because it validated the scienter (intent) pleading despite no witness speaking directly to the individual defendants' state of mind. The court approved a \$13.25 million class-wide settlement achieved after mediation.
- In *Perez v. Higher One Holdings, Inc., et al.*, No. 14-cv-00755-AWT (D. Conn.), Matt persuaded the court, after an initial dismissal, to uphold a second amended complaint asserting five threads of fraud by an education funding company and its founders and to approve a \$7.5 million class-wide

settlement. Notably, the court held that the company's reported financial results violated SEC Regulation S-K, Item 303, for failure to disclose known trends and impacts from underlying misconduct – a rare ruling absent an accounting restatement.

- In *In re KaloBios Pharmaceuticals, Inc. Securities Litigation*, No. 15-cv-05841 (N.D. Cal.), a lawsuit against a bankrupt drug company and its jailed ex-CEO, Matt negotiated two class-wide settlements totaling \$3.25+ million, including cash payments and stock from the company, that were approved by the bankruptcy and district courts.
- In *In re Silvercorp Metals, Inc. Securities Litigation*, No. 1:12-cv-09456 (S.D.N.Y.), Matt worked with mining, accounting, damages, and market efficiency experts to survive a motion to dismiss by a Canadian company with mining operations in China and NYSE-traded stock. In approving the \$14 million settlement achieved after two mediations, Judge Rakoff called the case “unusually complex,” given the technical nature of mining metrics, the need to compare mining standards in Canada, China, and the U.S., and the volume of Chinese-language evidence.

Matt was also on the multi-firm team that represented commercial real estate investors against the Empire State Building's long-term lessees/operators regarding a consolidation, REIT formation, and IPO in *In re Empire State Realty Trust, Inc. Investor Litig.*, No. 650607/2012 (N.Y. Sup. Ct.), which was resolved for a \$55 million cash/securities settlement fund, a \$100 million tax benefit from restructured terms, remedial disclosures, and deal protections.

Matt regularly counsels institutional investors, foreign and domestic, regarding pending or potential complex litigation in the U.S. He is skilled at identifying potential securities frauds early, regularly providing clients with the first opportunity to evaluate and pursue their claims, and he has worked extensively with outside investment management firms retained by clients to identify a winning set of supporting evidence. When litigation is filed, he fully oversees its conduct and resolution, counseling clients throughout every step of the process, while handling all significant motions and courtroom arguments. These skills have enabled him to sign numerous institutional clients for litigation and portfolio monitoring services, including public and private pension plans, investment management firms and sponsored investment vehicles, from both the U.S. and abroad. These clients have spearheaded the Firm's litigation efforts in the *BP*, *Fluor*, *McDermott*, *Emergent*, and *Miniso* litigations discussed above.

Matt takes great pride in representing union clients. He got his own union card as a teenager (United Food & Commercial Workers International Union, Local 371), following in the footsteps of his grandfather (International Brotherhood of Teamsters, Local 560).

Before joining Pomerantz, Matt worked at a large full-service firm then plaintiff-side boutique firms in Boston and Connecticut, litigating complex business disputes and securities, consumer, and employment class actions. His pro bono work included securing Social Security benefits for a veteran with non-service-related disabilities.

Matt graduated from the Georgetown University Law Center in 1999, where he made the Dean's List. He graduated from Wesleyan University in 1995, and among his various volunteer activities, he served as President of the Wesleyan Lawyers Association from 2017-2020.

His has been named a *Super Lawyers*® “Top-Rated Securities Litigation Attorney” (2016-present), *Lawdragon* Leading Plaintiff Financial Lawyer (2019-present), *Benchmark* Litigation Star (2021-2023, 2026), *Legal 500* Recommended Securities Litigator (2016, 2021), *American Lawyer* Top Rated Litigator (2023) and Northeast Trailblazer (2021), and a *Martindale-Hubbell* AV® Preeminent™ peer-rated attorney (2014-present). His advocacy has been covered by Bloomberg, Law360, the *Houston Chronicle*, the *Hartford Business Journal*, and other outlets.

He is a member of the Bars the Supreme Court of the United States; the State of New York; the State of Connecticut; the Commonwealth of Massachusetts; the Second and Ninth Circuit Courts of Appeals; and the United States District Courts for the Southern and Eastern District of New York, Connecticut, Massachusetts, the Northern District of Illinois, the Eastern District of Wisconsin, and the Southern District of Texas. He is regularly admitted *pro hac vice* in state and federal courts nationwide.

Austin P. Van

Austin focuses his practice on securities class actions and other high-profile litigations. Austin has repeatedly been recognized by *Lawdragon* as one of the top 500 Leading Plaintiff Financial Lawyers, and has been named as a Recommended Lawyer by The Legal 500. From 2018–2024, Austin has been honored as a *Super Lawyers*® Rising Star. In 2020, Austin was named an MVP in Securities Litigation by Law360, as part of an “elite slate of attorneys [who] have distinguished themselves from their peers by securing hard-earned successes in high-stakes litigation, complex global matters and record-breaking deals.” Only up to six attorneys nationwide are selected each year as MVPs in Securities Litigation. Austin was named to *Benchmark Litigation’s* “40 and Under Hotlist” in 2020 and 2021.

Austin represents clients in some of the largest class actions in the country:

- Currently represents institutional investor lead plaintiffs in a shareholder securities class action against social media and technology behemoth Meta Platforms, Inc. The complaint alleges that Meta misrepresented the impact of privacy changes in Apple’s iOS operating system on Meta’s core advertising business. Seeks to recover damages amounting to hundreds of billions of dollars on behalf of global investors resulting from the 26% drop in Meta’s share price following the revelation of the true impact of these privacy changes—in absolute terms, the largest one-day drop of a publicly traded company in U.S. history. (N.D. Cal. 2024)
- Currently represents plaintiffs in a putative nationwide consumer class action against Apple, Inc., maker of the iPhone and other technology products. The complaint alleges that Apple violated federal and state computer intrusion statutes and state consumer protection laws by tricking iPhone users to install updates to their older iPhone devices that effectively crippled them. Successfully argued and defeated defendants’ motion to dismiss before District Judge Casey Pitts. (N.D. Cal. 2024)
- Currently represents lead plaintiffs in a securities class action against Hawaiian Electric Company and its officers. The complaint alleges that Hawaiian Electric misrepresented the actions it was taking to mitigate wildfire risk, and so concealed the extent of the unmitigated risk of wildfire from investors, who suffered billions of dollars in losses when this risk materialized in the 2023 Maui wildfire disaster in Lahaina. (N.D. Cal. 2023)
- Currently represents lead plaintiffs in a securities class action against GSX Techedu, n/k/a Gaotu Techedu, a Chinese online education company. Complaint alleges that GSX falsified half of its student

enrollment and revenues and caused investors billions of dollars in losses when the truth became known. Successfully defeated defendants' motion to dismiss. (D.N.J. 2023)

- Represented institutional investor as lead plaintiff in a securities class action against ATI Physical Therapy and its SPAC acquirer. The complaint alleged that ATI misrepresented that its attrition rate was low, when in fact the rate was twice the industry average. Successfully defeated defendants' motion to dismiss and proceeded to discovery on all claims under Section 10(b), Section 14 and Section 20(a) of the Exchange Act to proceed. Settled for \$24.9 million. (N.D. Ill. 2023)
- Represented lead plaintiffs in a securities class action against Citrix Systems, Inc. The complaint alleged that defendants violated Section 14 of the Exchange Act by soliciting votes to approve the sale of Citrix based on a proxy that concealed from shareholders accelerating SaaS ARR, a key business trend, so Citrix paid shareholders less for their shares than was fair. Successfully argued and defeated defendants' motion to dismiss before District Judge Rodolfo Ruiz. Settled case on favorable terms for \$17.5 million. (S.D. Fl. 2024)
- Represented certified class in a securities class action against TechnipFMC, a Fortune 500 oil and gas services company. Plaintiffs alleged TechnipFMC overstated its net income in its initial registration statement due to its use of incorrect foreign exchange rates. Successfully argued and defeated defendants' motion to dismiss, argued and won lead plaintiffs' motion for class certification, and argued and defeated defendants' motion for summary judgment, all before District Judge Alfred Bennett. Led the class through complete preparations for trial. The case settled for approximately \$20 million. (S.D. Tex. 2020)
- Represented lead plaintiffs in a securities class action against electric vehicle manufacturer Faraday Future Intelligent Electric, Inc. and its SPAC acquirer, Property Solutions Acquisition Corp. The complaint alleged that defendants violated Sections 10(b) and 14(a) of the Exchange Act and Section 11 of the Securities Act by misrepresenting the level of committed reservations Faraday had for its flagship car in SEC filings, including in a proxy statement for the de-SPAC acquisition of Faraday. Successfully argued and defeated defendants' motion to dismiss before District Judge Christina Snyder and defeated defendants' motion for reconsideration. Settled case on favorable terms for \$7.5 million. (C.D. Cal. 2021)
- Represented lead plaintiffs in a securities class action against Rockwell Medical, Inc. Based on the strength of the complaint, at a pre-motion conference for defendants' motion to dismiss, District Senior Judge Allyn R. Ross stated that "based on what I have reviewed, it is virtually inconceivable to me that the consolidated amended complaint could possibly be dismissed on a Rule 12(b)(6) motion or a Rule 9(b) motion" and that any proposed motion to dismiss "would be a complete waste of time and resources of counsel, of the clients' money, and my time." Defendants declined even to move to dismiss the complaint and settled the case \$3.7 million—a highly favorable settlement for the class. (E.D.N.Y. 2019)
- Represented lead plaintiffs in a securities class action against Franklin Wireless Inc., a maker of wireless routers and communications devices. Based on the strength of the complaint, defendants declined to move to dismiss. Successfully obtained class certification and settled the matter on terms highly favorable for the class for \$2.4 million. (S.D. Cal. 2021)

Austin received a J.D. from Yale Law School, where he was an editor of the Yale Law Journal and the Yale Journal of International Law. He has a B.A. from Yale University and an M.Sc. from the London School of Economics. Prior to joining Pomerantz, Austin worked as an associate at Cravath, Swaine & Moore LLP.

Austin is admitted to practice law in New York and New Jersey, the United States District Courts for the Southern and Eastern Districts of New York, the District of New Jersey, the Northern District of Illinois, the Southern District of Texas, the United States Courts of Appeals for the First, Second, Seventh and Ninth Circuits, and the United States Supreme Court.

Murielle Steven Walsh

Murielle Steven Walsh joined the Firm in 1998 and was elevated to Partner in 2007. In 2024 Murielle was named a Titan of the Plaintiffs Bar by *Law360*, and in 2022 she was selected to participate on the publication's Securities Editorial Board. She was named a 2020 Plaintiffs' Lawyer Trailblazer by the *National Law Journal*, an award created to "honor a handful of individuals from each practice area that are truly agents of change" and was also honored as a 2020 Plaintiffs' Trailblazer by the *New York Law Journal*. Murielle was honored in 2019, 2020 and 2021 as a Super Lawyers® "Top-Rated Securities Litigation Attorney," a recognition bestowed on 5% of eligible attorneys in the New York Metro area. Lawdragon named her a Top Plaintiffs' Financial Lawyer in 2019 and 2020.

During her career at Pomerantz, Murielle has prosecuted highly successful securities class action and corporate governance cases. She was one of the lead attorneys litigating *In re Livent Noteholders' Securities Litigation*, a securities class action in which she obtained a \$36 million judgment against the company's top officers, a ruling which was upheld by the Second Circuit on appeal. Murielle was also part of the team litigating *EBC I v. Goldman Sachs*, where the Firm obtained a landmark ruling from the New York Court of Appeals, that underwriters may owe fiduciary duties to their issuer clients in the context of a firm-commitment underwriting of an initial public offering.

Murielle led Firm's high-profile securities class action against Wynn Resorts Ltd., where the Firm served as lead counsel. The litigation stemmed from the company's alleged cover-up of a prolonged pattern of sexual misconduct by its founder and former CEO, billionaire casino mogul Stephen Wynn. In January 2025, Murielle secured final approval of a \$70 million settlement on behalf of defrauded investors. Wynn is widely regarded as the first high-profile executive whose misconduct was exposed by the #MeToo movement. *Ferris v. Wynn Resorts Ltd.*, No. 18-cv-479 (D. Nev.)

In a securities class action against Ormat Technologies, Inc., Murielle achieved a \$3.75 million settlement on behalf of defrauded investors in January 2021. Ormat's securities are dual-listed on the NYSE and the Tel Aviv Stock Exchange. Murielle persuaded the district court in exercise supplemental jurisdiction in order to apply U.S. securities law to the claims in the case, regardless of where investors purchased their securities.

Murielle led the Firm's ground-breaking litigation that arose from the popular Pokémon Go game, in which Pomerantz was lead counsel. Pokémon Go is an "augmented reality" game in which players use their smart phones to "catch" Pokémon in real-world surroundings. GPS coordinates provided by defendants to gamers included directing the public to private property without the owners' permission, amounting to an alleged mass nuisance. *In re Pokémon Go Nuisance*, No. 3:16-cv-04300 (N.D. Cal.)

Murielle was co-lead counsel in *Thorpe v. Walter Investment Management Corp.*, No. 14-cv-20880 (S.D. Fla.), a securities fraud class action challenging the defendants' representations that their lending activities were regulatory-compliant, when in fact the company's key subsidiary engaged in rampant

violations of federal consumer financial protection laws, subjecting it to various government investigations and enforcement action by the CFPB and FTC. In 2016, the Firm obtained a \$24 million settlement on behalf of the class. She was also co-lead counsel in *Robb v. Fitbit, Inc.*, No. 16-cv-00151 (N.D. Cal.), a securities class action alleging that the defendants misrepresented that their key product delivered “highly accurate” heart rate readings when in fact their technology did not consistently deliver accurate readings during exercise and its inaccuracy posed serious health risks to users of Fitbit’s products. The Firm obtained a \$33 million settlement on behalf of the investor class in this action.

In 2018 Murielle, along with then-Senior Partner Jeremy Lieberman, achieved a \$3.3 million settlement for the Class in the Firm’s case against Corinthian Colleges, one of the largest for-profit college systems in the country, for alleged misrepresentations about its job placement rates, compliance with applicable regulations, and enrollment statistics. Pomerantz prevailed in the motion to dismiss the proceedings, a particularly noteworthy victory because Chief Judge George King of the Central District of California had dismissed two prior lawsuits against Corinthian with similar allegations. *Erickson v. Corinthian Colleges, Inc.*, No. 2:13-cv-07466 (C.D. Cal.).

Murielle serves as a member and on the Executive Committee of the Board of Trustees of the non-profit organization Court Appointed Special Advocates for Children (“CASA”) of Monmouth County. She also served on the Honorary Steering Committee of Equal Rights Advocates (“ERA”), which focuses on and discusses specific issues that women face in the legal profession. ERA is an organization that protects and expands economic and educational access and opportunities for women and girls. In the past, Murielle served as a member of the editorial board for Class Action Reports, a Solicitor for the Legal Aid Associates Campaign, and has been involved in political asylum work with the Association of the Bar of the City of New York.

Murielle serves on the Firm's Anti-Harassment and Discrimination Committee.

Murielle graduated *cum laude* from New York Law School in 1996, where she was the recipient of the Irving Mariash Scholarship. During law school, Murielle interned with the Kings County District Attorney and worked within the mergers and acquisitions group of Sullivan & Cromwell.

Murielle is admitted to practice in New York; United States District Court for the Southern District of New York; United States Courts of Appeals for the Second, Sixth, and Ninth Circuits

Tamar A. Weinrib

Tamar A. Weinrib joined Pomerantz in 2008. She was Of Counsel to the Firm from 2014 through 2018 and was elevated to Partner in 2019. In 2020, The Legal 500 honored her as a Next Generation Partner. Tamar was named a 2018 Rising Star under 40 years of age by Law360, a prestigious honor awarded to a select few “top litigators and dealmakers practicing at a level usually seen from veteran attorneys.” Tamar has been recognized by Super Lawyers® as a 2021 “Top-Rated Securities Litigation Attorney;” she was honored as a New York Metro Rising Star every year from 2014 to 2019.

In 2019, Tamar and Managing Partner Jeremy Lieberman achieved a \$27 million settlement for the Class in *Strougo v. Barclays PLC*, a high-profile securities class action in which Pomerantz was Lead Counsel. Plaintiffs alleged that Barclays PLC misled institutional investor clients about the extent of the banking

giant's use of so-called "dark pool" trading systems. This case turned on the duty of integrity owed by Barclays to its clients. In November 2016, Tamar and Jeremy achieved precedent-setting victories for investors, when the Second Circuit Court of Appeals held that direct evidence of price impact is not always necessary to demonstrate market efficiency to invoke the presumption of reliance, and that defendants seeking to rebut the presumption of reliance must do so by a preponderance of the evidence rather than merely meeting a burden of production. In 2018, Tamar successfully opposed Defendants' petition to the Supreme Court for a writ of certiorari.

In approving the settlement in *Strougo v. Barclays PLC* in June 2019, Judge Victor Marrero of the Southern District of New York stated:

Let me thank counsel on both sides for the extraordinary work both sides did in bringing this matter to a reasonable conclusion. As the parties have indicated, the matter was intensely litigated, but it was done in the most extraordinary fashion with cooperation, collaboration, and high levels of professionalism on both sides, so I thank you.

Tamar headed the litigation of *In re Delcath Systems, Inc. Securities Litigation*, in which Pomerantz achieved a settlement of \$8,500,000 for the class. She successfully argued before the Second Circuit in *In re China North East Petroleum Securities Litigation*, to reverse the district court's dismissal of the defendants on scienter grounds.

Among other securities fraud class actions that Tamar led to successful settlements are *KB Partners I, L.P. v. Pain Therapeutics, Inc.* (\$8,500,000); *New Oriental Education & Technology Group, Inc.* (\$3,150,000); and *Whiteley v. Zynherba Pharmaceuticals, Inc. et al.* (\$4,000,000).

Before coming to Pomerantz, Tamar had over three years of experience as a litigation associate in the New York office of Clifford Chance US LLP, where she focused on complex commercial litigation. Tamar has successfully tried pro bono cases, including two criminal appeals and a housing dispute filed with the Human Rights Commission.

Tamar graduated from Fordham University School of Law in 2004 and while there, won awards for successfully competing in and coaching Moot Court competitions.

Tamar is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York; and the United States Courts of Appeals for the Second, Third, Fourth, and Ninth Circuits.

Michael J. Wernke

Michael J. Wernke joined Pomerantz as Of Counsel in 2014 and was elevated to Partner in 2015. He was named a 2020 Plaintiffs' Lawyer Trailblazer by the *National Law Journal*, an award created to "honor a handful of individuals from each practice area that are truly agents of change."

Michael, along with Managing Partner Jeremy Lieberman, led the litigation in *Pirnik v. Fiat Chrysler Automobiles N.V. et al.*, No. 1:15-cv-07199-JMF (S.D.N.Y.), in which the Firm, as Lead Counsel, achieved a \$110 million settlement for the class. This high-profile securities class action alleges that Fiat Chrysler

concealed from investors that it improperly outfitted its diesel vehicles with “defeat device” software designed to cheat NOx emissions regulations in the U.S. and Europe, and that regulators had accused Fiat Chrysler of violating the emissions regulations. The *Fiat Chrysler* recovery provides the class of investors with as much as 20% of recoverable damages—an excellent result when compared to historical statistics in class action settlements, where typical recoveries for cases of this size are between 1.6% and 3.3%.

Michael led the securities class action *Zwick Partners, LP v. Quorum Health Corp., et al.*, No. 3:16-cv-2475, achieving a settlement of \$18 million for the class in June 2020. The settlement represented between 12.7% and 42.9% of estimated recoverable damages. Plaintiff alleged that defendants misrepresented to investors the poor prospects of hospitals that the parent company spun off into a stand-alone company. In defeating defendants’ motions to dismiss the complaint, Michael successfully argued that the company from which Quorum was spun off was a “maker” of the false statements even though all the alleged false statements concerned only Quorum’s financials and the class involved only purchasers of Quorum’s common stock. This was a tremendous victory for plaintiffs, as cases alleging false statements of goodwill notoriously struggle to survive motions to dismiss.

Along with Managing Partner Jeremy Lieberman, Michael leads the Firm’s individual action against pharmaceutical giant Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. (together, “Teva”), and certain of Teva’s current and former employees and officers, relating to alleged anticompetitive practices in Teva’s sales of generic drugs. Teva is a dual-listed company; the Firm represents several Israeli institutional investors who purchased Teva shares on the Tel Aviv Stock Exchange. In early 2021, Pomerantz achieved a major victory for global investors when the district court agreed to exercise supplemental jurisdiction over the Israeli law claims. *Clal Insurance Company Ltd. v. Teva Pharmaceutical Industries Ltd.*

In December 2018, Michael, along with Pomerantz Managing Partner Jeremy A. Lieberman, secured a \$31 million partial settlement with three defendants in *In re Libor Based Financial Instruments Antitrust Litigation*, a closely watched multi-district litigation, which concerns the LIBOR rigging scandal.

In October 2018, Michael secured a \$15 million settlement in *In re Symbol Technologies, Inc. Securities Litigation*, No. 2:05-cv-03923-DRH-AKT (E.D.N.Y.), a securities class action that alleges that, following an accounting fraud by prior management, Symbol’s management misled investors about the state of its internal controls and the Company’s ability to forecast revenues.

He was Lead Counsel in *Thomas v. Magnachip Semiconductor Corp.*, in which he achieved a \$23.5 million partial settlement with certain defendants, securing the settlement despite an ongoing investigation by the Securities and Exchange Commission and shareholder derivative actions. He played a leading role in *In re Lumber Liquidators, Inc. Securities Litigation*, in which Pomerantz, as Co-Lead Counsel, achieved a settlement of \$26 million in cash and 1,000,000 shares of Lumber Liquidators common stock for the Class. Michael also secured a \$7 million settlement (over 30% of the likely recoverable damages) in the securities class action *Todd v. STAAR Surgical Company, et al.*, No. 14-cv-05263-MWF-RZ (C.D. Cal.), which alleged that STAAR concealed from investors violations of FDA regulations that threatened the approval of STAAR’s long awaited new product.

In the securities class action *In re Atossa Genetics, Inc. Securities Litigation*, No. 13-cv-01836-RSM (W.D. Wash.), Michael secured a decision by the Ninth Circuit Court of Appeals that reversed the district court’s

dismissal of the complaint. The Ninth Circuit held that the CEO's public statements that the company's flagship product had been approved by the FDA were misleading despite the fact that the company's previously filed registration statement stated that the product did not, at that time, require FDA approval.

During the nine years prior to coming to Pomerantz, Michael was a litigator with Cahill Gordon & Reindel LLP, with his primary focus in the securities defense arena, where he represented multinational financial institutions and corporations, playing key roles in two of only a handful of securities class actions to go to jury verdict since the passage of the PSLRA.

In 2020 and 2021, Michael was honored as a *Super Lawyers*® "Top Rated Securities Litigation Attorney." In 2014 and 2015, he was recognized as a *Super Lawyers*® New York Metro Rising Star.

Michael received his J.D. from Harvard Law School in 2004. He also holds a B.S. in Mathematics and a B.A. in Political Science from Ohio State University, where he graduated *summa cum laude*.

He serves on the Firm's Anti-Harassment and Discrimination Committee.

Michael is admitted to practice in New York; the United States District Court for the Southern District of New York; and the United States Supreme Court.

Senior Counsel

Stanley M. Grossman

Stanley M. Grossman, Senior Counsel, is a former Managing Partner of Pomerantz. Widely recognized as a leader in the plaintiffs' securities bar, he was honored in 2020 with a Lifetime Achievement award by the *New York Law Journal*. Martindale Hubbell awarded Stan its 2021 AV Preeminent Rating®, "given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers." Stan was selected by *Super Lawyers*® as an outstanding attorney in the United States for the years 2006 through 2020 and was featured in the *New York Law Journal* article *Top Litigators in Securities Field—A Who's Who of City's Leading Courtroom Combatants*. Lawdragon named Stan a Leading Plaintiff Financial Lawyer in 2019 and 2020, and in 2021, he was inducted into the Lawdragon Hall of Fame. In 2013, Brooklyn Law School honored Stan as an Alumnus of the Year.

