

# **EXHIBIT 2**

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

IN RE JPMORGAN PRECIOUS METALS  
SPOOFING LITIGATION

Case No.: 1:18-cv-10356

Hon. Gregory H. Woods

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**DECLARATION OF LINDA V. YOUNG**

Pursuant to 28 U.S.C. §1746, I, Linda V. Young, declare:

1. I am the Vice President, Media with A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data”). I submit this Declaration at the request of Lead Counsel in connection with the above-captioned action (the “Action”).

2. This Declaration is based upon my personal knowledge and upon information provided by Lead Counsel, my associates, and A.B. Data staff members. The information, methods, and tools used in developing the notice plan are of a type reasonably relied upon in the fields of media, advertising, and communications.

3. I have developed and directed some of the largest and most complex national notification plans in the United States. The scope of my work includes notification plans in securities, antitrust, consumer, ERISA, and insurance settlements. I have developed or consulted on more than 100 notification plans, placing millions of dollars’ worth of media notice. My curriculum vitae is attached as Exhibit A.

4. This Declaration details a notice plan, attached as Exhibit B, for the Action (the “Proposed Notice Plan”) designed to provide adequate notice to members of the Class, which is defined as follows:

All Persons and entities wherever located that purchased or sold any Precious Metals Futures or Options on Precious Metals Futures on the New York Mercantile Exchange (“NYMEX”) or Commodity Exchange Inc. (“COMEX”) from March 1, 2008, through August 31, 2016 (the “Class Period”).

Excluded from the Class are:

- JPMorgan and any parent, subsidiary, affiliate or agent of JPMorgan, provided, that any Investment Vehicle shall not be excluded from the Settlement Class, but under no circumstances may JPMorgan (or any of its direct or indirect parents, subsidiaries, affiliates, or divisions) receive a distribution for its own account from the Settlement Fund through an Investment Vehicle<sup>1</sup>; and
- The United States Government.

#### **Paid Media Placement Summary**

5. A.B. Data recommends national, targeted paid media notice consisting of:
  - Direct mail;
  - Print media;
  - Digital media; and
  - Earned media.
6. Notice will be published in the United States, Canada, and global financial markets.

Canadian notice will include publication in French as well as English.

#### **Direct Mail**

7. Notice will be sent directly to precious metals market participants, including:

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<sup>1</sup> “Investment Vehicle” means any investment company, separately managed account or pooled investment fund, including but not limited to mutual fund families, exchange-traded funds, fund of funds, hedge funds, retirement accounts, and employee benefit plans, in which any Defendant has or may have a direct or indirect interest, or as to which that Defendant or its affiliates may act as an investment advisor or manager, but in which any Defendant alone or together with its, his or her respective affiliates is not a majority owner or does not hold a majority beneficial interest.

- NYMEX and COMEX clearing members that cleared Precious Metals Futures and Options on Precious Metals Futures (with the direction that such clearing firms should forward the Settlement Class Notice to persons who transacted in Precious Metals Futures or Options on Precious Metals Futures during the Class Period);
- “Large traders”<sup>2</sup> in Precious Metals Futures on the COMEX and NYMEX during the Class Period whose names and addresses have been identified by a subpoena to the CME Group, Inc.; and
- A proprietary list of banks, brokers, and other investors with instructions to either (a) forward the Class Notice on to their customers that transacted in Precious Metals Futures and Options on Precious Metals Futures and Options during the Class Period or (b) provide a list of such customer that the Settlement Administrator can notify directly.

**Print Media**

8. The summary Notice will be placed as an ad in each of the following publications:
- *Wall Street Journal – U.S.*
  - *Investor’s Business Daily – U.S.*
  - *Financial Times – Global edition*
  - *Stocks & Commodities – U.S.*
  - *Le Journal de Montreal – Quebec, Canada*
  - *National Post – Canada*

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<sup>2</sup> Large traders being defined as those who are required to report under Part 17 of the Commodity Futures Trading Commission’s (CFTC) regulations. Current reporting levels are found in CFTC Regulation 15.03(b).

### **Digital Media**

9. Banner ads will appear in the United States and Canada on targeted websites such as marketplace.com, cnbc.com, finance.yahoo.com, journaldequebec.com, theglobeandmail.com and hundreds of others. Ads will be served across multiple devices, including desktop, tablet, and mobile devices. They will be placed in premium positioning on websites ensuring that they can be easily seen when viewers first open website pages. Internet advertising allows the viewer to click on a banner advertisement and instantly be directed to the settlement website.

10. A 30-day campaign will be scheduled, which ensures ample time to deliver the targeted impressions. At least 17 million impressions will be delivered to the target audience.

11. All banner ads will include an embedded link to the case-specific website. Images appropriate for this Action and target audience will also be included in all digital ad formats, as this increases the visibility and click-through rate of the ads.

12. Ads will run in French in Canada for those who view their digital media in the French language.

### **Social Media**

13. To further extend engagement with potential Class members, newsfeed ads will be purchased on LinkedIn. Impressions served to users of this social media platform can be highly targeted, specifically reaching those who have expressed an interest in and information relevant to the subject of this case. By utilizing microtargeting strategies, we can be very tactical in reaching potential Class members.

### **Google AdWords/Search**

14. To assist with easy location of the case website, sponsored search listings will be acquired on Google, the most visited search engine. When identified target phrases and keywords

are used in searches on Google, links will appear on the search result pages. Representative keywords could include “Precious Metals Options,” “Precious Metals Futures,” “Precious Metals trading” plus many others. Key words will also be translated to French-Canadian and loaded into Google AdWords so they are easily searched by Canadians whose primary language is French.

### **Earned Media**

15. To supplement direct notice, A.B. Data recommends that a news release be disseminated via *PR Newswire*'s Global Financial Newswire distribution list. This news release will be distributed via *PR Newswire* to the news desks of approximately 25,000 newsrooms, including those of print, broadcast, and digital websites across the United States and to major financial markets in Canada, South America, Europe and Asia.

### **Toll-Free Telephone Number**

16. A.B. Data will establish and maintain a case-specific toll-free telephone number to support the Action, with live operators during business hours. Services will specifically include the following:

- a. Inbound toll-free line;
- b. Interactive-voice-response system;
- c. Live operators during business hours;
- d. Call scripts developed by our experts and approved by Lead Counsel; and
- e. Detailed reporting.

### **Case Website**

17. A dedicated informational case website will be developed to complement the Notice Plan and to ensure Class members' easy access to updated information. The website will provide, among other things, a summary of the case and Class member rights and options, relevant

documents, important dates, and any pertinent updates concerning the Action. The website will have an option to view it in French. A.B. Data will also maintain an official email account that Class members can utilize to ask questions or request to be excluded from the Class.

**Form and Content of Notice**

18. A detailed Long-Form Notice will be available on the case website and will include more detailed information about the Action, including that this is a class action; the definition of the Class in plain and engaging language; that the Class alleges Commodity Exchange Act and unjust enrichment claims; that a Class member may appear through an attorney (at their own expense) if the Class member desires; that Class members can request to exclude themselves; the time and manner for requesting exclusion; that, but for the settlement, the litigation would have been scheduled for trial and that there has been no final determination of liability or damages owed by Defendants; and the binding effect of any judgment on Class members.

