

of Tokyo – Mitsubishi UFJ, Ltd.), and The Norinchukin Bank (collectively, the “Subsequent Settlements”) in *Gelboim, et ano. v. Credit Suisse Group, et al.*, 12 Civ. 1025 (NRB) (the “Bondholder Action”), which is consolidated for pretrial proceedings in *In re Libor-Based Financial Instruments Antitrust Litigation*, MDL No. 2262 (S.D.N.Y.). I previously executed my “*Declaration of Cameron R. Azari, Regarding Notice Program*,” on October 14, 2022 (ECF No. 3563-8), in which I detailed Hilsoft’s class action notice experience and attached Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions, including examples of courts that have found me qualified to opine, and that accepted my opinions on overall adequacy of Notice Plans.

4. The Court’s November 7, 2022, Order Preliminarily Approving the Settlements between Bondholder Plaintiffs and Ltd., Credit Suisse Group AG, and The Norinchukin Bank, Conditionally Certifying the Bondholder Settlement Classes, Appointing Settlement Class Counsel, Approving the Notice Program, and Preliminarily Approving the Plan of Allocation (the “November 7, 2022, Order”) approved the Additional Notice Program as designed by Hilsoft (ECF No. 3578, ¶ 17). The Settlement Classes in the Subsequent Settlements are co-extensive with the Settlement Classes as defined in the Final Approval Order approving the Initial Settlements and granting final approval to the Initial Notice Program (ECF 3246):

All persons and entities (other than defendants in the Bondholder Action and their affiliated persons and entities) who owned (including beneficially or in “street name”) any USD LIBOR-Based Debt Security; provided, however, that any such securities that were issued by any Defendant, including its subsidiaries and affiliates as obligor, are excluded from the definition of LIBOR-Based Debt Security.

The term “USD LIBOR-Based Debt Security” means any U.S. dollar-denominated debt security that was assigned a unique identification number by the CUSIP system, on which interest was

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payable at any time between August 1, 2007, and May 31, 2010 (“Settlement Class Period”), and where interest was payable at a rate expressly tied to the U.S. Dollar LIBOR rate.

5. The facts in this declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues from Hilsoft and Epiq, who worked with me to implement the notification effort.

SUMMARY OF ADDITIONAL NOTICE PROGRAM

6. Federal Rule of Civil Procedure 23 directs that the best notice practicable under the circumstances must include “individual notice to all members who can be identified through reasonable effort.”¹ As noted above, in the November 7, 2022, Order the Court approved the Additional Notice Program, stating that:

The forms and methods set forth herein of notifying members of the Bondholder Settlements Classes of the Subsequent Bondholder Settlements and their terms and conditions meet the requirements of due process and Rule 23 of the Federal Rules of Civil Procedure; constitute the best notice practicable under the circumstances; and constitute due and sufficient notice to all persons and entities entitled thereto. The Notice Program as herein provided is approved.

7. As set forth in my previous declaration, the Additional Notice builds upon the notice already given in the Initial Settlements, providing notice of the proposed Subsequent Settlements in a postcard format (the “Postcard Notice”). In addition, the website and toll-free telephone number that were created and maintained in connection with the Initial Notice Program remain in effect and were updated to include information, such as a detailed notice (the “Detailed Notice”), a Proof of Claim form, and a summary notice (the “Publication Notice”), regarding the

¹ F.R.C.P. 23(c)(2)(B).

proposed Subsequent Settlements. The Postcard Notice, the Detailed Notice, and the Publication Notice are collectively referred to herein as the Notices.

8. A key element of the Additional Notice Program is the language and design of the documents provided to potential members of the Subsequent Settlement Classes. The Notices use clear, simple, and straightforward language, and are presented in a format that is easy to follow and understand. Both the Notices' substance and method of dissemination to potential members of the Subsequent Settlement Classes assure conveyance of the information required by Rule 23(c)(2)(B), including a plain language explanation. The Detailed Notice included (a) the nature of the case and the claims, the class definition, the background of the subsequent settlements, and how the subsequent settlements funds will be allocated upon final approval; (b) the right to opt out of the Settlement Classes and to object to the Subsequent Settlements, and (c) the binding effect of any judgment on those who do not exclude themselves from the Subsequent Settlement Classes.

9. In addition, the Notices contain other information, including that, the Court of Appeals upheld the District Court's dismissal of the Bondholder Action on the merits, ending the case as to the remaining non-settling defendants, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation. The Notices also advised that (i) claims submitted in the Initial Settlements will automatically be considered for recovery in the Subsequent Settlements and should not be re-submitted; and (ii) recovery for new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements.

10. The Additional Notice Program also includes a Detailed Notice regarding the Subsequent Settlements. The Detailed Notice is comparable to the Notice this Court approved in connection with the Initial Settlements (ECF No. 3102). The Postcard Notice and Publication

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Notice informed potential members of the Subsequent Settlement Classes how to obtain a copy of the Detailed Notice and Proof of Claim Form either by direct mail from Epiq or by downloading it from the Website.

11. As detailed in my previous declarations, Epiq's efforts in connection with the Initial Notice Program included sending the initial Claim Packet containing the individual notice and Proof of Claim Form by first class mail to the 1,243 Third Party Nominees, including US banks, brokerage firms, third-party filing firms and nominees institutional investors and insurance companies, the names and addresses of which appear in Epiq's proprietary database. Epiq then provided Claim Packets directly to potential members of the Settlement Classes whose names and addresses it received from Third-Party Nominees and, upon request, sent bulk copies of Claim Packets to other Third-Party Nominees for them to provide to their clients. In addition, Epiq identified large-scale holders of potentially qualifying securities by category, including major asset managers, mutual funds, public pension funds, insurance companies and other entities, and sent Claim Packets directly to each of them. Epiq actively coordinated, by phone and email, with Third-Party Nominees and certain other entities to ensure that the Claims Packets were received and to answer any questions. Epiq also provided a list of relevant U.S. Dollar Libor-Based Debt Securities, by CUSIP numbers, to entities that requested it. In total, Epiq distributed 63,671 Claim Packets in the Initial Notice Program.

ADDITIONAL NOTICE PROGRAM DETAIL

Direct Notice

12. Pursuant to the Court's November 7, 2022, Order, on November 28, 2022, Epiq mailed a copy of the Postcard Notice to 6,150 members of the Subsequent Settlement Classes and emailed a copy of the Postcard Notice to 44,208 members of the Settlement Classes for whom

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Epiq had obtained a mailing address or email address in connection with the Initial Settlements (the “Subsequent Settlements Mailing”). A copy of the Postcard Notice is included as **Attachment 1**. For those Nominees who, in the Initial Notice Program had elected to obtain bulk copies of Claim Packets from Epiq to provide to their clients themselves, Epiq sent the same number of the Postcard Notice and directed them to provide the Postcard Notice to all such clients within seven (7) calendar days of receipt from Epiq.

13. As of February 10, 2023, Epiq has mailed a total of 71,014 Postcard Notices, including 6,189 directly to potential Subsequent Settlement Class Members and 64,825 to Nominee Holders to be forwarded to their clients. As is customary in administrations like this, certain Nominee Holders, such as custodian banks, disseminate the Postcard Notice to their clients through their own internal mechanisms rather than requesting copies from Epiq. Based on Epiq’s experience, a substantial number of notices were distributed in this manner. Following the Subsequent Settlements Mailing, Epiq responded to inquiries from Class Members and Nominee Holders and assisted them with obtaining the CUSIP list if needed.

