## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION

In re APPLE INC. SECURITIES LITIGATION	)	Case No. 4:19-cv-02033-YGR
	)	CLASS ACTION
This Document Relates To:	)	<u>OLAGO AOTION</u>
ALL ACTIONS.	)	
	)	

### PROOF OF CLAIM AND RELEASE

## I. GENERAL INSTRUCTIONS

- 1. To recover as a member of the Class based on your claims in the action entitled *In re Apple Inc. Securities Litigation*, No. 4:19-cv-02033-YGR (the "Action"), you must complete and, on page 8 hereof, sign this Proof of Claim and Release ("Claim Form"). If you fail to submit a properly addressed (as set forth in paragraph 3 below) Claim Form, received by the date shown below, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed settlement of the Action (the "Settlement").1
  - 2. Submission of this Claim Form, however, does not assure that you will share in the proceeds of the Settlement.
- 3. THE COURT-APPOINTED CLAIMS ADMINISTRATOR IN THIS CASE MUST RECEIVE YOUR COMPLETED AND SIGNED CLAIM FORM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, AT THE FOLLOWING ADDRESS OR WEBSITE:

2019 Apple Securities Settlement
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 301135
Los Angeles, CA 90030-1135
Online Submissions: www.2019AppleSecuritiesSettlement.com

YOUR CLAIM FORM MUST BE SUBMITTED ONLINE OR RECEIVED BY MAIL NO LATER THAN OCTOBER 4, 2024.2

Do not mail or deliver your Claim Form to the Court, the Parties to the Action, or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above. If you are NOT a member of the Class (as defined below and in the Class Action Settlement Notice (the "Notice")), DO NOT submit a Claim Form.

- 4. If you are a member of the Class and you do not request exclusion, you will be bound by the terms of any judgment entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A CLAIM FORM.
- 5. It is important that you completely read and understand the Notice that can be found on the Settlement website, www.2019AppleSecuritiesSettlement.com, including the Plan of Allocation of the Net Settlement Fund set forth in the Notice. The Notice describes the proposed Settlement, how 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 (as well as the Stipulation) 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.

## II. CLAIMANT IDENTIFICATION

You are a member of the Class if you purchased or otherwise acquired the publicly traded securities of Apple, including purchasers of Apple call options and sellers of Apple put options, during the period from November 2, 2018, through January 2, 2019, inclusive (the "Class Period"), and suffered damages by Defendants' alleged violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934. Excluded from the Class are: (i) Apple and the Individual Defendants; (ii) members of the families of each Individual Defendant; (iii) officers and directors of Apple; and (iv) the legal representatives, heirs, successors, or assigns of any such excluded party. Also excluded from the Class is any Person who would otherwise be a member of the Class but who validly and timely requests exclusion in accordance with the requirements set by the Court.

<sup>&</sup>lt;sup>1</sup> This Claim Form incorporates by reference the definitions in the Amended Stipulation of Settlement ("Stipulation"), which can be obtained at www.2019AppleSecuritiesSettlement.com.

<sup>&</sup>lt;sup>2</sup> Claim Forms that are legibly postmarked no later than October 4, 2024 will be treated as received on the postmark date. Please be advised that the U.S. Postal Service may not postmark mail which is not presented in person.

Use Part I of this Claim Form entitled "Claimant Identification" to identify each purchaser or acquirer of record ("nominee"), if different from the beneficial purchaser or acquirer of the Apple publicly traded securities which form the basis of this claim. THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE APPLE PUBLICLY TRADED SECURITIES UPON WHICH THIS CLAIM IS BASED.

All joint purchasers or acquirers must sign this Claim Form. Executors, administrators, guardians, conservators, and trustees must complete and sign this Claim Form on behalf of persons represented by them, and their authority must accompany this Claim Form and their titles or capacities must be stated. The last four digits of the Social Security Number (or full Taxpayer Identification Number) and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

If you are acting in a representative capacity on behalf of a member of the Class (for example, as an executor, administrator, trustee, or other representative), you must submit evidence of your current authority to act on behalf of that member of the Class. Such evidence would include, for example, letters testamentary, letters of administration, or a copy of the trust documents.

One Claim Form should be submitted for each separate legal entity. Separate Claim Forms should be submitted for each separate legal entity (*e.g.*, a claim from joint owners should not include separate transactions of just one of the joint owners, and an individual should not combine his or her IRA transactions with transactions made solely 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).