19. A Short-Form Notice will be used to provide notice via the print publications and press release, as described in detail above. The Short-Form Notice includes summary information concerning the Action, including a description of the Class; the nature of the claims asserted by the Class Plaintiffs; the rights and options available to Class members including the right to exclude themselves and the binding effect of any judgment on Class members; and the case website address and toll-free telephone number via which Class members can obtain additional details about the case and background information about the Action. Each form of notice is well-organized, and written in a reader-friendly, plain-English format for easy readership and comprehension. The Short-Form Notice and banner ads will be translated into French-Canadian for the French newspaper and digital advertising.

20. Banner ads are developed to draw attention to the case and encourage recipients to click on the ad for more information. They link directly to the case website. An example banner ad is included in the Notice Plan.

**Conclusion**

21. It is my opinion that the Notice Plan described herein is adequate and reasonable and will effectively reach members of the Class. This Proposed Notice Plan conforms to the standards employed by A.B. Data in similar notification plans designed to reach groups or classes that trade in futures, securities, and commodities. The Proposed Notice Plan as designed is fully compliant with Rule 23 of the Federal Rules of Civil Procedure.

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

Executed this 8th day of November 2021.



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Linda V. Young



**EXHIBIT A**

**LINDA V. YOUNG**  
**[Linda.Young@abdata.com](mailto:Linda.Young@abdata.com)**

**EXPERIENCE**

**A.B. Data, Ltd., Milwaukee, WI**

Vice President, Media

Lead the A.B. Data Class Action Administration media team in research, development, and implementation of media notice plans for settlements and other class action administrations. Cases include the following:

**Antitrust/Commodities Cases**

- *Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee v. Momenta Pharmaceuticals, Inc. et al.*, (Case No. 3:15-cv-01100) (M.D. Tenn.);
- *Laydon v. Mizuho Bank, Ltd., et al.*, No. 12-CV-3419 (GBD) and *Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*, No. 15-CV-5844 (GBD), United States District Court, Southern District of New York;
- *Sullivan v. Barclays plc et al.*, No. 13-cv-028111 (PKC), United States District Court, Southern District of New York;
- *In re Loestrin 24 FE Antitrust Litigation*, Case No. MDL 2472, United States District Court, District of Rhode Island;
- *In re Resistors Antitrust Litigation* No. 3:15-cv-03820-JD, United States District Court, Northern District of California, San Francisco Division;
- *In re Qualcomm Antitrust Litigation*, No. 17-md-02773-LHK, United States District Court, Northern District of California, San Jose Division;

- *State of Washington v. LG Electronics, Inc., et al.*, No. 12-2-15842-8 SEA, State of Washington, King County Superior Court;
- *The State of New York, et al. v. Cephalon, Inc., et al.*, No. 16-cv-4234-MSG, United States District Court, Eastern District of Pennsylvania;
- *In re Liquid Aluminum Sulfate Antitrust Litigation*, No. 16-md-2687 (JLL) (JAD), United States District Court, District of New Jersey;
- *In re Aggrenox Antitrust Litigation*, No. 3:14-md-02516 (SRU), United States District Court, District of Connecticut;
- *In re Solodyn (Minocycline Hydrochloride) Antitrust Litigation (All End-Payor Actions)*, MDL No. 14-MD-2503-DJC, United States District Court, District of Massachusetts;
- *In re Capacitors Antitrust Litigations: All Indirect Purchaser Actions*, No. 14-CV-03264-JD, United States District Court, Northern District of California;
- *In re Polyurethane Foam Antitrust Litigation*, MDL Docket No. 2196, United States District Court, Northern District of Ohio;
- *In re Medco Health Solutions, Inc., Pharmacy Benefits Management Litigation*, MDL No. 1508, United States District Court, Southern District of New York;
- *In re Warfarin Sodium Antitrust Litigation*, MDL No. 98-1232 (SLR), United States District Court, District of Delaware;
- *Blevins v. Wyeth-Ayerst Laboratories, Inc. and American Home Products Corp.*, No. 324380, Superior Court of California, County of San Francisco;
- *In re Terazosin Hydrochloride Antitrust Litigation*, 99-MDL-1317, United States District Court, Southern District of Florida;

- *In re Cardizem CD Antitrust Litigation*, 99-MD-1278, United States District Court, Eastern District of Michigan;
- *In re High Pressure Laminate Antitrust Litigation*, Civil Action No. 00C-1989 and Related Cases, Second Circuit Court for Davidson County, Tennessee, 20<sup>th</sup> Judicial District at Nashville;
- *In re Pennsylvania Baycol Third-Party Payor Litigation*, September Term, 2001 No. 001874, Court of Common Pleas, Philadelphia County, South Carolina;
- *In re Remeron End-Payor Antitrust Litigation*, Master File No. 02-CV-2007 (FSH), United States District Court, District of New Jersey;
- *In re Relafen Antitrust Litigation*, 01-12239-WGY, United States District Court, District of Massachusetts;
- *In re Buspirone Antitrust*, 01-MD-01413, United States District Court, Southern District of New York;
- *Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham Corporation*, No. 2:02cv442, United States District Court, Eastern District of Virginia;
- *Cipro Cases I and II*, Judicial Council Coordination Proceedings Nos. 4154 and 4220, Superior Court of the State of California, County of San Diego;
- *In re Potash Antitrust Litigation (II)*, No. 1:08-CV-6910, United States District Court, Northern District of Illinois;
- *In re Optiver Commodities Litigation*, No. 1:08-CV-06842-LAP, United States District Court, Southern District of New York;
- *In re: Rough Rice Commodity Litigation*, No. 11-CV-00618, United States District Court, Northern District of Illinois;

- *In re Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)*, 10-CV-3617 (WHP) (“Futures Action”), United States District Court, Southern District of New York;
- *In re Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)*, 10-CV-3617 (WHP) (“Physical Action”), United States District Court, Southern District of New York;
- *Kamakahi and Levy v. American Society for Reproductive Medicine and Society for Assisted Reproductive Technology*, No. 3:11-CV-1781 JCS, United States District Court, Northern District of California;
- *Mahoney v. Endo Health Solutions, Inc., et al.*, No. 15-CV-9841 (DLC), United States District Court, Southern District of New York;
- *In re London Silver Fixing, Ltd. Antitrust Litigation*, Case No. 14-MD-02573-VEC, 14-MC-02573-VEC, United States District Court, Southern District of New York;
- *In re GSE Bonds Antitrust Litigation*, Case No. 1:19-cv-01704 (JSR), United States District Court, Southern District of New York;
- *The Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee, d/b/a Nashville General Hospital and American Federation of State, County and Municipal Employees District Council 37 Health & Security Plan, v. Momenta Pharmaceuticals, Inc. and Sandoz Inc.*, Case No. 3:15-cv-01100, United States District Court, Middle District of Tennessee, Nashville Division;
- *In re Libor-Based Financial Instruments Antitrust Litigation, Metzler Investment GmbH, et al., v. Credit Suisse Group AG, et al.* Master File No. 11-md-2262 (NRB) Case No. Civ. 2613 (Exchange-Based Action), United States District Court, Southern District of New York;