14. I hereby certify that Epiq complied with the requirements of the November 7, 2022, Order regarding distribution of the Postcard Notice. ECF No. 3578, ¶¶ 19-20.

Publication Notice

15. In compliance with the November 7, 2022 Order, *id.*, ¶ 21, on November 28, 2022, Epiq caused the Publication Notice to be published once in the national edition of *IBD Weekly*. The Summary Notice and a copy of the tear sheet for the insertion in *IBD Weekly* are included as **Attachment 2**. Also on November 28, 2022, the Publication Notice was issued as a Press Release via PRNewswire’s US1 newswire. A copy of the Press Release as it was distributed is included as **Attachment 3**.

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Website

16. Epiq created and continues to maintain the Website (www.BondholderLiborSettlements.com) dedicated to these Settlements (the “Website”). The Website address was prominently displayed in the Detailed Notice, Postcard Notice, and Publication Notice. On the Website, Settlement Class Members are able to obtain detailed information about the Initial and Subsequent Settlements and review case documents including the Detailed Notice, Plan of Allocation, Claim Form, operative Bondholder First Amended Class Action Complaint, key dates, answers to frequently asked questions (“FAQs”), relevant Court orders and opinions, and the Settlement Agreements with all of the Settling Defendants. A copy of the Long Form Notice is included as **Attachment 4**.

17. In compliance with the November 7, 2022 Order, *id.*, ¶ 22, on November 28, 2022, Epiq updated the Website to include the deadlines for opting out and objecting to the Subsequent Settlements as well as the deadline for submitting a claim in connection with the Subsequent Settlements, and uploaded copies of the Detailed and Publication Notices, and the Proof of Claim Form for the Subsequent Settlements as well as the Court’s Preliminary Approval Order.

18. The Website was also updated to advise Settlement Class Members that (i) claims submitted in the Initial Settlements will automatically be considered for recovery in the Subsequent Settlements and should not be re-submitted; (ii) recovery for new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements; and (iii) the time to file claims in connection with the Initial Settlements has expired. As of February 10, 2023, there have been 28,959 unique visitor sessions to the Website and over 53,461 website pages presented. In addition, the Detailed Notice was downloaded 995 times, and the Proof of Claim form was downloaded 4,705 times.

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Toll-Free Telephone Number

19. In accordance with the November 7, 2022, Order, *id.* at ¶ 23, Epiq continues to maintain a toll-free telephone number (888-205-5804) and interactive voice response system (“IVR”) to accommodate inquiries from potential members of the Settlement Classes and to respond to FAQs. On November 22, 2022, the IVR and FAQs were updated to include information regarding the Subsequent Settlements. As required by the November 7, 2022, Order, *id.*, the telephone number was displayed on the Postcard Notice, Detailed Notice and Publication Notice as well as on the Website. The telephone number dedicated to the Settlements has been accessible 24 hours a day, 7 days a week, and staffed by trained telephone operators familiar with the Settlements. As of February 10, 2023, the telephone number has handled 2,726 calls, 27,352 minutes of use.

20. Epiq continues to maintain and monitor the post office box set up for the Settlements, to allow Settlement Class Members to contact the Claims Administrator by mail with any specific requests or questions. Similarly, Epiq has maintained and will continue to monitor the email address that claimants can use to contact the Claims Administrator (info@BondholderLiborSettlements.com) with any questions or requests for information.

21. Based upon the foregoing, I certify that the provisions of the Additional Notice Program, as approved by the Court in the November 7, 2022, Order, were fully implemented.

Exclusions and Objections

22. As noted above, the deadline for requesting exclusion from or objecting to the Subsequent Settlements is March 1, 2023. As of February 10, 2023, Epiq has received a total of four requests for exclusion. The list of all complete requests for exclusion that Epiq has received

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to date is included as **Attachment 5**. I am aware of no objections to the Subsequent Settlements at the time of this declaration.

Claim Filing

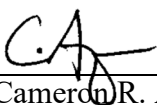
23. The Notices, IVR, and Website inform potential Settlement Class Members that for claims not already filed in connection with the Initial Settlements, to be eligible to recover under the Subsequent Settlements, claims must be submitted by March 1, 2023, either electronically, or by mail postmarked no later than that date. As of February 10, 2023, Epiq has received 47,734 Proof of Claim and Release Forms. This includes 40,078 claims received in connection with the Initial Settlements and 7,656 Claims submitted in connection with the Subsequent Settlements. As noted in the Notices, recovery for claims submitted only in the Subsequent Settlements is limited to the net settlement funds for the Subsequent Settlements.

CONCLUSION

24. The Additional Notice Program was designed to reach the greatest practicable number of potential members of the Subsequent Settlement Class and apprise them of their rights in connection with the proposed Subsequent Settlements. Epiq complied with, and will continue to comply with all of the requirements of the November 7, 2022 Order, ¶¶ 17-24, which the Court found met “the requirements of due process and Rule 23 of the Federal Rules of Civil Procedure;” constituted “the best notice practicable under the circumstances” of this case, and constituted “due and sufficient notice to all persons and entities entitled thereto.” ECF No. 3578, ¶ 17.

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

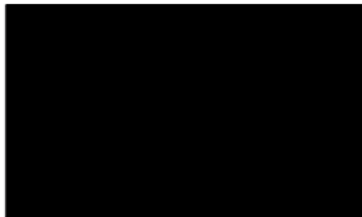
Executed on February 15, 2023, in Beaverton, Oregon.


Cameron R. Azari

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Attachment 1

Bondholder LABOR Settlements
Claims Administrator
P.O. Box 3076
Portland, OR 97208-3076



Plaintiffs in the Bondholder Action have reached settlements totaling \$1.749 million (the “Subsequent Settlements”) with The Bank of Tokyo-Mitsubishi (n/k/a MUFG Bank, Ltd.), Credit Suisse Group AG and The Norinchukin Bank (the “Settling Defendants”). This class action lawsuit was brought on behalf of holders of U.S. Dollar LIBOR-Based Debt Securities alleging price-fixing and manipulation of the London Interbank Offered Rate. The Settling Defendants deny this claim and maintain they did nothing wrong. Plaintiffs previously settled with seven other defendants for a total for \$68.625 million (the “Initial Settlements”). The Court of Appeals upheld the District Court’s dismissal of the Bondholder Action on the merits, ending the case as to the non-settling defendants. That dismissal is now final, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation.

The Subsequent Settlements impact individuals and entities that owned (including beneficially in “street name”) any debt security (a) with a CUSIP number; (b) on which interest was payable at any time between August 1, 2007 and May 31, 2010; (c) where that interest was payable at a rate expressly linked to U.S. Dollar LIBOR; and (d) not issued by any Defendant or any subsidiary or affiliate of any Defendant as obligor. The cost to administer the Subsequent Settlements, expert costs, and if awarded, attorney fees and expenses will be paid out of the \$1.749 million settlement funds. More details are available in the Settlement Agreements between Bondholder Plaintiffs and the Settling Defendants, each of which is available at www.BondholderLiborSettlements.com (“the Website”).