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request to, or may be requested to, submit information regarding their transactions in electronic files. All claimants MUST submit a manually signed paper Claim Form listing all their transactions whether or not they also submit electronic copies. If you wish to file your Claim Form electronically, you must contact the Claims Administrator at edata@gilardi.com to obtain the mandatory file layout. Any file not in accordance with the required electronic filing format will be subject to rejection. Only one Claim Form should be submitted for each legal entity (see above) and the *complete* name of the beneficial owner(s) of the securities must be entered where called for. Distribution payments must be made by check or electronic payment payable to the Authorized Claimant (beneficial account owner). The Third Party Filer shall not be the payee of any distribution payment check or electronic distribution payment. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgement of receipt and acceptance of electronically submitted data. Do not assume that your file has been received until you receive this notification. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at edata@gilardi.com to inquire about your file and confirm it was received.

## III. CLAIM FORM

Use Part II of this Claim Form entitled "Schedule of Transactions in Apple Common Stock," and Part III of this Claim Form entitled "Schedule of Transactions in Apple Options" to supply all required details of your transaction(s) in Apple publicly traded securities. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

On the schedules, provide all of the requested information with respect to **all** of your holdings, purchases, or acquisitions and **all** of your sales of Apple publicly traded securities, whether such transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim.

List these transactions separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

For short-sale transactions, the date of covering a "short sale" is deemed to be the date of purchase of Apple common stock, and the date of a "short sale" is deemed to be the date of Apple common stock.

For each transaction, you must provide, together with this Claim Form, copies of stockbroker confirmation slips, stockbroker statements, or other documents adequately evidencing your transactions in Apple publicly traded securities. If any such documents are not in your possession, please obtain a copy or equivalent documents from your broker because these documents are necessary to prove and process your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim. THE PARTIES DO NOT HAVE INFORMATION ABOUT YOUR TRANSACTIONS IN APPLE PUBLICLY TRADED SECURITIES.

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 calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Authorized Claimant.

Official Office Use Only



## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

In re Apple Inc. Securities Litigation
Case No. 4:19-cv-02033-YGR

## PROOF OF CLAIM AND RELEASE FORM

Must Be Received No Later Than October 4, 2024

## APSL

Please Type or Print in the Boxes Below Must use Black or Blue Ink or your claim may be deemed deficient.

REMEMBER TO ATTACH COPIES OF BROKER CONFIRMATIONS OR OTHER DOCUMENTATION OF YOUR TRANSACTIONS IN APPLE PUBLICLY TRADED SECURITIES. FAILURE TO PROVIDE THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR CLAIM OR RESULT IN REJECTION OF YOUR CLAIM.

PART I. CLAIMANT IDENTIFICATION			
Last Name	M.I. First N	ame	
Last Name (Co-Beneficial Owner)	M.I. First N	ame (Co-Beneficial Ov	vner)
IRA Joint Tenancy Employee	Individual	Other	
Company Name (Beneficial Owner - If Claimant is not an Individual) o	Custodian Nam	ne if an IRA	(specify)
Trustee/Asset Manager/Nominee/Record Owner's Name (If Different f	om Beneficial C	wner Listed Above)	
Account#/Fund# (Not Necessary for Individual Filers)			
Last Four Digits of Social Security Number Taxpayer Identifica	on Number		
or —			
Telephone Number (Primary Daytime)  Telephone Num	er (Alternate)		
Email Address			
Address MAILING INFORMATION			
Address (cont.)			
City	State	ZIP Code	
Foreign Province Foreign Postal Cod		Foreign Country Na	ame/Abbreviation
FOR CLAIMS PROCESSING ONLY  OB  CB  CB  ATP  KE  DR  ME  ND  ND	OP RE SH	/ D D / Y Y	FOR CLAIMS PROCESSING ONLY



## PART II. SCHEDULE OF TRANSACTIONS IN APPLE COMMON STOCK

at the close of trading on November 1, 2018:  Proof Enclosed?  Y N					
B. Purchases or acquisitions of Apple common stock between November 2, 2018, and April 2, 2019, inclusive:					
Trade Date(s) (List Chronologically)	Number of Shares Purchased or Acquired	Total Purchase Acquisition Pri (Excluding commi- taxes and fee	ice Proof of ssions, Purchase		
M M D D Y Y Y					
1. / /		\$	_ 00 Y		
2. / /		\$	■ 00 Y		
3. / /		\$	■ 00 Y		
4. / /		\$	■ 00 Y		
5. / /		\$	■ 00 Y		
IMPORTANT: (i) If any purchase listed co (ii) If you received shares through an acqu M M D D Y Y Y Y	· •	e date, the share amount, a	and the company acquired: Company:		
C. Sales of Apple common stock between November 2, 2018, and April 2, 2019, inclusive:					
	en November 2, 2018, and April 2, 2	2019, inclusive:			
C. Sales of Apple common stock between SALES	en November 2, 2018, and April 2, 2	2019, inclusive:			
	en November 2, 2018, and April 2, 2 Number of Shares Sold	2019, inclusive:  Total Sales Pr (Excluding commitaxes and fee	ssions, Sales		
Trade Date(s)	Number of	Total Sales Pr (Excluding commi	ssions, Sales es) Enclosed?		
Trade Date(s) (List Chronologically)	Number of	Total Sales Pr (Excluding commi	ssions, Sales Enclosed?		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y	Number of	Total Sales Pr (Excluding commitaxes and fee	ssions, Sales Enclosed?		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y  1. / / / / / / / / / / / / / / / / / / /	Number of	Total Sales Pr (Excluding commi- taxes and fee	ssions, Sales Enclosed?  00 Y  00 Y		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y  1.	Number of	Total Sales Pr (Excluding commi- taxes and fee	ssions, Sales Enclosed?  00 Y 00 Y 00 Y 00 Y 00 Y		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y  1. / / / / / / / / / / / / / / / / / / /	Number of	Total Sales Pr (Excluding commi- taxes and fee	ssions, Sales Enclosed?  OO Y  OO Y		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y  1.	Number of Shares Sold	Total Sales Pr (Excluding commi- taxes and fee	ssions, Sales Enclosed?  OO		
Trade Date(s) (List Chronologically)  M M D D Y Y Y Y  1.	Number of Shares Sold  Stock held O19:	Total Sales Pr (Excluding commi- taxes and fee	Ssions, Sales Enclosed?  OO		