- *Laydon v. Mizuho Bank, Ltd., et al.*, No. 12-CV-3419 (GBD) and *Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.* No. 15-CV-5844 (GBD), United States District Court, Southern District of New York;
- *Sullivan v. Barclays plc et al.*, No. 13-cv-028111 (PKC), United States District Court, Southern District of New York;
- *In re: EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, MDL No: 2785 Case No. 17-md-2785-DDC-TJJ, In the United States District Court for the District of Kansas;
- *In re Pork Antitrust Litigation* Civil No. 0:18-1779 (JRT/HB) United States District Court, District Court of Minnesota;
- *Breckenridge Brewery of Colorado, LLC, a Colorado limited liability company; and BBD Acquisition CO., a Colorado corporation, On behalf of themselves and all other similarly situated direct purchasers of natural gas in the State of Colorado, Plaintiffs, v. XCEL ENERGY, INC., E PRIME, INC., Defendants.* Civil Action No. 06-cv-01110-REB-MEH In The United States District Court for the District of Colorado;
- *In re Namenda Indirect Purchaser Antitrust Litigation* Case No. 1:15-cv-06549-CM-RWL In The United States District Court for the Southern District of New York
- *In re Mexican Government Bonds Antitrust Litigation* Case No. 18-cv-02830-JPO United States District Court for the Southern District of New York

**Securities Cases**

- *Gregory Boutchard and Synova Asset Management, LLC, individually and on behalf of all others similarly situated, Plaintiffs, v. Kamaldeep Gandhi, Yuchun Mao a/k/a Bruce Mao, Krishna Mohan, Tower Research Capital LLC, and John Doe Nos. 1 – 5, Defendants.* Case No. 1:18-cv-07041, United States District Court Northern District of Illinois Eastern Division;
- *Elkin v. Walter Investment Management Corp.*, No. 2:17-cv-02025-JCJ, United States District Court, Eastern District of Pennsylvania;
- *In re Flowers Foods, Inc. Securities Litigation*, No. 7:16-CV-00222 (WLS), United States District Court, Middle District of Georgia, Valdosta Division;
- *Steven Lazan v. Quantum Corporation, et. al.*, No. 3:18-cv-00923-RS, United States District Court, Northern District of California;
- *Cheng Jiangchen, Individually and on Behalf of All Others Similarly Situated v. Rentech, Inc., Keith B. Forman, and Jeffrey Spain*, No. 2:17-cv-01490-GW-FFM, United States District Court, Central District of California;
- *In re Medley Capital Stockholder Litigation*, No. 2019-0100-KSJM, The Court of Chancery of the State of Delaware;
- *Judith Godinez, Individually and on Behalf of All Others Similarly Situated v. Alere, Inc., et. al.*, No. 1:16-cv-10766-PBS, United States District Court, District of Massachusetts;
- *Edmund Murphy III, Individually and on Behalf of All Others Similarly Situated v. JBS S.A.*, No. 1:17-cv-03084-ILG-RER, United States District Court, Eastern District of New York;
- *In re Starz Stockholder Litigation*, No. 12584-VCG, The Court of Chancery of the State of Delaware;

- *In re Quality Systems, Inc. Securities Litigation*, No. 8:13-cv-01818-CJC-JPR, United States District Court, Central District of California, Southern Division;
- *In re PTC Therapeutics, Inc. Securities Litigation*, No. 16-1224 (KM)(MAH), United States District Court, District of New Jersey;
- *Aude, et al., v. Kobe Steel, Ltd., et al.*, No. 17-CV-10085-VSB, United States District Court, Southern District of New York;
- *Rahman v. GlobalSCAPE, Inc., et al.*, No. 5:17-cv-00753-XR, United States District Court, Western District of Texas;
- *In re CytRx Corporation Securities Litigation*, No. 2:16-CV-05519-SJO-SK, United States District Court, Central District of California;
- *In re CPI Card Group Inc. Securities Litigation*, No. 16-cv-04531 (LAK), United States District Court, Southern District of New York;
- *Singh v. 21Vianet Group, Inc.*, No. 2:14-cv-00894-JRG-RSP, United States District Court, Eastern District of Texas, Marshall Division;
- *Kasper v. AAC Holdings, Inc., et al.*, No. 3:15-CV-00923-JPM, United States District Court, Middle District of Tennessee, Nashville Division;
- *In re Facebook, Inc. IPO Securities and Derivative Litigation*, MDL No. 12-2389, United States District Court, Southern District of New York;
- *GFI Group, Inc. Securities Litigation*, No. 1:14-CV-09438 WHP, United States District Court, Southern District of New York;
- *In re Juno Therapeutics Inc.*, No. C16-1069 RSM, United States District Court, Western District of Washington at Seattle;

- *Zacharia v. Straight Path Communications, Inc. et al.*, Case No. 2:15-CV-08051-JMV-MF, United States District Court, District of New Jersey;
- *In re DFC Global Corp. Securities Litigation*, Civ. A. No. 2:13-CV-06731-BMS, United States District Court, Eastern District of Pennsylvania;
- *In re Berkshire Realty Company, Inc. Shareholder Litigation*, C.A. No. 17242, Court of Chancery, State of Delaware in and for New Castle County;
- *Lipson, et al. v. Simon et al.*, 98-CV-4573 (TCP), United States District Court, Eastern District of New York;
- *In re Service Corporation International*, Civil Action H-99-280, United States District Court, Southern District of Texas;
- *Hicks v. Morgan Stanley & Co.*, 01 Civ. 10071 (RJH), United States District Court, Southern District of New York;
- *High Tide Harry's, Inc. v. Waste Management Inc. of Florida*, 05-CA-009441, 9th Judicial Circuit, State of Florida;
- *In re Campbell Soup Co. Securities Litigation*, 00-152-JEI, United States District Court, District of New Jersey;
- *Abrams v. Van Kampen Funds, Inc.* 01-C-7538, United States District Court, Northern District of Illinois;
- *In re Seitel, Inc. Securities Litigation*, No. 02-1566, United States District Court, Southern District of Texas;
- *Stevelman v. Alias Research, Inc.*, 591-CV-00682 (EBB), United States District Court, District of Connecticut;



- *In re Phoenix Leasing Limited Partnership Litigation*, No. 173739, Superior Court of the State of California, County of Marin;
- *In re Nuko Information Systems, Inc.*, C-97-20471 EAI, United States District Court, Northern District of California;
- *In re PriceSmart Securities Litigation*, Master File No. 03-CV-2260-JAH- (BLM), United States District Court, Southern District of California;
- *In re General Electric Co. Securities Litigation*, Civ. No. 09-CIV-1951 (DLC) ECF CASE, United States District Court, Southern District of New York;
- *In re PAR Pharmaceutical Securities Litigation*, Master File No. 2:06-03226 (ES) (SCM), United States District Court, District of New Jersey;
- *In re ING Groep, N.V. ERISA Litigation*, Master File No. 1:09-CV-00400-JEC, United States District Court, Northern District of Georgia;
- *In re Massey Energy Co. Securities Litigation*, Civil Action No. 5:10-CV-00689-ICB, United States District Court, Southern District of West Virginia;
- *In re Fannie Mae 2008 Securities Litigation*, No. 08-CV-7831, United States District Court, Southern District of New York;
- *In re 2014 Avon Products, Inc. ERISA Litigation*, Case No. 1:14-cv-10083, United States District Court, Southern District of New York;
- *In re BioScrip, Inc. Securities Litigation*, Civil Action No. 13-CV-6922-AJN, United States District Court, Southern District of New York;
- *In re BP plc Securities Litigation*, No. 4:10-MD-02185, United States District Court, Southern District of Texas;

