

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

IN RE CRONOS GROUP INC.  
SECURITIES LITIGATION

Civil Action No. 2:20-cv-01310-ENV-JMW

**ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT, APPROVING FORM AND MANNER OF NOTICE, AND SETTING  
DATE FOR HEARING ON FINAL APPROVAL OF SETTLEMENT**

**WHEREAS:**

A. As of December 2, 2025, Court-appointed Lead Plaintiff Keith D. Norman (“Lead Plaintiff”), on behalf of himself and the proposed Settlement Class, and Defendants Cronos Group Inc. (“Cronos” or the “Company”), Michael Gorenstein, and Jerry F. Barbato (collectively, “Defendants” and, together with Lead Plaintiff, the “Parties”), by and through their counsel of record, entered into a Stipulation and Agreement of Settlement (the “Stipulation”) in the above-captioned litigation (the “Action”), which is subject to review under Rule 23 of the Federal Rules of Civil Procedure and which, together with the exhibits thereto, sets forth the terms and conditions of the proposed settlement of the Action and the claims alleged in the Second Amended Class Action Complaint (the “Second Amended Complaint”), filed on January 10, 2025, on the merits and with prejudice (the “Settlement”);

B. The Court has reviewed and considered the Stipulation and the accompanying exhibits;

C. The Parties to the Stipulation have consented to the entry of this order; and

D. All capitalized terms used in this order that are not otherwise defined herein have the meanings defined in the Stipulation.

NOW, THEREFORE, IT IS HEREBY ORDERED, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ that:

1. **Preliminary Approval and Preliminary Class Certification.** The Court has reviewed the Stipulation and preliminarily finds, pursuant to **Federal Rule of Civil Procedure 23(e)(1)**, that the Court will likely be able to approve the proposed Settlement as fair, reasonable, and adequate under **Federal Rule of Civil Procedure 23(e)(2)** and will likely be able to certify the proposed Settlement Class, subject to further consideration at the Settlement Hearing described below.

2. Pursuant to Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure, the Court preliminarily certifies, for purposes of the Settlement only, the Settlement Class of: all persons and entities, irrespective of country of residence, who or which purchased or otherwise acquired the publicly traded common stock of Cronos on the NASDAQ, or any other public U.S. market for trading stocks, during the period from May 9, 2019 through March 30, 2020, both dates inclusive (the “Class Period”), and were allegedly damaged thereby. Excluded from the Settlement Class are: (i) Defendants; (ii) members of the immediate family of any Defendant who is an individual; (iii) all directors, officers or other employees of Cronos during the Class Period; (iv) any firm, trust, corporation, or other entity in which any Defendant has or had a controlling or beneficial interest; (v) Cronos’s employee retirement and benefit plan(s) and their participants or beneficiaries, to the extent they made purchases through such plan(s); and (vi) the legal representatives, affiliates, control persons, heirs, successors-in-interest, or assigns of any such excluded person. Also excluded from the Settlement Class are those Persons who or which timely and validly seek exclusion from the Settlement Class in accordance with the requirements set forth below and in the Notice. Purchases and acquisitions of Cronos common stock on the Toronto

Stock Exchange (“TSX”) or any non-U.S. public market for trading stocks are not part of the definition of the Settlement Class.

3. The Court finds and preliminarily concludes that the prerequisites of class action certification under Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure have been satisfied for the Settlement Class defined herein, and for the purposes of the Settlement only, in that:

(a) the members of the Settlement Class are so numerous that joinder of all Settlement Class Members is impracticable;

(b) there are questions of law and fact common to the Settlement Class Members;

(c) the claims of Lead Plaintiff are typical of the Settlement Class’s claims;

(d) Lead Plaintiff and Lead Counsel have fairly and adequately represented and protected the interests of the Settlement Class;

(e) the questions of law and fact common to Settlement Class Members predominate over any individual questions; and

(f) a class action is superior to other available methods for the fair and efficient adjudication of the controversy, considering:

(i) the interests of the Settlement Class Members in individually controlling the prosecution of the separate actions;

(ii) the extent and nature of any litigation concerning the controversy already commenced by Settlement Class Members;

(iii) the desirability or undesirability of concentrating the litigation of these claims in this particular forum; and

(iv) the difficulties likely to be encountered in the management of the class action.

4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, and for purposes of the Settlement only, Lead Plaintiff Keith D. Norman is preliminarily certified as Class Representative for the Settlement Class, and the law firm of Labaton Keller Sucharow LLP is preliminarily appointed Class Counsel for the Settlement Class.