YOU MUST READ AND SIGN THE RELEASE ON PAGE 8. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.

Information requested about your purchases or acquisitions on January 3, 2019, through and including the close of trading on April 2, 2019, is needed only in order for the Claims Administrator to confirm that you have reported all relevant transactions. Purchases or acquisitions during this period are not eligible for a recovery because they were made outside the Class Period.



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## PART III. SCHEDULE OF TRANSACTIONS IN APPLE OPTIONS

## PURCHASES/REPURCHASES

A. I made the following purchases/repurchases of options on Apple common stock between November 2, 2018, and April 2, 2019, inclusive:

Proof of transaction Enclosed?	> Z	> Z	> Z	> Z	> Z	> Z
Assigned/Exercised Date (MM/DD/YY)						
[X]expired [A]ssigned [E]xercised						
Transaction price per option contract						
Strike Price						
Expiry Date (MM/DD/YY)						
(MR						
Number of option contracts acquired						
Date(s) of transaction(s) (List Chronologically) (MM/DD/YY)						
Option Type	Put Call	Put	Put	Put	Put	Put

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 8. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.



# PART III. SCHEDULE OF TRANSACTIONS IN APPLE OPTIONS (CONT.)

## SALES/WRITTEN

B. I sold/wrote the following options on Apple common stock during the period between November 2, 2018, and April 2, 2019, inclusive.

Proof of transaction Enclosed?	> Z	≻ Z	≻ z	≻ Z	> z	> z
Assigned/Exercised Date (MM/DD/YY)						
Date(s) of transaction(s)  Option  (List Chronologically)  option  Option  (MM/DD/YY)  Strike Price  Date(s) of Man April 2, 2019, and April 2, 20						
Strike Price pe						
Expiry Date (MM/DD/YY)						
Number of option contracts acquired						
Date(s) of transaction(s) (List Chronologically) (MM/DD/YY)						
Option Type	Put Call	Put	Put	Put	Put	Put

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 8. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.



### IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Claim Form under the terms of the Stipulation described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Northern District of California with respect to my (our) claim as a member of the Class and for purposes of enforcing the releases set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of the Stipulation and any judgment that may be entered in the Action, including the releases and the covenants set forth herein. I (We) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions, or sales of Apple publicly traded securities during the Class Period and know of no other Person having done so on my (our) behalf.