- *The Department of the Treasury of the State of New Jersey and Its Division of Investment v. Cliffs Natural Resources Inc., et al.*, No. 1:14-CV-1031, United States District Court, Northern District of Ohio;
- *In re Eastman Kodak ERISA Litigation*, Master File No. 6:12-CV-06051 DGL, United States District Court, Western District of New York;
- *In re NII Holdings, Inc. Securities Litigation*, Civ. No. 1:14-CV-00227-LMB-JFA, United States District Court, Eastern District of Virginia;
- *In re Nu Skin Enterprises, Inc., Securities Litigation*, Master File No. 2:14-CV-00033-JNP-BCW, United States District Court, District of Utah;
- *Första AP-Fonden and Danske Invest Management A/S v. St. Jude Medical, Inc., et al.*, Civil No. 12-3070 (JNE/HB), United States District Court, District of Minnesota;
- *In re TIBCO Software Inc. Stockholders Litigation*, Consolidated C.A. No. 10319-CB, Court of Chancery, State of Delaware;
- *In re Brightview Holdings, Inc. Securities Litigation*, Consolidated Civil Action Case No. 2019-07222, Court of Common Pleas of Montgomery County, Pennsylvania;
- *David Ronge, Individually and on Behalf of All Others Similarly Situated, v. Camping World Holdings, Inc., et al.*, Consolidated C.A. Case No. 1:18-cv-07030, United States District Court, Northern District of Illinois, Eastern Division;
- *In re Caraco Pharmaceutical Laboratories, Ltd. Shareholder Litigation*, Consolidated Case No. 10-014311-CB, State of Michigan, in the Circuit Court for the County of Wayne;
- *Yellow Dog Partners, LP, Individually and on Behalf of All Others Similarly Situated, vs. Curo Group Holdings Corp., et al.*, C.A. Civil Action No. 2:18-cv-02662-JWL-KGG, United States District Court, District of Kansas, Kansas City;

- *Vancouver Alumni Asset Holdings Inc., Individually and on Behalf of All Others Similarly Situated, v. Daimler AG, Dieter Zetsche, Bodo Uebber, and Thomas Weber*, Master Case No. 16-cv-02942-DSF-KS, *Maria Munro, Individually and on Behalf of All Others Similarly Situated, v. Daimler AG, Dieter Zetsche, Bodo Uebber, and Thomas Weber* Case No. 16-cv-03412-DSF-KS, United States District Court, Central District of California;
- *Jennifer Tung, Individually and on Behalf of all Others Similarly Situated, v. Dycom Industries, Inc., Steven E. Nielsen and Andrew Deferrari*, Case No: 18-cv-81448-SINGHAL, United States District Court Southern District of Florida;
- *In re Henry Schein, Inc. Securities Litigation*, Master File No. 1:18-cv-01428-MKB-VMS, United States District Court, Eastern District of New York;
- *In re Impinj, Inc. Securities Litigation*, C.A. No. 3:18-cv-05704-RSL, United States District Court, Western District of Washington at Seattle;
- *Richard Di Donato, Individually and On Behalf of All Others Similarly Situated, v. Insys Therapeutics, Inc.; et al.*, Class Action No. CV-16-00302-PHX-NVW, United States District Court, for the District of Arizona;
- *Oklahoma Firefighters Pension and Retirement System, Individually and on Behalf of All Others Similarly Situated, v. Lexmark International, Inc., Paul A. Rooke, David Reeder and Gary Stromquist*, Class Action, Civil Action No. 1:17-cv-05543-WHP, United States District Court, Southern District of New York;
- *In re Netshoes Securities Litigation*, Index No. 157435 / 2018, Supreme Court of the State of New York, New York County;
- *In re Sequans Communications S.A. Securities Litigation*, Class Action, Case No. 1:17-cv04665-FB-SJB, United States District Court, Eastern District of New York;

- *Spectrum Brands Holdings, Inc., David M. Maura, Joseph S. Steinberg, George C. Nicholson, Curtis Glovier, Frank Iannna, Gerald Luterman, Andrew A. McKnight, Andrew Whittaker and HRG Group, Inc.*, Case No. 2019-CV-000982, State of Wisconsin, Circuit Court Branch 3, Dane County;
- *SEB Investment Management AB, individually and on behalf of all others similarly situated, v. Symantec Corporation and Gregory S. Clark*, No. C 18-02902 WHA, United States District Court, Northern District of California;
- *United States Steel Corporation, et al.*, Case No. 2:17-cv-0579-CB, United States District Court, Western District of Pennsylvania;
- *Harry Ploss, as Trustee for the Harry Ploss Trust DTD 8/16/1993, on behalf of Plaintiff and all others similarly situated, v. Kraft Foods Group, Inc. and Mondelez Global LLC*, Case No. 15-cv-02937, United States District Court, Northern District of Illinois, Eastern Division;
- *Richard Medoff v. CVS Caremark Corp., et al.*, Civil No. 09-cv-544-JNL, United States District Court, District of New York;
- *Norfolk County Retirement System, individually and on behalf of all others similarly situated, v. Community Health Systems, Inc., Wayne T. Smith and W. Larry Cash*, Consolidated Civil Action No.: 11-cv-0433, United States District Court for the Middle District of Tennessee, Nashville Division;
- *Douglas S. Chabot, et al., Individually and on Behalf of All Others Similarly Situated, Plaintiffs v. Walgreens Boots Alliance, Inc., et al., Defendants*, Civil Action No. 1:18-cv-02118-JEJ-KM, United States District Court, Middle District of Pennsylvania;
- *In re Obalon Therapeutics Inc. Securities Litigation*, Master File No. 3:18-cv-00352-AJB-AHG, United States District Court, Southern District of California

- *Plymouth County Contributory Retirement System, Individually and on Behalf of All Others Similarly Situated, Plaintiff, vs. Adamas Pharmaceuticals, Inc.; William Ericson; Martha J. Demski; Ivan Lieberburg; Gregory T. Went; Michael F. Bigham; David L. Mahoney; John Macphee; Rajiv Patni; Jennifer J. Rhodes; Alfred G. Merriweather; Christopher B. Prentiss; Richard King; Mardi C. Dier; Merrill Lynch, Pierce, Fenner, & Smith Incorporated; Leerink Partners LLC; and Evercore Group L.L.C., Case No.; RG19018715, Superior Court of the State of California for the County of Alameda;*
- *Harry Ploss, as Trustee for the Harry Ploss Trust DTD 8/16/1993, on behalf of Plaintiff and all others similarly situated, Plaintiffs, v. Kraft Foods Group, Inc. and Mondelez Global LLC, Defendants. Case No.; 15-cv-02937, In the United States District Court for the Northern District of Illinois Eastern Division;*
- *In re Perrigo Company PLC Securities Litigation, Case No.; 1:19-cv-00070-DLC, United States District Court, Southern District of New York;*
- *In re Qudian Inc. Securities Litigation, Master File No.: 1:17-cv-09741-JMF, United States District Court, Southern District of New York;*
- *City of Hallandale Beach Police Officers' and Firefighters' Personnel Retirement Trust, on Behalf of Itself and All Others Similarly Situated, Plaintiff, v. Charles W. Ergen, Michael T. Dugan, David J. Rayner, Echostar Corp., Echostar BSS Corp., Hughes Network Corp., and BSS Merger Sub, Inc. Defendants. Case No.: A-19-797799-B Dept. No.: XI, District Court Clark County, Nevada;*
- *Teamsters Local 456 Pension Fund, et al., Plaintiffs, vs. Universal Health Services, Inc., et al., Defendants. Case No. 2:17-cv-02817-JHS, United States District Court, Eastern District of Pennsylvania;*