Stan has primarily represented plaintiffs in securities and antitrust class actions, including many of those listed in the Firm biography. *See, e.g., Ross v. Bernhard*, 396 U.S. 531 (1970); *Rosenfeld v. Black*, 445 F.2d 137 (2d Cir. 1971); *Wool v. Tandem Computers, Inc.*, 818 F.2d 1433 (9th Cir. 1987); and *In re Salomon Bros. Treasury Litig.*, 9 F.3d 230 (2d Cir. 1993). In 2008 he appeared before the United States Supreme Court to argue that scheme liability is actionable under Section 10(b) and Rule 10b-5(a) and (c). *See StoneRidge Inv. Partners, LLC v. Sci.-Atlanta, Inc.*, No. 06-43 (2008). Other cases where he was the Lead or Co-Lead Counsel include: *In re Salomon Brothers Treasury Litigation*, No. 91 Civ. 5471 (S.D.N.Y. 1994) (\$100 million cash recovery); *In re First Executive Corporation Securities Litigation*, No. CV-89-7135 (C.D. Cal. 1994) (\$100 million settlement); and *In re Sorbates Direct Purchaser Antitrust Litigation*, No. C98-4886 (N.D. Cal. 2000) (over \$80 million settlement for the class).

In 1992, Senior Judge Milton Pollack of the Southern District of New York appointed Stan to the Executive Committee of counsel charged with allocating to claimants hundreds of millions of dollars obtained in settlements with Drexel Burnham & Co. and Michael Milken.

Many courts have acknowledged the high quality of legal representation provided to investors by Stan. In *Gartenberg v. Merrill Lynch Asset Management, Inc.*, No. 79 Civ. 3123 (S.D.N.Y.), where Stan was lead trial counsel for plaintiff, Judge Pollack noted at the completion of the trial:

[I] can fairly say, having remained abreast of the law on the factual and legal matters that have been presented, that I know of no case that has been better presented so as to give the Court an opportunity to reach a determination, for which the court thanks you.

Stan was also the lead trial attorney in *Rauch v. Bilzerian* (N.J. Super. Ct.) (directors owed the same duty of loyalty to preferred shareholders as common shareholders in a corporate takeover), where the court described the Pomerantz team as “exceptionally competent counsel.” He headed the six week trial on liability in *Walsh v. Northrop Grumman* (E.D.N.Y.) (a securities and ERISA class action arising from Northrop’s takeover of Grumman), after which a substantial settlement was reached.

Stan frequently speaks at law schools and professional organizations. In 2010, he was a panelist on *Securities Law: Primary Liability for Secondary Actors*, sponsored by the Federal Bar Council, and he presented *Silence Is Golden—Until It Is Deadly: The Fiduciary’s Duty to Disclose*, at the Institute of American and Talmudic Law. In 2009, Stan was a panelist on a Practising Law Institute “Hot Topic Briefing” entitled *StoneRidge—Is There Scheme Liability or Not?*

Stan served on former New York State Comptroller Carl McCall’s Advisory Committee for the NYSE Task Force on corporate governance. He is a former president of NASCAT. During his tenure at NASCAT, he represented the organization in meetings with the Chairman of the Securities and Exchange Commission and before members of Congress and of the Executive Branch concerning legislation that became the PSLRA.

Stan served for three years on the New York City Bar Association’s Committee on Ethics, as well as on the Association’s Judiciary Committee. He is actively involved in civic affairs. He headed a task force on behalf of the Association, which, after a wide-ranging investigation, made recommendations for the future of the City University of New York. He was formerly on the board of the Appleseed Foundation, a national public advocacy group.

Stan is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York, Central District of California, Eastern District of Wisconsin, District of Arizona, District of Colorado; the United States Courts of Appeals for the First, Second, Third, Ninth and Eleventh Circuits; and the United States Supreme Court.

Marc I. Gross

Marc I. Gross is Senior Counsel at Pomerantz LLP, where he has litigated securities fraud class actions for over four decades, serving as its Managing Partner from 2009 to 2016. His major lawsuits include SAC

Capital (Steven Cohen—insider trading); Chesapeake Energy (Aubrey McClendon—insider bail out); Citibank (analyst Jack Grubman—false AT&T stock recommendation); and Charter Communications (Paul Allen—accounting fraud). He also litigated market efficiency issues in the firm’s landmark \$3 billion recovery in *Petrobras*.

Marc has also served as President of the Institute of Law and Economic Policy (“ILEP”), which has organized symposiums each year where leading academics have presented papers on securities law and consumer protection issues. These papers have been cited in over 200 cases, including several in the United States Supreme Court. <http://www.ilep.org>.

Marc has addressed numerous forums in the United States on shareholder-related issues, including ILEP; Loyola-Chicago School of Law’s Institute for Investor Protection Conference; the National Conference on Public Employee Retirement Systems’ (“NCPERS”) Legislative Conferences; PLI conferences on Current Trends in Securities Law; a panel entitled *Enhancing Consistency and Predictability in Applying Fraud-on-the-Market Theory*, sponsored by the Duke Law School Center for Judicial Studies, as well as securities law students at NYU and Georgetown Law schools.

Among other articles, Marc authored *Cooking Books? The Valuation Treadmill*, 50 Sec. Reg. L. Jrl. 363 (2022); *Reputation and Securities Litigation*, 47 Sec. Reg. I Jrl. 99 (2019) *Back to Basic(s): Common Sense Trumps Econometrics*, N.Y.L.J. (Jan. 8, 2018) (with Jeremy Lieberman); and *Class Certification in a Post-Halliburton II World*, 46 Loyola-Chicago L.J. 485 (2015).

Marc was honored in 2022 by T’ruah, the Rabbinic Call to Human Rights, for his pro bono work in support of the Coalition of Immokalee Workers in Florida in their battle for recognition by Wendy’s Restaurants, and recently joined the Board of Mainchance, a homeless drop-in shelter operating in Manhattan.

Marc is a graduate of NYU Law ’76 and Columbia College ’73.

Patrick V. Dahlstrom

Patrick Dahlstrom joined Pomerantz as an associate in 1991 and was elevated to Partner in January 1996. He served as Co-Managing Partner with Jeremy Lieberman in 2017 and 2018 and is now Senior Counsel. Patrick heads the Firm’s Chicago office. He was honored as a Super Lawyers® “Top-Rated Securities Litigation Attorney” from 2018–2021 in both Securities Litigation and Appellate matters. In 2021, Patrick was inducted into the Lawdragon Hall of Fame.

Patrick, a member of the Firm’s Institutional Investor Practice and New Case Groups, has extensive experience litigating cases under the PSLRA. He led *In re Comverse Technology, Inc. Securities Litigation*, No. 06-CV-1825 (E.D.N.Y.), in which the Firm, as Lead Counsel, recovered a \$225 million settlement for the Class—the second-highest ever for a case involving back-dating options, and one of the largest recoveries ever from an individual officer-defendant, the company’s founder and former CEO. In *Comverse*, the Firm obtained an important clarification of how courts calculate the “largest financial interest” in connection with the selection of a Lead Plaintiff, in a manner consistent with *Dura Pharmaceuticals, Inc. v. Broudo*, 544 U.S. 336 (2005). Judge Garaufis, in approving the settlement, lauded Pomerantz: “The court also notes that, throughout this litigation, it has been impressed by Lead Counsel’s

acumen and diligence. The briefing has been thorough, clear, and convincing, and . . . Lead Counsel has not taken short cuts or relaxed its efforts at any stage of the litigation.”

In *DeMarco v. Robertson Stephens, Inc.*, 228 F.R.D. 468 (S.D.N.Y. 2005), Patrick obtained the first class certification in a federal securities case involving fraud by analysts.

Patrick’s extensive experience in litigation under the PSLRA has made him an expert not only at making compelling arguments on behalf of Pomerantz’s clients for Lead Plaintiff status, but also in discerning weaknesses of competing candidates. *In re American Italian Pasta Co. Securities Litigation* and *Comverse* are the most recent examples of his success in getting our clients appointed sole Lead Plaintiff despite competing motions by numerous impressive institutional clients.

Patrick was a member of the trial team in *In re ICN/Viratek Securities Litigation* (S.D.N.Y. 1997), which, after trial, settled for \$14.5 million. Judge Wood praised the trial team: “[P]laintiffs counsel did a superb job here on behalf of the class . . . This was a very hard fought case. You had very able, superb opponents, and they put you to your task . . . The trial work was beautifully done and I believe very efficiently done.”

Patrick’s speaking engagements include interviews by NBC and the CBC regarding securities class actions, and among others, a presentation at the November 2009 State Association of County Retirement Systems Fall Conference as the featured speaker at the Board Chair/Vice Chair Session entitled: “Cleaning Up After the 100 Year Storm. How trustees can protect assets and recover losses following the burst of the housing and financial bubbles.”

Patrick is a 1987 graduate of the Washington College of Law at American University in Washington, D.C., where he was a Dean’s Fellow, Editor in Chief of the *Administrative Law Journal*, a member of the Moot Court Board representing Washington College of Law in the New York County Bar Association’s Antitrust Moot Court Competition, and a member of the Vietnam Veterans of America Legal Services/Public Interest Law Clinic. Upon graduating, Patrick served as the Pro Se Staff Attorney for the United States District Court for the Eastern District of New York and was a law clerk to the Honorable Joan M. Azrack, United States Magistrate Judge.

Patrick is admitted to practice in New York and Illinois; the United States District Courts for the Southern and Eastern Districts of New York, Northern District of Illinois, Northern District of Indiana, Eastern District of Wisconsin, District of Colorado, and Western District of Pennsylvania; the United States Courts of Appeals for the First, Fourth, Sixth, Seventh, Eighth, and Ninth Circuits; and the United States Supreme Court.

Of Counsel

Samuel J. Adams

Samuel J. Adams became an Associate at Pomerantz in January 2012 and was elevated to Of Counsel to the Firm in 2021. He has been recognized as a Super Lawyers® “Rising Star” every year from 2015 through 2021.

Sam focuses his practice on corporate governance litigation and has served as a member of the litigation team in numerous actions that concluded in successful resolutions for stockholders. He was an integral

member of the litigation team that secured a \$5.6 million settlement on behalf of a class of shareholders of Physicians Formula Holdings, Inc. following an ignored merger offer. *In re Physicians Formula Holdings, Inc. S'holder Litig.*, C.A. No. 7794-VCL (Del. Ch. Ct.). Sam was also instrumental in achieving a settlement in *Strougo v. Hollander*, C.A. No. 9770-CB (Del. Ch. Ct.) which provided for a 25% price increase for members of the class cashed out in the going-private transaction and established that fee-shifting bylaws adopted after a challenged transaction do not apply to stockholders affected by the transaction. Additionally, he was on the team of Pomerantz attorneys who obtained the elimination of stand-still provisions that allowed third parties to bid for Great Wolf Resorts, Inc., resulting in the emergence of a third-party bidder and approximately \$94 million (57%) in additional merger consideration for Great Wolf shareholders. *In re Great Wolf Resorts, Inc. S'holder Litig.*, C.A. No. 7328-VCN (Del. Ch.).

Sam is a 2009 graduate of the University of Louisville Louis D. Brandeis School of Law. While in law school, he was a member of the National Health Law Moot Court Team. He also participated in the Louis D. Brandeis American Inn of Court.

Sam is admitted to practice in New York; the United States District Courts for the Southern, Northern, and Eastern Districts of New York and the Eastern District of Wisconsin; and the United States Court of Appeals for the Fifth Circuit.

Ari Y. Bassar

Ari Y. Bassar joined Pomerantz as an associate in April 2019 and was elevated to Of Counsel in January 2022. He focuses his practice on strategic consumer litigation by representing consumers in unfair competition, fraud, false advertising, and auto defect actions that recover monetary and injunctive relief on behalf of class members while also advocating for important consumer rights. Ari has successfully prosecuted claims involving California's Unfair Competition Law, California's Consumers Legal Remedies Act, the Song-Beverly Consumer Warranty Act, and the Magnusson-Moss Warranty Act.

Prior to joining Pomerantz, Ari was an associate at major litigation law firms in Los Angeles. Ari also worked as a Law Clerk in the Economic Crimes Unit of the Santa Clara County Office of the District Attorney. Ari has litigated antitrust violations, product defect matters, and a variety of fraud and misrepresentation cases brought under state and federal consumer protection statutes involving unfair competition and false advertising. He has also been deputized in private attorneys general enforcement actions to recover civil penalties from corporations, on behalf of the State of California, for violations of the Labor Code.

Ari is a contributing author to the *Competition Law Journal*, the official publication of the Antitrust, UCL, and Privacy Section of the State Bar of California, where he has examined trends in antitrust litigation and the regulatory authority of the Federal Trade Commission.

Ari received dual degrees in Economics and Psychology from the University of California, San Diego in 2004. He earned his Juris Doctor in 2010 from Santa Clara University School of Law.

Rupita Chakraborty

Rupita Chakraborty is an experienced commercial and criminal trial lawyer and litigator. Her practice involves representing aggrieved shareholders in securities litigation to recover losses across a number of industries, including technology and mining.

Prior to joining Pomerantz, Rupita was an associate at Friedman, Kaplan, Seiler, Adelman & Robbins, where she was a member of the criminal trial team representing the CFO of Archegos Capital Management in a nine-week federal jury trial involving charges of racketeering conspiracy, securities fraud, and wire fraud. She has previously defended individuals and corporations in various white-collar criminal and regulatory matters, including allegations of unlawful pharmaceutical price increases, improper lobbying, and discriminatory hiring. Rupita has also handled a wide range of complex civil matters, including securities litigation, civil racketeering allegations, employment matters, and general commercial disputes.

Rupita enjoys a robust pro bono practice. She has represented federally incarcerated individuals in both Section 1983 and compassionate release claims, in addition to previously representing a victim-witness in a sensitive racketeering and sex trafficking trial in the Southern District of New York.

Rupita earned a J.D. from the New York University School of Law, where she was clinically trained at the Federal Defenders of New York and the Office of the Appellate Defender.

Rupita is a Fulbright scholar, having served as an English Teaching Assistant in East Kalimantan, Indonesia from August 2011 to June 2012.

Samantha Daniels

Samantha brings years of commercial litigation experience to the Pomerantz team, joining the Firm as Of Counsel in 2024. Her practice involves representing aggrieved shareholders in securities litigation to recover losses across a number of industries, including pharma, technology, and entertainment.

Prior to joining Pomerantz, Samantha was an associate at Gibson, Dunn & Crutcher LLP, primarily in the firm's renowned appellate practice, representing highly visible clients in a range of issues from securities litigation, consumer deception, and labor and employment, to constitutional crises. Her former matters include resolving first impression questions of employment status for gig workers for Uber and Postmates, securing victory for Apple against allegations of consumer fraud regarding FaceTime, and helping win NML shareholders 2.1 billion in due Argentine bonds.

Samantha earned her law degree from the University of Chicago Law School where she published her student comment on consumer protection. Before that, Samantha studied at Cornell University in Ithaca, New York, earning degrees in Political Science and History.

Samantha is admitted to practice in New York and the United States Court of Appeals for the Sixth Circuit.

Jonathan D. Park

Jonathan D. Park joined Pomerantz as Of Counsel in April 2022. Prior to joining Pomerantz, he was associated with a prominent plaintiff-side litigation firm, where he represented clients in securities and

investment litigation. He is regularly recognized as a Super Lawyers® Rising Star.

Jonathan focuses his practice on securities litigation. He is currently pursuing claims against Twitter concerning its cybersecurity practices and user metrics. Jonathan was a key member of the litigation teams that obtained settlements in *Poirier v. Bakkt Holdings, Inc.* (E.D.N.Y.) and *Lako v. LoanDepot, Inc.* (C.D. Cal.). Prior to joining Pomerantz, he was a member of the litigation team that obtained \$19 million for the class in *In re Synchronoss Technologies, Inc. Securities Litigation*, and he represented investors in *In re JPMorgan Chase & Co. Securities Litigation*, which arose from the “London Whale” scandal and was settled for \$150 million. He has also represented investors in opt-out securities actions against pharmaceutical manufacturers and other companies.

Jonathan also has experience representing investors in breach of contract actions. He was the primary associate representing institutional investors injured by the early redemption of bonds issued by CoBank, ACB and AgriBank, FCB. In the litigation against CoBank, the plaintiffs secured a summary judgment ruling on liability, and in the litigation against AgriBank, the plaintiffs defeated a motion to dismiss, permitting the claims to proceed though the plaintiffs were beneficial owners and not record holders of the bonds at issue. Both cases were resolved on confidential terms.

At the New York City Bar Association, Jonathan has served on the Task Force on Puerto Rico, the New Lawyers Council, and the International Human Rights Committee. He also served on the board of his non-profit running club, the Dashing Whippets Running Team.

Jonathan earned his J.D. in 2013 from Fordham University School of Law, where he served on the school’s Moot Court Board as the Editor of the Jessup International Law Competition Team. During law school, he was a Crowley Scholar in International Human Rights, received the Archibald R. Murray Public Service Award, and interned with a refugee law project in Cairo, Egypt. He received a B.A. in 2006 from Vassar College, where he majored in Africana Studies.

Brian P. O’Connell

Brian P. O’Connell joined Pomerantz as an associate in August 2021 and was elevated to Of Counsel in August 2024. Brian focuses his practice on securities and financial services litigation.

Brian leads some of the Firm’s most important securities class actions, winning decisions that expand investor rights. Among these is a case against Ginkgo Bioworks (“Ginkgo”), a synthetic biology company that merged with a special purpose acquisition company (“SPAC”). The case alleges that Ginkgo made false and misleading statements about its revenue, customers and value before the merger. Brian recently reached a settlement agreement with Ginkgo defendants for \$17.75 million, representing favorable recovery for the class of investors.

In March 2024, Brian survived a motion to dismiss another de-SPAC case against Grab Holdings, Inc., known as the Uber of Southeast Asia, giving the oral argument that sustained Section 11 of the Securities Act and Section 14(a) of the Securities Exchange Act claims. Brian also played an integral role in the litigation and settlement of three Pomerantz cases that recently reached final approval of settlement: telecommunications giant Sprint Corporation (\$3.75 million), biopharmaceutical company Orphazyme A/S (\$2.5 million), and energy and oil company Berry Corporation (\$2.5 million).

Prior to joining Pomerantz in its Chicago office, Brian was an associate at Cafferty Clobes Meriwether & Sprengel LLP, where he specialized in antitrust and commodity futures litigation. Brian has successfully litigated complex class actions involving securities, as well as manipulation of futures and options contracts. Brian also previously worked at the Financial Regulatory Authority (FINRA) as a contractor focusing on options trading regulation. Following law school, Brian was a legal fellow at the chambers of Judge Marvin E. Aspen in the United States District Court for the Northern District of Illinois.

Brian is passionate about finance and securities law, having previously interned for the Chicago Board Options Exchange and for Susquehanna International Group. Brian has served as a Vice Chair of the Chicago Bar Association Securities Law Committee. Brian was recently recognized as a Super Lawyers® Rising Star for 2024.

Brian earned his Juris Doctor from Northwestern University Pritzker School of Law. During his time there, he had the opportunity to work at the Center on Wrongful Convictions, where he argued in court on behalf of a client serving a life sentence and was later exonerated. Brian also served as Executive Articles Editor for the Journal of International Human Rights Law and as a teaching assistant for the Northwestern Center on Negotiation and Mediation.

A graduate of Stanford University, Brian majored in Political Science and minored in Economics. During his senior year, he was Editor-in-Chief of The Stanford Review, where he had previously been a Features Editor and a staff writer.

Brian is admitted to practice in Illinois and California, the United States District Courts for the Northern District of Illinois, the Northern and Central Districts of California, and the United States Court of Appeals for the Ninth Circuit.

Jennifer Banner Sobers

Jennifer Banner Sobers is Of Counsel to the Firm.

In 2021, Jennifer was honored as a Super Lawyers® “Top-Rated Securities Litigation Attorney”. She was also named a 2020 Rising Star by Super Lawyers®, Law360, and the *New York Law Journal*, all separate and highly competitive awards that honor attorneys under 40 whose legal accomplishments transcend their age. After a rigorous nomination and vetting process, Jennifer was honored in 2019 and 2020 as a member of the National Black Lawyers Top 100, an elite network of the top 100 African American attorneys from each state.

Jennifer played an integral role on the team litigating *In re Petrobras Securities Litigation*, in the Southern District of New York, a securities class action arising from a multi-billion-dollar kickback and bribery scheme involving Brazil’s largest oil company, Petróleo Brasileiro S.A.—Petrobras. The Firm, as sole Lead Counsel, achieved a historic \$3 billion settlement on behalf of investors in Petrobras securities. Among Jennifer’s contributions to the team’s success were: managing the entire third-party discovery in the United States, which resulted in the discovery of key documents and witnesses; deposing several underwriter bank witnesses; drafting portions of Plaintiffs’ amended complaints that withstood motions to dismiss the claims and Plaintiffs’ successful opposition to Defendants’ appeal in the Second Circuit,

which resulted in precedential rulings, including the Court rejecting the heightened ascertainability requirement for obtaining class certification that had been imposed by other circuit courts; and second chaired argument in the Second Circuit that successfully led to the Court upholding the award of sanctions against a professional objector challenging the integrity of the settlement.

Jennifer played a leading role in *In re Toronto-Dominion Bank Securities Litigation*, an action in the District of New Jersey alleging a multi-year fraud arising from underlying retail banking misconduct by one of Canada's largest banks that was revealed by investigative news reports. Jennifer undertook significant work drafting the briefing to oppose Defendants' motion to dismiss the claims, which the Court denied. She oversaw the discovery in the action, which included, among other things, heading the complicated process of obtaining documents in Canada and being a principal drafter of the motion to partially lift the PSLRA stay in order to obtain discovery. Jennifer successfully presented oral argument which led to the Court approval of a \$13.25 million class-wide settlement.

U.S. District Judge Noel L. Hillman, in approving the *Toronto-Dominion Bank* settlement, stated, "I commend counsel on both sides for their hard work, their very comprehensive and thoughtful submissions during the motion practice aspect of this case. I paused on it because it was a hard case. I paused on it because the lawyering was so good. So, I appreciate from both sides your efforts." He added, "It's clear to me that this was comprehensive, extensive, thoughtful, meaningful litigation leading up to the settlement." Singling out Pomerantz's role as lead counsel, the judge also said, "This settlement appears to have been obtained through the hard work of the Pomerantz firm . . . It was through their efforts and not piggybacking on any other work that resulted in this settlement."

Jennifer was a key member of the team litigating individual securities actions against BP p.l.c. in the Northern District of Texas on behalf of institutional investors in BP p.l.c. to recover losses in BP's common stock (which trades on the London Stock Exchange), arising from BP's 2010 Gulf oil spill. The actions were resolved in 2021 in a confidential, favorable monetary settlement for all 35 Firm clients.

Jennifer was a lead litigator in *Crutchfield v. Match Group, Inc.* Jennifer was also a key member of the litigation teams of other nationwide securities class action cases, including: *In re Ubiquiti Networks, Inc. Sec. Litig.*, an action in the Southern District of New York, for which Jennifer was one of the principal drafters of the amended complaint—the strength of which led the Court to deny permission to the defendants to file a formal motion to dismiss it—which secured a court-approved \$15 million class-wide settlement; *In re KaloBios Pharmaceuticals, Inc. Securities Litigation*, an action in the Northern District of California, which successfully secured settlements from the bankrupt company and its jailed CEO worth over \$3.25 million for the Class that were approved by the Court as well as the bankruptcy court; *Perez v. Higher One Holdings, Inc.*, an action in the District of Connecticut, for which Jennifer was one of the principal drafters of the successful opposition to Defendants' motion to dismiss, and which secured a court-approved \$7.5 million class-wide settlement; *Edwards v. McDermott Int'l, Inc.*; *Chun v. Fluor Corp.*; and *Kendall v. Odonate Therapeutics, Inc.*

Prior to joining Pomerantz, Jennifer was an associate with a prominent law firm in New York where her practice focused on complex commercial litigation, including securities law and accountants' liability. An advocate of pro bono representation, Jennifer earned the Empire State Counsel honorary designation from the New York State Bar Association and received an award from New York Lawyers for the Public Interest for her pro bono work.