## V. RELEASES

- 1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever waive, compromise, settle, discharge, extinguish, and release from the "Released Claims" (as defined below) each and all of the "Released Defendant Parties" (as defined below).
- 2. "Released Claims" means any and all claims, demands, losses, rights, and causes of action of every nature and description, including both known and Unknown Claims (as defined below), whether arising under federal, state, common, or foreign law, that Lead Plaintiff or any other member of the Class (i) asserted in any complaint filed in the Action, or could have asserted or could in the future assert in any court or forum that arise out of any of the allegations, transactions, facts, matters or occurrences, representations or omissions involved, set forth, or referred to in any complaint filed in the Action and (ii) that concern in any way, directly or indirectly, the purchase, acquisition, holding (by those who purchased or otherwise acquired Apple securities during the Class Period), sale or disposition of Apple securities during the Class Period. "Released Claims" does not include claims arising from the enforcement of the Settlement, derivative claims, or any claims of any Person that submits a request for exclusion from the Class that is accepted by the Court.
  - 3. "Released Defendant Parties" means each and all of the Defendants and each and all of their Related Persons.
- 4. "Released Defendants' Claims" means all claims and causes of action of every nature and description, including both known and Unknown Claims, whether arising under federal, state, common, or foreign law, or any other law, that Defendants could have asserted against any of the Released Plaintiff Parties (as defined below), including Plaintiffs' Counsel and Class Members, that arise out of the institution, prosecution, or settlement of the claims against Defendants, except for claims arising from the enforcement of the Settlement.
  - 5. "Released Parties" means the Released Defendant Parties and the Released Plaintiff Parties.
- 6. "Released Plaintiff Parties" means the Lead Plaintiff, each and every Class Member, Plaintiffs' Counsel, and each of their respective past or present trustees, officers, directors, partners, employees, contractors, auditors, principals, agents, attorneys, predecessors, successors, assigns, insurers, parents, subsidiaries, general or limited partners or partnerships, and limited liability companies; and the spouses, members of the immediate families, representatives, and heirs of any Released Plaintiff Party who is an individual, as well as any trust of which any Released Plaintiff Party is the settlor or which is for the benefit of any of their immediate family members. Released Plaintiff Parties does not include any Person who timely and validly seeks exclusion from the Class.
- 7. "Unknown Claims" means any and all Released Claims of every nature and description against the Released Defendant Parties that Lead Plaintiff or any other Class Member does not know or suspect to exist in his, her, their, or its favor at the time of the release of the Released Defendant Parties, and any and all Released Defendants' Claims of every nature and description against the Released Plaintiff Parties that any Defendant does not know or suspect to exist in his, her, their, or its favor at the time of the release of the Released Defendants' Claims, and including, without limitation, those that, if known by him, her, them, or it, might have affected his, her, their, or its decision to enter into this Settlement, execute the Stipulation, and agree to all the various releases set forth therein, or might have affected his, her, their, or its decision not to object to this Settlement or not exclude himself, herself, themselves, or itself from the Class. Unknown Claims include, without limitation, those claims in which some or all of the facts composing the claim may be unsuspected, undisclosed, concealed, or hidden. With respect to any and all Released Claims and Released Defendants' Claims, the Released Parties stipulate and agree that, upon the Effective Date, Lead Plaintiff and Class Members (as regards the Released Claims) and Defendants (as regards the Released Defendants' Claims) shall expressly waive and relinquish, and each Class Member shall be deemed to have and by operation of law and of the Judgment shall have, expressly waived and relinquished, to the fullest extent permitted by law, any and all provisions, rights and benefits conferred by California Civil Code §1542, or any law of any state or territory of the United States, or principle of common law or of international or foreign law, which is similar, comparable, or equivalent to Cal. Civ. 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.

The Released Parties may hereafter discover facts in addition to or different from those that he, she, they, or it now knows or believes to be true with respect to the subject matter of Released Claims or Released Defendants' Claims, but they stipulate and agree that, upon the Effective Date of the Settlement, the Released Parties shall expressly waive and by operation of the Judgment shall have,



fully, finally, and forever settled and released, any and all Released Claims or Released Defendants' Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, that now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct that is negligent, intentional, with or without malice, or a breach of fiduciary duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts. The Parties acknowledge, and each of the Class Members 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.

- 8. These releases shall be of no force or effect unless and until the Court approves the Stipulation and the Settlement becomes effective on the Effective Date.
- 9. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any claim or matter released pursuant to this release or any other part or portion thereof.
- 10. I (We) hereby warrant and represent that I (we) have included information about all of my (our) purchases, acquisitions, and sales of Apple publicly traded securities during the Class Period and the number of Apple common shares held by me (us) at the close of trading on November 1, 2018, January 2, 2019, and April 2, 2019.
- I (We) declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.

Executed this day of(Month/Year)	in (City/State/Country)
(Sign your name here)	(Sign your name here)
(Type or print your name here)	(Type or print your name here)
(Capacity of person(s) signing, e.g.,  Reneficial Purchaser or Acquirer, Executor or Administrator)	(Capacity of person(s) signing, e.g.,  Reneficial Purchaser or Acquirer, Executor or Administrator)

ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.
THANK YOU FOR YOUR PATIENCE.



## Reminder Checklist:

- 1. Please sign the above release and acknowledgment.
- 2. If this claim is being made on behalf of Joint Claimants, then both must sign.
- 3. Remember to attach copies of supporting documentation, if available.
- 4. **Do not send** originals of certificates.
- 5. Keep a copy of your Claim Form and all supporting documentation for your records.
- If you desire an acknowledgment of receipt of your Claim Form, please send it Certified Mail, Return Receipt Requested.
- If you move, please send your new address to the address below.
- 8. **Do not use red pen or highlighter** on the Claim Form or supporting documentation. Must use Black or Blue Ink or your claim may be deemed deficient.

## THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR RECEIVED NO LATER THAN OCTOBER 4, 2024, ADDRESSED AS FOLLOWS:

2019 Apple Securities Settlement
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 301135
Los Angeles, CA 90030-1135
www.2019AppleSecuritiesSettlement.com



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