- *Maz Partners LP, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. First Choice Healthcare Solutions, Inc. and Christian Romandetti, Sr., Defendants.* Case No. 6:19-cv-00619-PGB-LRH, United States District Court, Middle District of Florida Orlando Division;
- *In Re The Allstate Corporation Securities Litigation*, Case No. 16-cv-10510, In the United States District Court for the Northern District of Illinois Eastern Division;
- *In Re Willis Towers Watson PLC Proxy Litigation*, Civ. A. No. 1:17:cv-01338-AJT-JFA, In the United States District Court for the Eastern District of Virginia Alexandria Division;
- *Larry Enriquez, Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. Nabriva Therapeutics PLC, TED Schroeder, Gary Sender, and Jennifer Schranz, Defendants.* Case No. 19 Civ. 4183 (VM), United States District Court, Southern District of New York;
- *In re Blue Apron Holdings, Inc. Securities Litigation* No. 17-cv-04846-NGG-PK, United States District Court, Eastern District of New York;
- *Christina Lewis, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. YRC Worldwide Inc., et al., Defendants.* Case No. 1:19-cv-00001-GTS-ATB, United States District Court, Northern District of New York;
- *Paul Eric Weiss, on behalf of himself and all other similarly situated former stockholders of Nutraceutical International Corporation, Plaintiff, v. Michael D. Burke, J. Kimo Esplin, Frank W. Gay II, Jeffrey A. Hinrichs, James D. Stice, HGGC Fund III, L.P. and HGGC LLC, Defendants.* C.A. No. 2020-0364-PAF, In The Court of Chancery of the State of Delaware;
- *Oklahoma Police Pension and Retirement System, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. Sterling Bancorp, Inc.; Gary Judd; Thomas Lopp; Michael Montemayor; Scott Seligman; Barry Allen; Jon Fox; Seth Meltzer; Sandra Seligman; Peter Sinatra; Benjamin Wineman; Lyle Wolberg; Piper Sandler Companies; and American Capital*

*Partners, LLC, Defendants*. Case 5:20-cv-10490-JEL-EAS, United States District Court, Eastern District of Michigan;

- *SEB Investment Management AB, individually and on behalf of all others similarly situated, Plaintiffs, v. Symantec Corporation and Gregory S. Clark, Defendants*. Case No. 3:18-cv-02902-WHA ECF CASE, United States District Court, Northern District of California San Francisco Division;
- *Christopher Vataj, Plaintiff, v. William D. Johnson, et al., Defendants*. Case No. 19-cv-06996-HSG, United States District Court, Northern District of California;
- *Patrick Machniewicz, Individually and on behalf of all others similarly situated, Plaintiff, v. Uxin Limited, Kun Dai, Zhen Zeng, Rong Lu, Julian Cheng, Dou Shen, Hainan Tan, Morgan Stanley & Co. International PLC, Goldman Sachs (Asia) L.L.C., J.P. Morgan Securities LLC, China International Capital Corporation Hong Kong Securities Limited, and China Renaissance Securities (Hong Kong) Limited, Defendants*. Case No: 1:19-cv-822-MKB-VMS, United States District Court, Eastern District of New York;
- *Dr. William Tomaszewski, Individually and on Behalf of All Others Similarly Situated, Plaintiffs, v. Trevena, Inc., Maxine Gowen, and David Soergel, Defendants*. Civil Action No. 2:18-cv-4378-CMR, United States District Court, Eastern District of Pennsylvania;
- *In re Restoration Robotics, Inc. Securities Litigation*. Case No. 5:18-cv-03712-EJD, United States District Court, Northern District of California San Jose Division;
- *In re Dynagas LNG Partners LP Securities Litigation* Case No. 1:19-cv-04512 (AJN), United States District Court, Southern District of New York;

- *St. Lucie County Fire District Firefighters' Pension Trust, Individually and on Behalf of All Others Similarly Situated, Plaintiff, v. Southwestern Energy Company, et al., Defendants.* No. 2016-70651, In The District Court of Harris County, Texas 61<sup>ST</sup> Judicial District;
- *Hollywood Firefighters' Pension Fund, West Palm Beach Firefighters' Pension Fund, and Sheet Metal Workers' Local Union No. 80 Pension Trust Fund, on behalf of themselves and all others similarly situated, Plaintiffs, v. John C. Malone, Gregory B. Maffei, Gregg L. Engles, Ronald A. Duncan, Donne F. Fisher, and Richard R. Green, Defendants.* C.A. No. 2020-0880-SG, In The Court of Chancery of the State of Delaware;
- *Avi Yaron, Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. Intersect ENT, Inc., Lisa D. Earnhardt, Jeryl L. Hilleman, and Robert H. Binney, Jr., Defendants.* Case No.: 4:19-cv-02647-JSW, United States District Court, Northern District of California;

### **Consumer Cases**

- *Charles Roberts, an individual, and Kenneth McKay, an individual, on Behalf of Themselves and Others Similarly Situated v. C.R. England, Inc., a Utah Corporation; and Opportunity Leasing, Inc., a Utah Corporation,* Civil Case No. 2:12-cv-00302, United States District Court, District of Utah, Central Division;
- *State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC,* No. 18-2-00283-4 SEA, Superior Court of the State of Washington King County;
- *Wave Lengths Hair Salons of Florida, Inc., on Behalf of Itself and All Others Similarly Situated, d/b/a Salon Adrian v. CBL & Associates Properties, Inc., CBL & Associates Management, Inc.,*



- CBL & Associates Limited Partnership, and JC Gulf Coast Town Center, LLC*, No. 2:16-cv-206-FtM-PAM-MRM, United States District Court, Middle District of Florida, Fort Myers Division;
- *In re: Vizio, Inc., Consumer Privacy Litigation*, No. 8:16-ml-02693-JLS (KESx), United States District Court, Central District of California, Santa Ana Division;
  - *In re Google LLC Streetview Electronic Communications Litigation*, Case No. 5:10-md-02184, United States District Court, Northern District of California, San Francisco Division;
  - *MSPA Claims I, LLC v. Ocean Harbor Cas. Ins. Co.*, No. 2015-1946 CA-01, Circuit Court of the 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida;
  - *Valle v. Popular Community Bank*, No. 653936/2012, Supreme Court, State of New York, County of New York;
  - *Bizarro, et al., v. Ocean County*, No. OCN-1644-17, Superior Court of New Jersey, Law Division, Ocean County;
  - *Christina Martin et al. v. the State of Washington, et al.*, No 14-2-00016-7, Superior Court, State of Washington, County of Spokane;
  - *Picant v. Premier Cruise Lines*, 96-06932-CA-FN, 18th Judicial Circuit, State of Florida;
  - *McParland and Picking v. Keystone Health Plan Central, Inc.*, Civil Action No. 98-SU- 00770-01, Court of Common Pleas, York County, Pennsylvania;
  - *Smith v. American Family Mutual Automobile Insurance Co.*, No. 00-CV-211554, Circuit Court of Jackson County, Missouri;
  - *Phil Shin, on Behalf of Himself and All Others Similarly Situated v. Plantronics, Inc.*, No. 5:18-cv-05626-NC, United States District Court, Northern District of California;
  - *Lincoln Adventures, LLC, a Delaware Limited Liability Company and Michigan Multi-King, Inc., a Michigan Corporation, on Behalf of Themselves and All Those Similarly Situated v. Those*

*Certain Underwriters at Lloyd's, London Members of Syndicates, et al.*, No. 2:08-cv-00235-CCC-JAD, United States District Court, Court of New Jersey;