5. **Settlement Hearing.** A hearing (the “Settlement Hearing”) pursuant to Rule 23(e) of the Federal Rules of Civil Procedure is hereby scheduled to be held before the Court, either in person or remotely at the Court’s discretion, at the United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, Courtroom 4 C S, on November 19, 2026, \_\_\_\_\_, at 11:00 AM.m. [a date approximately 110 days from entry of this order] for the following purposes:

(a) to determine whether the proposed Settlement is fair, reasonable and adequate, and should be approved by the Court;

(b) to determine whether the proposed Final Judgment (“Judgment”), as provided under the Stipulation, should be entered and to determine whether the release by the Settlement Class of the Released Plaintiff’s Claims, as set forth in the Stipulation, should be provided to the Released Defendant Parties;

(c) to determine, for purposes of the Settlement only, whether the Settlement Class should be finally certified; whether Lead Plaintiff should be finally certified as Class Representative for the Settlement Class; and whether the law firm of Labaton Keller Sucharow LLP should be finally appointed as Class Counsel for the Settlement Class;

(d) to determine whether the proposed Plan of Allocation for the proceeds of the Settlement is fair and reasonable and should be approved by the Court;

(e) to consider Lead Counsel's application for an award of attorneys' fees and Litigation Expenses (which may include an application for an award to Lead Plaintiff for reimbursement of his reasonable costs and expenses directly related to his representation of the Settlement Class, pursuant to the Private Securities Litigation Reform Act of 1995 ("PSLRA"));

(f) to consider Settlement Class Members' objections to the Settlement, if any, provided that they give proper notice that they intend to appear at the Settlement Hearing; and

(g) to rule upon such other matters as the Court may deem appropriate.

6. The Court reserves the right to approve the Settlement with or without modification and with or without further notice to the Settlement Class of any kind. The Court further reserves the right to enter the Judgment approving the Settlement regardless of whether it has approved the Plan of Allocation or awarded attorneys' fees and/or expenses. The Court may also adjourn the Settlement Hearing, decide to hold the hearing remotely, or modify any of the dates herein without further individual notice to members of the Settlement Class. Any such changes shall be posted on the website of the Claims Administrator.

7. **Approval of Form and Manner of Giving Notice.** The Court approves the form, substance and requirements of the long-form Notice of Pendency of Class Action, Proposed Settlement, and Motion for Attorneys' Fees and Expenses (the "Notice"), the Proof of Claim and Release form ("Claim Form"), the Summary Notice of Pendency of Class Action, Proposed Settlement, and Motion for Attorneys' Fees and Expenses ("Summary Notice"), and the Postcard Notice, substantially in the forms annexed hereto as Exhibits 1 through 4, respectively, and finds they collectively:

(a) constitute the best notice to Settlement Class Members practicable under the circumstances;

(b) constitute notice that is reasonably calculated to apprise Settlement Class Members of: (i) the effect of the Settlement, (ii) the releases provided therein, including the release of certain of the Settlement Class Members' claims asserted in *Harpreet Badesha v. Cronos Group Inc. et al.*, CV-20-00641990-00CP (Ontario Sup. Ct. Justice), (iii) the proposed Plan of Allocation for the proceeds of the Settlement, (iv) Class Counsel's request for payment of attorneys' fees and expenses incurred in connection with the prosecution of the Action, (v) Settlement Class Members' rights to object thereto or seek exclusion from the Settlement Class, including to assert or continue to assert claims that may be pending in the Ontario Action or potentially participate in a future settlement or judgment in the Ontario Action, and (vi) a Settlement Class Member's right to appear at the Settlement Hearing;

(c) constitute due, adequate, and sufficient notice to all Persons entitled to receive notice of the proposed Settlement; and

(d) satisfy the notice requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), and Section 21D(a)(7) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(7), as amended by the PSLRA.

8. **Retention of Claims Administrator and Notice Date.** The Court approves the retention of A.B. Data, Ltd. ("A.B. Data" or "Claims Administrator") as the Claims Administrator. The Court has been advised that the Claims Administrator was previously authorized by the Ontario Superior Court of Justice ("Ontario Court") to issue notice in connection with the

certification of a class in *Harpreet Badesha v. Cronos Group Inc. et al.*, CV-20-00641990-00CP (Ontario Sup. Ct. Justice) (“Ontario Action”).