Jennifer received her B.A. from Harvard University (with honors), where she was on the Dean's List, a Ron Brown Scholar, and a recipient of the Harvard College Scholarship. She received her J.D. from University of Virginia School of Law where she was a participant in the Lile Moot Court Competition and was recognized for her pro bono service.

She is a member of the Securities Litigation and Public Service Committees of the Federal Bar Council, and the New York City Bar Association.

Jennifer is admitted to practice in New York; United States District Court for the Southern and Eastern Districts of New York; United States Courts of Appeals for the Second and Ninth Circuits.

Nicolas Tatin

French lawyer Nicolas Tatin joined Pomerantz in April 2017 as Of Counsel. He heads the Firm's Paris office and serves as its Director-Business Development Consultant for France, Benelux, Monaco and Switzerland. Nicolas advises institutional investors in the European Union on how best to evaluate losses to their investment portfolios attributable to financial misconduct, and how best to maximize their potential recoveries in U.S. and international securities litigations.

Nicolas was previously a financial lawyer at ERAFP, France's €24bn pension and retirement fund for civil servants, where he provided legal advice on the selection of management companies and the implementation of mandates entrusted to them by ERAFP.

Nicolas began his career at Natixis Asset Management, before joining BNP Paribas Investment Partners, where he developed expertise in the legal structuring of investment funds and acquired a global and cross-functional approach to the asset management industry.

Nicolas graduated in international law and received an MBA from IAE Paris, the Sorbonne Graduate Business School.

Christopher Tourek

Christopher Tourek is Of Counsel in Pomerantz's Chicago office and focuses his practice on securities litigation. He has a proven track record of successfully litigating cases involving securities fraud, antitrust violations, and consumer protection violations in both state and federal courts. His expertise has earned him recognition as a *Super Lawyers*® Rising Star in Mass Torts Litigation from 2016-2021 and in Securities Litigation from 2022-2026.

Christopher is a member of the team pursuing claims in *In re FTX Cryptocurrency Exchange Collapse Litigation (S.D. Fla.)*. Christopher also represents investors in securities actions against home robotics manufacturers, pharmaceutical manufacturers, and other companies. In addition to bringing standard securities litigation claims before the court, Christopher has also litigated innovative securities class action

claims, including a novel pump-and-dump scheme involving emojis and Twitter in *In re Bed Bath & Beyond Corporation Securities Litigation (D.D.C.)* that succeeded at the motion to dismiss stage before settling.

Before joining Pomerantz, Christopher was an Associate at a prominent complex litigation firm and specialized in consumer protection, antitrust, and securities litigation.

Christopher graduated *cum laude* in 2013 from the University of Illinois College of Law, where he obtained his pro bono notation, honors in legal research, and was a member of the Federal Civil Rights Clinic, in which he first chaired the case of *Powers v. Coleman* in the United States District Court for the Central District of Illinois. He earned his bachelor's degree in Government & Law, with a minor in Anthropology & Sociology, from Lafayette College in 2010.

Christopher is admitted to practice in Illinois and the United States District Courts for the District of Columbia, the Northern and Southern Districts of Illinois, and the Eastern District of Michigan.

Associates

Jeremy Allen-Arney

Jeremy Allen-Arney focuses his practice on securities litigation.

Jeremy is a member of the Firm's Case Originations team, identifying and investigating potential violations of the federal securities laws.

Before joining Pomerantz, Jeremy was an associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP, where he focused his practice on securities litigation, internal investigations, and complex commercial disputes.

Jeremy earned his law degree from The George Washington Law School, where he served as the first Black Editor-in-Chief of The George Washington Law Review. Jeremy graduated with high honors, received the ALI CLE Law Scholarship and Leadership Award, and was elected to membership in the Order of the Coif. During law school, Jeremy interned with the Special Litigation Section of the U.S. Department of Justice's Civil Rights Division, the Lawyers' Committee for Civil Rights Under Law, and the Legal Aid Society's Housing Help Program. Jeremy earned his Bachelor of Arts from Columbia University, where he majored in Philosophy.

Genc Arifi

Genc Arifi focuses his practice on securities litigation. Prior to joining Pomerantz's Chicago office, Genc was an associate at a prominent Chicago law firm, where he represented an expansive range of businesses in employment law matters as well as complex commercial litigation in both state and federal courts.

Genc's experience includes handling complex civil matters, such as cases arising from the Racketeer Influenced and Corrupt Organizations Act (RICO), shareholder derivative lawsuits, and employment law matters. He has also advised technology start-up clients, as well as established financial institutions, on risk assessment and litigation strategies.

Genc earned his J.D. from DePaul University College of Law and his B.S. from Western Illinois University, *summa cum laude*. He demonstrated strong academic credentials throughout law school; most notably when he achieved the highest grade in Business Organizations, which earned him the CALI Excellence for the Future Award. Genc was a recipient of the Dean's Certificate of Service awarded to law students who provided 100 hours of community service. Genc participated in a criminal appeals clinic and successfully reduced an indigent client's prison sentence.

Genc is co-author of "Valuation," Chapter 6 in "Disputes Involving Closely Held Companies 2020 Edition." Published by the Illinois Institute for Continuing Legal Education in Feb. 2020, it is the essential guide for Illinois attorneys who represent closely held corporations, partnerships, or LLCs.

Genc currently serves as the Secretary and board member of the Albanian-American Community of Illinois, a 501(c)(3) non-profit whose mission is to preserve and promote Albanian culture, history, and tradition through civic engagement and educational initiatives.

Genc is admitted to practice in Illinois and the United States District Court for the Northern District of Illinois.

Brandon M. Cordovi

Brandon M. Cordovi focuses his practice on securities litigation.

Prior to joining Pomerantz, Brandon was an associate at a law firm in New York that specializes in the defense of insurance claims. Brandon's practice focused on the defense of transportation, premises, and construction liability matters.

Brandon earned his J.D. in 2018 from Fordham University School of Law, where he served on the Moot Court Board and was the recipient of a merit-based scholarship. While at Fordham Law, Brandon participated in the Securities Litigation and Arbitration Clinic, where he prepared for the negotiation and arbitration of claims brought on behalf of clients with limited resources. During his second summer of law school, Brandon was a summer associate at a major plaintiff's securities firm.

Brandon earned his B.S. from the University of Delaware where he double majored in Sport Management and Marketing.

Brandon is admitted to practice in New York, New Jersey, and the United States District Courts for the Southern and Eastern Districts of New York.

Jessica N. Dell

Jessica Dell focuses her practice on securities litigation.

She has worked on dozens of cases at Pomerantz, including the Firm's securities fraud lawsuits arising from BP's 2010 Gulf oil spill. Jessica has expertise in managing discovery and a nose for investigating complex fraud across many sectors, including pharmaceuticals, medical devices, and data security. True to her roots in public interest law, she has also worked in complex pro bono class action litigation at Pomerantz.

Jessica graduated from CUNY School of Law in 2005. She was the recipient of an Everett fellowship for her work at Human Rights Watch. She also interned at the Urban Justice Center and National Advocates for Pregnant Women. While in the CUNY clinical program, she represented survivors of domestic violence facing deportation and successfully petitioned under the Violence Against Women Act. She also successfully petitioned for the release of survivors incarcerated as drug mules in Central America. After Hurricane Katrina, Jessica traveled to Louisiana to aid emergency efforts to reunite families and restore legal process for persons lost in the prison system weeks after the flood.

Jessica is a member of the New York City and State Bar Associations and the National Lawyers Guild.

Zachary Denver

Zachary Denver focuses his practice on securities litigation.

Prior to joining Pomerantz, Zachary worked at prominent New York firms where he litigated a variety of complex commercial matters, specializing in financial markets, securities, and bankruptcy.

Zachary graduated from New York University School of Law in 2013 and was a staff editor at the NYU Journal of Law and Liberty and a board member for the Suspension Representation Project. He earned a double bachelor's degree from the University of Massachusetts in Political Science and Communications. After undergrad, Zachary served as a Teach for America corps member in New York City and earned a master's degree in classroom teaching from PACE University.

Zachary also serves as a board member for the Legal Alliance of Pheonjong, a non-profit organization that provides legal services to Tibetan asylum seekers in New York City, and he has served as lead counsel on several applications including two successful trials in immigration court.

Zachary is admitted to practice in New York, the United States District Courts for the Southern and Eastern Districts of New York and the Courts of Appeals for the Second, Fifth, and Ninth Circuits.

Dean P. Ferrogari

Dean P. Ferrogari focuses his practice on securities litigation. He was recognized in the 2024, 2025 and 2026 editions of the Best Lawyers: Ones to Watch® in America publication for his work in securities litigation. He was also recognized as a Super Lawyers® Rising Star (2024-2025).

Dean earned his Juris Doctor in 2020 from Brooklyn Law School, where he served as an Associate Managing Editor for the Brooklyn Law Review. While in law school, Dean was initiated into the International Legal Honor Society of Phi Delta Phi and was an extern for the Brooklyn Volunteer Lawyers

Project. He was recognized by the New York State Unified Court System's Office for Justice Initiatives for his distinguished service in assisting disadvantaged civil litigants in obtaining due process in consumer credit actions. Dean also authored the publication "The Dark Web: A Symbol of Freedom Not Cybercrime," New York County Lawyers Association CLE Institute, *Security in a Cyber World: Whistle Blowers, Cyber Threats, Domestic Terrorism, Financial Fraud, Policy by Twitter . . . and the Evolving Role of the Attorney and Firm*, Oct. 4, 2019, at 321.

Dean earned his B.A. from the University of Maryland, where he majored in Economics and was awarded the President's Transfer Scholarship.

He is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York; the United States District Court for the District of Colorado; and the United States Court of Appeals for the Third Circuit.

Emily C. Finestone

Emily C. Finestone focuses her practice on securities litigation.

Prior to joining Pomerantz, Emily was an associate at a boutique litigation firm in New York where she successfully litigated matters pertaining to sports and entertainment law, copyright infringement, and employment law. Emily previously worked at a prominent complex litigation firm specializing in consumer protection, antitrust, whistleblower, and securities litigation. She also gained appellate experience as a temporary law clerk and Staff Attorney at the Supreme Court of Virginia.

In 2022 – 2024, Emily was recognized as a Super Lawyers® Rising Star.

Emily graduated from Boston University School of Law in 2015 and was a member of *the Review of Banking & Financial Law*. She received her B.A. from the University of Virginia in 2012, where she double majored in English and Spanish, and minored in Government.

Emily is admitted to practice in New York, Massachusetts, Pennsylvania, and Virginia, as well as the United States District Courts for the Southern District of New York, Eastern District of New York, District of Connecticut, District of Massachusetts, and Eastern District of Pennsylvania.

Jianan (Adam) Jiang

Jianan (Adam) Jiang focuses his practice on securities litigation.

Prior to joining Pomerantz, Adam was a litigation associate at a full service Chicago law firm, where he litigated commercial and construction cases in state and federal courts.

Adam earned his J.D., cum laude, from Washington University in St. Louis School of Law. During his time there, he served as a Staff Editor for the Washington University Global Studies Law Review. Adam also participated in the Low Income Taxpayer Clinic, where he represented indigent taxpayers to resolve tax disputes with the Internal Revenue Service.

Adam received his Bachelor of Engineering with Honors Class One (equivalent to summa cum laude) and the University Medal from the University of New South Wales in Sydney, Australia. Adam majored in Civil Engineering and worked as a geotechnical engineer before law school.

Adam speaks Mandarin and went to high school in Beijing, China.

Adam is admitted to practice in New York and Illinois, and the United States District Court for the Northern District of Illinois.

James M. LoPiano

James M. LoPiano focuses his practice on securities litigation. He is part of the Firm's case origination team, identifying and investigating potential violations of the federal securities laws.

James has been named a Super Lawyers® Rising Star each year since 2021.

Prior to joining Pomerantz, James served as a Fellow at Lincoln Square Legal Services, Inc., a non-profit law firm run by faculty of Fordham University School of Law.

James earned his J.D. in 2018 from Fordham University School of Law, where he was awarded the Archibald R. Murray Public Service Award, cum laude, and merit-based scholarship. While in law school, James served as a judicial intern to the Honorable Stephen A. Bucaria of the Nassau County Supreme Court, Commercial Division, of the State of New York. He also served as Senior Notes and Articles Editor of the Fordham Intellectual Property, Media and Entertainment Law Journal, and authored the publication "Public Fora Purpose: Analyzing Viewpoint Discrimination on the President's Twitter Account," Note, 28 Fordham Intell. Prop. Media & Ent. L.J. 511 (2018). In addition, James completed legal internships at the Authors Guild and Fordham University School of Law's Intellectual Property and Information Law Clinic, where he counseled clients and worked on matters related to Freedom of Information Act litigation, trademarks, and copyrights.

James earned his B.A. from Stony Brook University, where he double majored in English and Cinema and Cultural Studies, completed the English Honors Program, was inducted into the Stony Brook University chapter of the International English Honors Society, and was awarded the university's Thomas Rogers Award for best analytical paper in an English course by an undergraduate.

James is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Jaime Nolasco

Jaime Nolasco focuses his practice on securities litigation.

Prior to Pomerantz, Jaime first clerked for Judge Matthew M. Scoble of the United States District Court for the District of Alaska. From there, Jaime was an associate at a boutique litigation firm in Chicago, where he defended government entities pertaining to employment law, federal discrimination, federal government investigations, and complex civil rights litigation. Jaime further worked at a Chicago litigation

firm focusing on class actions, multi-district litigation, employment discrimination, and mass product liability claims.

Additionally, Jaime interned for both Judge Virginia M. Kendall of the United States District Court for the Northern District of Illinois, and then-Chief Justice Anne M. Burke of the Illinois Supreme Court. Jaime also interned at the Illinois Federal Defender Program, where he was awarded the Judge William J. Campbell Intern-At-Law Award, in recognition of Jaime's work in criminal federal litigation.

Jaime graduated from the University of Illinois at Urbana-Champaign and then Loyola University Chicago School of Law. During law school, Jaime served as a legal writing tutor and student clinician for a legislative & policy clinic.

Jaime is barred in Illinois and admitted to practice in the United States District Courts for the Northern District of Illinois and the Central District of Illinois.

Ankita Sangwan

Ankita Sangwan focuses her practice on corporate governance matters.

She graduated in 2022 from the LL.M. program at Columbia Law School as a Harlan Fiske Stone Scholar. Prior to attending Columbia Law School, Ankita worked for four years in the Commercial Litigation Team of a prominent law firm in Bombay, India, at which she focused her practice on complex commercial and civil disputes. Ankita assisted in arguments before various courts in India, including the Supreme Court.

In 2017, Ankita graduated with Honors from the B.A. LL.B. program at Jindal Global Law School, India. She was a member of the university's Moot Court Society, which finished as semi-finalists at the World Rounds of the International Investment Moot Court Competition, held in Frankfurt, Germany (2016). Ankita's moot court experience was recognized by her university; she was awarded the "Outstanding Contribution to Moot Court" prize upon graduation.

Ankita is admitted to practice in the State of New York.

Villi Shteyn

Villi Shteyn focuses his practice on securities litigation.

Villi has been recognized as a Super Lawyers® Rising Star from 2021 through 2025.

Villi worked on individual securities lawsuits concerning BP's 2010 Gulf of Mexico oil spill, which proceeded in *In re BP p.l.c. Secs. Litig., No. 4:10-md-2185 (S.D. Tex.)* and were resolved in 2021 in a confidential, favorable monetary settlement for all 35 Firm clients, including public and private pension funds, money management firms, partnerships, and investment trusts from the U.S., Canada, the U.K., France, the Netherlands, and Australia. He also worked on a successful 2021 settlement for investors in a case against the Chinese company ChinaCache.

Villi also pursued claims leading to successful settlements against Deutsche Bank for its lending activities to disgraced financier Jeffrey Epstein, against Arconic, arising from the deadliest U.K. fire in more than a century, against Recro Pharma in relation to their non-opioid pain-relief product IV Meloxicam, and against online education company 2U. Villi also worked on a consumer class action against Apple, Inc. in relation to alleged slowdowns of the iPhone product.

Villi is also involved in the Firm's class action litigation against Royal Philips, relating to defective breathing devices, and against InMode, relating to aesthetic medical devices. He also represents investors in lawsuits against Alphabet, involving advertising technology practices and against Amazon, involving online marketplace practices.

Prior to joining Pomerantz, Villi was employed by a boutique patent firm, where he worked on patent validity issues in the wake of the landmark Alice decision. During his tenure, he helped develop international patent maintenance tools for clients and assisted in pursuing injunctive relief for a patent-holding client against a large tech company.

Villi graduated from The University of Chicago Law School (J.D., 2017). In 2014, he graduated *summa cum laude* from Baruch College with a Bachelor of Science in Public Affairs.

Stephanie Weaver

Stephanie Weaver focuses her practice on securities litigation. Prior to joining Pomerantz, Stephanie was an associate at a boutique securities litigation firm, focused on securities litigation, antitrust and bankruptcy matters.

Stephanie graduated from St. John's University School of Law *cum laude* in 2021. While in law school, she served as Managing Director of the Moot Court Honor Society and won the Best Brief Award at the 2020 Elaine Jackson Stack Moot Court Competition. She was also a member of the school's New York International Law Review. She was also honored as a New York State Court of Appeals Fellow in 2019. She earned her bachelor's degree *summa cum laude* from St. John's University in 2018.

Stephanie is admitted to practice in the State of New York.

Guy Yedwab

Guy Yedwab focuses his practice on securities litigation.

Guy graduated from Rutgers Law School *summa cum laude* in 2023, while also receiving a Master's Degree in Public Affairs and Policy from the Rutgers University Bloustein School of Planning and Public Policy. While in law school, he won awards with the National Appellate Advocacy Team and was an editor at the *Journal of Law and Public Policy*, in which he published a note on constitutional law. He was honored with the Marsha Wenk Fellowship at the A.C.L.U. of New Jersey, and the Eagleton Institute's Henry J. Raimondo Legislative Fellowship.

Guy serves as a board member for the League of Independent Theater, a 501(c)(6) trade association for small-sized cultural institutions in New York City. As such, he consults with policymakers on fostering small business in the city.

Guy is admitted to practice in New York State's First Appellate Department.

Staff Attorneys

Jay Douglas Dean

Jay Dean focuses on class action securities litigation. He has been a commercial litigator for more than 30 years.

Jay has been practicing with Pomerantz since 2008, including as an associate from 2009–2014, interrupted by a year of private practice in 2014–2015. More recently, he was part of the Pomerantz teams prosecuting the successful *Petrobras* and *Yahoo* actions. Prior to joining Pomerantz, he served as an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, most recently in its Pensions Division. While at Pomerantz, in the Corporation Counsel's office and previously in large New York City firms, Jay has taken leading roles in trials, motions and appeals.

Jay graduated in 1988 from Yale Law School, where he was Senior Editor of the *Yale Journal of International Law*.

Jay is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York; and the United States Court of Appeals for the Second Circuit. Jay has also earned the right to use the Chartered Financial Analyst designation.

Timor Lahav

Timor Lahav focuses his practice on securities litigation.

Timor participated in the Firm's securities class action case against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm, as sole Lead Counsel, achieved a historic \$3 billion settlement for the Class, as well as precedent-setting legal rulings. Timor also participated in the firm's landmark litigation against Yahoo!, Inc., for the massive security breach that compromised 1.5 billion users' personal information.

Timor received his LL.B. from Tel Aviv University School of Law in Israel, following which he clerked at one of Israel's largest law firms. He was an associate at a law firm in Jerusalem, where, among other responsibilities, he drafted motions and appeals, including to the Israeli Supreme Court, on various civil matters.

He received his LL.M. from Benjamin N. Cardozo School of Law in New York. There, Timor received the Uriel Caroline Bauer Scholarship, awarded to exceptional Israeli law graduates.

Timor brings to Pomerantz several years' experience as an attorney in New York, including examining local SOX anti-corruption compliance policies in correlation with the Foreign Corrupt Practices Act; and analysis of transactions in connection with DOJ litigation and SEC enforcement actions.

Timor was a Captain in the Israeli Defense Forces. He is a native Hebrew speaker and is fluent in Russian.

He is admitted to practice in New York and Israel.

Laura M. Perrone

Laura M. Perrone focuses on class action securities litigation.

Prior to joining Pomerantz, Laura worked on securities class action cases at Labaton Sucharow. Preceding that experience, she represented plaintiffs at her own securities law firm, the Law Offices of Laura M. Perrone, PLLC.

At Pomerantz, Laura participated in the Firm's securities class action case against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm, as sole Lead Counsel, achieved a historic \$3 billion settlement for the Class, as well as precedent-setting legal rulings.

Laura has also represented bondholders against Citigroup for its disastrous investments in residential mortgage-backed securities, shareholders against Barclays PLC for misrepresentations about its dark pool trading system known as Barclays LX, and shareholders against Fiat Chrysler Automobiles for misrepresentations about its recalls and its diesel emissions defeat devices.

Laura graduated from the Benjamin N. Cardozo School of Law, where she was on the editorial staff of Cardozo's Arts and Entertainment Law Journal and was the recipient of the Jacob Burns Merit Scholarship.

Laura is admitted to practice in New York; the United States District Courts for the Southern and Eastern Districts of New York; and the United States Court of Appeals for the Second Circuit.

Allison Tierney

Allison Tierney focuses her practice on securities litigation.

Allison brings 10 years of expertise in large-scale securities class action litigation to Pomerantz. She participated in the Firm's securities class action case against Brazil's largest oil company, Petrobras, arising from a multi-billion-dollar kickback and bribery scheme, in which the Firm, as sole Lead Counsel, achieved a historic \$3 billion settlement for the Class, as well as precedent-setting legal rulings.

Prior to joining Pomerantz, Allison worked on securities class action cases at several top New York law firms, representing institutional investors. She has represented plaintiffs in disputes related to antitrust violations, corporate financial malfeasance, and residential mortgage-backed securities fraud.

Allison earned her law degree from Hofstra University School of Law, where she served as notes and comments editor for the *Cyberlaw Journal*. She received her B.A. in Psychology from Boston University, where she graduated *magna cum laude*.

Allison is conversant in Spanish and is studying to become fluent.

Allison is admitted to practice in New York.

EXHIBIT 9

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF CASEY E. SADLER, ESQ. IN SUPPORT OF LEAD COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF
LITIGATION EXPENSES FILED ON BEHALF OF
GLANCY PRONGAY WOLKE & ROTTER LLP**

I, Casey E. Sadler, declare as follows:

1. I am a partner at the law firm Glancy Prongay Wolke & Rotter LLP (“GPWR”) (f/k/a Glancy Prongay & Murray LLP (*see* ECF No. 142)).¹ GPWR is one of the Court-appointed Lead Counsel in the above-captioned action (the “Action”). ECF No. 40. I submit this declaration in support of Lead Counsel’s application for an award of attorneys’ fees in connection with services rendered in the Action, as well as for reimbursement of litigation expenses incurred in connection with the Action. I have personal knowledge of the facts set forth herein and, if called upon, could and would testify thereto.

2. As set forth in the Declaration of Casey E. Sadler in Support of: (I) Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan of Allocation; and (II) Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses, GPWR was involved in all aspects of the Action and its settlement.

3. The schedule attached hereto as Exhibit A is a detailed summary indicating the amount of time spent by attorneys and professional support staff of my firm who, from inception of the Action through and including May 19, 2026, billed ten or more hours to the Action, and the lodestar calculation for those individuals based on my firm’s current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in their final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm.