- *Scott Meeker and Erin Meeker, Kelly Goodwin, Bruce Ely and Kristi Hauke, Elizabeth Borte and Rino Pasini, Christian Miner, and Judy Sanseri and Howard Banich; Individually and on Behalf of All Others Similarly Situated v. Bullseye Glass Co., an Oregon Corporation*, Civil Action No. 16CV07002, In the Circuit Court of the State of Oregon, County of Multnomah;
- *Duncan v. The Unity Life and Accident Insurance Association, et al.*, Civil Action No. 00-CIV-7621, United States District Court, Southern District of New York;
- *Duncan v. Columbian Protective Association of Binghamton, New York, and Columbian Mutual Life Insurance Company*, No. 00 CIV. 7236 (JGK), United States District Court, Southern District of New York;
- *Watkins, as Executrix of the Estate of Hines, and as Beneficiary of the Adult Whole Life Industrial Policy of Hines, v. Columbian Mutual Life Insurance Company, a Subsidiary of Columbian Financial Group, and Golden Eagle Mutual Life Insurance Corporation*, No. 03 CIV. 8620 (JGK), United States District Court, Southern District of New York;
- *In re: Benzion v. Vivint, Inc.*, No. 12-CV-61826-WJZ, United States District Court, Southern District of Florida;
- *In re: ADT Security Services, Inc.*, No. 1:11-CV-1925, United States District Court, Northeastern District of Illinois;
- *The State of Illinois v. Au Optronics Corporation, et al.*, No. 10 CH 34472, Circuit Court of Cook County, Illinois;
- *State of Washington v. AU Optronics Corporation, et al.*, No. 10-2-29164-4 SEA, King County Superior Court, Washington;

- *LLE One, LLC, et al. v. Facebook, Inc.*, Case No. 4:16-cv-06232-JSW, United States District Court, Northern District of California;
- *Mey v. Interstate National Dealer Services, Inc., et al.*, No. 1:14-CV-01846-ELR, United States District Court, Northern District of Georgia;
- *Estakhrian, et al., v. Obenstine, et al.*, No. CV11-3480-FMO (CWx), Nevada District Court;
- *Krakauer v. DISH Network, L.L.C.*, Civil Action No. 14-CV-333, United States District Court, Middle District of North Carolina;
- *Lofton v. Verizon Wireless (VAW) LLC*, No. 13-CV-05665-YGR, United States District Court, Northern District of California;
- *Lyons, et al., v. Litton Loan Servicing, LP, et al.*, No. 13-CV-00513, United States District Court, Southern District of New York;
- *Katz, et al. v. Live Nation, Inc., et al.*, Civil Action No. 1:09-CV-003740-MLC-DEA, United States District Court, District of New Jersey;
- *Bergman, et al. v. DAP Products Inc., et al.*, No. 14-CV-03205-RDB, United States District Court, District of Maryland;
- *In re Google LLC Street View Electronic Communications Litigation*, Case No. 3:10-md-02184-CRB, United States District Court, Northern District of California, San Francisco Division;
- *State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC*, No. 18-2-00283-4 SEA, Superior Court of the State of Washington King County;
- *Valle v. Popular Community Bank*, No. 653936/2012, Supreme Court, State of New York, County of New York;

- *Royce Solomon, et al., individually and on behalf of all others similarly situated, v. American Web Loan, Inc., et al.*, Class Action, Civil Action No. 4:17-cv-0145-HCM-RJK, United States District Court, Eastern District of Virginia, Newport News Division;
- *Arandell Corporation, et al., v. Xcel Energy, Inc., et al.*, Case No.: 3:07-cv-00076-wme; *Newpage Wisconsin System Inc., v. CMS Energy Resource Management Company, et al.*, Case No.:3:09-cv-00240-wme, United States District Court for the Western District of Wisconsin;
- *Jeffrey Koenig and Marcellus Holt, on behalf of themselves and all others similarly situated, Plaintiffs, v. Vizio, Inc., Defendant.* LASC Case No: BC702266, Superior Court of the State of California for the County of Los Angeles;
- *Tallen Todorovich, on behalf of himself and all others similarly situated, Plaintiff, against, 63 Wall Street Owner, LLC and 67 Wall Street Owner LLC, Defendants.* Index No.: 161441/2019, Supreme Court of the State of New York, County of New York
- *Melissa Atkinson and Katie Renvall, Individually and on Behalf of Classes of Similarly Situated Individuals, Plaintiffs, v. Minted, Inc., Defendant.* Case No.: 3:20-cv-03869-VC, United States District Court, Northern District of California

**Employment Cases**

- *Tapanga Hardeman, et al., Plaintiff, v. Office of Lake County Sheriff, et al. Defendant.* Case No. 1:17-cv-08729, United States District Court, for the Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3 Eastern Division;
- *Ronen Sartena, Elizabeth Gordon, Nathaniel Dearth, and Isabel Strobing, on behalf of themselves and all others similarly situated, Plaintiffs, against, Meltwater News US, Inc. and Meltwater News US I, INC., Defendants.* Index No.: 614389/2020, Supreme Court of the State of New York, County of Suffolk;

**Mile Marker Zero, LLC, Greenville, SC**

## Principal

Directed the development of marketing and advertising plans for national and local clients, including the following:

- **Complete Claim Solutions, Inc.**

Mile Marker Zero worked with Complete Claim Solutions, Inc., for six years as its sole media planning and buying partner. Mile Marker Zero developed and implemented national and international print and earned media notice programs to support the notification of consumers and third-party payors in cases such as the following:

Coumadin-Warfarin	Taxol	Van Kampen
Hytrin	Waste Management	Unity Life Insurance Co.
Cardizem	Campbell Soup	Premier Cruise Lines
Buspar	Alias Research	MedCo
Nuko	Augmentin	Berkshire Realty
Columbian Mutual Life	Keystone Health Plan	Platinol
Freeport-McMoRan	Seitel, Inc. Securities	Transaction System Architects
Sulpher, Inc. Service Corporation	Relefen	Remeron
	3M-Scotch	Baycol

International		
Smartforce, PLC	American Family Mutual Automobile Insurance Co.	Eaton Vance Corp.
Cipro	PriceSmart	Premarin
Morgan Stanley		

Other clients include:

- **The National Arthritis Foundation**
- **Papa Murphy's Pizza**
- **FIERO** (Fire Industry Equipment Research Organization) – national fire services association.
- **TeamPoint Systems, Inc.** – a global software company

**Denny's Corporation, Spartanburg, SC**

Senior National Advertising Manager

**The Coca-Cola Company, Atlanta, GA**

Advertising Services Manager

**McCann Erickson, Atlanta, GA**

Media Supervisor

**EDUCATION**

Bachelor of Business Administration, University of North Dakota

**EXHIBIT B**



A.B. Data, Ltd.  
Class Action Administration Company  
600 A.B. Data Drive  
Milwaukee, WI 53217

## Notice Plan

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*In re JPMorgan Precious Metals Spoofing Litigation*

Case No. 1:18-cv-10356 (GHW)

United States District Court for the Southern District of New York

November 8, 2021



## NOTICE PLAN OVERVIEW

### Case Background

This Notice Plan is submitted by A.B. Data, Ltd. (“A.B. Data”) in connection with *In re JPMorgan Precious Metals Spoofing Litigation*, Case No.:1:18-cv-10356 (GHW) (the “Action”), a case before the United States District Court for the Southern District of New York.

A proposed Settlement totaling \$60,000,000 has been reached with JPMorgan Chase & Co. (“JPMorgan”) in the Action. This document outlines the efforts that will be made to provide notice of the Action to potential Class Members. Because direct notice in this case may not reach all potential Class Members, a paid media Notice Plan targeting unidentified Class Members is necessary.