Any claims already submitted in the Initial Settlements will be automatically considered for recovery in the Subsequent Settlements and do NOT need to be re-submitted. Recovery for any new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements. You may submit a new claim in the Subsequent Settlements electronically or may download a claim form from the Website and submit it by mail. **Claim Forms must be postmarked (if mailed) or submitted online by February 27, 2023.** If you wish to exclude yourself from any of the Subsequent Settlements, you must do so in writing to the Claims Administrator by **March 1, 2023**. If you want to object to any aspect of the Subsequent Settlements, you must file and serve an objection by **March 1, 2023**. The Detailed Notice, which is available on the Website, provides instructions on how to submit a Claim Form, request exclusion, and object, all of which you must comply with.

The Court will hold a hearing on **March 28, 2023 at 11:00 a.m.**, to consider, among other things, whether to approve the Subsequent Settlements and a request by the lawyers representing the Class for up to one-third of the aggregate Settlement Fund in attorneys’ fees, plus litigation expenses. The hearing may be held in the Courthouse or may be telephonic. In either case, you may ask to be heard by the Court, but you do not have to. **For more information, call 1-888-205-5804, send an email to info@BondholderLIBORSettlements.com, or visit www.BondholderLIBORSettlements.com.**

Attachment 2

d-02262-NRB Document 3635-4 Filed 02/15/23 P

If You Owned a U.S. Dollar LIBOR-Based Debt Security between August 1, 2007 and May 31, 2010, You May Be Eligible To Receive A Payment From Settlement Funds Totaling \$1.749 Million

Plaintiffs in the Bondholder Action have reached settlements totaling \$1.749 million (the “Subsequent Settlements”) with The Bank of Tokyo-Mitsubishi (n/k/a MUFG Bank, Ltd.), Credit Suisse Group AG and The Norinchukin Bank (the “Settling Defendants”). This class action was brought on behalf of holders of U.S. Dollar LIBOR-Based Debt Securities alleging price-fixing and manipulation of the London Interbank Offered Rate. The Settling Defendants deny this claim and maintain they did nothing wrong. Plaintiffs previously settled with seven other defendants for a total of \$68.625 million (the “Initial Settlements”). **The Court of Appeals upheld the District Court’s dismissal of the Bondholder Action on the merits, ending the case as to the non-settling defendants. That dismissal is now final, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation.**

Am I Included?

You are a Member of the Subsequent Settlement Classes if you owned (including beneficially in “street name”) any bond or other debt security:

- that has a CUSIP identification number;
- on which interest was payable at any time between August 1, 2007 and May 31, 2010;
- where that interest was payable at a rate **expressly tied** to U.S. Dollar LIBOR; and
- that was **not** issued by any of the Defendants, their subsidiaries or affiliates as obligor.

What Are My Options?

FILE A CLAIM. Any claims already submitted in the Initial Settlements will be automatically considered for recovery in the Subsequent Settlements and do NOT need to be re-submitted. Recovery for any new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements. New Claim Forms in the Subsequent Settlements can be filed electronically on the Settlement Website or may be downloaded and mailed to the Claims Administrator. Claim Forms must be postmarked (if mailed) or submitted online by **February 27, 2023**.

EXCLUDE YOURSELF. If you wish to exclude yourself from any of the Subsequent Settlements, you must do so in writing to the Claims Administrator by **March 1, 2023**.

OBJECT. If you wish to object to the terms of any of the three Subsequent Settlements, you must file a written objection postmarked by mail no later than **March 1, 2023**.

DO NOTHING. If you did not previously submit a claim, and you do nothing now, you will both forfeit your right to receive a monetary benefit from the Subsequent Settlements and give up your right to assert claims against the Settling Defendants about the U.S. Dollar LIBOR manipulation claims at issue in the Bondholder Action.

ATTEND A HEARING. The Court will hold a hearing on **March 28, 2023 at 11:00 a.m.**, to consider, among other things, whether to approve the Subsequent Settlements and a request by the lawyers representing the Class for up to one-third of the aggregate Settlement Fund in attorneys’ fees, plus litigation expenses. The hearing may be held in the Courthouse or may be telephonic. In either case, you may ask to be heard by the Court, but you do not have to.

This is only a summary of the full notice, which contains more detailed information (the “Detailed Notice”). The Detailed Notice provides instructions on how to submit a Claim Form, request exclusion and object, all of which you must comply with. For more information, or to obtain a copy of the Detailed Notice, visit www.BondholderLIBORSettlements.com, call 1-888-205-5804, or send an email to info@BondholderLIBORSettlements.com.

Table: BIG CAP GROWTH ETF (SPYG) VS SMALL CAP GROWTH ETF (SLYG). Columns include Performance Rating, YTD, 12Wk, 5Yr, Net Asset Value, and NAV. Includes line chart comparing performance from Dec to Sep.

Table: GROWTH ETF (IUSG) VS VALUE ETF (IUSV). Columns include Performance Rating, YTD, 12Wk, 5Yr, Net Asset Value, and NAV. Includes line chart comparing performance from Dec to Sep.

Table: Performance metrics for various funds. Columns include Performance Rating, YTD, 12Wk, 5Yr, Net Asset Value, and NAV. Includes a '-F-' symbol.

Top Growth Funds

Table: Top Growth Funds (Last 3 months all total returns). Columns include Mutual Fund, Performance Rating, % Change, and \$ Net Assets.

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U.S. Stock Fund Cash Position

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Legal notice text: 'If You Owned a U.S. Dollar LIBOR-Based Debt Security between August 1, 2007 and May 31, 2010, You May Be Eligible To Receive A Payment From Settlement Funds Totaling \$1.749 Million'.

Advertisement for 'Think & Trade Like A Champion' by Mark Minervini. Includes images of the author, book covers, and promotional text: 'A MARKET WIZARD TELLS ALL'.

Attachment 3

If You Owned a U.S. Dollar LIBOR-Based Debt Security between August 1, 2007 and May 31, 2010, You May Be Eligible To Receive A Payment From Settlement Funds Totaling \$1.749 Million

NEWS PROVIDED BY

Morris and Morris LLC and Weinstein Kitchenoff & Asher LLC →

Nov 28, 2022, 08:00 ET

NEW YORK, Nov. 28, 2022 /PRNewswire/ -- Plaintiffs in the Bondholder Action have reached settlements totaling \$1.749 million (the "Subsequent Settlements") with The Bank of Tokyo-Mitsubishi (n/k/a MUFG Bank, Ltd.), Credit Suisse Group AG and The Norinchukin Bank (the "Settling Defendants"). This class action was brought on behalf of holders of U.S. Dollar LIBOR-Based Debt Securities alleging price-fixing and manipulation of the London Interbank Offered Rate. The Settling Defendants deny this claim and maintain they did nothing wrong. Plaintiffs previously settled with seven other defendants for a total of \$68.625 million (the "Initial Settlements"). **The Court of Appeals upheld the District Court's dismissal of the Bondholder Action on the merits, ending the case as to the non-settling defendants. That dismissal is now final, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation.**

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- that has a CUSIP identification number;
- on which interest was payable at any time between August 1, 2007 and May 31, 2010;
- where that interest was payable at a rate **expressly tied** to U.S. Dollar LIBOR; and
- that was **not** issued by any of the Defendants, their subsidiaries or affiliates as obligor.