4. I am the partner who oversaw or conducted the day-to-day activities in the Action and I reviewed these daily time records in connection with the preparation of this declaration. The

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

purpose of this review was to confirm both the accuracy of the records as well as the necessity for, and reasonableness of, the time committed to the litigation. As a result of this review, I made reductions to certain of my firm's time entries such that the time included in Exhibit A reflects that exercise of billing judgment. Based on this review and the adjustments made, I believe that the time of GPWR attorneys and staff reflected in Exhibit A was reasonable and necessary for the effective and efficient prosecution and resolution of the Action. No time expended on the application for fees and reimbursement of expenses has been included.

5. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are consistent with the rates approved by courts in other securities or shareholder litigation when conducting a lodestar cross-check.

6. The total number of hours reflected in Exhibit A is 2,146.75 hours. The total lodestar reflected in Exhibit A is \$2,112,696.50, consisting of \$2,028,066.50 in attorney time and \$84,630.00 in professional support staff time.

7. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

8. As detailed in Exhibit B, my firm is seeking reimbursement of a total of \$93,787.70 in expenses incurred in connection with the prosecution of this Action.

9. The litigation expenses incurred in the Action are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records, and other source materials and are an accurate record of the expenses incurred. The expenses reflected in Exhibit B are the expenses actually incurred by my firm.

10. Attached hereto as Exhibit C is a brief biography of GPWR, including the attorneys who were involved in the Action.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on May 20, 2026, in Los Angeles, California.

/s/ Casey E. Sadler

Casey E. Sadler

EXHIBIT A***In Re Hub Cyber Security Ltd.,***
Master File No. 1:23-cv-05764-AS**Glancy Prongay Wolke & Rotter LLP****LODESTAR REPORT**
FROM INCEPTION THROUGH MAY 19, 2026

TIMEKEEPER/CASE	STATUS	HOURS	RATE	LODESTAR
ATTORNEYS:				
Joseph Cohen	Partner	94.25	\$1,390.00	\$131,007.50
Casey Sadler	Partner	269.70	\$1,190.00	\$320,943.00
Daniella Quitt	Partner	439.90	\$1,390.00	\$611,461.00
Greg Linkh	Partner	13.50	\$1,290.00	\$17,415.00
Christopher Fallon*	Partner	480.90	\$1,250.00	\$601,125.00
Pavithra Rajesh*	Partner	107.60	\$1,000.00	\$107,600.00
Rebecca Dawson	Associate	12.00	\$575.00	\$6,900.00
Brittany D. Owens	Staff Attorney	321.70	\$450.00	\$144,765.00
Natalie Rodriguez	Staff Attorney	193.00	\$450.00	\$86,850.00
TOTAL ATTORNEY	TOTAL	1,932.55		\$2,028,066.50
PARALEGALS:				
Harry Kharadjian	Senior Paralegal	21.50	\$390.00	\$8,385.00
Alexia Shiri	Senior Paralegal	22.90	\$390.00	\$8,931.00
Craig Lowther	Senior Paralegal	51.30	\$390.00	\$20,007.00
Michelle Mejia	Paralegal	10.10	\$375.00	\$3,787.50
John D. Belanger	Research Analyst	51.80	\$365.00	\$18,907.00
Michaela Ligman	Research Analyst	22.30	\$450.00	\$10,035.00
Gabrielle Zavaleta	Research Analyst	34.30	\$425.00	\$14,577.50
TOTAL PARALEGAL	TOTAL	214.20		\$84,630.00
TOTAL LODESTAR	TOTAL	2,146.75		\$2,112,696.50

**Christopher Fallon and Pavithra Rajesh were promoted to "Partner" during pendency of the Action.*

EXHIBIT B

In Re Hub Cyber Security Ltd.,
Master File No. 1:23-cv-05764-AS

Glancy Prongay Wolke & Rotter LLP

EXPENSE REPORT

FROM INCEPTION THROUGH MAY 19, 2026

CATEGORY OF EXPENSE	AMOUNT
COURIER AND SPECIAL POSTAGE	\$398.98
COURT FILING FEES	\$600.00
DOCUMENT MANAGEMENT (E-DISCOVERY)	\$1,200.00
EXPERTS - ECONOMETRIC (LOSS CAUSATION, DAMAGES, PLAN OF ALLOCATION)	\$32,299.00
PRIVATE INVESTIGATORS	\$2,925.00
MEDIATORS	\$21,822.88
ONLINE RESEARCH	\$6,633.80
PHOTOIMAGING	\$138.63
SERVICE OF PROCESS	\$13,555.42
TRANSCRIPTS	\$193.50
TRANSLATIONS	\$5,476.86
TRAVEL AIRFARE	\$3,985.19
TRAVEL AUTO	\$723.59
TRAVEL HOTEL	\$3,507.88
TRAVEL MEALS	\$326.97
GRAND TOTAL	\$93,787.70

EXHIBIT C

Glancy Prongay Wolke & Rotter LLP

FIRM RESUME

**GLANCY
PRONGAY
WOLKE &
ROTTER**

Los Angeles | New York | San Diego

Firm Resume

Glancy Prongay Wolke & Rotter LLP (the “Firm”) has represented investors, consumers and employees for over 35 years. Headquartered in Los Angeles, with offices in New York City and San Diego, the Firm has successfully prosecuted class action cases and complex litigation in federal and state courts throughout the country. As Lead Counsel, Co-Lead Counsel, or as a member of Plaintiffs’ Counsel Executive Committees, the Firm’s attorneys have recovered billions of dollars for parties wronged by corporate fraud, antitrust violations and malfeasance.

The Firm is recognized as one of the premier plaintiffs’ firms in the country. In 2025, the Firm was named one of Law360’s Securities Groups of the Year and ranked second-highest in total investor recoveries by Institutional Shareholder Services Securities Class Action Services in its *Top 50 Plaintiff Law Firms 2025* report. The Firm has also been recognized as a Top Litigation Boutique in California by the *Daily Journal* in 2018 and 2025. RiskMetrics Group’s Institutional Shareholder Services unit has recognized the Firm as one of the top plaintiffs’ law firms in the United States in its Securities Class Action Services report for every year since the inception of the report in 2003. The Firm’s work has been featured in major outlets including *The Wall Street Journal*, *The New York Times*, and the *Los Angeles Times*. The Firm litigates tenaciously on behalf of its clients to produce significant recoveries and promote lasting corporate reform.

The Firm’s integrity and success originate from its attorneys, who are among the brightest and most experienced in the field. The Firm’s distinguished litigators have an unparalleled track record of investigating and prosecuting corporate wrongdoing. The Firm is respected for both the zealous advocacy with which we represent our clients’ interests as well as the highly-professional and ethical manner by which we achieve results. We are ideally positioned to pursue securities, antitrust, consumer, and derivative litigation on behalf of our clients.

SECURITIES CLASS ACTION SETTLEMENTS

Appointed as Lead or Co-Lead Counsel by judges throughout the United States, Glancy Prongay Wolke & Rotter has achieved significant recoveries for class members in numerous securities class actions, including:

In re Alibaba Group Holding Ltd. Securities Litigation, Case No. 1:20-cv-09568-GBD-JW (S.D.N.Y.), in which the Firm served as sole Lead Counsel and following four years of hard-fought litigation, achieved a \$433.5 million settlement for Alibaba investors. The settlement was the highest securities class action settlement of 2025, according to NERA, a prominent national economic consulting firm. The settlement is also the largest securities class action settlement ever attained against a Chinese issuer and ranks among the fifty largest U.S. securities class action settlements of all time, as tracked by Institutional Shareholder Services (ISS).

In re ViacomCBS Inc., Supreme Court of the State of New York, County of New York: Commercial Division, before Justice Andrew Borrok, Index No. 654959/2021. On August 5, 2025, as co-lead counsel Glancy Prongay Wolke & Rotter secured a \$120 million settlement for ViacomCBS Inc. investors. The settlement resolves investors’ claims that certain underwriters of the March 2021 public offering of Viacom Class B and Viacom convertible preferred stock violated the Securities Act of 1933 by issuing false and misleading statements and failing to disclose that the underwriters had substantial holdings of Viacom common stock as collateral for a highly leveraged, highly concentrated portfolio owned by Archegos Capital Management LP and that the underwriters could (and did) sell those holdings when Archegos collapsed.

In re Mercury Interactive Corporation Securities Litigation, Case No. 05-3395-JF (N.D. Cal.), in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$117 million.

In re Real Estate Associates Limited Partnership Litigation, Case No. 98-cv-7035-DDP (C.D. Cal.), in which the Firm served as local counsel and plaintiffs achieved a \$184 million jury verdict after a complex six week trial in Los Angeles, California and later settled the case for \$83 million.

In re Yahoo! Inc. Securities Litigation, Case No. 5:17-cv-00373-LHK (N.D. Cal.), in which the Firm served as Co-Lead Counsel and achieved an \$80 million settlement.

The City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A., Case No. 10-cv-04372-DWF/JJG (D. Minn.), in which the Firm served as Co-Lead Counsel and achieved a settlement valued at \$62.5 million.

Shah v. Zimmer Biomet Holdings, Inc., Case No. 3:16-cv-815-PPS-MGG (N.D. Ind.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$50 million.

Schleicher v. Wendt, (Conseco Securities Litigation), Case No. 02-cv-1332-SEB (S.D. Ind.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of over \$41 million.

Robb v. Fitbit, Inc., Case No. 3:16-cv-00151 (N.D. Cal.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$33 million.

Yaldo v. Airtouch Communications, State of Michigan, Wayne County, Case No. 99-909694-CP, in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$32 million for defrauded consumers.

Lapin v. Goldman Sachs, Case No. 03-cv-0850-KJD (S.D.N.Y.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$29 million.

In re Heritage Bond Litigation, Case No. 02-ML-1475-DT (C.D. Cal.), where as Co-Lead Counsel, the Firm recovered in excess of \$28 million for defrauded investors.

Mild v. PPG Industries, Inc., Case No. 18-cv-04231 (C.D. Cal.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$25 million.

Davis v. Yelp, Inc., Case No. 18-cv-0400 (N.D. Cal.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$22.5 million.

In re ECI Telecom Ltd. Securities Litigation, Case No. 01-cv-913-A (E.D. Va.), in which the Firm served as sole Lead Counsel and recovered almost \$22 million for defrauded ECI investors.

In re Sesen Bio, Inc. Securities Litigation, Case No. 21-cv-07025 (S.D.N.Y.), a securities fraud class action, in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$21 million.

In re Flowers Foods, Inc. Securities Litigation, Case No. 7:16-cv-00222 (M.D. Ga.), a securities fraud class action, in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$21 million.

In re Live Nation Entertainment Inc., Case No. 23-cv-06343-KK-AS (C.D. Cal.). On August 28, 2025, the Firm, as co-Class Counsel, secured a \$20 million settlement on behalf of Live Nation Entertainment Inc. investors.

Senn v. Sealed Air Corporation, Case No. 03-cv-4372-DMC (D.N.J.), a securities class action, in which the Firm acted as Co-Lead Counsel for the Class and achieved a settlement of \$20 million.

In re Gilat Satellite Networks, Ltd. Securities Litigation, Case No. 02-cv-1510-CPS (E.D.N.Y.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$20 million.

In re Lumenis, Ltd. Securities Litigation, Case No. 02-cv-1989-DAB (S.D.N.Y.), in which the Firm served as Co-Lead Counsel and achieved a settlement valued at over \$20 million.

In re Penn West Petroleum, Ltd. Securities Litigation, Case No. 14-cv-06046-JGK (S.D.N.Y.), a securities fraud class action in which the Firm achieved a \$19 million settlement for the U.S. shareholder class as part of a \$39 million global settlement.

Wilson v. LSB Industries, Inc., Case No. 15-cv-07614 (S.D.N.Y.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$18.45 million.

In re Infonet Services Corporation Securities Litigation, Case No. CV 01-10456-NM (C.D. Cal.), in which as Co-Lead Counsel, the Firm achieved a settlement of \$18 million.

Pierrelouis v. Gogo Inc., Case No. 18-cv-04473 (N.D. Ill.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$17.3 million.

Macovski v. Groupon, Inc., Case No. 20-cv-02581 (N.D. Ill.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement of \$13.5 million.

In re Musicmaker.com Securities Litigation, Case No. 00-cv-02018-CAS (C.D. Cal.), a securities fraud class action in which the Firm was sole Lead Counsel for the Class and recovered in excess of \$13 million.

Taft v. Ackermans (KPNQwest Securities Litigation), Case No. 02-cv-07951-PKL (S.D.N.Y.), a securities fraud class action in which the Firm served as Co-Lead Counsel for the Class and achieved a settlement worth \$11 million.

Derr v. RA Medical Systems, Inc., Case No. 19-cv-01079 (S.D. Cal.), a securities fraud class action in which the Firm served as Lead Counsel for the Class and achieved a settlement of \$10 million.

ANTITRUST PRACTICE GROUP AND ACHIEVEMENTS

Glancy Prongay Wolke & Rotter's Antitrust Practice Group focuses on representing individuals and entities that have been victimized by unlawful monopolization, price-fixing, market allocation, and other anti-competitive conduct. The Firm has prosecuted significant antitrust cases and has helped public health and welfare funds, individuals, and businesses recover billions of dollars in damages as well as injunctive relief for violations of antitrust and commodities laws throughout the country. The Firm has served, or is currently serving, as Lead Counsel, Co-Lead Counsel or Class Counsel in a substantial number of antitrust class actions, including:

In re Nasdaq Market-Makers Antitrust Litigation, USDC Southern District of New York, Case No. 94 C 3996-RWS, MDL Docket No. 1023, a landmark antitrust lawsuit in which the Firm filed the first complaint against all of the major NASDAQ market makers and served on Plaintiffs' Counsel's Executive Committee in a case that recovered \$900 million for investors.

Sullivan v. DB Investments, USDC District of New Jersey, Case No. No. 04-cv-2819, where the Firm served as Co-Lead Settlement Counsel in an antitrust case against DeBeers relate to the pricing of diamonds that settled for \$295 million.

In re Korean Air Lines Antitrust Litig., MDL No. 07-0189 (C.D. Cal.), where the Firm served as Co-Lead Counsel in a case related to fixing of prices for airline tickets to Korea that settled for \$86 million.

In re Zetia Antitrust Litigation, Case No. 2:18-md-02836 (E.D. Va.), where the Firm, representing a major health and welfare fund, played a significant role in achieving a settlement of \$70 million.

In re Aggrenox Antitrust Litig., Case No. 14-cv-2516 (D. Conn.), where the Firm played a major role in achieving a settlement of \$54 million.

In re Solodyn Antitrust Litig., Case No. MDL 2503 (D. Mass.), where the Firm played a major role in achieving a settlement of \$43 million.

In re Urethane Chemical Antitrust Litig., USDC District of Kansas, Case No. MDL 1616, where the Firm served as Co-Lead counsel in an antitrust price fixing case that settled \$33 million.

In re Western States Wholesale Natural Gas Litig., MDL No. 1566 (D. Nev.), where the Firm served as Class Counsel in an antitrust price fixing case that settled \$25 million.

In re Generic Pharmaceuticals Pricing Antitrust Litig., Case No. 16-md-2427 (E.D. Penn), where the Firm is representing a major Health and Welfare Fund in a case against a number of generic drug manufacturers for price fixing generic drugs.

In re Actos End Payor Antitrust Litig., Case No. 13-cv-9244 (S.D.N.Y.), where the Firm is serving on Plaintiffs' Executive Committee.

In re Heating Control Panel Direct Purchaser Action, Case No. 12-md-02311 (E.D. Mich.), representing a recreational vehicle manufacturer in a price-fixing class action involving direct purchasers of heating control panels.

In re Instrument Panel Clusters Direct Purchaser Action, Case No. 12-md-02311 (E.D. Mich.), representing a recreational vehicle manufacturer in a price-fixing class action involving direct purchasers of instrument panel clusters.

OTHER NOTABLE ACHIEVEMENTS

Glancy Prongay Wolke & Rotter has been responsible for obtaining favorable appellate opinions which have broken new ground in the class action or securities fields, or which have promoted shareholder rights in prosecuting these actions. The Firm successfully argued the appeals in a number of cases:

Headed by Firm attorney Kara Wolke, the Firm served as additional plaintiffs' counsel in *Christine Asia Co. Ltd., et al. v. Jack Yun Ma et al. ("Alibaba")*, 1:15-md-02631 (SDNY), a securities class action on behalf of investors alleging violations of the Securities Exchange Act of 1934 in connection with Alibaba's historic \$25 billion IPO, the then-largest IPO in history. After hard-fought litigation, including a successful appeal to the Second Circuit and obtaining class certification, the case settled for \$250 million.

In *Smith v. L'Oreal*, 39 Cal.4th 77 (2006), Firm partner Kevin Ruf established ground-breaking law when the California Supreme Court agreed with the Firm's position that waiting penalties under the California Labor Code are available to *any* employee after termination of employment, regardless of the reason for that termination.

Spearheaded by Firm attorney Kevin Ruf, the Firm served as Co-Lead Counsel for a class of drivers misclassified as independent contractors in the landmark case *Lee v. Dynamex*, Case No. BC332016 (Super. Ct. of Cal), which made new law for workers' rights in the California Supreme Court. The *Dynamex* decision altered 30 years of California law and established a new definition of employment that brings more workers within the protections of California's Labor Code. The California legislature, in response to the *Dynamex* decision, promulgated AB5, a statute that codifies the law of the *Dynamex* case and expands its reach.

OUR TEAM

PARTNERS

LEE ALBERT has over fifteen years of trial experience in both jury and non-jury cases and arbitrations and has argued before the Supreme and Superior Courts of Pennsylvania on numerous occasions. Mr. Albert has represented a national health care provider at trial obtaining injunctive relief in federal court to enforce a five-year contract not to compete on behalf of a national health care provider and injunctive relief on behalf of an undergraduate university.

Currently, Mr. Albert represents clients in complex litigation matters including violations of federal and state antitrust and securities laws, mass tort/product liability and unfair and deceptive trade practices. Some of Mr. Albert's current major cases include *In Re Automotive Wire Harness Systems Antitrust Litigation* (E.D. Mich.); *In Re Heater Control Panels Antitrust Litigation* (E.D. Mich.); *Kleen Products, et al. v. Packaging Corp. of America* (N.D. Ill.); and *In re Class 8 Transmission Indirect Purchaser Antitrust Litigation* (D. Del.).

Previously, Mr. Albert had a significant role in the following cases: *In re Zetia Antitrust Litigation*, No. 18-md-2836 (E.D. Va.) (\$70 million settlement); *Marine Products Antitrust Litigation* (C.D. Cal.); *Baby Products Antitrust Litigation* (E.D. Pa.); *In re ATM Fee Litigation* (N.D. Cal.); *In re Canadian Car Antitrust Litigation* (D. Me.); *In re Broadcom Securities Litigation* (C.D. Cal.); and has worked on *In re Avandia Marketing, Sales Practices and Products Liability Litigation* (E.D. Pa.); *In re Ortho Evra Birth Control Patch Litigation* (N.J. Super. Ct.); *In re AOL Time Warner, Inc. Securities Litigation* (S.D.N.Y.); *In re WorldCom, Inc. Securities Litigation* (S.D.N.Y.); and *In re Microsoft Corporation Massachusetts Consumer Protection Litigation* (Mass. Super. Ct.).

Mr. Albert received his B.S. and M.S. degrees from Temple University and Arcadia University in 1975 and 1980, respectively, and received his J.D. degree from Widener University School of Law in 1986. He is admitted to the bars of the Commonwealth of Pennsylvania, the State of New Jersey, and the United States District Courts for the Eastern District of Pennsylvania and the District of New Jersey in 1986. After law school, Mr. Albert spent several years working as a civil litigator in Philadelphia, PA.

BRIAN D. BROOKS has spent most of his 20+ years as a litigator prosecuting antitrust cases against brand and generic drug manufacturers for monopolizing or otherwise restraining trade in the market for their drugs, typically by illegally interfering with the regulatory process for approval

and launch of generics. Since joining the Firm, he has prosecuted these generic suppression cases on behalf of classes of “end-payor” plaintiffs, which include individuals or businesses who bought the drug at the end of the distribution chain for the purpose of consumption by themselves or their members.

Among Mr. Brooks’s successes in his current role is *In re Zetia Antitrust Litigation*, No. 18-md-2836 (E.D. Va.), which resulted in a global settlement of \$600 million, including a \$70 million settlement for the end-payor class. Mr. Brooks played an integral role in the *Zetia* team from discovery through final trial preparations. Currently, Mr. Brooks is leading the prosecution of *In re Vascepa Antitrust Litigation*, No. 3:21-cv-12061 (D.N.J.), in which drug manufacturer Amarin, Inc. is alleged to have suppressed generic competition for its cardiovascular drug Vascepa by cornering the market for the active pharmaceutical ingredient necessary to manufacture generic versions of the drug. The Firm was appointed co-lead counsel for the end-payor class, and Mr. Brooks is leading the prosecution for the end payors.

Despite this intense focus on generic suppression cases, Mr. Brooks has gained extensive experience litigating matters in other areas, including a direct purchaser antitrust case. He has also investigated and litigated numerous securities and consumer class actions, and has represented businesses in individual litigation. His past business clients include a fintech startup, a regional furniture store, a chain of gas stations, and a commercial tree nursery.

Mr. Brooks received his J.D. from Washington and Lee School of Law in 2002, where he was a staff writer for the *Environmental Law Digest* and clerked for the Alderson Legal Assistance Program. He earned his B.A. in Sociology from Northwestern State University of Louisiana while serving in the Louisiana Army National Guard.

Mr. Brooks is admitted to practice in all state courts in New York and Louisiana, as well as the United States District Courts for the Southern and Eastern Districts of New York; the Eastern and Western Districts of Louisiana; and the Northern District of Illinois.

JOSEPH D. COHEN has extensive complex civil litigation experience, and currently oversees the firm’s settlement department, negotiating, documenting and obtaining court approval of the firm’s securities, merger and derivative settlements.

Prior to joining the Firm, Mr. Cohen successfully prosecuted numerous securities fraud, consumer fraud, antitrust and constitutional law cases in federal and state courts throughout the country. Cases in which Mr. Cohen took a lead role include: *Jordan v. California Dep’t of Motor Vehicles*, 100 Cal. App. 4th 431 (2002) (complex action in which the California Court of Appeal held that California’s Non-Resident Vehicle \$300 Smog Impact Fee violated the Commerce Clause of the United States Constitution, paving the way for the creation of a \$665 million fund and full refunds, with interest, to 1.7 million motorists); *In re Geodyne Res., Inc. Sec. Litig.* (Harris Cty. Tex.) (settlement of securities fraud class action, including related litigation, totaling over \$200 million); *In re Cmty. Psychiatric Centers Sec. Litig.* (C.D. Cal.) (settlement of \$55.5 million was obtained from the company and its auditors, Ernst & Young, LLP); *In re McLeodUSA Inc., Sec. Litig.* (N.D. Iowa) (\$30 million settlement); *In re Arakis Energy Corp. Sec. Litig.* (E.D.N.Y.) (\$24 million settlement); *In re Metris Cos., Inc., Sec. Litig.* (D. Minn.) (\$7.5 million settlement); and *Freedman v. Maspeth Fed. Loan and Savings Ass’n*, (E.D.N.Y.) (favorable resolution of issue of first impression under RESPA resulting in full recovery of improperly assessed late fees).

In addition, Mr. Cohen was previously the head of the settlement department at Bernstein Litowitz Berger & Grossmann LLP. While at BLB&G, Mr. Cohen had primary responsibility for overseeing the team working on the following settlements, among others: *In Re Merck & Co., Inc. Sec., Deriv. & "ERISA" Litig.* (D.N.J.) (\$1.062 billion securities class action settlement); *New York State Teachers' Ret. Sys. v. General Motors Co.* (E.D. Mich.) (\$300 million securities class action settlement); *In re JPMorgan Chase & Co. Sec. Litig.* (S.D.N.Y.) (\$150 million settlement); *Dep't of the Treasury of the State of New Jersey and its Division of Inv. v. Cliffs Natural Res. Inc., et al.* (N.D. Ohio) (\$84 million securities class action settlement); *In re Penn West Petroleum Ltd. Sec. Litig.* (S.D.N.Y.) (\$19.76 million settlement).