This Notice Plan described herein is consistent with the requirements set forth in Rule 23 of the Federal Rules of Civil Procedure and is consistent with other A.B. Data-developed notice plans that have been approved by the Court and implemented in other financial futures market cases with regard to the methods and tools used in such plans. These cases include the following:

- *Boutchard, et al. v. Gandhi, et al.*, 18-cv-7041 (N.D. Ill.);
- *Laydon v. Mizuho Bank Ltd., et al.*, 12-cv-3419 (GBD) (S.D.N.Y.) and *Sonterra Capital Master Fund, Ltd., et al. v. UBS AG, et al.*, 15-cv-5844 (GBD) (S.D.N.Y.); and
- *Sullivan, et al. v. Barclays plc, et al.*, 13-cv-2811 (PKC) (S.D.N.Y.).

### Class Definition

In the Preliminary Approval Order, the Court preliminarily approved the following Settlement Class:

All Persons and entities wherever located that purchased or sold any Precious Metals Futures or Options on Precious Metals Futures on the New York Mercantile Exchange (“NYMEX”) or Commodity Exchange Inc. (“COMEX”) from March 1, 2008, through August 31, 2016 (the “Class Period”).

Excluded from the Class are:

- JPMorgan and any parent, subsidiary, affiliate, or agent of JPMorgan, provided, that any Investment Vehicle shall not be excluded from the Settlement Class, but under no circumstances may JPMorgan (or any of its direct or indirect parents, subsidiaries, affiliates, or divisions) receive a distribution for its own account from the Settlement Fund through an Investment Vehicle;<sup>1</sup> and

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<sup>1</sup> “Investment Vehicle” means any investment company, separately managed account or pooled investment fund, including but not limited to mutual fund families, exchange-traded funds, fund of funds, hedge funds, retirement accounts, and employee benefit plans, in which any Defendant has or may have a direct or indirect interest, or as to which that Defendant or its affiliates may act as an



- The United States Government.

### **Paid Media Placement Summary**

A.B. Data recommends national, targeted paid media notice consisting of direct mail, print, and digital media that will reach unidentified Class Members. Each of the following Notice Plan elements is detailed further in this document:

- Direct mail;
- Print media;
- Digital media; and
- Earned media.

Targeted print and digital media placements are recommended to deliver the message to potential Class Members and other concerned persons and entities. Summaries of the recommended media tactics for each publication and digital media source follow.

A dedicated informational case website with French-Canadian translations, including of the Long Form Notice and Short Form Summary Notice, will be developed to complement the Notice Plan and to ensure Class Members easy access to updated information.

### **Target Audience**

A.B. Data researched traders in Precious Metals Futures and Options on Precious Metals Futures to determine the target audience of potential Class Members. This information assisted in determining the most appropriate media vehicles that would best target potential Class Members and provide them with the opportunity to see and respond to the Notice. It has been determined that media targeting persons associated in the investment, finance, banking, brokerage, pension, and institutional investment management fields would be most likely to reach potential Class Members.

Paid and Earned media will be geo-targeted to potential Class Members in the United States, Canada and the global financial markets.

### **Direct Mail**

Notice will be sent directly to Precious Metals Futures or Options on Precious Metals Futures market participants, including:

1. NYMEX and COMEX clearing members that cleared Precious Metals Futures and Options on Precious Metals Futures (with the direction that such clearing firms should forward the Class Notice to persons who transacted in Precious Metals Futures and Options on Precious Metals Futures and Options during the Class Period);

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investment advisor or manager, but in which any Defendant alone or together with its, his or her respective affiliates is not a majority owner or does not hold a majority beneficial interest.

2. “Large traders”<sup>2</sup> in Precious Metals Futures on the COMEX and NYMEX during the Class Period whose names have been identified by a subpoena to the CME Group, Inc.; and
3. A proprietary list of banks, brokers, and other investors with instructions to either (a) forward the Class Notice on to their customers that transacted in Precious Metals Futures and Options on Precious Metals Futures and Options during the Class Period or (b) provide a list of such customers that the Claims Administrator can notify directly.

Notice sent to addresses in the Canadian province of Quebec will be sent in French and English.

### Print Media

The Summary Notice will be published in each of the following investor and business targeted print publications. Summaries of the country of origin, language in which they publish, audience reached, editorial focus and recommended media tactics follow for each publication.

- *The Wall Street Journal*
- *Investor’s Business Daily*
- *Financial Times*
- *Stocks & Commodities*
- *Le Journal de Montreal*
- *National Post*

## THE WALL STREET JOURNAL.

Publication Name/Website	<a href="https://www.wsj.com/">https://www.wsj.com/</a>
Country of Origin	United States
Publication Language	English
Media Tactics	Publish Summary Notice one time to U.S./Canada audience
Publishing Frequency	Monday – Saturday
Circulation	1,322,000
Editorial Focus	Publishing original business news and financial information with expanded content in arts, culture, lifestyle, and sports.

<sup>2</sup> Large traders being defined as those who are required to report under Part 17 of the Commodity Futures Trading Commission’s (CFTC) regulations. Current reporting levels are found in CFTC Regulation 15.03(b).

# INVESTOR'S BUSINESS DAILY®

Publication Name/Website	<a href="https://www.investors.com/">https://www.investors.com/</a>
Country of Origin	United States
Publication Language	English
Media Tactics	Publish Summary Notice one time to U.S./Canada audience
Publishing Frequency	Weekly on Monday; available online the Saturday prior
Circulation	105,167
Editorial Focus	An authoritative financial news and research organization recognized for its proprietary investing screens, investment ratings, and strong record of identifying market leaders as they emerge.



Publication Name/Website	<a href="https://www.ft.com/">https://www.ft.com/</a>
Country of Origin	England
Publication Language	English
Media Tactics	Publish Summary Notice one time to global audience
Publishing Frequency	Monday – Saturday
Circulation	118,091
Editorial Focus	One of the world's leading business and financial news publications providing essential news, commentary, data, and analysis for the global business community.



Publication Name/Website	<a href="http://traders.com/">http://traders.com/</a>
Country of Origin	United States
Publication Language	English

Media Tactics	Publish Summary Notice one time to U.S. audience; email blast of Summary Notice to digital subscribers; banner ads on e-newsletters; 30-day banner ad campaign
Publishing Frequency	Monthly
Circulation	60,600
Editorial Focus	Provides information on how to apply technical analysis tools to charting, numerical, and computer methods for trading stocks, bonds, mutual funds, options, and commodities.



Publication Name/Website	<a href="https://www.journaldemontreal.com/">https://www.journaldemontreal.com/</a>
Country of Origin	Canada
Publication Language	French
Media Tactics	Publish Summary Notice one time in French
Publishing Frequency	Monday-Sunday
Circulation	231,000 primarily in Quebec
Editorial Focus	Covers primarily local and provincial news along with justice, sports, and the arts. Its columnists are often public figures. They have a dedicated investigation desk that has published several major news stories about Quebec's politics, business, crime and national security.



Publication Name/Website	NatonalPost.com
Country of Origin	Canada
Publication Language	English
Media Tactics	Publish Summary Notice one time in the Financial Post section of the newspaper
Publishing Frequency	Mon – Sat
Circulation	674,000
Editorial Focus	Offers late-breaking news content along with investigative reporting written in a distinctive Canadian voice.