What Are My Options?

FILE A CLAIM. Any claims already submitted in the Initial Settlements will be automatically considered for recovery in the Subsequent Settlements and do NOT need to be re-submitted. Recovery for any new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements. New Claim Forms in the Subsequent Settlements can be filed electronically on the Settlement Website or may be downloaded and mailed to the Claims Administrator. Claim Forms must be postmarked (if mailed) or submitted online by **February 27, 2023**.

EXCLUDE YOURSELF. If you wish to exclude yourself from any of the Subsequent Settlements, you must do so in writing to the Claims Administrator by **March 1, 2023**.

OBJECT. If you wish to object to the terms of any of the three Subsequent Settlements, you must file a written objection postmarked by mail no later than **March 1, 2023**.

DO NOTHING. If you did not previously submit a claim, and you do nothing now, you will both forfeit your right to receive a monetary benefit from the Subsequent Settlements and give up your right to assert claims against the Settling Defendants about the U.S. Dollar LIBOR manipulation claims at issue in the Bondholder Action.

ATTEND A HEARING. The Court will hold a hearing on **March 28, 2023 at 11:00 a.m.**, to consider, among other things, whether to approve the Subsequent Settlements and a request by the lawyers representing the Class for up to one-third of the aggregate Settlement Fund in attorneys' fees, plus litigation expenses. The hearing may be held in the Courthouse or may be telephonic. In either case, you may ask to be heard by the Court, but you do not have to.

This is only a summary of the full notice, which contains more detailed information (the "Detailed Notice"). The Detailed Notice provides instructions on how to submit a Claim Form, request exclusion and object, all of which you must comply with. For more information, or to obtain a copy of the Detailed Notice, visit www.BondholderLIBORSettlements.com, call 1-888-205-5804, or send an email to info@BondholderLIBORSettlements.com.

SOURCE//

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Morris and Morris LLC
Counselors At Law
4023 Kennett Pike, #254
Wilmington, DE 19807

and

Robert Kitchenoff

Weinstein Kitchenoff & Asher LLC

150 Monument Road, Suite 107

Bala Cynwyd, PA 19004

SOURCE Morris and Morris LLC and Weinstein Kitchenoff & Asher LLC

Attachment 4

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**If You Owned a U.S. Dollar LIBOR-Based Debt Security
between August 1, 2007 and May 31, 2010,**

You May Be Eligible To Receive A Payment From Settlement Funds Totaling \$1.749 Million.

These Settlements impact individuals and entities that owned (including beneficially in “street name”) any debt security (a) with a CUSIP number (*see* Question 9 below); (b) on which interest was payable at any time between August 1, 2007 and May 31, 2010 (the “Class Period”); and (c) where that interest was payable at a rate expressly linked to U.S. Dollar LIBOR (*see* Question 6) (“USD LIBOR-Based Debt Securities”). Excluded from U.S. Dollar LIBOR-Based Debt Securities are debt securities issued by any Defendant (*see* Questions 4 and 5) or any subsidiary or affiliate of any Defendant **as obligor.**

*A United States court authorized this Notice. This is **not** a solicitation from a lawyer.*

- Bondholder Plaintiffs previously settled with seven banks (*see* Question 4) (the “Initial Settlements”). Settlements (the “Settlements” or the “Subsequent Settlements”) have now been reached with three additional banks, referred to collectively as the “Settling Defendants” (*see* Question 4), in a class action lawsuit (the “Bondholder Action”) brought on behalf of holders of U.S. Dollar LIBOR-Based Debt Securities (the “Members of the Settlement Classes”, *see* Question 8), alleging price-fixing and manipulation of the London Interbank Offered Rate (“LIBOR”, *see* Question 6). The Bondholder Action claims that the Settling Defendants and the Non-Settling Defendants (*see* Question 5) unlawfully conspired to manipulate U.S. Dollar LIBOR, artificially lowering the rate, resulting in reduced interest payments during the Class Period to holders of U.S. Dollar LIBOR-Based Debt Securities (*see* Question 2 and Question 7). The Settling Defendants deny this claim and maintain they did nothing wrong. The Court of Appeals upheld the District Court’s dismissal of the Bondholder Action on the merits, ending the case as to the non-settling defendants. That dismissal is now final, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation.
- You are included in the Subsequent Settlements and entitled to seek a payment if you held a U.S. Dollar LIBOR-Based Debt Security (*see* Question 8) on which interest was payable during the Class Period. Members of the Settlement Classes will release claims through these Settlements only against the Settling Defendants and their affiliated persons and entities.
- **Claims submitted in the Initial Settlements will automatically be considered for recovery in the Subsequent Settlements and should NOT be re-submitted in the Subsequent Settlements. Recovery for new claims submitted in the Subsequent Settlements will be limited to the net settlement funds in the Subsequent Settlements.** The time to file claims in connection with the Initial Settlements has expired.
- You have the right to exclude yourself from the Subsequent Settlement Class if you do not wish to be bound by the Subsequent Settlements. (*See* Question 20)
- The U.S. Dollar LIBOR-Based Debt Securities covered by the Bondholder Action include, but are not limited to, government and municipal bonds, corporate bonds, asset-based securities (“ABS”), mortgage-backed securities (“MBS”) and collateralized debt obligations (“CDOs”) (*see* Question 10). For the purpose of the Settlements, U.S. Dollar LIBOR-Based Debt Securities do **not** include asset swaps, credit default swaps, forward rate agreements, inflation swaps, interest rate swaps, total return swaps, or options.
- **THE COURT OF APPEALS UPHELD THE DISTRICT COURT’S DISMISSAL OF THE BONDHOLDER ACTION ON THE MERITS AS AGAINST THE NON-SETTLING DEFENDANTS, RESULTING IN THE FINAL DISMISSAL OF THE ACTION AS TO THEM. THAT DISMISSAL IS NOW FINAL, AND AS A RESULT, THE SUBSEQUENT SETTLEMENTS ARE THE ONLY REMAINING OPPORTUNITY FOR MEMBERS OF THE BONDHOLDER CLASS TO RECOVER ON THE CLAIMS IN THE LITIGATION.** The only aspects of the Bondholder Action remaining before the District Court are the preliminary and final approval of the Subsequent Settlements that are the subject of this Notice and the ultimate distribution of the Settlement Funds to members of the Bondholder Settlement Classes and any related ancillary matters.
- **Your legal rights are affected even if you do nothing. Please read this notice carefully.**

**QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM**

YOUR OPTIONS AND LEGAL RIGHTS IN THESE SETTLEMENTS

<p>SUBMIT A VALID CLAIM EITHER POSTMARKED BY MAIL OR ELECTRONICALLY FILED ON THE SETTLEMENTS WEBSITE NO LATER THAN FEBRUARY 27, 2023.</p>	<p>If you did not submit a claim in the Initial Settlements, this is the only way to receive a payment in the Subsequent Settlements. <i>See</i> Question 17.</p>
<p>ASK TO BE EXCLUDED FROM ANY OF THE SUBSEQUENT SETTLEMENTS BY SUBMITTING A WRITTEN REQUEST FOR EXCLUSION POSTMARKED NO LATER THAN MARCH 1, 2023</p>	<p>You will receive no monetary benefits from any of the Subsequent Settlements from which you exclude yourself. This is the only option that may allow you to independently assert the claims released by such Settlement(s) against the relevant Settling Defendant(s) about the U.S. Dollar LIBOR manipulation claims at issue in the Bondholder Action, which have been dismissed on the merits. <i>See</i> Questions 19 and 20.</p>
<p>OBJECT TO ANY OF THE SUBSEQUENT SETTLEMENTS BY SUBMITTING A WRITTEN OBJECTION POSTMARKED BY MAIL NO LATER THAN MARCH 1, 2023</p>	<p>If you wish to object to the terms of the any of the three Subsequent Settlements, or anything else mentioned in this Notice, you must file a written objection. <i>See</i> Question 25.</p>
<p>ATTEND A HEARING ON MARCH 28, 2023 AT 11:00 A.M., AND FILE A NOTICE OF INTENTION TO APPEAR NO LATER THAN MARCH 14, 2023</p>	<p>You may also request to be heard at the Fairness Hearing. <i>See</i> Question 29.</p>
<p>DO NOTHING</p>	<p>Claims submitted in the Initial Settlements will automatically be considered for recovery in the Subsequent Settlements. However, if no claim was submitted in the Initial Settlements, and you do nothing in response to this Notice, you will both forfeit your right to receive a monetary benefit from the Subsequent Settlements and give up your right to assert claims released by these Settlements against the Settling Defendants about the U.S. Dollar LIBOR manipulation claims at issue in the Bondholder Action.</p>

- These rights and options—and the deadlines to exercise them—are explained in this Notice.

The Court in charge of this case still must decide whether to approve the Subsequent Settlements. Payments will not be made on any of the Subsequent Settlements unless the Court approves the Settlements (or some portion of the Settlements), and after any appeals regarding settlement approval are resolved.

**QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM**

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**QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM**

BASIC INFORMATION

1. Why did I receive this Notice?

You received this notice because you may be entitled to money from the proposed Subsequent Settlements between Bondholder Plaintiffs and the Settling Defendants in this class action lawsuit. This notice explains the lawsuit, the Settlements, your legal rights, and the process to claim your share of the Settlements.

Judge Naomi Reice Buchwald is overseeing this lawsuit and authorized sending this notice to you. This lawsuit, known as the Bondholder Action, was filed in the United States District Court for the Southern District of New York, and is part of a large group of cases referred to as *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262. These Settlements relate only to the Bondholder Action.

2. What is this lawsuit about?

The Bondholder Plaintiffs (*see* Question 3), who are holders of U.S. Dollar LIBOR-Based Debt Securities sued 15 banks (and certain of their affiliates) (“Defendants”), claiming they conspired to manipulate U.S. Dollar LIBOR during the period between August 1, 2007 and May 31, 2010, artificially lowering the rate for their own benefit. Bondholder Plaintiffs claim that because of Defendants’ alleged wrongful actions, they did not receive as much interest on their U.S. Dollar LIBOR-Based Debt Securities as they would have received, absent the alleged manipulation. Bondholder Plaintiffs’ claim was brought for money damages under the U.S. antitrust laws. The Settling and Non-Settling Defendants deny Bondholder Plaintiffs’ claim and maintain they did nothing wrong. *See also* Question 7. The Court of Appeals upheld the District Court’s dismissal of the Bondholder Action on the merits, ending the case as to the non-settling defendants. That dismissal is now final, and as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation.

3. Who are Bondholder Plaintiffs and what is a class action?

In a class action, one or more people called “class representatives” sue on behalf of themselves and other people with similar claims. All of these people together are called the class or the class members. With respect to these Settlements the Bondholder Plaintiffs, Ellen Gelboim and Linda Zacher, are the class representatives. The Bondholder Plaintiffs allege that all holders of U.S. Dollar LIBOR-Based Debt Securities were affected by Defendants’ alleged manipulation of U.S. Dollar LIBOR. A class action is an efficient way to resolve the claims of all class members in one court, at one time, and at no out-of-pocket cost to class members.

4. Who are the “Settling Defendants” in the Bondholder Action?

The Subsequent Settlements were reached with three of the Defendant banks, Bank of Tokyo-Mitsubishi UFJ Ltd. (now known as MUFG Bank, Ltd. (“MUFG”)), Credit Suisse Group AG (“Credit Suisse”) and The Norinchukin Bank (“Norinchukin”). These banks are referred to collectively in this Notice as the “Settling Defendants.”

Earlier in the litigation, settlements were reached with seven of the Defendant banks: Barclays Bank plc, UBS AG, HSBC Bank plc, Citibank, N.A. and Citigroup Inc., JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A., Bank of America Corporation and Bank of America, N.A., and the Royal Bank of Scotland Group plc (together referred to as the “Initial Settlements”). The Court granted final approval of the Initial Settlements by Final Order and Judgment dated December 16, 2020. **THE TIME TO FILE CLAIMS IN THE INITIAL SETTLEMENTS HAS EXPIRED.**

5. Who are the “Non-Settling Defendants” in the Bondholder Action?

The remaining Defendants in the Bondholder Action are: Lloyds Banking Group PLC and HBOS PLC; WestLB AG and Westdeutsche Immobilienbank AG; Deutsche Bank AG; Coöperatieve Central Raiffeisen Boerenleenbank B.A. (also known as Rabobank); and Royal Bank of Canada (“Non-Settling Defendants”). **THE CLAIMS AGAINST THE NON-SETTLING DEFENDANTS WERE DISMISSED BY THE COURT, WHICH DECISION WAS AFFIRMED ON APPEAL. AS A RESULT, THERE WILL BE NO RECOVERY IN THE BONDHOLDER ACTION AGAINST THE NON-SETTLING DEFENDANTS BECAUSE THOSE DEFENDANTS DID NOT SETTLE AND THE CLAIMS AGAINST THEM HAVE BEEN DISMISSED.**

**QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM**

6. What is LIBOR?

LIBOR, short for London Interbank Offered Rate, was the most widely used benchmark interest rate for financial instruments worldwide during the Class Period. LIBORs were determined for several currencies, including the U.S. Dollar, and for multiple borrowing periods (called “tenors”) ranging from overnight to one year. They were published each business day. During the Class Period, U.S. Dollar LIBOR was based upon the rates at which each individual bank on the U.S. Dollar LIBOR panel (then consisting of sixteen international banks) could borrow funds, were it to do so by asking for and then accepting offers in the London inter-bank market in reasonable market size, just prior to 11:00 am London time, and was calculated as the average of the middle eight contributed rates by the sixteen panel banks each day. The Settlements only involve U.S. Dollar LIBOR.

7. Why do Settlement Class Counsel Recommend the Subsequent Settlements?

On December 30, 2021, the Court of Appeals upheld the dismissal on the merits of the Bondholder Action as to the Non-Settling Defendants. That dismissal is now final, and, as a result, the Subsequent Settlements are the only remaining opportunity for members of the Bondholder Class to recover on the claims in the litigation. The proposed Subsequent Settlements do not mean that any law was broken or that the Settling Defendants did anything wrong. Settlement Class Counsel believe the Subsequent Settlements are in the best interests of the members of the Settlement Classes.