CHRISTOPHER FALLON focuses on securities, consumer, and antitrust litigation. As a Certified E-Discovery Specialist through the Association of Certified E-Discovery Specialists (ACEDS), Mr. Fallon manages all aspects of the fact and expert discovery stages of litigation.

Mr. Fallon earned his J.D. and a Certificate in Dispute Resolution from Pepperdine Law School in 2004. While attending law school, Christopher worked at the Pepperdine Special Education Advocacy Clinic and interned with the Rhode Island Office of the Attorney General. Prior to attending law school, he graduated from Boston College with a Bachelor of Arts in Economics and a minor in Irish Studies, then served as Deputy Campaign Finance Director on a U.S. Senate campaign.

LIONEL Z. GLANCY, a graduate of University of Michigan Law School, is the founding partner of the Firm. After serving as a law clerk for United States District Judge Howard McKibben, he began his career as an associate at a New York law firm concentrating in securities litigation. Thereafter, he started a boutique law firm specializing in securities litigation, and other complex litigation, on behalf of investors and consumers. Mr. Glancy has established a distinguished career in the field of securities litigation over the last thirty years, having appeared and been appointed lead counsel on behalf of aggrieved investors in securities class action cases throughout the country. He has appeared and argued before dozens of district courts and a number of appellate courts. His efforts have resulted in the recovery of hundreds of millions of dollars in settlement proceeds for huge classes of shareholders. Well known in securities law, he has lectured on its developments and practice, including having lectured before Continuing Legal Education seminars and law schools.

Mr. Glancy earned his undergraduate degree in political science in 1984 and his Juris Doctor degree in 1986, both from the University of Michigan. He was admitted to practice in California in 1988, and in Nevada and before the U.S. Court of Appeals, Ninth Circuit, in 1989.

MARC L. GODINO manages the Firm's consumer class action department and has successfully prosecuted securities, derivative, merger & acquisition, and consumer cases throughout the country in both state and federal court.

Recently, Mr. Godino obtained a jury verdict against American Honda Motor Company, Inc. of over \$1,000,000 on behalf of an Illinois class of Honda car owners regarding a defective engine component. *Quackenbush et al. v. American Honda Motor Company, Inc. et al.*, Case No. 3:20-cv-05599-WHA. Subsequently, Mr. Godino defeated Honda's attempt to reverse the verdict in the 9th Circuit Court of Appeals. *Quackenbush et al. v. American Honda Motor Company, Inc. et al.*, 2025 WL 1009273 (9th Cir. April 4, 2025).

Mr. Godino's other successes with the Firm include: *Good Morning To You Productions Corp., et al., v. Warner/Chappell Music, Inc., et al.*, Case No. 13-04460 (C.D. Cal.) (In this highly publicized case that attracted world-wide attention, Plaintiffs prevailed on their claim that the song "Happy Birthday" should be in the public domain and achieved a \$14,000,000 settlement to class members who paid a licensing fee for the song); *Pappas v. Naked Juice Co. of Glendora, Inc.*, Case No. 11-08276 (C.D. Cal.) (\$9,000,000 settlement plus injunctive relief); *Astiana v. Kashi Company*, Case No. 11-1967 (S.D. Cal.) (\$5,000,000 settlement); *In re Magma Design Automation, Inc. Securities Litigation*, Case No. 05-2394 (N.D. Cal.) (\$13,500,000 settlement); *Kelly v. Phiten USA, Inc.*, Case No. 11-67 (S.D. Iowa) (\$3,200,000 settlement plus injunctive relief); *Esslinger, et al. v. HSBC Bank Nevada, N.A.*, Case No. 10-03213 (E.D. Pa.) (\$23,500,000 settlement); *In re Discover Payment Protection Plan Marketing and Sales Practices Litigation*, Case No. 10-06994 (\$10,500,000 settlement); *In Re: Bank of America Credit Protection Marketing and Sales Practices Litigation*, Case No. 11-md-02269 (N.D. Cal.) (\$20,000,000 settlement). *Castillo, et al., v. Seagate Technology LLC*, Case No. 16-01958 (N.D. Cal.) (settlement provides up to \$3,500 to class members); *Small v. University Medical Center of Southern Nevada*, Case No. 13-00298 (D. Nev.) (\$4,250,000.000 settlement); *Reniger, et al., v. Hyundai Motor America, et al.*, Case No. 14-03612 (N.D. Cal.) (no cap reimbursement program and free software update); *In re: Michaels Stores, Inc. Fair Credit Reporting Act Litigation*, Case no. 15-05504 (D.N.J.) (\$4 million settlement).

MATTHEW M. HOUSTON, a partner in the Firm's New York office, has substantial courtroom experience involving complex actions in federal and state courts throughout the country. Mr. Houston was co-lead trial counsel in one the few ERISA class action cases taken to trial asserting breach of fiduciary duty claims against plan fiduciaries, *Brieger et al. v. Tellabs, Inc.*, No. 06-CV-01882 (N.D. Ill.), and has successfully prosecuted many ERISA actions, including *In re Royal Ahold N.V. Securities and ERISA Litigation*, Civil Action No. 1:03-md-01539. Mr. Houston has been one of the principal attorneys litigating claims in multi-district litigation concerning employment classification of pickup and delivery drivers and primarily responsible for prosecuting ERISA class claims resulting in a \$242,000,000 settlement; *In re FedEx Ground Package Inc. Employment Practices Litigation*, No. 3:05-MD-527 (MDL 1700). Mr. Houston recently presented argument before the Eleventh Circuit Court of Appeals on behalf of a class of Florida pickup and delivery drivers obtaining a reversal of the lower court's grant of summary judgment. Mr. Houston represented the interests of Nevada and Arkansas drivers employed by FedEx Ground obtaining significant recoveries on their behalf. Mr. Houston also served as lead counsel in multi-district class litigation seeking to modify insurance claims handling practices; *In re UnumProvident Corp. ERISA Benefits Denial Actions*, No. 1:03-cv-1000 (MDL 1552).

Mr. Houston has played a principal role in numerous derivative and class actions wherein substantial benefits were conferred upon plaintiffs: *In re: Groupon Derivative Litigation*, No. 12-cv-5300 (N.D. Ill. 2012) (settlement of consolidated derivative action resulting in sweeping corporate governance reform estimated at \$159 million) *Bangari v. Lesnik, et al.*, No. 11 CH 41973 (Illinois Circuit Court, County of Cook) (settlement of claim resulting in payment of \$20 million to Career Education Corporation and implementation of extensive corporate governance reform); *In re Diamond Foods, Inc. Shareholder Litigation*, No. CGC-11-515895 (California Superior Court, County of San Francisco) (\$10.4 million in monetary relief including a \$5.4 million clawback of executive compensation and significant corporate governance reform).

Mr. Houston graduated from Boston University School of Law in 1988 and has been selected as a New York Metro Super Lawyer often. Mr. Houston is a member of the Bar of the State of New York and is admitted to the United States District Courts for the Southern and Eastern Districts of New York and the District of Massachusetts, and the Second, Seventh, Ninth, and Eleventh Circuit Court of Appeals of the United States.

JASON L. KRAJCER is a partner in the Firm's Los Angeles office. He specializes in complex securities cases and has extensive experience in all phases of litigation (fact investigation, pre-trial motion practice, discovery, trial, appeal).

Prior to joining the Firm, Mr. Krajcer was an associate at Goodwin Procter LLP where he represented issuers, officers and directors in multi-hundred million and billion dollar securities cases. He began his legal career at Orrick, Herrington & Sutcliffe LLP, where he represented issuers, officers and directors in securities class actions, shareholder derivative actions, and matters before the U.S. Securities & Exchange Commission.

Mr. Krajcer is admitted to the State Bar of California, the Bar of the District of Columbia, the United States Supreme Court, the Ninth Circuit Court of Appeals, and the United States District Courts for the Central and Southern Districts of California.

CHARLES H. LINEHAN is a partner in the Firm's Los Angeles office. He graduated summa cum laude from the University of California, Los Angeles with a Bachelor of Arts degree in Philosophy and a minor in Mathematics. Mr. Linehan received his Juris Doctor degree from the UCLA School of Law, where he was a member of the UCLA Moot Court Honors Board. While attending law school, Mr. Linehan participated in the school's First Amendment Amicus Brief Clinic (now the Scott & Cyan Banister First Amendment Clinic) where he worked with nationally recognized scholars and civil rights organizations to draft amicus briefs on various Free Speech issues.

GREGORY B. LINKH litigates antitrust, securities, shareholder derivative, and consumer cases. Mr. Linkh graduated from the State University of New York at Binghamton in 1996 and from the University of Michigan Law School in 1999. While in law school, Greg externed with United States District Judge Gerald E. Rosen of the Eastern District of Michigan. Greg was previously associated with the law firms Dewey Ballantine LLP, Pomerantz Haudek Block Grossman & Gross LLP, and Murray Frank LLP.

Mr. Linkh played significant roles in *In re Merrill Lynch & Co., Inc. Research Reports Securities Litigation* (\$125 million settlement); *In re Crompton Corp. Securities Litigation* (\$11 million settlement); *Lowry v. Andrx Corp.* (\$8 million settlement); *In re Xybernaut Corp. Securities MDL Litigation* (\$6.3 million settlement). Mr. Linkh also represented the West Virginia Investment Management Board in *WVIMB v. Residential Accredited Loans, Inc., et al.*, relating to the its investment in residential mortgage-backed securities.

Greg is the co-author of *Inherent Risk In Securities Cases In The Second Circuit*, NEW YORK LAW JOURNAL (Aug. 26, 2004); and *Staying Derivative Action Pursuant to PSLRA and SLUSA*, NEW YORK LAW JOURNAL, P. 4, COL. 4 (Oct. 21, 2005).

ROBERT V. PRONGAY is the Firm's Managing Partner. Mr. Prongay is recognized nationally as a leading securities litigator and as one of the top plaintiffs' lawyers in California. His practice primarily focuses on actions to recover investment losses resulting from violations of the federal securities laws and actions to vindicate shareholder rights in response to corporate misconduct. Mr. Prongay plays a key role in the investigation and initiation of new matters on behalf of the Firm's institutional and individual investor clients.

Mr. Prongay has extensive experience litigating complex cases in state and federal courts nationwide. As lead counsel in dozens of securities class actions, he has successfully recovered more than a billion dollars for investors victimized by securities fraud. For example, as Lead Counsel, Mr. Prongay and the Firm secured a recovery of \$433.5 million for the class of investors in *In Re: Alibaba Group Holding Ltd. Securities Litigation*, Case No. 1:20-cv-09568-GBD-JW (S.D.N.Y.). Mr. Prongay also served as Co-Lead Counsel in *Camelot Event Driven Fund, a Series of Frank Funds Trust v. Morgan Stanley & Co. LLC, et al.*, Index No. 654959/2021 (Supreme Court, New York County) where the Firm obtained a \$120 million settlement paid by Morgan Stanley and Goldman Sachs. Mr. Prongay was also Co-Lead Counsel in *In Re Yahoo! Inc. Securities Litigation*, Case No. 5:17-cv-00373-LHK (N.D. Cal.), that resulted in an \$80 million settlement and Lead Counsel in *Shah, et al. v. Zimmer Biomet Holdings, Inc. et al.*, Case No. 3:16-cv-00815-PPS-MGG (N.D. Ind.) that resulted in a \$50 million settlement.

Many of Mr. Prongay's cases have received national and regional press coverage. Mr. Prongay has been interviewed by journalists and writers for national and industry publications, ranging from *The Wall Street Journal* to the *Los Angeles Daily Journal*, and has appeared as a guest on Bloomberg Television.

Mr. Prongay received his Bachelor of Arts degree in Economics from the University of Southern California and his Juris Doctor degree from Seton Hall University School of Law. Mr. Prongay is also an alumnus of the Lawrenceville School.

DANIELLA QUITT has focused her practice on shareholder rights, securities class actions, and ERISA class actions but also handles general commercial and consumer litigation. Ms. Quitt serves as a member of the S.D.N.Y. ADR Panel, has been consistently selected as a New York Metro Super Lawyer, and *Super Lawyers Magazine* selected Ms. Quitt as a Super Lawyer beginning in 2014.

Ms. Quitt has extensive experience in successfully litigating complex class actions from inception to trial and has played a significant role in numerous actions wherein substantial benefits were conferred upon plaintiff shareholders, such as *In re Safety-Kleen Corp. Stockholders Litigation*, (D.S.C.) (settlement fund of \$44.5 million); *In re Laidlaw Stockholders Litigation*, (D.S.C.) (settlement fund of \$24 million); *In re UNUMProvident Corp. Securities Litigation*, (D. Me.) (settlement fund of \$45 million); *In re Harnischfeger Industries* (E.D. Wisc.) (settlement fund of \$10.1 million); *In re Oxford Health Plans, Inc. Derivative Litigation*, (S.D.N.Y.) (settlement benefit of \$13.7 million and corporate therapeutics); *In re JWP Inc. Securities Litigation*, (S.D.N.Y.) (settlement fund of \$37 million); *In re Home Shopping Network, Inc., Derivative Litigation*, (S.D. Fla.) (settlement benefit in excess of \$20 million); *In re Graham-Field Health Products, Inc. Securities Litigation*, (S.D.N.Y.) (settlement fund of \$5.65 million); *Benjamin v. Carusona*, (E.D.N.Y.) (prosecuted action on behalf of minority shareholders which resulted in a change of control from majority-controlled management at Gurney's Inn Resort & Spa Ltd.); *In re Rexel Shareholder Litigation*, (Sup. Ct. N.Y. County) (settlement benefit in excess of \$38 million);

Jacobs v. Verizon Communications (S.D.N.Y.) (ERISA settlement of \$30 million); and *Croyden Assoc. v. Tesoro Petroleum Corp., et al.*, (Del. Ch.) (settlement benefit of \$19.2 million).

Ms. Quitt graduated from Fordham University School of Law in 1988, is a member of the Bar of the State of New York, and is also admitted to the United States District Courts for the Southern and Eastern Districts of New York, the United States Court of Appeals for the Second, Fifth, and Ninth Circuits, and the United States Supreme Court.

PAVITHRA RAJESH is a partner in the firm's Los Angeles office who litigates securities class actions. She specializes in pre-litigation investigation to develop legal theories in securities and derivative matters. Her notable work includes a \$120 million settlement (for claims that certain underwriters of a public offering failed to disclose that they held substantial holdings as collateral for a highly leveraged, highly concentrated portfolio), a \$10 million settlement (for claims that a medical device company misled investors about product effectiveness and off-label marketing) and an \$11 million settlement (for claims that investors in a business combination were misled about a financing commitment and an executive's embezzlement; pending final approval).

Ms. Rajesh has unique writing experience from her judicial externship for the Patent Pilot Program in the United States District Court for the Central District of California, where she worked closely with the Clerk and judges in the program on patent cases. Ms. Rajesh graduated from University of California, Santa Barbara with a Bachelor of Science degree in Mathematics and a Bachelor of Arts degree in Psychology. She received her Juris Doctor degree from UCLA School of Law. While in law school, Ms. Rajesh was an Associate Editor for the UCLA Law Review.

JONATHAN M. ROTTER leads the Firm's intellectual property litigation practice and the antitrust litigation practice. Mr. Rotter has extensive experience in class action litigation, including in the fields of data privacy, digital content, securities, consumer protection, and antitrust. His cases often involve technical and scientific issues, and he excels at the critical skill of understanding and organizing complex subject matter in a way helpful to judges, juries, and ultimately, the firm's clients. Since joining the Firm, he has played a key role in cases recovering over \$100 million. He handles cases on contingency, partial contingency, and hourly bases, and works collaboratively with other lawyers and law firms across the country.

Before joining the firm, Mr. Rotter served for three years as the first Patent Pilot Program Law Clerk at the United States District Court for the Central District of California, both in Los Angeles and Orange County. There, he assisted the Honorable S. James Otero, Andrew J. Guilford, George H. Wu, John A. Kronstadt, and Beverly Reid O'Connell with hundreds of patent cases in every major field of technology, from complaint to post-trial motions, advised on case management strategy, and organized and provided judicial education. Mr. Rotter also served as a law clerk for the Honorable Milan D. Smith, Jr. on the United States Court of Appeals for the Ninth Circuit, working on the full range of matters handled by the Circuit.

Before his service to the courts, Mr. Rotter practiced at an international law firm, where he argued appeals at the Federal Circuit, Ninth Circuit, and California Court of Appeal, tried cases, argued motions, and managed all aspects of complex litigation. He also served as a volunteer criminal prosecutor for the Los Angeles City Attorney's Office.

Mr. Rotter graduated with honors from Harvard Law School in 2004. He served as an editor of the Harvard Journal of Law & Technology, was a Fellow in Law and Economics at the John M.

Olin Center for Law, Economics, and Business at Harvard Law School, and a Fellow in Justice, Welfare, and Economics at the Harvard University Weatherhead Center For International Affairs. He graduated with honors from the University of California, San Diego in 2000 with a B.S. in molecular biology and a B.A. in music.

Mr. Rotter served on the Merit Selection Panel for Magistrate Judges in the Central District of California, and served on the Model Patent Jury Instructions and Model Patent Local Rules subcommittees of the American Intellectual Property Law Association. He has written extensively on intellectual property issues, and has been honored for his work with legal service organizations. He is admitted to practice in California and before the United States Courts of Appeals for the First, Second, Ninth and Federal Circuits, the United States District Courts for the Northern, Central, and Southern Districts of California, and the United States Patent & Trademark Office.

KEVIN F. RUF graduated from the University of California at Berkeley with a Bachelor of Arts in Economics and earned his Juris Doctor degree from the University of Michigan. He was an associate at the Los Angeles firm Manatt Phelps and Phillips from 1988 until 1992, where he specialized in commercial litigation. In 1993, he joined the firm Corbin & Fitzgerald (with future federal district court Judge Michael Fitzgerald) specializing in white collar criminal defense work.

Mr. Ruf joined the Firm in 2001 and works on a diverse range of trial and appellate cases; he is also head of the Firm's Labor practice. Mr. Ruf has successfully argued a number of important appeals, including in the 9th Circuit Court of Appeals. He has twice argued cases before the California Supreme Court – winning both.

In *Smith v. L'Oreal* (2006), after Mr. Ruf's winning arguments, the California Supreme Court established a fundamental right of all California workers to immediate payment of all earnings at the conclusion of their employment.

Mr. Ruf gave the winning oral argument in one of the most talked about and wide-reaching California Supreme Court cases of recent memory: *Lee v. Dynamex* (2018). The Dynamex decision altered 30 years of California law and established a new definition of employment that brings more workers within the protections of California's Labor Code. The California legislature was so impressed with the Dynamex result that promulgated AB5, a statute to formalize this new definition of employment and expand its reach.

Mr. Ruf has been named three times as one of the Daily Journal's "Top 75 Employment Lawyers." He won the prestigious California Lawyer of the Year (CLAY) award in 2019 for his work on the *Dynamex* case. In 2021, Mr. Ruf was named by California's legal paper of record, the Daily Journal, as one of 18 California "Lawyers of the Decade."

From 2014 to 2022, Mr. Ruf served as an elected member of the Ojai Unified School District Board of Trustees. Mr. Ruf was also a Main Company Member of the world-famous Groundlings improv and sketch comedy troupe – where "everyone else got famous."

BENJAMIN I. SACHS-MICHAELS, is the head of the Firm's shareholder derivative group. With over 12 years in experience, Mr. Sachs-Michaels prosecutes mismanagement and breach of fiduciary duty claims in state and federal courts nationwide. He specializes in helping shareholders strengthen their investments by holding managers accountable when they permit corporate misconduct. Mr. Sachs-Michaels has achieved shareholder derivative settlements totaling

hundreds of millions of dollars and the adoption of significant corporate governance reforms at dozens of public companies.

Mr. Sachs-Michaels played an integral part in achieving recoveries in the following derivative class actions on behalf of investors: *Witchko v. Schorsch, et al.* (\$286.5 million settlement); *Verma v. Costolo (Twitter)* (\$46.75 million settlement); and *In re Stamps.com, Inc. Stockholder Derivative Litigation* (\$30 million settlement).

Mr. Sachs-Michaels graduated from Benjamin N. Cardozo School of Law in 2011. While in law school, he served as a judicial intern to Senior United States District Judge Thomas J. McAvoy in the United States District Court for the Northern District of New York and was a member of the Cardozo Journal of Conflict Resolution.

Mr. Sachs-Michaels is a member of the Bar of the State of New York. He is also admitted to the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit.

CASEY E. SADLER has worked with the Firm's clients to secure lead plaintiff appointment in hundreds of securities class actions. With over 14 years of experience litigating securities class actions, Casey is highly skilled in all aspects of securities cases, including legal briefing and oral advocacy. He has overseen numerous cases from start to finish that resulted in tremendous outcomes for shareholders. Notable successes include: *The City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A.* (\$62.5 million settlement on eve of trial); *In re Sesen Bio, Inc. Securities Litigation*, (\$21 million settlement).

Mr. Sadler graduated from Emory University and the University of Southern California, Gould School of Law. He is admitted to the State Bar of California, the United States Court of Appeals for Ninth Circuit, and the United States District Courts for the Northern, Southern, and Central Districts of California.

EX KANO S. SAMS II has extensive experience litigating complex securities and consumer cases and has served as lead counsel in dozens of securities class actions and complex litigation cases on the state and federal levels throughout the United States. Mr. Sams was one of the counsel for respondents in *Cyan, Inc. v. Beaver Cnty. Emps. Ret. Fund*, 583 U.S. 416 (2018), in which the United States Supreme Court ruled unanimously in favor of respondents, holding that: (1) the Securities Litigation Uniform Standards Act of 1998 ("SLUSA") does not strip state courts of jurisdiction over class actions alleging violations of only the Securities Act of 1933; and (2) SLUSA does not empower defendants to remove such actions from state to federal court. Mr. Sams also participated in a successful appeal before a Fifth Circuit panel that included former United States Supreme Court Justice Sandra Day O'Connor sitting by designation, in which the court unanimously vacated the lower court's denial of class certification, reversed the lower court's grant of summary judgment, and issued an important decision on the issue of loss causation in securities litigation: *Alaska Electrical Pension Fund v. Flowserve Corp.*, 572 F.3d 221 (5th Cir. 2009). The case settled for \$55 million.

Mr. Sams has also obtained other significant results. Notable examples include: *Donley v. Live Nation Ent., Inc.*, 2024 WL 794641 (C.D. Cal. Feb. 23, 2024) (denying motion to dismiss; case settled for \$20 million); *Beezley v. Fenix Parts, Inc.*, 2018 WL 3454490 (N.D. Ill. July 13, 2018) (denying motion to dismiss); *In re Flowers Foods, Inc. Sec. Litig.*, 2018 WL 1558558 (M.D. Ga.

Mar. 23, 2018) (largely denying motion to dismiss; case settled for \$21 million); *In re King Digital Entm't plc S'holder Litig.*, No. CGC-15-544770 (San Francisco Superior Court) (case settled for \$18.5 million); *In re Castlight Health, Inc. S'holder Litig.*, Lead Case No. CIV533203 (California Superior Court, County of San Mateo) (case settled for \$9.5 million); *Wiley v. Envivio, Inc.*, Master File No. CIV517185 (California Superior Court, County of San Mateo) (case settled for \$8.5 million); *In re CafePress Inc. S'holder Litig.*, Master File No. CIV522744 (California Superior Court, County of San Mateo) (case settled for \$8 million).