9. Cronos, to the extent it has not already done so, shall use reasonable efforts to provide, or cause to be provided, to Lead Counsel or the Claims Administrator, at no cost to Lead Counsel, the Settlement Class, or the Claims Administrator, within twenty (20) business days of entry of this Preliminary Approval Order, lists in electronic searchable form, such as Excel, containing the names, emails and mailing addresses of Cronos’s registered shareholders who purchased shares on the NASDAQ or any other public U.S. market for trading stocks during the period from May 9, 2019 through March 30, 2020, both dates inclusive, to the extent such lists are reasonably available from Cronos’s stock transfer agent. Cronos shall also take reasonable steps, at no cost to the Settlement Class, Class Counsel, or the Claims Administrator, to request that the administrator in the Ontario Action provide names, emails and mailing addresses of Cronos shareholders of record who purchased shares on the NASDAQ or any other public U.S. market for trading stocks during the period from May 9, 2019 through March 30, 2020, both dates inclusive, gathered by the administrator in the Ontario Action to the Claims Administrator appointed in the Settlement.

10. Commencing on or before twenty-five (25) business days after entry of this Preliminary Approval Order (“Notice Date”), the Claims Administrator shall cause the Postcard Notice (or a link to the Postcard Notice) to be sent via email (where possible) or otherwise by mail, postage prepaid, to all Settlement Class Members who can be identified with reasonable effort based on the records set forth in Paragraph 9.

11. **Nominee Procedures.** The Court has been advised that in the Ontario Action, banks, brokers and other nominees (“Nominees”) were notified by A.B. Data that if they held

Cronos shares acquired in the secondary market during the Class Period for the beneficial interest of their customers, they were to either: (i) request from A.B. Data sufficient copies of the Ontario Action notice to forward to their customers; or (ii) provide a list of the names, addresses, and emails (if available) of all such beneficial owners to A.B. Data.

(a) On or before the Notice Date, A.B. Data shall provide the Nominees in its proprietary list of Nominees, including the Nominees who were notified about the Ontario Action, with a copy of the Notice or a link to the Notice. A.B. Data shall advise the Nominees that for those who previously chose the first option in paragraph 11 above (*i.e.*, requested from A.B. Data sufficient copies of the Ontario Action notice to forward to their customers), A.B. Data shall forward the same number of Postcard Notices to such Nominees, and the Nominees shall, within ten (10) calendar days of receipt of the Postcards, mail them to the beneficial owners. Unless the Nominee has identified additional beneficial owners, who bought on the NASDAQ or any other public U.S. market for trading stocks, whose names and addresses were not previously provided, such Nominees need not take any further action.

(b) For Nominees who previously chose the second option in paragraph 11 above (*i.e.*, provided a list of names, addresses, and emails of beneficial holders to A.B. Data, A.B. Data shall promptly email (or mail if no email was provided) a link to the Postcard Notice (or the Postcard Notice) to each of the beneficial owners whose names and addresses the Nominee previously supplied. Unless the Nominee has identified additional beneficial owners, who bought on the NASDAQ or any other public U.S. market for trading stocks, whose names and addresses were not previously provided, such Nominees need not take any further action.

(c) For Nominees that have identified additional beneficial owners who were not previously identified in connection with the Ontario Action but who are Settlement Class

Members, such Nominees shall either: (i) within ten (10) calendar days of receipt of the Notice, request from A.B. Data sufficient copies of the Postcard to forward to all such additional beneficial owners, which the Nominee shall, within ten (10) calendar days of receipt of those Postcards from A.B. Data, mail to the beneficial owners; or (ii) within ten (10) calendar days of receipt of the Notice, provide a list of the names, addresses, and emails (if available) of all such additional beneficial owners to A.B. Data, and A.B. Data shall provide Postcards to these additionally identified Persons.

(d) Nominees that elect to send the Postcard to their beneficial owners shall also send a statement to A.B. Data confirming that the mailing was made and shall retain their mailing records for use in connection with any further notices that may be provided in the Action.

(e) Upon full and timely compliance with this Order, Nominees who mail the Postcards to beneficial owners, or who provide additional names, addresses, and emails of beneficial owners to the Claims Administrator, may seek reimbursement of their reasonable expenses actually incurred in complying with this Order of up to \$0.10 per name/address/email provided and up to \$0.10, plus postage at the Claims Administrator's rate for bulk mailings, by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought. Nominees whose research yields no records, or a minimal number of beneficial owners, may ask the Claims Administrator to consider an upward adjustment for the reasonable costs incurred to perform their research. Such properly documented expenses incurred by Nominees in compliance with the terms of this Order shall be paid from the Settlement Fund, with any disputes as to the reasonableness or documentation of expenses subject to review by the Court.