WHO CAN PARTICIPATE IN THE SETTLEMENTS?

8. How do I know if I am a Member of the Settlement Classes?

You are a Member of the Subsequent Settlement Classes if you owned (including beneficially in “street name”) any bond or other debt security:

- that has a CUSIP identification number;
- on which interest was payable at any time between August 1, 2007 and May 31, 2010;
- where that interest was payable at a rate **expressly tied** to U.S. Dollar LIBOR.; and
- that was **not** issued by any of the Defendants, their subsidiaries or affiliates as obligor.

These securities are referred to in this Notice as “U.S. Dollar LIBOR-Based Debt Securities.” Examples of language showing an express link to LIBOR are found in the proposed Plan of Allocation, available at www.BondholderLIBORSettlements.com.

You are **not** a Member of the Subsequent Settlement Classes, even if you meet the above criteria, if you are a Defendant in the Bondholder Action or one of the Defendants’ affiliated persons or entities. *See* Appendix 1 at the end of this Notice for the definition of each Settlement Class as set forth in the Settlement Agreement with each Settling Defendant, copies of which may be found at www.BondholderLIBORSettlements.com.

9. What is a CUSIP identification number?

As relevant here, a CUSIP identification number is a unique nine-character identifier assigned to corporate and government bonds and asset backed securities (among other securities) that are registered in the U.S. and Canada. The nine letters and numbers identify the issuer and the type of financial instrument.

10. What are Debt Securities?

Debt Securities represent agreements to repay money that has been borrowed and to pay interest in the interim. U.S. Dollar LIBOR-Based Debt Securities utilize U.S. Dollar LIBOR as an express component of the interest rate, which is adjusted at contractually-set intervals. U.S. Dollar LIBOR-Based Debt Securities include, without limitation, government, municipal, and corporate bonds, ABS, MBS and CDOs.

11. Why do the Subsequent Settlements exclude bonds issued by Defendants?

Numerous cases were filed on behalf of different entities and individuals owning various types of LIBOR-linked instruments who contend that they were harmed by the alleged manipulation of U.S. Dollar LIBOR by Defendants.

The Subsequent Settlements are made with Plaintiffs in the Bondholder Action only. A separate LIBOR lawsuit, known as the OTC Action, was brought by individuals and entities who purchased LIBOR-based debt instruments directly from one of the Defendants (or their subsidiaries or affiliates). You may participate in both the Bondholder Action and the OTC Action if you hold both types of debt securities.

12. What if I am unsure whether I am included in the Subsequent Settlements?

If you are not sure whether you are included in the Subsequent Settlements, or whether the U.S. Dollar LIBOR-Based Debt Security that you held during the Class Period is covered by these Settlements, you may call 1-888-205-5804 with questions or visit www.BondholderLIBORSettlements.com. You may also write with questions to Bondholder LIBOR Settlements, P.O. Box 3076, Portland, OR 97208-3076.

THE SETTLEMENT BENEFITS

13. What do the Subsequent Settlements provide?

The Subsequent Settlements, if each is approved, will, as detailed below, create an aggregate Settlement Fund of \$1.749 million that will be used to pay members of the Settlement Classes who submit valid and timely claims and are determined to have suffered a recoverable injury under the Settlements (“Eligible Members of the Settlement Classes”).

Settling Defendant	Settlement Amount
MUFG	\$750,000
Credit Suisse	\$550,000
Norinchukin	\$449,000
Total	\$1,749,000

Subject to Court approval, the costs of administration, expert costs, attorneys’ fees and expenses, and any service payment awarded by the Court to Bondholder Class Representatives for acting on behalf of the Settlement Classes will be paid out of the aggregate Settlement Fund (*see* Question 24).

More details are available in the Settlement Agreements between Bondholder Plaintiffs and the Settling Defendants, each of which is available at www.BondholderLIBORSettlements.com.

14. How much will my payment be?

The aggregate Subsequent Settlement Fund, after deduction of any attorneys’ fees, litigation expenses, and other deductions that may be allowed by the Court (the “Net Subsequent Settlement Funds”), will be distributed to Eligible Members of the Settlement Classes pursuant to a proposed Plan of Allocation, available at www.BondholderLIBORSettlements.com if the Court approves the plan. The Net Subsequent Settlement Fund will be distributed to Eligible Members of the Settlement Classes in proportion to a reasonable estimate of their damages, based on calculating how much interest they should have been paid during the Class Period minus the amount they were actually paid as a result of the alleged suppression of U.S. Dollar LIBOR. A chart showing the alleged daily suppression by tenor (e.g., 1 week, 3 month, etc.) during the Class Period (the “Bondholder Daily Suppression Chart”), developed by Bondholder Plaintiffs’ consulting expert, Professor Fernando Alvarez, is available on the Settlements website. The Court does not sanction the use of Professor Alvarez’s methodology for any purpose other than the Settlements. Professor Alvarez’s Declaration is also available on the Settlements website. The Settlement Agreements may be approved even if the Court changes the proposed Plan of Allocation. Claims previously submitted in the Initial Settlements will automatically be considered for recovery in the Subsequent Settlements and should not be re-submitted in the Subsequent Settlements. Recovery for new claims submitted in the Subsequent Settlements will be limited to the Net Subsequent Settlement Funds.

15. When will I receive my payment?

Payments from the Net Subsequent Settlement Fund will be made to Eligible Members of the Settlement Classes after the Court grants final approval to the Subsequent Settlements. Any appeals from approval of the Subsequent Settlements will delay payment and resolving them can take time.

QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM

16. What am I giving up to collect under the Settlements?

Unless you exclude yourself from any of the Subsequent Settlements, you will give up your right to separately sue the Settling Defendants, and their affiliated persons and entities, for the claims being resolved by the relevant Settlements. The specific claims you are giving up against each of the Settling Defendants and all related parties are fully described in the Settlement Agreements, available for review at www.BondholderLIBORSettlements.com.

You will be releasing each of the Settling Defendants and all related people as described in each of the Settlement Agreements. The Settlement Agreements describe the released claims and released persons in more detail. If you have questions about the releases, you can talk to the law firms listed in Question 23 at no cost to you, or you may speak with your own lawyer, at your expense.

The released claims do not, however, include the following:

- Claims to enforce any of the terms of the Settlement Agreements in this case;
- Claims that relate to or arise from the purchase of non-U.S. Dollar LIBOR-Based Debt Securities; or
- Any other claims that do not arise out of the factual predicate of the Bondholder Action.

There have been settlements of U.S. Dollar LIBOR-related actions other than the Bondholder Action, and there may be other such settlements in the future. You may be eligible to recover from more than one settlement. For example, if in addition to your U.S. Dollar LIBOR-Based Debt Securities, you also bought a bond directly from a defendant (or its subsidiary or affiliate) you may also be eligible to recover from the OTC Plaintiffs Action Settlements.