Mr. Sams has been an author or co-author of several articles in major legal publications, including “9th Circuit Decision Clarifies Securities Fraud Loss Causation Rule” published in the February 8, 2018 issue of the *Daily Journal*, and “Market Efficiency in the World of High-Frequency Trading” published in the December 26, 2017 issue of the *Daily Journal*.

Mr. Sams earned his Bachelor of Arts degree in Political Science from the University of California Los Angeles and his Juris Doctor degree from the University of California Los Angeles School of Law, where he served as a member of the *UCLA Law Review*. After law school, Mr. Sams practiced class action civil rights litigation on behalf of plaintiffs.

LEANNE HEINE SOLISH has extensive experience litigating complex securities cases in federal courts nationwide. Since joining the Firm in 2012, Ms. Solish has helped secure several large class action settlements for injured investors: *The City of Farmington Hills Employees Retirement System v. Wells Fargo Bank*, Case No. 10-4372--DWF/JJG (D. Minn.) (\$62.5 million settlement on behalf of participants in Wells Fargo’s securities lending program. The settlement was reached on the eve of trial and ranked among the largest recoveries achieved in a securities lending class action stemming from the 2008 financial crisis.); *Mild v. PPG Industries, Inc. et al.*, Case No. 2:18-cv-04231 (C.D. Cal.) (\$25 million settlement); *In re Penn West Petroleum Ltd. Securities Litigation*, Case No. 1:14-cv-06046-JGK (S.D.N.Y.) (\$19 million settlement for the U.S. shareholder class as part of a \$39 million global settlement); *In re ITT Educational Services, Inc. Securities Litigation (Indiana)*, Case No. 1:14-cv-01599-TWP-DML (\$12.5375 million settlement); *In re Doral Financial Corporation Securities Litigation*, Case No. 3:14-cv-01393-GAG (D.P.R.) (\$7 million settlement); *Larson v. Insys Therapeutics Incorporated, et al.*, Lead Case No. 14-cv-01043-PHX-GMS (D. Ariz.) (\$6.125 million settlement); *In re Unilife Corporation Securities Litigation*, Case No. 1:16-cv-03976-RA (\$4.4 million settlement).

Super Lawyers Magazine selected Ms. Solish as a “Rising Star” in the area of Securities Litigation from 2016 through 2019.

Ms. Solish graduated *summa cum laude* with a B.S.M. in Accounting and Finance from Tulane University, where she was a member of the Beta Alpha Psi honors accounting organization and was inducted into the Beta Gamma Sigma Business Honors Society. Ms. Solish subsequently earned her J.D. from the University of Texas School of Law.

Ms. Solish is admitted to the State Bar of California, the Ninth Circuit Court of Appeals, and the United States District Courts for the Central, Northern, and Southern Districts of California. Ms. Solish is also a Registered Certified Public Accountant in Illinois.

GARTH A. SPENCER helps defrauded investors recover funds through securities litigation, and also represents whistleblowers and harmed consumers. Since joining the Firm in 2016, he has successfully prosecuted complex class action claims to obtain recoveries for the Firm’s clients, taking leading roles in matters including: *Li v. Spirit AeroSystems Holdings, Inc.* (S.D.N.Y. Case

No. 1:23-cv-3722) (\$29.2 million settlement); *In re Mullen Automotive, Inc. Securities Litigation*, Case No. 2:22-cv-03026 (C.D. Cal.) (\$7.25 million settlement); *In re Reconnaissance Energy Africa Ltd. Securities Litigation*, Case No. 1:21-cv-6176 (E.D.N.Y.) (CAD \$9.4 million settlement); and *In re XL Fleet Corp. Securities Litigation*, Case No. 1:21-cv-2002 (S.D.N.Y.) (\$19.5 million settlement).

Mr. Spencer received his J.D. from Duke University School of Law, an L.L.M. from New York University School of Law, and a B.A. from Grinnell College. Prior to joining the Firm, Mr. Spencer pursued IRS whistleblower matters as a sole practitioner and previously worked in the tax group of a large law firm.

Mr. Spencer is a member of the bar in New York, California, and North Carolina, and is admitted to practice before the United States District Courts for the Southern, Eastern, and Western Districts of New York, the Northern, Southern, and Central Districts of California, the Eastern, Middle, and Western Districts of North Carolina, the Southern District of Texas, the U.S. Tax Court, the U.S. Court of Federal Claims, and the Courts of Appeals for the First, Second and Ninth Circuits.

DAVID J. STONE has a broad background in complex commercial litigation, with particular focus on litigating corporate fiduciary claims, securities, and contract matters. Mr. Stone maintains a versatile practice in state and federal courts, representing clients in a wide-range of matters, including corporate derivative actions, securities class actions, litigating claims arising from master limited partnership “drop down” transactions, litigating consumer class actions (including data breach claims) litigating complex debt instruments, fraudulent conveyance actions, and appeals. Mr. Stone also has developed a specialized practice in litigation on behalf of post-bankruptcy confirmation trusts, including investigating and prosecuting D&O claims and general commercial litigation. In addition, Mr. Stone counsels clients on general business matters, including contract negotiation and corporate organization.

Mr. Stone graduated from Boston University School of Law in 1994 and was the Law Review Editor. He earned his B.A. at Tufts University in 1988, graduating *cum laude*. Following law school, Mr. Stone served as a clerk to the Honorable Joseph Tauro, then Chief Judge of the U.S. District Court for the District of Massachusetts. Prior to joining the Firm, Mr. Stone practiced at international law firms Cravath, Swaine & Moore LLP, Morrison & Foerster LLP, and Greenberg Traurig LLP.

Mr. Stone is a member of the bar in New York and California, and is admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York, the Northern, Southern, and Central Districts of California, and the Court of Appeals for the Second and Third Circuits.

KARA M. WOLKE is Co-Chair of the Firm’s securities litigation practice group and serves as the Firm’s General Counsel. With over two decades of experience in financial class action litigation, Ms. Wolke has helped to recover hundreds of millions of dollars for injured investors and consumers.

Ms. Wolke served as lead counsel in *In re: Alibaba Group Ltd. Securities Litigation*, Case No. 20-cv-09568 (S.D.N.Y.), which alleged that Alibaba misled investors in its disclosures regarding the company’s anti-trust regulatory risks and compliance. After hard-fought litigation, Ms. Wolke

successfully negotiated a \$433.5 million settlement for the benefit of aggrieved investors. The settlement is one of the fifty largest securities class action settlements in the U.S. since the PSLRA was enacted nearly thirty years ago.

Other notable cases include: *Christine Asia Co. Ltd., et al. v. Jack Yun Ma, et al.*, Case No. 15-md-02631 (S.D.N.Y.) (\$250 million securities class action settlement); *Farmington Hills Employees' Retirement System v. Wells Fargo Bank*, Case No. 10-4372 (D. Minn.) (\$62.5 million settlement on behalf of participants in Wells Fargo's securities lending program. The settlement was reached on the eve of trial and ranked among the largest recoveries achieved in a securities lending class action stemming from the 2008 financial crisis.); *Shah v. Zimmer Biomet Holdings, Inc.*, Case No. 16-cv-00815 (N.D. Ind.) (\$50 million securities class action settlement); *Schleicher, et al. v. Wendt, et al.* (Conseco), Case No. 02-cv-1332 (S.D. Ind.) (\$41.5 million securities class action settlement); *Lapin v. Goldman Sachs*, Case No. 03-850 (S.D.N.Y.) (\$29 million securities class action settlement); *Davis v. Yelp, Inc.*, Case No. 18-cv-0400 (N.D. Cal) (\$22.5 million securities class action settlement).

Ms. Wolke has been named a Super Lawyers "Rising Star," and her work on behalf of investors has earned her recognition as a LawDragon Leading Plaintiff Financial Lawyer during each year from 2019 through 2025.

With a background in intellectual property, Ms. Wolke was a part of the team of lawyers who successfully challenged the claim of copyright ownership to the song "*Happy Birthday to You*" on behalf of artists and filmmakers who had been forced to pay hefty licensing fees to publicly sing the world's most famous song. In the resolution of that action, the defendant music publishing company funded a settlement of \$14 million and, significantly, agreed to relinquish the song to the public domain. Previously, Ms. Wolke penned an article regarding the failure of U.S. Copyright Law to provide an important public performance right in sound recordings, 7 Vand. J. Ent. L. & Prac. 411, which was nationally recognized and received an award by the American Bar Association and the Grammy® Foundation.

Committed to the provision of legal services to vulnerable or disenfranchised individuals and groups, Ms. Wolke also oversees the Firm's *pro bono practice*. She has served as a volunteer attorney for KIND (Kids In Need of Defense), representing unaccompanied immigrant and refugee children in custody and deportation proceedings, and helping them to secure legal permanent residency status in the U.S.

Ms. Wolke graduated *summa cum laude* with a Bachelor of Science in Economics from The Ohio State University in 2001. She subsequently earned her J.D. *with honors* from Ohio State, where she received the Dean's Award for Excellence during each of her three years.

MELISSA C. WRIGHT is a partner in the Firm's Los Angeles office. Ms. Wright specializes in complex litigation, particularly the prosecution of securities fraud and consumer class actions. Ms. Wright is experienced in all facets of litigation with particular expertise in the fact and expert discovery phases of litigation, including preservation through document production as well as negotiating protocols governing confidentiality and electronically stored information, identifying relevant electronically stored information, and overseeing and implementing e-discovery data culling and privilege and responsiveness reviews.

As sole lead counsel in *In re: Alibaba Group Holding Ltd. Securities Litigation*, Case No. 20-cv-09568 (S.D.N.Y.), Ms. Wright, along with partner Kara Wolke, secured an historic \$433.5

million settlement that resolved investors' claims that Alibaba (NYSE: BABA) violated the Securities Exchange Act of 1934 by allegedly misrepresenting its regulatory compliance and its use of monopolistic business practices during the period November 13, 2019 through December 23, 2020. The settlement is the largest securities class action settlement ever attained against a Chinese issuer and ranks among the fifty largest U.S. securities class action settlements of all time, as tracked by Institutional Shareholder Services (ISS).

Ms. Wright also played an integral role on the Firm's litigation team in *Christine Asia Ltd. v. Jack Yun Ma, et al.* (Alibaba Group Holding Ltd.) (\$250 million settlement), and in particular was responsible for all facets of discovery strategy and management for the Firm. Ms. Wright also played a significant role in other notable recoveries including: *In re Yahoo! Inc. Securities Litigation* (\$80 million settlement); *In re Sesen Bio, Inc. Securities Litigation* (\$21 million settlement); *In re Flowers Foods, Inc. Securities Litigation* (\$21 million settlement); *In re Romeo Power Inc. Securities Litigation* (\$14.9 million settlement); *In re Tenaris S.A. Securities Litigation* (\$9.5 million settlement).

In addition to her advocacy on behalf of aggrieved investors and consumers, Ms. Wright maintains an active pro bono practice as a volunteer attorney with Kids In Need of Defense, where she works diligently to help safeguard the rights and well-being of immigrant and refugee children.

Ms. Wright graduated with a B.A. from Boston University and received her J.D. from U.C. Davis School of Law, where she was a board member of the Tax Law Society and externed for the California Board of Equalization's Tax Appeals Assistance Program. Ms. Wright also received her LL.M. in Taxation from NYU School of Law.

OF COUNSEL

PHILIP BABLER represents shareholders and whistleblowers in matters involving breach of fiduciary duty, fraud, and public company shareholder derivative litigation.

Before joining the Firm, Mr. Babler practiced at an AmLaw 50 firm where he represented directors and officers in cases involving, among other things, breach of fiduciary duty claims, governance issues, M&A litigation, federal securities claims, and insider trading investigations. Mr. Babler brings insights from this experience representing directors and officers to his shareholder practice. Mr. Babler has been repeatedly recognized by *The Best Lawyers in America: Ones to Watch*®.

In addition to his public company work, Mr. Babler has significant experience representing shareholders in privately held companies who are being squeezed out of family businesses. Mr. Babler also has substantial appellate experience, having briefed and argued appeals in state and federal appellate courts around the country.

After law school, Mr. Babler clerked for Justice David T. Prosser, Jr. on the Wisconsin Supreme Court. Mr. Babler graduated from Marquette University Law School and is admitted to practice in Wisconsin, the United States Court of Appeals for the Federal Circuit, the Seventh Circuit, and the Eighth Circuit, and the United States District Court for the Eastern District of Wisconsin.

PETER A. BINKOW has prosecuted lawsuits on behalf of consumers and investors in state and federal courts throughout the United States. He served as Lead or Co-Lead Counsel in many class action cases, including: *In re Mercury Interactive Securities Litigation* (\$117.5 million recovery); *The City of Farmington Hills Retirement System v Wells Fargo* (\$62.5 million recovery);

Schleicher v Wendt (Conseco Securities litigation - \$41.5 million recovery); *Lapin v Goldman Sachs* (\$29 million recovery); *In re Heritage Bond Litigation* (\$28 million recovery); *In re National Techteam Securities Litigation* (\$11 million recovery for investors); *In re Lason Inc. Securities Litigation* (\$12.68 million recovery), *In re ESC Medical Systems, Ltd. Securities Litigation* (\$17 million recovery); and many others. In *Schleicher v Wendt*, Mr. Binkow successfully argued the seminal Seventh Circuit case on class certification, in an opinion authored by Chief Judge Frank Easterbrook. He has argued and/or prepared appeals before the Ninth Circuit, Seventh Circuit, Sixth Circuit and Second Circuit Courts of Appeals.

Mr. Binkow joined the Firm in 1994. Mr. Binkow obtained a Bachelor of Arts degree from the University of Michigan in 1988 and a Juris Doctor degree from the University of Southern California in 1994.

MARK S. GREENSTONE specializes in consumer, financial fraud and employment-related class actions. Possessing significant law and motion and trial experience, Mr. Greenstone has represented clients in multi-million dollar disputes in California state and federal courts, as well as the Court of Federal Claims in Washington, D.C.

Mr. Greenstone received his training as an associate at Sheppard, Mullin, Richter & Hampton LLP where he specialized in complex business litigation relating to investment management, government contracts and real estate. Upon leaving Sheppard Mullin, Mr. Greenstone founded an internet-based company offering retail items on multiple platforms nationwide. He thereafter returned to law bringing a combination of business and legal skills to his practice.

Mr. Greenstone graduated Order of the Coif from the UCLA School of Law. He also received his undergraduate degree in Political Science from UCLA, where he graduated Magna Cum Laude and was inducted into the Phi Beta Kappa honor society.

Mr. Greenstone is a member of the Consumer Attorneys Association of Los Angeles, the Santa Monica Bar Association and the Beverly Hills Bar Association. He is admitted to practice in state and federal courts throughout California.

ROBERT I. HARWOOD, as Of Counsel, has prosecuted numerous securities, class, derivative, and ERISA actions. He is a member of the Trial Lawyers' Section of the New York State Bar Association and has served as a guest lecturer at trial advocacy programs sponsored by the Practicing Law Institute. He is also a Member of the Board of Directors of the MFY Legal Services Inc., which provides free legal representation in civil matters to the poor and the mentally ill in New York City. Since 1999, Mr. Harwood has also served as an Associate Justice for the Village of Dobbs Ferry, New York.

Mr. Harwood served as lead counsel in *Morse v. McWhorter* (Columbia/HCA Healthcare Securities Litigation), (M.D. Tenn.), in which a settlement fund of \$49.5 million was created for the benefit of the Class, as well as *In re Bank One Securities Litigation*, (N.D. Ill.), which resulted in the creation of a \$45 million settlement fund. Mr. Harwood also served as co-lead counsel in *In re Safety-Kleen Corp. Stockholders Litigation*, (D.S.C.), which resulted in a settlement fund of \$44.5 million; *In re JWP Inc. Securities Litigation*, (S.D.N.Y.), which resulted in a \$37 million settlement fund; and *In re UNUMProvident Corp. Securities Litigation*, (D. Me.), which resulted in the creation of settlement fund of \$45 million. Mr. Harwood was also one of the lead attorneys in litigating claims in *In re FedEx Ground Package Inc. Employment Practices Litigation*, No. 3:05-

MD-527 (MDL 1700), a multi-district litigation concerning employment classification of pickup and delivery drivers resulting in a \$242,000,000 settlement.

Mr. Harwood graduated from William and Mary Law School in 1971, and has specialized in securities law and securities litigation since beginning his career in 1972 at the Enforcement Division of the New York Stock Exchange.

TAKEO A. KELLAR is Of Counsel in the Firm's San Diego office. Mr. Kellar has significant experience in securities fraud class actions, opt-out direct actions and shareholder derivative actions on behalf of institutional and individual investors, as well as consumer class actions and other complex litigation. Mr. Kellar has been an integral member of litigation teams who successfully prosecuted numerous securities actions that have recovered hundreds of millions of dollars for investors. His experience and strong skills in all aspects of complex and class action litigation in state, federal and appellate courts provide a valuable resource in developing and implementing redress strategies and litigating favorable resolutions for the firm's clients and class members.

Mr. Kellar is a graduate of the University of San Diego School of Law (J.D.) and the University of California, Riverside (B.A.). Mr. Kellar is admitted to practice in the State of California and before the United States District Courts for the Central, Northern and Southern Districts of California, and the Courts of Appeal for the Third and Ninth Circuits.

JOHN C. ROBERTS is Of Counsel at the Firm, where his practice focuses on representing plaintiffs in federal securities class actions, shareholder derivative litigation, and consumer class actions.

Mr. Roberts has extensive experience representing plaintiffs and defendants in all aspects of class action litigation, and he has done so in state and federal courts across the country. Mr. Roberts has an established track record of success in federal securities class actions and shareholder derivative actions. He has an extensive experience managing class action litigation, a long history of dispositive briefing in high-stakes matters, and a deep knowledge of state and federal appellate litigation.

Prior to joining the Firm, Mr. Roberts spent more than a decade at the Seattle office of a Silicon Valley-based defense firm, where he litigated dozens of federal securities class actions and shareholder derivative suits on behalf of large publicly-traded companies, including Costco and Starbucks. John also maintained a robust pro bono practice at the firm and has extensive experience with state and federal civil rights litigation.

Mr. Roberts graduated from DePaul University College of Law in Chicago, Illinois. After law school, he clerked for the Honorable Judge Richard D. Cudahy of the U.S. Court of Appeals for the Seventh Circuit. He began his legal career at a Chicago-based litigation firm doing complex commercial and appellate litigation.

SENIOR COUNSEL

CHRISTOPHER M. THOMS is Senior Discovery Counsel and his practice includes large-scale electronic discovery encompassing all stages of litigation, securities and antitrust litigation. Mr. Thoms manages attorneys in fact-finding for depositions, expert discovery, and trial preparation.

Prior to joining the Firm, Mr. Thoms worked as a staff attorney at O'Melveny & Meyers LLP where he managed eDiscovery issues in complex class actions and multi-district litigations. Mr. Thoms also worked as a contract attorney for various law firms in Los Angeles.

Mr. Thoms graduated with a Bachelor of Arts and a Masters of Arts from University of Miami and received his J.D. from Southwestern University School of Law. Mr. Thoms is a member of the state bar of California and admitted to practice before the United States District Courts for the Central District of California.

ASSOCIATES

KENNETH CHANG is an Associate in the Firm's Los Angeles office. His practice includes antitrust, consumer, and securities litigation.

Prior to law school, Mr. Chang worked as a software engineer at a major technology company. He is a native speaker of English and Spanish and speaks conversational Cantonese.

Mr. Chang received his Bachelor of Science in Mathematics and Master of Science in Electrical Engineering from Stanford University. He earned his Juris Doctor from Stanford Law School, where he served as an Executive Editor of the *Stanford Law Review* and received the John Hart Ely Prize for his research paper in law and economics.

REBECCA DAWSON specializes in complex civil litigation, class action securities litigation, and antitrust litigation.

Ms. Dawson previously worked at a highly respected plaintiff-side class action firm specializing in mass torts and antitrust litigation where she managed a wide variety of complex state and federal matters including false advertising, environmental torts and product liability claims.

During law school, Ms. Dawson was a clerking intern for the Chief Justice of the Court of International Trade. After law school, she clerked at the New York Supreme Court where she handled hundreds of complex commercial and civil litigation decisions. Ms. Dawson also participated in the Securities and Exchange Commission Honors program in the Office of the Investors Advocate. Prior to law school, she worked for the Brooklyn Bar Association. Ms. Dawson also has a background in financial data analysis.

Ms. Dawson earned her J.D. from City University of New York School of Law, where she was a Moot Court Competition Problem Author. She earned her B.A. from Bard College at Simon's Rock, where she majored in Political Science with a minor in Economics.

CHRIS DEL VALLE is an experienced attorney who has been a valuable member of the Firm since 2017. Mr. Del Valle has worked on a range of complex securities fraud cases, including *In re Akorn, Inc. Securities Litigation*, Case No. 15-CV-01944, (N.D. Ill.); *In re Yahoo! Inc. Securities Litigation*, Case No. 17-CV-00373-LHK (N.D. Cal.); *In re Endurance International Group Holdings*, Case No. 1:15-cv-11775-GAO; *In re LSB Industries, Inc. Securities Litigation*, Case No. 1:15-cv-07614-RA-GWG (S.D.N.Y.); *Christine Asia Ltd. v. Jack Yun Ma, et al.* (Alibaba Group Holding Ltd.), Case No. 1:15-md-02631 (S.D.N.Y.); *In re Community Health Systems Inc*, Case No. 3:19-cv-00461 (M.D. Tenn).

One of Mr. Del Valle's notable appellate successes was *Hartpence v. Kinetic Concepts, Inc.*, No. 19-55823 (9th Cir. 2022), alleging violations of the False Claims Act (FCA). Mr. Del Valle was

part of the legal team that successfully represented a whistleblower in obtaining 9th Circuit reversal of the lower court's order granting summary judgment.

With highly technical expertise in e-discovery, Mr. Del Valle specializes in all facets of the Firm's e-discovery needs, including crafting advanced search algorithms, predictive coding, and technology-assisted review. Mr. Del Valle also has a wealth of experience in deposition preparation, expert discovery, and preparing for summary judgment and trial.

Mr. Del Valle received a Bachelor of Arts degree from S.U.N.Y. Buffalo, majoring in English Literature/Journalism, and a Juris Doctor from California Western School of Law in San Diego.

FERNANDA GALBES has extensive experience in the discovery process of complex securities and antitrust class-action litigations including from pre-litigation investigations through depositions and expert discovery phases involving antitrust violations, securities fraud, and intellectual property disputes.

Ms. Galbes earned her Master of Laws (LL.M.) from Arizona State University in 2014 and a Bachelor of Laws (LL.B.) from Universidade Paulista. Fluent in Portuguese and proficient in Spanish, she brings valuable insight to cases requiring precise analysis of foreign legal documents and a nuanced understanding of cultural and linguistic complexities.

LISA HOLMAN is an experienced attorney specializing in complex securities, commercial and antitrust class action litigation, with particular expertise in the discovery phase of litigation. She played an integral role on the firm's discovery teams in several notable matters including *In re Alibaba Group Holding Limited Securities Litigation*, and *Camelot Event Driven Fund v. Morgan Stanley & Co. LLC, et al.*

Ms. Holman is a member of the Firm's E-Discovery Group, advancing the Firm's goal to guide and shape technological & digital advancements, best practices, and strategy in e-discovery.

Ms. Holman graduated from Cornell University with a Bachelor of Arts degree and received her Juris Doctor degree from The University of Michigan Law School. She is admitted to the State Bar of New York.

THOMAS J. KENNEDY works out of the New York office, where he focuses on securities, antitrust, mass torts, and consumer litigation. He received a Juris Doctor degree from St. John's University School of Law in 1995. At St. John's, he was a member of the ST. JOHN'S JOURNAL OF LEGAL COMMENTARY. Mr. Kennedy graduated from Miami University in 1992 with a Bachelor of Science degree in Accounting and has passed the CPA exam. Mr. Kennedy was previously associated with the law firm Murray Frank LLP.

HOLLY K. NYE is an associate in the Firm's Los Angeles office. Her practice concentrates on data privacy and consumer fraud class action litigation.