12. **Other Notice Provisions.** No later than the Notice Date, the Claims Administrator shall cause copies of the long-form Notice and the Claim Form to be posted on a website developed for the Settlement, from which copies of the Postcard Notice, Notice and Claim Form can be downloaded. The website shall provide the contact information for plaintiffs' counsel in the Ontario Action and link to the website for the Ontario Action ([www.ontariocronosclassaction.com](http://www.ontariocronosclassaction.com)) Lead Counsel shall, at or before the Settlement Hearing, file with the Court proof of dissemination of the Postcard Notice, Notice, and Claim Form.

13. No later than the Notice Date, Cronos shall cause the Summary Notice, Notice, and Claim Form to be posted in the Investor Relations section of Cronos's website. Cronos's counsel shall, at or before the Settlement Hearing, file with the Court proof of posting the Summary Notice, Notice, and Claim Form on the website.

14. The Court approves the form of the Summary Notice and directs that within fourteen (14) calendar days of the Notice Date, Lead Counsel shall cause the Summary Notice to be published in English in *The Wall Street Journal* and *The Globe and Mail*, to be published in French in *La Presse*, and to be transmitted as a press release in the United States and Canada using a wire service. Lead Counsel shall, at or before the Settlement Hearing, file with the Court proof of dissemination of the Summary Notice.

15. The form and content of the notice program described herein, and the methods set forth herein of notifying the Settlement Class of the Settlement and its terms and conditions, meet the requirements of Rule 23 of the Federal Rules of Civil Procedure, Section 21D(a)(7) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(7), as amended by the PSLRA, and due process, constitute the best notice practicable under the circumstances, and shall constitute due, adequate and sufficient notice to all persons and entities entitled thereto.

16. **Claim Process.** In order to be eligible to receive a distribution from the Net Settlement Fund, in the event the Settlement is effected in accordance with the terms and conditions set forth in the Stipulation, each claimant shall take the following actions and be subject to the following conditions:

(a) A properly executed Claim Form, substantially in the form annexed hereto as Exhibit 2, must be submitted to the Claims Administrator, at the address stated, postmarked no later than ten (10) calendar days before the Settlement Hearing. Such deadline may be further extended by Court order or by Lead Counsel in its discretion. Each Claim Form shall be deemed to have been submitted when postmarked (if properly addressed and mailed by first-class or overnight mail, postage prepaid). Any Claim Form submitted in any other manner shall be deemed to have been submitted when it is actually received at the address designated in the Claim Form. Any Settlement Class Member who does not timely submit a Claim Form within the time provided for shall be barred from sharing in the distribution of the Net Settlement Fund, unless otherwise ordered by the Court or allowed by Lead Counsel, but shall remain bound by all determinations and judgments in this Action concerning the Settlement, as provided by paragraph 18 of this order.

(b) The Claim Form submitted by each claimant must satisfy the following conditions, unless otherwise allowed pursuant to the Stipulation: (i) it must be properly completed, signed and submitted in a timely manner in accordance with the provisions of the preceding subparagraph; (ii) it must be accompanied by adequate supporting documentation for the transactions reported therein, in the form of broker confirmation slips, broker account statements, an authorized statement from the broker containing the transactional information found in a broker confirmation slip, or such other documentation as is deemed adequate by the Claims Administrator and/or Lead Counsel; (iii) if the person executing the Claim Form is acting in a representative

capacity, a certification of his, her or its current authority to act on behalf of the claimant must be included in the Claim Form; and (iv) the Claim Form must be complete and contain no material deletions or modifications of any of the printed matter contained therein and must be signed under penalty of perjury. Claimants bear the burden of establishing their right to a recovery from the Net Settlement Fund.

(c) As part of the Claim Form, each claimant shall submit to the jurisdiction of the Court with respect to the claim submitted.

17. **Appearances, Requests for Exclusion, and Objections.** Any Settlement Class Member may enter an appearance in this Action, at his, her or its own expense, individually or through counsel of his, her or its own choice. If any Settlement Class Member does not enter an appearance, he, she or it will be represented by Lead Counsel.