HOW TO RECEIVE A PAYMENT

17. How can I receive a payment?

Claims previously submitted in the Initial Settlements do not need to be re-submitted; they will automatically be considered for recovery in the Subsequent Settlements. However, if a Proof of Claim form was not submitted in the Initial Settlement and you would like to be eligible to recover under the Subsequent Settlements¹, you will need to submit a Proof of Claim Form by **February 27, 2023, which can be done either by mail or electronically**. Copies of Proof of Claim Forms, as well as instructions for their submission, are available at www.BondholderLIBORSettlements.com. Proof of Claim Forms may be submitted electronically, or mailed to:

Bondholder LIBOR Settlements
P.O. Box 3076
Portland, OR 97208-3076

18. What if my claim is rejected?

If your claim is rejected, you will be provided a letter explaining why (a “Rejection Letter”). The Settlements provide a process to contest the rejection of a claim, including requesting a review. To be valid, your request for review must (i) be in writing, (ii) state the reasons why you are contesting the rejection, (iii) include any supporting documentation, and (iv) be submitted within the time frame set forth in the Rejection Letter. If your dispute cannot be resolved by the Claims Administrator, it may be presented to the Court for review. More details are in the relevant Settlement Agreements, available at www.BondholderLIBORSettlement.com.

EXCLUDING YOURSELF FROM ANY OF THE SUBSEQUENT SETTLEMENTS

You must decide at this time if you want to exclude yourself from any of the Subsequent Settlements.

19. What does it mean to exclude myself from the Subsequent Settlements?

If you want to retain the right to file or maintain your own lawsuit against one or more of the Settling Defendants (i.e., MUFG, Credit Suisse and/or Norinchukin) about the issues in the Bondholder Action, then you must take steps to exclude yourself from each Settlement with the defendant(s) you may want to personally sue. This is also sometimes referred to as “opting out” of the Settlement. If you ask to be excluded from any Settlement, you will not get a payment from that Settlement, and you cannot object to any aspect of that Settlement.

¹ Recovery for new claims submitted in the Subsequent Settlements will be limited to the Net Subsequent Settlement Funds.

If you have a pending lawsuit against a Settling Defendant or Non-Settling Defendant involving the same legal issues in this case, you may consider speaking to your lawyer in that case immediately. You must exclude yourself from the corresponding Settlement(s) in order to continue your own lawsuit against one or more of the Settling Defendants.

20. How do I exclude myself from participating in the Subsequent Settlements?

If you are a Member of the Settlement Classes and you wish to exclude yourself from any of them, you must provide a timely letter or other written document to the Claims Administrator, Epiq, at the address below, requesting exclusion (“Request for Exclusion”).

A Request for Exclusion must:

- Be in writing;
- Be signed by you or your authorized representative;
- State your name, address, and phone number;
- Include a signed statement that “I/we hereby request that I/we be excluded from (one or more of the following) in the *In re LIBOR-Based Financial Instruments Antitrust Litigation*”:
 - The proposed MUFG Settlement Class,
 - The proposed Credit Suisse Settlement Class, and/or
 - The proposed Norinchukin Settlement Class.
- Provide documentation supporting that you are a Member of the Settlement Classes, which may include, for example, a relevant account statement. Settlement Class Counsel and the Claims Administrator may assist you in this process.
- Be mailed to the Claims Administrator at: Bondholder LIBOR Settlements, P.O. Box 3076, Portland, OR 972-8-3076; and
- Be postmarked no later than **March 1, 2023**.

21. Can I participate in some of the Subsequent Settlements and exclude myself from others?

Yes, you may submit a claim in one or more of the Subsequent Settlements while electing to exclude yourself from other of the Settlements.

22. If I exclude myself from a Settlement, can I still get a payment from that Settlement?

No. If you exclude yourself from a Settlement, you will not be eligible to receive any payment in that Settlement.

THE LAWYERS REPRESENTING YOU

23. Do I have a lawyer in the case?

The Court has appointed two law firms – Morris and Morris LLC Counselors At Law and Weinstein Kitchenoff & Asher LLC as “Settlement Class Counsel.” They can be contacted at:

Karen Morris Morris and Morris LLC Counselors At Law 4023 Kennett Pike, #254 Wilmington, DE 19807	Robert Kitchenoff Weinstein Kitchenoff & Asher LLC 150 Monument Road, Suite 107 Bala Cynwyd, PA 19004
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You will not be charged for contacting these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

24. How will the lawyers be paid?

Settlement Class Counsel will ask the Court for attorneys’ fees of up to one-third of the \$1.749 million aggregate Settlement Fund, as well as reimbursement for litigation expenses incurred on behalf of the Settlement Classes. The fees and expenses awarded by the Court will be paid out of the Settlement Funds. The Court will decide the amount

of fees to award. Settlement Class Counsel will also request that special service payments of up to \$2,500.00 each be paid from the aggregate Subsequent Settlement Fund to the Bondholder Plaintiffs for their service as representatives on behalf of the Settlement Classes.

OBJECTING TO ANY OF THE SETTLEMENTS

25. How do I file an objection related to any of the Subsequent Settlements?

If you are a Member of the Settlement Classes, and do not exclude yourself, you can object to the award of attorneys' fees and reimbursement of expenses, the Plan of Allocation or any other aspect of any of the Subsequent Settlements.

To object, you must submit a letter or other written document that includes the following:

- Your name, address, and telephone number;
- A statement saying that you object to one or more of the (i) MUFG, (ii) Credit Suisse, and/or (iii) Norinchukin Settlement(s) in the Bondholder Action in *In re LIBOR-Based Financial Instruments Antitrust Litigation*;
- Whether you plan to appear at the Fairness Hearing;
- Proof of membership in the Settlement Class, including documentation that you owned at least one U.S. Dollar LIBOR-Based Debt Security (i.e., on which interest was payable during the Class Period (from August 1, 2007 through May 31, 2010));
- The specific reasons for your objection(s), along with any supporting materials or documents that you want the Court to consider; and
- Your signature.

Your objection(s) may be submitted in one letter as long as you are clear to which of the Settlements you are objecting. To be valid, your objection(s) must be mailed to the addresses listed in Appendix 2 at the end of this Notice for each settlement to which you wish to object, with a postmark no later than **March 1, 2023**, and must include all of the information listed above.

26. What is the difference between objecting and asking to be excluded?

If you remain a Member of the Settlement Classes, you may file an objection as to any provision of one or more of the Settlements. Excluding yourself is telling the Court that you don't want to be part of that Settlement. If you choose to exclude yourself from a Settlement, you cannot recover under that Settlement or file an objection related to that Settlement, because that Settlement no longer affects you.

THE FAIRNESS HEARING

27. When and where will the Court decide whether to approve the Subsequent Settlements?

The Court will hold a hearing, called the "Fairness Hearing," to decide whether to approve the Subsequent Settlements, the Plan of Allocation, any requests for attorneys' fees, reimbursement of litigation expenses, and service awards to the Class Representatives. You are not required to attend. You may, however, attend the hearing, and you may ask to address the Court. If there are objections, the Court will consider them and may allow people to speak if they have asked to speak at the Fairness Hearing.