Ms. Nye also has a background in transactional legal work, having previously worked extensively with both financial institutions and borrowers, and real estate investors and developers in connection with commercial financing and complex real estate transactions. Her experience expands to a variety of business transactions including the initial formation and development of businesses, mergers and acquisitions, and succession planning.

While in law school, Ms. Nye practiced under West Virginia Rule 10 Certification through the university's Entrepreneurship and Innovation Law Clinic where she represented clients on a variety of intellectual property matters as well as start-up clients with business formation, funding, and growth and development.

Ms. Nye earned her B.S.B.A. from West Virginia University in 2018 where she majored in Marketing. She earned both her M.B.A. from West Virginia University John Chambers College of Business and Economics and her J.D. from West Virginia University College of Law in 2022, where she was selected for the Order of Barristers for having demonstrated exceptional skill in trial advocacy, oral advocacy, and brief writing throughout her law school career. Ms. Nye is admitted to practice in California and Ohio.

AMIR A. SOLEIMANPOUR is an Associate in the Firm's Los Angeles office. He received his Juris Doctor from the Washington & Lee School of Law in 2024. Mr. Soleimanpour's practice includes data privacy, securities fraud, and consumer protection litigation.

Mr. Soleimanpour graduated from Tufts University in 2019 with a Bachelor of Arts in International Relations. At the Washington & Lee School of Law, Mr. Soleimanpour was President of the Lewis F. Powell, Jr. Distinguished Lecture Series, where he hosted Judge J. Michael Luttig for the Series' 2024 Lecture. Mr. Soleimanpour was also a finalist in the 2022 Robert J. Grey, Jr. Negotiations Competition and was awarded the law faculty's 2024 Frederic L. Kirgis, Jr. International Law Award, for excellence in international law.

EXHIBIT 10

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF LEAD PLAINTIFF ARYEH AGAM IN SUPPORT OF:
(1) PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND PLAN OF ALLOCATION; AND (2) LEAD COUNSEL'S MOTION
FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION
EXPENSES**

I, Aryeh Agam, declare as follows:

1. I am the Court-appointed Lead Plaintiff in the above-captioned securities class action (the “Action”).¹ ECF No. 40. I respectfully submit this declaration in support of: (a) Plaintiffs’ motion for final approval of the proposed Settlement and approval of the proposed Plan of Allocation; and (b) Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses, including approval of my request to recover the reasonable costs and expenses I incurred in connection with my representation of the Settlement Class in the prosecution of this Action.

2. I am aware of and understand the requirements and responsibilities of a representative plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z-1. I have personal knowledge of the matters set forth herein, as I have been directly involved in monitoring and overseeing the prosecution of the Action, as well as the negotiations leading to the Settlement, and I could and would testify competently to these matters.

I. LEAD PLAINTIFF’S OVERSIGHT OF THE LITIGATION

3. By Order dated November 8, 2023, the Court: (a) appointed me to serve as one of the Lead Plaintiffs in the Action; and (b) approved my selection of Glancy Prongay & Murray LLP² and The Law Offices of Jacob Sabo (collectively, “Lead Counsel”) to serve as lead counsel. ECF No. 40.

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

² Glancy Prongay & Murray LLP has since changed its name to Glancy Prongay Wolke & Rotter LLP. ECF No. 142.

4. In fulfillment of my responsibilities as a Lead Plaintiff, I have worked closely with Lead Counsel regarding the litigation and resolution of this case.

5. Throughout the litigation, I received status reports from Lead Counsel on case developments, and participated in regular discussions concerning the prosecution of the Action, the strengths of and risks to the claims, and potential settlement. In particular, I: (a) produced my trading records to Lead Counsel; (b) moved to be appointed Lead Plaintiff in this Action; (c) regularly communicated with my attorneys regarding the posture and progress of the case; (d) reviewed and assisted in responding to document requests (e) reviewed all significant pleadings and briefs filed in this Action; (f) reviewed the Court's orders and discussed them with my attorneys; (g) consulted with Lead Counsel regarding settlement negotiations and the mediation; and (h) evaluated and approved the proposed Settlement.

6. In short, I have done my best to vigorously promote the interests of the Settlement Class and to obtain the largest recovery possible under the circumstances.

II. APPROVAL OF THE SETTLEMENT

7. As detailed in the paragraphs above, through my active participation I was both well-informed of the status and progress of the litigation, and the status and progress of the settlement negotiations in this Action.

8. Based on my involvement in the prosecution and resolution of the claims asserted in the Action, I believe that the proposed Settlement provides a fair, reasonable, and adequate recovery for the Settlement Class, particularly in light of the risks of continued litigation, and I fully endorse approval of the Settlement by the Court.

III. LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

A. Attorneys' Fees And Litigation Expenses

9. I believe Lead Counsel's request for an award of attorneys' fees in the amount of 33⅓% of the Settlement Fund is fair and reasonable in light of the work Plaintiffs' Counsel performed on behalf of the Settlement Class.

10. I have evaluated Lead Counsel's fee request by considering the quality and amount of the work performed, the recovery obtained for the Settlement Class, and the risks Plaintiffs' Counsel bore in prosecuting this Action on behalf of myself, the other Plaintiffs, and the Settlement Class on a fully contingent basis, which included the fronting of all expenses. I have authorized this fee request for the Court's ultimate determination.

11. I further believe the litigation expenses for which Lead Counsel has requested reimbursement are reasonable. Based on the foregoing, and consistent with my obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.

B. Lead Plaintiff's Litigation-Related Costs And Expenses

12. I understand that reimbursement of a class representative's reasonable costs and expenses is authorized under the PSLRA, 15 U.S.C. § 77z-1(a)(4). For this reason, in connection with Lead Counsel's request for reimbursement of Litigation Expenses, I respectfully request reimbursement for the costs and expenses that I incurred directly relating to my representation of the Settlement Class in the Action.

13. I am an independent real estate agent and, at times, a developer, and the time I devoted to representing the Settlement Class in this Action was time that I otherwise would have spent at my real estate business, on my investments, or on other activities and, thus, represented a

cost to me. I respectfully request reimbursement in the modest amount of \$10,000 for the time I devoted to participating in this Action. I make this request based on the conservative estimate that I devoted well over 50 hours in the litigation-related activities described above. It is my belief that this request for reimbursement is fair, reasonable and modest, and that the time and effort I devoted to this litigation was necessary to help achieve an excellent result for the Settlement Class under the circumstances.

IV. CONCLUSION

14. In conclusion, I strongly endorse the Settlement as fair, reasonable, and adequate. I appreciate the Court's attention to the facts presented in my declaration and respectfully request that the Court grant: (a) Plaintiffs' motion for final approval of the proposed Settlement and the Plan of Allocation; (b) Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses incurred in prosecuting the Action on behalf of the Settlement Class.

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

Executed on April 27, 2026, in Tel Aviv, Israel.

arie agam

Aryeh Agam

EXHIBIT 11

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF LEAD PLAINTIFF SHIMON AHARON IN SUPPORT OF:
(1) PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND PLAN OF ALLOCATION; AND (2) LEAD COUNSEL'S MOTION
FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION
EXPENSES**

I, Shimon Aharon, declare as follows:

1. I am the Court-appointed Lead Plaintiff in the above-captioned securities class action (the “Action”).¹ ECF No. 40. I respectfully submit this declaration in support of: (a) Plaintiffs’ motion for final approval of the proposed Settlement and approval of the proposed Plan of Allocation; and (b) Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses, including approval of my request to recover the reasonable costs and expenses I incurred in connection with my representation of the Settlement Class in the prosecution of this Action.

2. I am aware of and understand the requirements and responsibilities of a representative plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z-1. I have personal knowledge of the matters set forth herein, as I have been directly involved in monitoring and overseeing the prosecution of the Action, as well as the negotiations leading to the Settlement, and I could and would testify competently to these matters.

I. LEAD PLAINTIFF’S OVERSIGHT OF THE LITIGATION

3. By Order dated November 8, 2023, the Court: (a) appointed me to serve as one of the Lead Plaintiffs in the Action; and (b) approved my selection of Glancy Prongay & Murray LLP² and The Law Offices of Jacob Sabo (collectively, “Lead Counsel”) to serve as lead counsel. ECF No. 40.

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

² Glancy Prongay & Murray LLP has since changed its name to Glancy Prongay Wolke & Rotter LLP. ECF No. 142.

4. In fulfillment of my responsibilities as a Lead Plaintiff, I have worked closely with Lead Counsel regarding the litigation and resolution of this case.

5. Throughout the litigation, I received status reports from Lead Counsel on case developments and participated in regular discussions concerning the prosecution of the Action, the strengths of and risks to the claims, and potential settlement. In particular, I: (a) produced my trading records and other documents to Lead Counsel; (b) moved to be appointed Lead Plaintiff in this Action; (c) regularly communicated with my attorneys regarding the posture and progress of the case; (d) reviewed and assisted in responding to document requests; (e) reviewed all significant pleadings and briefs filed in this Action; (f) reviewed the Court's orders and discussed them with my attorneys; (g) consulted with Lead Counsel regarding settlement negotiations and the mediation; and (h) evaluated and approved the proposed Settlement.

6. In short, I have done my best to vigorously promote the interests of the Settlement Class and to obtain the largest recovery possible under the circumstances.

II. APPROVAL OF THE SETTLEMENT

7. As detailed in the paragraphs above, through my active participation I was both well-informed of the status and progress of the litigation, and the status and progress of the settlement negotiations in this Action.

8. Based on my involvement in the prosecution and resolution of the claims asserted in the Action, I believe that the proposed Settlement provides a fair, reasonable, and adequate recovery for the Settlement Class, particularly in light of the risks of continued litigation, and I fully endorse approval of the Settlement by the Court.

III. LEAD COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

A. Attorneys’ Fees And Litigation Expenses

9. I believe Lead Counsel’s request for an award of attorneys’ fees in the amount of 33⅓% of the Settlement Fund is fair and reasonable in light of the work Plaintiffs’ Counsel performed on behalf of the Settlement Class.

10. I have evaluated Lead Counsel’s fee request by considering the quality and amount of the work performed, the recovery obtained for the Settlement Class, and the risks Plaintiffs’ Counsel bore in prosecuting this Action on behalf of myself, the other Plaintiffs, and the Settlement Class on a fully contingent basis, which included the fronting of all expenses. I have authorized this fee request for the Court’s ultimate determination.

11. I further believe the litigation expenses for which Lead Counsel has requested reimbursement are reasonable. Based on the foregoing, and consistent with my obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses.

B. Lead Plaintiff’s Litigation-Related Costs And Expenses

12. I understand that reimbursement of a class representative’s reasonable costs and expenses is authorized under the PSLRA, 15 U.S.C. § 77z-1(a)(4). For this reason, in connection with Lead Counsel’s request for reimbursement of Litigation Expenses, I respectfully request reimbursement for the costs and expenses that I incurred directly relating to my representation of the Settlement Class in the Action.

13. I am the controlling shareholder and the CEO of Lidan Wholesale Food Ltd. (“Lidan”), which is engaged in the distribution & sale of food products. The time I devoted to representing the Settlement Class in this Action was time that I otherwise would have spent

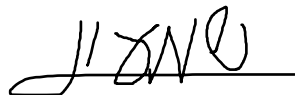
promoting Lidan's business, investing or on other activities and, thus, represented a cost to me. I respectfully request reimbursement in the amount of \$10,000 for the time I devoted to participating in this Action. I make this request based on the conservative estimate that I devoted over 50 hours in the litigation-related activities described above. It is my belief that this request for reimbursement is fair, reasonable and even modest, and that the time and effort I devoted to this litigation was necessary to help achieve an excellent result for the Settlement Class under the circumstances.

IV. CONCLUSION

14. In conclusion, I strongly endorse the Settlement as fair, reasonable, and adequate. I appreciate the Court's attention to the facts presented in my declaration and respectfully request that the Court grant: (a) Plaintiffs' motion for final approval of the proposed Settlement and the Plan of Allocation; (b) Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses incurred in prosecuting the Action on behalf of the Settlement Class.

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

Executed on April __, 2026, in Tel Aviv, Israel



 Shimon Aharon

EXHIBIT 12

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF NAMED PLAINTIFF RODRIGUE FODJO IN SUPPORT OF:
(1) PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND PLAN OF ALLOCATION; AND (2) LEAD COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF LITIGATION EXPENSES**

I, Rodrigue Fodjo, declare as follows:

1. I am a named Plaintiff in the above-captioned securities class action (the “Action”).¹ See ECF No. 45. I respectfully submit this declaration in support of: (a) Plaintiffs’ motion for final approval of the proposed Settlement and approval of the proposed Plan of Allocation; and (b) Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses, including approval of my request to recover the reasonable costs and expenses I incurred in connection with my representation of the Settlement Class in the prosecution of this Action.

2. I am aware of and understand the requirements and responsibilities of a representative plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z-1. I have personal knowledge of the matters set forth herein, as I have been directly involved in monitoring and overseeing the prosecution of the Action, as well as the negotiations leading to the Settlement, and I could and would testify competently to these matters.

I. OVERSIGHT OF THE LITIGATION

3. I have been actively involved in this Action since I was named as an additional Plaintiff in the Amended Class Action Complaint for Violations of the Federal Securities Laws. ECF No. 45.

4. In fulfillment of my responsibilities as a named Plaintiff, I have worked closely with Plaintiffs’ Counsel through Pomerantz LLP regarding the litigation and resolution of this case.

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

5. Throughout the litigation, I received status reports from Plaintiffs' Counsel on case developments, and communicated with Plaintiffs' Counsel concerning the Action and potential settlement. In particular, I: (a) produced my trading records to Plaintiffs' Counsel; (b) searched my records for documents regarding Defendant Hub Cyber Security Ltd. ("Hub") f/k/a Mount Rainier Acquisition Corp. ("Mount Rainier"); (c) regularly communicated with my attorneys regarding the posture and progress of the case; (d) reviewed significant documents filed in this Action; (e) consulted with Plaintiffs' Counsel regarding the mediation and settlement negotiations; and (f) evaluated and approved the proposed Settlement.

6. In short, I have done my best to vigorously promote the interests of the Settlement Class and to obtain the largest recovery possible under the circumstances.

II. APPROVAL OF THE SETTLEMENT

7. As detailed in the paragraphs above, through my active participation I was both well-informed of the status and progress of the litigation, and the status and progress of the settlement negotiations in this Action.

8. Based on my involvement in the prosecution and resolution of the claims asserted in the Action, I believe that the proposed Settlement provides a fair, reasonable, and adequate recovery for the Settlement Class, particularly in light of the risks of continued litigation, and I fully endorse approval of the Settlement by the Court.

III. LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

A. Attorneys' Fees And Litigation Expenses

9. I believe Lead Counsel's request for an award of attorneys' fees in the amount of 33⅓% of the Settlement Fund is fair and reasonable in light of the work Plaintiffs' Counsel performed on behalf of the Settlement Class.

10. I have evaluated Lead Counsel's fee request by considering the quality and amount of the work performed, the recovery obtained for the Settlement Class, and the risks Plaintiffs' Counsel bore in prosecuting this Action on behalf of myself, the other Plaintiffs, and the Settlement Class on a fully contingent basis, which included the fronting of all expenses. I have authorized this fee request for the Court's ultimate determination.

11. I further believe the litigation expenses for which Lead Counsel has requested reimbursement are reasonable. Based on the foregoing, and consistent with my obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.

B. Plaintiff's Litigation-Related Costs And Expenses

12. I understand that reimbursement of a class representative's reasonable costs and expenses is authorized under the PSLRA, 15 U.S.C. § 77z-1(a)(4). For this reason, in connection with Lead Counsel's request for reimbursement of Litigation Expenses, I respectfully request reimbursement for the costs and expenses that I incurred directly relating to my representation of the Settlement Class in the Action.

13. I am a Senior Consultant in engineering in the insurance industry, and I have been investing in the securities markets for eight years. The time I devoted to representing the Settlement Class in this Action was time that I otherwise would have spent at my job, investing, or on other activities and, thus, represented a cost to me. I respectfully request reimbursement in the amount of \$5,000 for the time I devoted to participating in this Action. I make this request based on the conservative effort that I devoted approximately 60 hours in the litigation-related activities described above. It is my belief that this request for reimbursement is fair and reasonable

and that the time and effort I devoted to this litigation was necessary to help achieve an excellent result for the Settlement Class under the circumstances.

IV. CONCLUSION

14. In conclusion, I strongly endorse the Settlement as fair, reasonable, and adequate. I appreciate the Court's attention to the facts presented in my declaration and respectfully request that the Court grant: (a) Plaintiffs' motion for final approval of the proposed Settlement and the Plan of Allocation; (b) Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses incurred in prosecuting the Action on behalf of the Settlement Class.

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

Executed on May 12, 2026, in Winnipeg, Canada.



Rodrigue Fodjo

EXHIBIT 13

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HUB CYBER SECURITY LTD.

Master File No. 1:23-cv-05764-AS

**DECLARATION OF NAMED PLAINTIFF DUSTIN GREEN IN SUPPORT OF:
(1) PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND PLAN OF ALLOCATION; AND (2) LEAD COUNSEL'S
MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF LITIGATION EXPENSES**

I, Dustin Green, declare as follows:

1. I am a named Plaintiff in the above-captioned securities class action (the “Action”).¹ See ECF No. 45. I respectfully submit this declaration in support of: (a) Plaintiffs’ motion for final approval of the proposed Settlement and approval of the proposed Plan of Allocation; and (b) Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses, including approval of my request to recover the reasonable costs and expenses I incurred in connection with my representation of the Settlement Class in the prosecution of this Action.

2. I am aware of and understand the requirements and responsibilities of a representative plaintiff in a securities class action, including those set forth in the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 77z-1. I have personal knowledge of the matters set forth herein, as I have been directly involved in monitoring and overseeing the prosecution of the Action, as well as the negotiations leading to the Settlement, and I could and would testify competently to these matters.

I. OVERSIGHT OF THE LITIGATION

3. I have been actively involved in this Action since I was named as an additional Plaintiff in the Amended Class Action Complaint for Violations of the Federal Securities Laws. ECF No. 45.

4. In fulfillment of my responsibilities as a named Plaintiff, I have worked closely with Plaintiffs’ Counsel through Pomerantz LLP regarding the litigation and resolution of this case.

¹ Unless otherwise defined, all capitalized terms herein have the same meanings as set forth in the Stipulation and Agreement of Settlement dated December 9, 2025. ECF No. 138-1.

5. Throughout the litigation, I received status reports from Plaintiffs' Counsel on case developments, and communicated with Plaintiffs' Counsel concerning the Action and potential settlement. In particular, I: (a) produced my trading records to Plaintiffs' Counsel; (b) searched my records for documents regarding Defendant Hub Cyber Security Ltd. ("Hub") f/k/a Mount Rainier Acquisition Corp. ("Mount Rainier"); (c) regularly communicated with my attorneys regarding the posture and progress of the case; (d) reviewed significant documents filed in this Action; (e) consulted with Plaintiffs' Counsel regarding the mediation and settlement negotiations; and (f) evaluated and approved the proposed Settlement.

6. In short, I have done my best to vigorously promote the interests of the Settlement Class and to obtain the largest recovery possible under the circumstances.

II. APPROVAL OF THE SETTLEMENT

7. As detailed in the paragraphs above, through my active participation I was both well-informed of the status and progress of the litigation, and the status and progress of the settlement negotiations in this Action.

8. Based on my involvement in the prosecution and resolution of the claims asserted in the Action, I believe that the proposed Settlement provides a fair, reasonable, and adequate recovery for the Settlement Class, particularly in light of the risks of continued litigation, and I fully endorse approval of the Settlement by the Court.

III. LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES

A. Attorneys' Fees And Litigation Expenses

9. I believe Lead Counsel's request for an award of attorneys' fees in the amount of 33⅓% of the Settlement Fund is fair and reasonable in light of the work Plaintiffs' Counsel performed on behalf of the Settlement Class.

10. I have evaluated Lead Counsel's fee request by considering the quality and amount of the work performed, the recovery obtained for the Settlement Class, and the risks Plaintiffs' Counsel bore in prosecuting this Action on behalf of myself, the other Plaintiffs, and the Settlement Class on a fully contingent basis, which included the fronting of all expenses. I have authorized this fee request for the Court's ultimate determination.

11. I further believe the litigation expenses for which Lead Counsel has requested reimbursement are reasonable. Based on the foregoing, and consistent with my obligation to the Settlement Class to obtain the best result at the most efficient cost, I fully support Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses.

B. Plaintiff's Litigation-Related Costs And Expenses

12. I understand that reimbursement of a class representative's reasonable costs and expenses is authorized under the PSLRA, 15 U.S.C. § 77z-1(a)(4). For this reason, in connection with Lead Counsel's request for reimbursement of Litigation Expenses, I respectfully request reimbursement for the costs and expenses that I incurred directly relating to my representation of the Settlement Class in the Action.

13. I am a real estate broker and I have been investing in the securities markets for six to seven years. The time I devoted to representing the Settlement Class in this Action was time that I otherwise would have spent at my job, investing, or on other activities and, thus, represented a cost to me. I respectfully request reimbursement in the amount of \$5,000 for the time I devoted to participating in this Action. I make this request based on the conservative effort that I devoted approximately 20 hours in the litigation-related activities described above. It is my belief that this request for reimbursement is fair and reasonable and that the time and effort I devoted to this

litigation was necessary to help achieve an excellent result for the Settlement Class under the circumstances.

IV. CONCLUSION

14. In conclusion, I strongly endorse the Settlement as fair, reasonable, and adequate. I appreciate the Court's attention to the facts presented in my declaration and respectfully request that the Court grant: (a) Plaintiffs' motion for final approval of the proposed Settlement and the Plan of Allocation; (b) Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses; and (c) my request for reimbursement of the reasonable costs and expenses incurred in prosecuting the Action on behalf of the Settlement Class.

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

Executed on May 6, 2026, in Mocksville, North Carolina.