18. Settlement Class Members shall be bound by all orders, determinations, and judgments in this Action concerning the Settlement, whether favorable or unfavorable, unless such Persons request exclusion from the Settlement Class in a timely and proper manner, as hereinafter provided. A putative Settlement Class Member wishing to make such an exclusion request shall send (i) via email to the address designated in the Notice for such exclusions or (ii) via first-class mail to the address designated in the Notice, the request in written form by for such exclusions, such that it is received no later than twenty-one (21) calendar days prior to the Settlement Hearing. Such request for exclusion must state the name, address, telephone number, and email address (if any) of the Person seeking exclusion, must state that the sender requests to be “excluded from the Settlement Class in *In re Cronos Group Inc. Securities Litigation*, No. 20-cv-01310-ENV (E.D.N.Y.)” and must be signed by such Person. Such Persons requesting exclusion are also directed to state the information requested in the Notice, including, but not limited to: the date(s),

price(s), and number(s) of shares for each purchase and sale (if any) of Cronos publicly traded common stock purchased or otherwise acquired on the NASDAQ, or any other public U.S. market for trading stocks, during the Class Period. Requests must be submitted with documentary proof of purchases during the Class Period that demonstrates the requester's status as a Settlement Class Member. The request for exclusion shall not be effective unless it provides the required information and is made within the time stated above, or the exclusion is otherwise accepted by the Court.

19. Putative Settlement Class Members requesting exclusion from the Settlement Class shall not be eligible to receive any payment out of the Net Settlement Fund.

20. Any Settlement Class Member who does not request exclusion from the Settlement Class may object to the proposed Settlement, the proposed Plan of Allocation, and/or Lead Counsel's application for attorneys' fees and expenses. Any objections must: (a) state the name, address, telephone number, and email address of the objector and must be signed by the objector; (b) state that the objector is objecting to the proposed Settlement, Plan of Allocation, or application for attorneys' fees and Litigation Expenses in "*In re Cronos Group Inc. Securities Litigation*, No. 20-cv-01310-ENV (E.D.N.Y.)"; (c) state the objection(s) and the specific reasons for each objection, including whether it applies only to the objector, to a specific subset of the Settlement Class, or to the entire Settlement Class, and any legal and evidentiary support, and witnesses, the Settlement Class Member wishes to bring to the Court's attention; and (d) include documents sufficient to prove the objector's membership in the Settlement Class, such as the date(s), price(s), and number(s) of shares of Cronos publicly traded common stock purchased or otherwise acquired on the NASDAQ, or any other public U.S. market for trading stocks, during the Class Period. Objectors who are represented by counsel must also provide the name, address and telephone

number of all counsel, if any, who represent them; the number of times the objector and their counsel have filed an objection to a class action settlement in the last five years; the nature of each such objection in each case; and the name and docket number of each case.

21. The Court will consider any Settlement Class Member's objection to the Settlement, the Plan of Allocation, and/or the application for an award of attorneys' fees or expenses only if such Settlement Class Member has served by hand or by mail his, her or its written objection and supporting papers, such that they are received on or before twenty-one (21) calendar days before the Settlement Hearing, upon Lead Counsel: Jake Bissell-Linsk, Labaton Keller Sucharow LLP, 140 Broadway, New York, NY 10005; and Defendants' Counsel: David M.J. Rein, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004, and has filed by that date, either by mail or in person, said objections and supporting papers with the Clerk of the Court, United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201. Any Settlement Class Member who does not make his, her, or its objection in the manner provided for in the Notice shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to any aspect of the Settlement, to the Plan of Allocation, or to the request for attorneys' fees and expenses, unless otherwise ordered by the Court, but shall otherwise be bound by the Judgment to be entered and the releases to be given.

22. Attendance at the Settlement Hearing is not necessary, however, persons wishing to be heard orally in opposition to the approval of the Settlement, the Plan of Allocation, and/or the application for an award of attorneys' fees and expenses are required to state in their written objection their intention to appear at the hearing. Persons who intend to object to the Settlement, the Plan of Allocation, and/or the application for an award of attorneys' fees and expenses and desire to present evidence at the Settlement Hearing must include in their written objections the

identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the Settlement Hearing.

23. Settlement Class Members do not need to appear at the hearing or take any other action to state their approval.

24. **Stay of Proceedings.** Until otherwise ordered by the Court, the Court stays all proceedings in the Action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement. Pending final determination of whether the Settlement should be approved, Lead Plaintiff, all Settlement Class Members, and each of them, and anyone who acts or purports to act on their behalf, shall not institute or commence any action which asserts Released Plaintiff's Claims against the Released Defendant Parties.

25. **Miscellaneous Matters.** As provided in the Stipulation, Lead Counsel may pay the Claims Administrator the reasonable fees and costs associated with giving notice to the Settlement Class and the review of claims and administration of the Settlement out of the Settlement Fund.