The Fairness Hearing will be held at 11:00 a.m. on **March 28, 2023**, either telephonically or at the Daniel Patrick Moynihan United States Courthouse, Southern District of New York, 500 Pearl St., New York, NY 10007, Courtroom 21A. Without additional notice, the Court may change the hearing's date, time, location, or how the hearing will be conducted, so it is a good idea to check www.BondholderLIBORSettlements.com or call 1-888-205-5804 if you are going to attend the hearing. The Court may not render its decision on one or more matters presented at the Fairness Hearing until a later date. Please do not contact the Court.

28. Do I have to attend the hearing?

No. Settlement Class Counsel will represent the interests of the Settlement Classes at the Fairness Hearing. You are welcome to attend in person or by telephone, depending on the format of the hearing. If you send an objection, you do not have to come to Court to talk about it. As long as your written objection is postmarked by **March 1, 2023**, the Court will consider it. You may also have your own lawyer attend, at your expense, but it is not required.

QUESTIONS? CALL 1-888-205-5804
OR VISIT WWW.BONDHOLDERLIBORSETTLEMENTS.COM

29. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To speak at the Fairness Hearing, you must send a letter or other written document saying that the letter or document is your “Notice of Intention to Appear” at the Fairness Hearing in the Bondholder Action in *In re LIBOR-Based Financial Instruments Antitrust Litigation*. Be sure to include your name, address, telephone number, and signature. You must send your “Notice of Intention to Appear” to the relevant addresses listed in Appendix 2. To be valid, it must be postmarked no later than **March 14, 2023**.

OBTAINING ADDITIONAL INFORMATION**30. How can I obtain additional information?**

This notice summarizes the proposed Subsequent Settlements and related procedures. More details are in each of the Settlement Agreements. You can view any or all of the Settlement Agreements, as well as other relevant documents, at www.BondholderLIBORSettlements.com. You also may write to Bondholder LIBOR Settlements, P.O. Box 3076, Portland, OR 97208-3076 or call the toll-free number, 1-888-205-5804 with questions regarding the Bondholder Action, the Settlements, your rights under the Settlements or the filing of claims. You can obtain a copy of the Proof of Claim Form, as well as instructions on how to file them, at the website, or by calling the toll-free number, 1-888-205-5804.

CALENDAR OF KEY DATES

- Briefing and Supporting Documentation on Final Approval of the Subsequent Settlements, Attorneys’ Fees, Expenses, and Awards to Class Representatives February 16, 2023
- **Deadline** to Request Exclusion from the Subsequent Settlement Classes March 1, 2023
- **Deadline** to Object to the Subsequent Settlements, proposed Plan of Allocation, Attorneys’ Fees, Expenses, or Awards to Class Representatives March 1, 2023
- Reply Briefing on Final Approval of the Subsequent Settlements, Plan of Allocation, Attorneys’ Fees, Expenses, Awards and Objections March 14, 2023
- Fairness Hearing March 28, 2023
- **Deadline** to Submit Proof of Claim Form February 27, 2023

Appendix 1: Settlement Class Definitions from Settlement Agreements**MUFG Settlement Agreement:**

The MUFG Bondholder Settlement Class is defined at ¶ 3.2 as:

All persons and entities (other than defendants in the Bondholder Action and their affiliated persons and entities) who owned any interest in (including beneficially or in “street name”) any debt security that was assigned a unique identification number by the CUSIP system, on which interest was payable at any time between August 1, 2007, and May 31, 2010, and where that interest was payable at a rate expressly tied to the U.S. Dollar LIBOR rate (“LIBOR-Based Debt Security”); however, any such securities that were issued by any Defendant, including its subsidiaries and affiliates, as obligor, are excluded from the definition of USD LIBOR-Based Debt Security.

Credit Suisse Settlement Agreement:

The Credit Suisse Bondholder Settlement Class is defined at ¶ 3.2 as:

All persons and entities (other than defendants in the Bondholder Action and their affiliated persons and entities) who owned (including beneficially or in “street name”) any debt security that was assigned a unique identification number by the CUSIP system, on which interest was payable at any time between August 1, 2007, and May 31, 2010, and where that interest was payable at a rate

expressly tied to the U.S. Dollar LIBOR rate (“LIBOR-Based Debt Security”); provided, however that any such securities that were issued by any Defendant, including its subsidiaries and affiliates, as obligor, are excluded from the definition of USD LIBOR-Based Debt Security.

Norinchukin Settlement Agreement:

The Norinchukin Bondholder Settlement Class is defined at ¶ 3.2 as:

All persons and entities (other than defendants in the Bondholder Action and their affiliated persons and entities) who owned (including beneficially or in “street name”) any debt security that was assigned a unique identification number by the CUSIP system, on which interest was payable at any time between August 1, 2007, and May 31, 2010, and where that interest was payable at a rate expressly tied to the U.S. Dollar LIBOR rate (“LIBOR-Based Debt Security”); provided, however that any such securities that were issued by any Defendant, including its subsidiaries and affiliates, as obligor, are excluded from the definition of USD LIBOR-Based Debt Security.

Appendix 2 – Addresses to Send Objections to Any of the Subsequent Settlements:

To file an objection related to the MUFG Settlement:

CLERK OF COURT	SETTLEMENT CLASS COUNSEL	MUFG’S COUNSEL
Ruby J. Krajick Clerk of Court Daniel Patrick Moynihan United States Courthouse 500 Pearl St. New York, NY 10007	Karen Morris Morris and Morris LLC Counselors At Law 4023 Kennett Pike, #254 Wilmington, DE 19807 AND Robert Kitchenoff Weinstein Kitchenoff & Asher LLC 150 Monument Road, Suite 107 Bala Cynwyd, PA 19004	Christopher M. Viapiano Sullivan & Cromwell LLP 1700 New York Avenue, N.W. Suite 700 Washington, D.C. 20006

To file an objection related to the Credit Suisse Settlement:

CLERK OF COURT	SETTLEMENT CLASS COUNSEL	CREDIT SUISSSES’ COUNSEL
Ruby J. Krajick Clerk of Court Daniel Patrick Moynihan United States Courthouse 500 Pearl St. New York, NY 10007	Karen Morris Morris and Morris LLC Counselors At Law 4023 Kennett Pike, #254 Wilmington, DE 19807 AND Robert Kitchenoff Weinstein Kitchenoff & Asher LLC 150 Monument Road, Suite 107 Bala Cynwyd, PA 19004	Joel Kurtzberg Cahill Gordon & Reindel LLP 32 Old Slip New York, NY 10005

To file an objection related to the Norinchukin Settlement:

CLERK OF COURT	SETTLEMENT CLASS COUNSEL	NORINCHUKIN'S COUNSEL
Ruby J. Krajick Clerk of Court Daniel Patrick Moynihan United States Courthouse 500 Pearl St. New York, NY 10007	Karen Morris Morris and Morris LLC Counselors At Law 4023 Kennett Pike, #254 Wilmington, DE 19807 AND Robert Kitchenoff Weinstein Kitchenoff & Asher LLC 150 Monument Road, Suite 107 Bala Cynwyd, PA 19004	Andrew W. Stern Sidley Austin LLP 787 7th Avenue New York, NY 10019

Attachment 5



Exclusion Report
LIBOR Bondholder Settlement

Number	Company	First Name	Last Name
1	Salix Capital US, Inc.		
2		Barbara	Bopp
3	National Credit Union Administration		
4	Federal National Mortgage Association		