Dustin Green

EXHIBIT 14

Select Second Circuit Cases with 33% or Higher Fee Awards

Case	Settlement Amount	Fee Award
In re Initial Pub. Offering Sec. Litig., 671 F. Supp. 2d 467, 516 (S.D.N.Y. 2009)	\$586,000,000	33⅓%
In re U.S. Foodservice, Inc. Pricing Litig, No. 07-md-01894, 2014 WL 12862264, at *3 (D.Conn. Dec. 9, 2014)	\$297,000,000	33⅓%
Qsberg v. Foot Locker, Inc., No. 07-cv-1358, ECF No. 423 (S.D.N.Y. Jun. 8, 2018)	\$288,479,943	33.00%
In re Buspirone Antitrust Litig., No. 01-md-01413, 2003 U.S. Dist. LEXIS 26538 at *9 (S.D.N.Y. Nov. 21, 2003)	\$220,000,000	33⅓%
Pearlstein v. BlackBerry Limited, No. 13-cv-07060, 2022 WL 4554858, at *9-*11 (S.D.N.Y. Sep. 29, 2022)	\$165,000,000	33⅓%
Haddock v. Nationwide Life Ins. Co., No. 01-cv-01552, ECF Nos. 598-1, 601 (D. Conn. Apr. 9, 2015)	\$140,000,000	35.00%
Landmen Partners, Inc. v. The Blackstone Grp., L.P., No. 08-cv-03601, 2013 WL 11330936, at *3 (S.D.N.Y. Dec. 18, 2013)	\$85,000,000	33.33%
In re Grab Holdings Ltd. Sec. Litig., No. 1:22-cv-02189, 2025 WL 1413515 at *5 (S.D.N.Y. May 15, 2025)	\$80,000,000	33⅓%
In re J.P. Morgan Stable Value Fund ERISA Litig., No. 12-cv-02548, 2019 WL 4734396, at *6 (S.D.N.Y. Sep. 23, 2019)	\$75,000,000	33⅓%
In re Nat. Gas Commodities Litig., No. 03-cv-06186 (VM), ECF No. 445 (S.D.N.Y. May 26, 2006)	\$72,762,500	33⅓%
Nichols v. Noom, Inc., No. 20-cv-03677, 2022 WL 2705354 at *10 (S.D.N.Y. Jul. 12, 2022)	\$56,000,000	33⅓%
In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig., No. 18-md-02819, 2020 WL 6193857, at *5-6 (E.D.N.Y. Oct. 7, 2020)	\$51,025,000	33⅓%
In re Chicago Bridge & Iron Co. N.V. Sec. Litig., No. 17-cv-01580, 2022 WL 3220783, at *1 (S.D.N.Y. Aug. 5, 2022)	\$44,000,000	33⅓%
In re Crazy Eddie Sec. Litig., 824 F.Supp. 320, 326 (E.D.N.Y. 1993)	\$42,000,000	33.8%
In re Medical X-Ray Film Antitrust Litig., No. 93-cv-5904, 1998 WL 661515, at *7-8 (E.D.N.Y. Aug. 7, 1998)	\$39,360,000	33⅓%
In re Marsh ERISA Litig., 265 F.R.D. 128, 149, at *9 (S.D.N.Y. 2010)	\$35,000,000	33⅓%
In re Perrigo Company PLC Sec. Litig., No. 19-cv-00070 (DLC), ECF No. 331 (S.D.N.Y. Feb. 18, 2022)	\$31,900,000	33⅓%
In re Cnova N.V. Sec. Litig., No. 16-cv-00444, ECF No. 148 (S.D.N.Y. Mar. 20, 2018)	\$28,500,000	33⅓%
In re Nat. Gas Commodities Litig., No. 03-cv-06186 (VM), ECF No. 507 (S.D.N.Y. Jun. 22, 2007)	\$28,087,500	33⅓%
In re Facebook Inc. IPO Sec. and Deriv. Litig., No. 12-md-2389, 2015 WL 6971424 at *9 (S.D.N.Y. Nov. 9, 2015)	\$26,500,000	33.00%

Case	Settlement Amount	Fee Award
Gilbert v. Azure Power Global Ltd., No. 22-cv-07432, ECF No. 134 (S.D.N.Y. Sep. 8, 2025)	\$23,000,000	33⅓%
In re Apac Teleservs., Inc. Sec. Litig., No. 97-cv-9145, ECF No. 58 (S.D.N.Y. Dec. 12, 2001)	\$21,000,000	33⅓%
In re Y-mAbs Therapeutics, Inc. Sec. Litig., No. 23-cv-00431, 2024 WL 5082773, at *4 (S.D.N.Y. Oct. 29, 2024)	\$19,650,000	33.30%
In re XL Fleet Corp. Sec. Litig., No. 21-cv-02002, 2024 WL 1884483, at *1 (S.D.N.Y. Apr. 30, 2024)	\$19,500,000	33⅓%
In re Deutsche Bank AG Sec. Litig., No. 09-cv-01714, 2020 WL 3162980 at *1 (S.D.N.Y. Jun. 11, 2020)	\$18,500,000	33⅓%
In re NYSE Specialists Sec. Litig., No. 03-cv-08264, ECF No. 403 (S.D.N.Y. Jun. 10, 2013)	\$18,500,000	41.10%
Wilson v. LSB Industries, Inc. , No. 15-cv-07614, 2019 WL 3542844 at *1 (S.D.N.Y. Jun. 28, 2019)	\$18,450,000	33⅓%
Hawaii Structural Ironworkers Pension Trust Fund v. AMC Entertainment Holdings, Inc., No. 18-cv-00299, ECF No. 230 (S.D.N.Y. Feb. 14, 2022)	\$18,000,000	33⅓%
In re Oxycontin Antitrust Litig, No. 04-md-01603, ECF No. 360 (S.D.N.Y. Jan. 25, 2011)	\$16,000,000	33⅓%
Newman v. Caribiner Int'l Inc., No. 99-cv-2271, ECF No. 31 (S.D.N.Y. Oct. 25, 2001)	\$15,000,000	33⅓%
In re Ubiquiti Networks Inc. Sec. Litig., No. 18-cv-01620, ECF No. 49 (S.D.N.Y. Mar. 27, 2020)	\$15,000,000	33⅓%
City of Providence v. Aeropostale, Inc., No. 11-cv-7132, 2014 WL 1883494, at *20 (S.D.N.Y. May 9, 2014)	\$15,000,000	33.00%
Merryman v. Citigroup, Inc., No. 15-cv-09185, ECF No. 163 (S.D.N.Y. 2019 Jul. 15, 2019)	\$14,750,000	33⅓%
Gruber v. Gilbertson, No. 16-cv-09727, 2022 WL 17828609, at *19 (S.D.N.Y. Dec. 21, 2022)	\$13,950,000	33⅓%
Nguyen v. NewLink Genetics Corp., No. 16-cv-03545, ECF No. 132 (S.D.N.Y. Sep. 22, 2021)	\$13,500,000	33⅓%
In re CarLotz, Inc. Sec. Litig., No. 21-cv-05906, ECF No. 205 (S.D.N.Y. Jul. 7, 2025)	\$13,000,000	33⅓%
Martinek v. AmTrust Financial Services, Inc., No. 19-cv-08030-KPF, ECF No. 112 (S.D.N.Y. Nov. 16, 2022)	\$13,000,000	33.33%
In re Giant Interactive Group, Inc. Sec. Litig., 279 F.R.D. 151, 166 (S.D.N.Y. 2011)	\$13,000,000	33.00%
Naclerio v. DocGo, Inc., No. 23-cv-09476, ECF No. 122 (S.D.N.Y. Mar. 24, 2026)	\$12,500,000	33.00%
In re Parking Heaters, Antitrust Litig. Direct Purchasers, No. 15-MC-0940, 2019 WL 8137325 (E.D.N.Y. Aug 15, 2019)	\$12,200,000	33⅓%
In re Jernigan Cap., Inc., No. 20-cv-09575, ECF 154 (S.D.N.Y. May 29, 2025)	\$12,000,000	33⅓%

Case	Settlement Amount	Fee Award
McIntire v. China Media Express Holdings, Inc., No. 11-cv-00804, ECF No. 263 (S.D.N.Y. Sep. 18, 2015)	\$12,000,000	33.33%
Maley, v. Del Global Technology, , No. 00-cv-08495, ECF No. 50 (S.D.N.Y. Jan. 29, 2000)	\$11,500,000	33⅓%
In re Arrival SA Sec. Litig., No. 22-cv-00172, 2026 WL 816654 at *2 (E.D.N.Y. Mar. 25, 2026)	\$11,275,000	33⅓%
Gould v. Winstar Communications, Inc., No. 01-cv-03014, ECF No. 363 (S.D.N.Y. Nov. 13, 2013)	\$10,000,000	33.33%
In re Tenaris S.A. Sec. Litig., 2024 WL 1719632, at *10, 12 (E.D.N.Y. Apr. 22, 2024)	\$9,500,000	33⅓%
Machniewicz v. Uxin Limited, No. 19-cv-00822, ECF No. 61 (E.D.N.Y. Sep. 8, 2021)	\$9,500,000	33.33%
Levin v. Resource Capital Corp., No. 15-cv-07081, ECF No. 95 (S.D.N.Y. Aug. 3, 2018)	\$9,500,000	33.00%
Khait v. Whirlpool Corp., No. 06-cv-6381, 2010 WL 2025106, at *8 (E.D.N.Y. Jan. 20, 2010)	\$9,250,000	33.00%
Ferraiori v. Triterras, Inc. , No. 20-cv-10795, ECF No. 82 (S.D.N.Y. Sept 8, 2022)	\$9,000,000	33⅓%
In re PPD AI Group Inc. Sec. Litig., No. 18-cv-06716, 2022 WL 198491 at *16 (E.D.N.Y. Jan 21, 2022)	\$9,000,000	33⅓%
Beach v. JPMorgan Chase Bank, No. 17-cv-00563, ECF No. 232 at 2 (S.D.N.Y. Oct. 7, 2020)	\$9,000,000	33.00%
In re Qudian Inc. Sec. Litig., No. 17-cv-09741, 2021 WL 2328437, at *1 (S.D.N.Y. Jun. 8, 2021)	\$8,500,000	33⅓%
Skiadas v. Acer Therapeutics Inc. , No. 19-cv-06137, ECF No. 136 (S.D.N.Y. Jan. 7, 2022)	\$8,350,000	33⅓%
In re Nano-X Sec. Litig., No. 21-cv-05517, ECF No. 93 (E.D.N.Y. May 10, 2024)	\$8,000,000	33⅓%
In re Van der Moolen Holding N.V. Sec. Litig., No. 03-cv-08284, ECF No. 45 (S.D.N.Y. Dec. 6, 2006)	\$8,000,000	33⅓%
Becher v. Long Island Lighting Co., 64 F.Supp.2d 174, 182, at *3 (E.D.N.Y. 1999)	\$7,750,000	33⅓%
In re Parking Heaters, Antitrust Litig. Indirect Purchasers, No. 15-MC-0940, 2019 WL 8137325 (E.D.N.Y. Aug 15, 2019)	\$7,700,000	33⅓%
Willix v. Healthfirst, Inc., No. 07-cv-01143, 2011 WL 754862, at *7 (E.D.N.Y. Feb. 18, 2011)	\$7,675,000	33.00%
Panther Partners Inc. v. Jianpu Technology Inc. , No. 18-cv-09848, ECF No. 130 (S.D.N.Y. May 12, 2022)	\$7,500,000	33⅓%
Lea v. TAL Education Group, No. 18-cv-05480, 2021 WL 5578665 at *11 (S.D.N.Y Nov 30, 2021)	\$7,500,000	33⅓%
Guevoura Fund Ltd. v. Sillerman, No. 15-cv-07192, 2019 WL 6889901, at *1 (S.D.N.Y. Dec. 18, 2019)	\$7,500,000	33⅓%

Case	Settlement Amount	Fee Award
Swanson v. Interface, Inc. , No. 20-cv-05518, ECF No. 91 (E.D.N.Y. Oct. 20, 2023)	\$7,500,000	33.00%
In re Reconnaissance Energy Africa Ltd. Sec. Litig., No. 21-cv-06176, 2024 WL 5265298 at *1 (E.D.N.Y. Dec. 30, 2024)	\$7,009,759	33⅓%
In re Sundial Growers Inc. Sec. Litig., No. 19-cv-08913, ECF No. 117 (S.D.N.Y. Oct. 6, 2022)	\$7,000,000	33⅓%
Zeltser v. Merrill Lynch & Co., Inc., No. 13-cv-01531, 2014 WL 4816134, at *11 (S.D.N.Y. Sep. 23, 2014)	\$6,900,000	33⅓%
In re Austin Capital Management, Ltd., Sec. & ERISA Litig., No. 09-md-02075, ECF No. 103 (S.D.N.Y. Oct. 2, 2014)	\$6,850,000	33⅓%
Fogarazzo v. Lehman Bros. Inc., No. 03-cv-5194, 2011 WL 671745, *4 (S.D.N.Y. Feb. 23, 2011)	\$6,750,000	33⅓%
Cohen v. Apache Corp., No. 89-cv-00076, 1993 U.S. Dist. LEXIS 5211, at *1 (S.D.N.Y. Apr. 21, 1993)	\$6,750,000	33⅓%
Guevoura Fund Ltd. v. Robert F.X. Sillerman, No. 15-cv-07192, 2019 WL 6889901, at *1 (S.D.N.Y. Dec. 18, 2019)	\$6,750,000	33⅓%
In re Global Brokerage, Inc. Sec. Litig., No. 17-cv-00916, ECF No. 374 (S.D.N.Y. Jul. 7, 2023)	\$6,500,000	33⅓%
In re Patriot National, Inc. Sec. Litig., No. 17-cv-01866, 2019 WL 5882171, at *1-2 (S.D.N.Y. Nov. 6, 2019)	\$6,500,000	33.00%
In re Northern Dynasty Minerals Ltd. Sec. Litig., 2024 WL 308242, at *9, 15 17 (E.D.N.Y. Jan. 26, 2024)	\$6,375,000	33⅓%
Horowitz v. Sunlands Tech. Grp., No. 19-CV-3744 (RML) ECF No. 75 (E.D.N.Y. Oct. 11, 2023)	\$6,200,000	33⅓%
Mo-Kan Iron Workers Pension Fund v. Teligent, Inc., No. 19-cv-03354, ECF No. 102 (S.D.N.Y. Dec. 1, 2021)	\$6,000,000	33⅓%
Clark v. Ecolab Inc., No. 07-cv-08623, 2010 WL 1948198, at *8-9 (S.D.N.Y. May 11, 2010)	\$6,000,000	33.00%
Piazza v. Nevsun Resources, Ltd., No. 12-cv-01845, ECF No. 55 (S.D.N.Y. Feb 13, 2015)	\$5,995,000	33⅓%
Murphy III v. JBS S.A., No. 17-cv-03084, ECF No. 57 (E.D.N.Y. Jul. 22, 2019)	\$5,866,600	33.52%
Li v. Duoyuan Global Water, Inc., No. 10-cv-07233, ECF No. 205 (S.D.N.Y. Feb. 5, 2014)	\$5,150,000	33.33%
Bensley v. Falconstor Software, Inc., No. 10-cv-04572, 2014 WL 12917621, at *10 (E.D.N.Y. Apr. 10, 2014)	\$5,000,000	33⅓%
Marchand v. Momo Inc. , No. 19-cv-04433, ECF No. 80 (S.D.N.Y. Aug. 4, 2021)	\$5,000,000	33⅓%
In re Ideanomics, Inc. Sec. Litig., No. 19-cv-06741, ECF No. 132 (S.D.N.Y. Jan. 25, 2022)	\$5,000,000	33.33%
Chin v. KE Holdings, Inc., No. 21-cv-11196, 2026 WL 555625 at *1 (S.D.N.Y. Feb. 27, 2026)	\$4,950,000	33⅓%

Case	Settlement Amount	Fee Award
Beckman v. Keybank, N.A., 293 F.R.D. 467, 482, at *6-7 (S.D.N.Y. 2013)	\$4,900,000	33⅓%
In re Akazoo S.A. Sec. Litig., No. 20-cv-01900 2021, 2021 WL 4316717, at *1 (E.D.N.Y. Sep. 10, 2021)	\$4,900,000	33⅓%
In re DDAVP Indirect Purchaser Antitrust Litig., No. 05-cv-02237, 2013 WL 10114257, at *3 (S.D.N.Y. Dec. 18, 2013)	\$4,750,000	33.00%
Kohari v. MetLife Group, Inc., No. 21-cv-06146, 2025 WL 100898, at *11 (S.D.N.Y. Jan. 15, 2025)	\$4,500,000	33⅓%
Toure v. Amerigroup Corp. , No. 10-cv-05391, 2012 WL 3240461, at *7 (E.D.N.Y. Aug. 6, 2012)	\$4,450,000	33⅓%
Perry v. Duoyuan Printing, Inc. , No. 10-cv-07235, ECF No. 185 (S.D.N.Y. Nov 27, 2013)	\$4,300,000	33⅓%
Leach v. NBC Universal Television Group , No. 15-cv-07206, ECF No. 329 (S.D.N.Y. Aug 24, 2017)	\$4,269,867	33⅓%
In re iDreamSky Technology Limited Sec. Litig., No. 15-cv-02514, 2018 WL 8950640, at *4 (S.D.N.Y. April 6, 2018)	\$4,150,000	33⅓%
In re 3D Systems Sec. Litig., No. 21-cv-01920, ECF No. 76 (Jan. 4, 2024)	\$4,000,000	33⅓%
Massiah v. Metroplus Health Plan, Inc., 2012 WL 5874655, at *6 (E.D.N.Y. Nov. 20, 2012)	\$4,000,000	33⅓%
In re Hi-Crush Partners L.P. Sec. Litig., No. 12-cv-08557, 2014 WL 7323417, at *19 (S.D.N.Y. Dec. 19, 2014)	\$3,800,000	33⅓%
Solomon v. Sprint Corp., No. 19-cv-05272, ECF No. 98 (S.D.N.Y. Aug. 14, 2023)	\$3,750,000	33⅓%
Wilchfort v. Knight , No. 17-cv-01046, ECF No. 97 (E.D.N.Y. Dec. 4, 2019)	\$3,750,000	33⅓%
Too v. Rockwell Medical, Inc., No. 18-cv-04253, 2020 WL 1026410, at *3 (E.D.N.Y. Feb. 26, 2020)	\$3,700,000	33⅓%
Gormley v. Magijack Vocaltec Ltd. , No. 16-cv-01869, ECF No. 70 (S.D.N.Y. Jan. 19, 2018)	\$3,650,000	33.00%
Gormley v. Magijack Vocaltec Ltd., No. 1:16-cv-01869-VM, ECF No. 70 (S.D.N.Y. Jan. 19, 2018)	\$3,650,000	33.00%
Schutter v. Tarena International, Inc., 2024 WL 4118465, at *12 (E.D.N.Y. Sep. 9, 2024)	\$3,500,000	33⅓%
In re L & L Energy, Inc., No. 13-cv-06704, ECF No. 86 (S.D.N.Y. Aug 3, 2015)	\$3,500,000	33⅓%
Mohney v. Shelly's Prime Steak, Stone Crab & Oyster Bar, No. 06 Civ. 4270, 2009 WL 5851465, at *5 (S.D.N.Y. Mar. 31, 2009)	\$3,265,000	33.00%
Sanders v. The CJS Solutions Grp., LLC, No. 17-cv-3809, ECF No. 106 (S.D.N.Y. Jun. 22, 2018)	\$3,240,000	33⅓%
In re Loop Industries, Inc. Sec. Litig., No. 20-cv-09031, ECF No. 59 (S.D.N.Y. Jan 5, 2023)	\$3,100,000	33⅓%

Case	Settlement Amount	Fee Award
Lematta v. Casper Sleep Inc. , No. 20-cv-02744, ECF No. 102 (E.D.N.Y. Feb. 6, 2025)	\$3,000,000	33⅓%
Enriquez v. Nabriva Therapeutics plc, No. 19-cv-04183, ECF No. 78 (S.D.N.Y. May 14, 2021)	\$3,000,000	33⅓%
Stefaniak v. HSBC Bank USA, N.A., No. 05-cv-07208, 2008 WL 7630102 at *10 (W.D.N.Y. Jun. 28, 2008)	\$2,900,000	33.00%
Gauquie v. Albany Molecular Research, Inc., No. 14-cv-06637, ECF No. 72 (E.D.N.Y. Oct. 13, 2017)	\$2,868,000	33⅓%
Vaccaro v. New Source Energy Partners Lp., No. 15-cv-8954, 2017 WL 6398636, at *6 (S.D.N.Y. Dec. 14, 2017)	\$2,850,000	33⅓%
In re Blech Sec. Litig., No. 94-cv-07696, 2002 WL 31720381, at *1 (S.D.N.Y. Dec. 4, 2002)	\$2,795,000	33⅓%
Bensinger v. Denbury Resources Inc., No. 10-cv-01917, ECF No. 146 (E.D.N.Y. Jul. 20, 2015)	\$2,750,000	33⅓%
In re Namaste Technologies Inc. Sec. Litig., No. 18-cv-10830, ECF No. 76 (S.D.N.Y. Mar. 11, 2020)	\$2,750,000	33.30%
In re Akari Therapeutics PLC Sec. Litig., No. 17-cv-03577, ECF No. 106 (S.D.N.Y. Nov. 28, 2018)	\$2,700,000	33⅓%
McIntosh v. Katapult Holdings, Inc., No. 21-cv-07251, 2024 WL 5118192 at *12-*15 (S.D.N.Y. Dec. 13, 2024)	\$2,500,000	33⅓%
Mikhlin v. Oasmia Pharmaceutical AB , No. 19-cv-04349, ECF No. 45 (E.D.N.Y.)	\$2,350,000	33⅓%
In re Fuwei Films Sec. Litig., No. 07-cv-09416, ECF No. 86 (S.D.N.Y. Apr. 27, 2011)	\$2,150,000	33.00%
In re Revolution Lighting Technologies, Inc. Sec. Litig., No. 19-cv-00980, ECF No. 86 (S.D.N.Y. Aug. 11, 2020)	\$2,083,333	33.33%
Menkes v. Stolt-Nielsen S.A., No. 03-cv-00409, ECF No. 142 (D.Conn. Jan. 25, 2011)	\$2,000,000	33⅓%
Levine v. Atricure, Inc. , No. 06-cv-14324, ECF No. 85 (S.D.N.Y. May 27, 2011)	\$2,000,000	33⅓%
Kristal v. Mesoblast Limited, No. 20-cv-08430, 2022 WL 3442535, at *1 (S.D.N.Y. Aug. 15, 2022)	\$2,000,000	33⅓%
Brennan v. Latch, Inc., No. 22-cv-07473, 2025 WL 4632679 (S.D.N.Y. May 28, 2025)	\$1,950,000	33⅓%
Perry v. Duoyuan Printing, Inc., No. 10-cv-07235, ECF No. 218 (S.D.N.Y. Jun. 16, 2015)	\$1,893,750	33⅓%
Lin v. Liberty Health Sciences Inc., No. 19-cv-00161, ECF No. 100 (S.D.N.Y. Nov. 16, 2021)	\$1,800,000	33⅓%
In re Noah Education Holdings Ltd. Sec. Litig., No. 08-cv-09203, ECF No. 80 (S.D.N.Y. May 27, 2011)	\$1,750,000	33⅓%
Calfo and Demsar v. Messina, Sr., , No. 15-cv-04010, ECF No. 184 (S.D.N.Y. Oct. 30, 2017)	\$1,650,000	33.33%

Case	Settlement Amount	Fee Award
Palacio v. E*TRADE Financial Corp., 2012 WL 2384419, at *6 (S.D.N.Y. Jun. 22, 2012)	\$1,500,000	33⅓%
Strougo v. Bassini, No. 258 F.Supp.2d 254, 262, at *4-5 (S.D.N.Y. 2003)	\$1,500,000	33⅓%
In re Altair Nanotechnologies Sec. Litig., No. 14-cv-07828, ECF No. 53 (S.D.N.Y. Jun. 15, 2016)	\$1,500,000	33.00%
In re FAB Universal Corp. Sec. Litig., No. 13-cv-08216, ECF No. 74 (S.D.N.Y. Jan. 28, 2016)	\$1,500,000	33.00%
Luib v. Henkel Consumer Goods Inc., No. 1:17-cv-03021-BMC, ECF No. 60 (E.D.N.Y. Aug. 19, 2019)	\$1,500,000	33.00%
In re Akazoo S.A. Sec. Litig., No. 20-cv-01900, 2022 WL 14915812 at *4 (E.D.N.Y. Oct. 07, 2022)	\$1,470,000	33⅓%
Viti v. Shattuck Labs, Inc. , No. 22-cv-00560, ECF No. 54 (E.D.N.Y. Nov. 6, 2023)	\$1,400,000	33⅓%
Tiro v. Public House Investments, LLC, No. 11-cv-07679, ECF No. 113 (S.D.N.Y. Sep. 10, 2013)	\$1,300,000	33⅓%
Tate v. Aterian, Inc., No. 21-cv-04323, ECF No. 99 (S.D.N.Y. Sep. 12, 2022)	\$1,300,000	33.33%
Grice v. Pepsi Beverages Company , No. 17-cv-08853, ECF No. 66 (S.D.N.Y. Jan. 28, 2019)	\$1,192,275	33⅓%
Henry v. Little Mint, Inc. , No. 12-cv-03996, ECF No. 71 (S.D.N.Y. May 23, 2014)	\$1,162,500	33.33%
In re China Sunergy Company Limited, No. 07-cv-07895, ECF No. 66 (S.D.N.Y. May 12, 2011)	\$1,050,000	33.33%
Springer v. Code Rebel Corp., No. 16-cv-03492, 2018 WL 1773137, at *5 (S.D.N.Y. Apr. 10, 2018)	\$1,000,000	33.33%