26. All papers in support of the Settlement, Plan of Allocation, and Lead Counsel's request for an award of attorneys' fees and expenses shall be filed with the Court and served on or before thirty-five (35) calendar days prior to the date set herein for the Settlement Hearing. If any party deems reply papers in support necessary, they are to be filed with the Court and served no later than seven (7) calendar days prior to the Settlement Hearing.

27. No person who is not a Settlement Class Member or Plaintiff's Counsel shall have any right to any portion of, or to any distribution of, the Net Settlement Fund unless otherwise ordered by the Court or otherwise provided in the Stipulation.

28. All funds held in escrow shall be deemed and considered to be in *custodia legis* of the Court, and shall remain subject to the jurisdiction of the Court until such time as such funds shall be disbursed pursuant to the Stipulation and/or further order of the Court.

29. Neither Defendants nor their counsel shall have any responsibility for the Plan of Allocation nor any application for attorney's fees or Litigation Expenses submitted by Lead Counsel or Lead Plaintiff.

30. With the exception of the provisions of ¶¶ 49-52 of the Stipulation, if the Settlement fails to become effective or is terminated as defined in the Stipulation, then both the Stipulation, including any amendment(s) thereof, except as expressly provided in the Stipulation, and this Preliminary Approval Order shall be null and void, of no further force or effect, and without prejudice to any Party, and may not be introduced as evidence or used in any actions or proceedings by any person or entity against the Parties, and the Parties shall be deemed to have reverted to their respective litigation positions in the Action as of June 1, 2025.

31. Neither this Order, the Term Sheet, the Stipulation whether or not consummated, and whether or not approved by the Court, and any discussion, negotiation, proceeding, or agreement relating to the Stipulation, the Settlement, and any matter arising in connection with settlement discussions or negotiations, proceedings, or agreements, shall not be offered or received against or to the prejudice of the Parties or their respective counsel, for any purpose other than in an action to enforce the terms hereof, and in particular:

(a) do not constitute, and shall not be offered or received against or to the prejudice of Defendants as evidence of, or construed as, or deemed to be evidence of any presumption, concession, or admission by Defendants with respect to the truth of any allegation by Lead Plaintiff and the Settlement Class, or the validity of any claim that has been or could have

been asserted in the Action or in any litigation, including but not limited to the Released Plaintiff's Claims, or of the deficiency of any defense that has been or could have been asserted in the Action or in any litigation, or of any liability, damages, negligence, fault, or wrongdoing of Defendants or any Person whatsoever, or the appropriateness of treating this Action as a class action for any other purpose than the Settlement;

(b) do not constitute, and shall not be offered or received against or to the prejudice of Defendants as evidence of a presumption, concession, or admission of any fault, misrepresentation, or omission with respect to any statement or written document approved or made by Defendants, or against or to the prejudice of Lead Plaintiff, or any other member of the Settlement Class as evidence of any infirmity in the claims of Lead Plaintiff, or the other members of the Settlement Class;

(c) do not constitute, and shall not be offered or received against or to the prejudice of Defendants, Lead Plaintiff, any other member of the Settlement Class, or their respective counsel, as evidence of a presumption, concession, or admission with respect to any liability, damages, negligence, fault, infirmity, or wrongdoing, or in any way referred to for any other reason against or to the prejudice of any of the Defendants, Lead Plaintiff, other members of the Settlement Class, or their respective counsel, in any other civil, criminal, or administrative action or proceeding, other than such proceedings as may be necessary to effectuate the provisions of this Stipulation;

(d) do not constitute, and shall not be construed against Defendants, Lead Plaintiff, or any other member of the Settlement Class, as an admission or concession that the consideration to be given hereunder represents the amount that could be or would have been recovered after trial; and

(e) do not constitute, and shall not be construed as or received in evidence as an admission, concession, or presumption against Lead Plaintiff, or any other member of the Settlement Class that any of their claims are without merit or infirm or that damages recoverable would not have exceeded the Settlement Amount.

32. The Court retains exclusive jurisdiction over the Action for purposes of implementing or enforcing the Settlement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Honorable Eric N. Vitaliano  
UNITED STATES DISTRICT JUDGE

**Application Granted**  
**SO ORDERED**  
**Brooklyn, New York**  
**Dated: 08/04/2026**

/s/ Eric N. Vitaliano

\_\_\_\_\_  
**Eric N. Vitaliano**  
**United States District Judge**