## Digital Media

A.B. Data recommends placing banner, search, and social media ads on a variety of websites and social media platforms, enabling maximum exposure and delivering the reach required to satisfy Rule 23 and due process. We recommend scheduling a 30-day campaign, which ensures ample time to deliver the targeted impressions. Approximately 17 million impressions are recommended to ensure potential Class Members are reached with the frequency needed for them to become aware of the Action. All banner and newsfeed ads will include embedded and trackable links to the case-specific website. Ad performance, links, and traffic will be tracked using Google Analytics, providing a way to optimize ads for visitors and traffic. All digital media will be geo-targeted to the United States and Canada. For the French-speaking areas of Canada, ads will be translated to be shown in their native language.

The digital media will be chosen first to meet audience notification requirements, and second to achieve maximum engagement with the ads. Apps targeted to the financial, trading, and investment communities will be reviewed for compatibility to reach potential Class Members. Campaigns will be optimized to drive potential Class Members to visit the website. The following digital media platforms are recommended:



A mix of Internet banner and newsfeed ads will be run using the Google Display Network via its thousands of websites, as well as mobile devices and apps. Website categories that will be targeted include financial, investment, CFO, “C-suite,” and other decision makers.



LinkedIn is a social networking site designed specifically for the business community. It allows registered members to establish and document networks of people they know and trust professionally. Many keep an online list of professional contacts and business connections, search for new job opportunities, and post professional opinions and work-related information.

Newsfeed ads will be targeted to specific LinkedIn groups that have been formed to address businesspeople associated with the investment industry. Some of the targeted group categories include financial advisors, institutional investors, portfolio managers, chief financial officers, pension directors, and many others.



To assist further in locating potential Class Members, A.B. Data will develop and monitor a Google AdWords and key search terms program. When identified target phrases and keywords are entered in a search on Google and Google-syndicated search pages, links to the case website will appear on the search results pages.

Representative keywords could include “Precious Metals Options,” “Precious Metals Futures,” “Precious Metals trading” plus many others. Key words will also be translated to French-Canadian and loaded into Google AdWords so they are easily searched by Canadians whose primary language is French.



Stocks & Commodities magazine runs the website [traders.com](http://traders.com) as the digital media component of their print publication. A 30-day banner ad campaign will be placed on the website along with banner ads on their monthly e-newsletter sent to 200,000 subscribers and a custom email blast with the summary notice sent to approximately 150,000 recipients.

The logo for AdPulseMedia, consisting of the text "AdPulseMedia" in a white, sans-serif font on a dark blue rectangular background.

A behaviorally targeted campaign will be purchased via a custom business, financial, and investment network on websites like [Bloomberg.com](http://Bloomberg.com), [investors.com](http://investors.com), and [marketwatch.com](http://marketwatch.com) with ads served specifically to people who are searching or have previously searched for information on finances and investing. A sampling of the websites included in this network are listed below.

[247wallst.com](http://247wallst.com)

[investorguide.com](http://investorguide.com)

[4-traders.com](http://4-traders.com)

[investorplace.com](http://investorplace.com)

[americanbulls.com](http://americanbulls.com)

[investors.com](http://investors.com)

[barchart.com](http://barchart.com)

[istockanalyst.com](http://istockanalyst.com)

[bloomberg.com](http://bloomberg.com)

[marketscreener.com](http://marketscreener.com)

<a href="http://bloomberg.com/businessweek">bloomberg.com/businessweek</a>	<a href="http://marketwatch.com">marketwatch.com</a>
<a href="http://bnnbloomberg.ca">bnnbloomberg.ca</a>	<a href="http://money.cnn.com/investing">money.cnn.com/investing</a>
<a href="http://breakingfinancenews.com">breakingfinancenews.com</a>	<a href="http://nasdaq.com">nasdaq.com</a>
<a href="http://businessinsider.com">businessinsider.com</a>	<a href="http://nytimes.com/pages/business">nytimes.com/pages/business</a>
<a href="http://businessnewsdaily.com">businessnewsdaily.com</a>	<a href="http://nytimes.com/section/business/dealbook">nytimes.com/section/business/dealbook</a>
<a href="http://cnbc.com/investing">cnbc.com/investing</a>	<a href="http://online.barrons.com">online.barrons.com</a>
<a href="http://corporate.findlaw.com">corporate.findlaw.com</a>	<a href="http://otcmarkets.com">otcmarkets.com</a>
<a href="http://dailytradealert.com">dailytradealert.com</a>	<a href="http://pennystock.com">pennystock.com</a>
<a href="http://energystockchannel.com">energystockchannel.com</a>	<a href="http://reuters.com">reuters.com</a>
<a href="http://etfchannel.com">etfchannel.com</a>	<a href="http://reuters.com/finance">reuters.com/finance</a>
<a href="http://finance.yahoo.com">finance.yahoo.com</a>	<a href="http://seekingalpha.com">seekingalpha.com</a>
<a href="http://financialpost.com">financialpost.com</a>	<a href="http://smallcapnetwork.com">smallcapnetwork.com</a>
<a href="http://finviz.com">finviz.com</a>	<a href="http://stockcharts.com">stockcharts.com</a>
<a href="http://fool.com">fool.com</a>	<a href="http://stockgumshoe.com">stockgumshoe.com</a>
<a href="http://forbes.com">forbes.com</a>	<a href="http://stockhouse.com">stockhouse.com</a>
<a href="http://fortune.com">fortune.com</a>	<a href="http://stockmarketadvantage.com">stockmarketadvantage.com</a>
<a href="http://foxbusiness.com">foxbusiness.com</a>	<a href="http://stockwatch.com">stockwatch.com</a>
<a href="http://ft.com">ft.com</a>	<a href="http://streetauthority.com">streetauthority.com</a>
<a href="http://gurufocus.com">gurufocus.com</a>	<a href="http://success.com/sections/business">success.com/sections/business</a>
<a href="http://inc.com">inc.com</a>	<a href="http://theglobeandmail.com/investing">theglobeandmail.com/investing</a>
<a href="http://insidermonkey.com">insidermonkey.com</a>	<a href="http://thestreet.com">thestreet.com</a>
<a href="http://investing.com">investing.com</a>	<a href="http://valuewalk.com">valuewalk.com</a>
<a href="http://investingchannel.com">investingchannel.com</a>	<a href="http://wsj.com">wsj.com</a>
<a href="http://investopedia.com">investopedia.com</a>	<a href="http://wsj.com/news/business">wsj.com/news/business</a>

Zerohedge.com

zacks.com

Canadian French-language websites to be included are listed below:

- boursier.com
- lactualite.com
- journaldemontreal.com/argent/bourse
- journaldequebec.com/argent/bourse
- lapresse.ca/affaires
- ledevoir.com/economie
- lesaffaires.com/bourse
- fr.finance.yahoo.com

Canadian English-language websites to be included are listed below:

- theglobeandmail.com
- theglobeandmail.com/investing
- financialpost.com
- bnnbloomberg.ca
- ca.finance.yahoo.com
- canadianinvestor.com
- stocktrades.ca
- canadianbusiness.com
- thestar.com

“Microtargeted” Digital Media

The following campaign microtargeting optimization strategies will be utilized to achieve maximum engagement with the ads.

Strategy	Rationale
Contextual Targeting	Targeting websites with relevant content and context, such as those that provide investment and financial information, will help capture potential Class Members who weren't in previous data-targeting pools but have an interest in finance-related topics.
Behavioral Targeting	Targeting user IDs across the internet whose owners have shown activity in the past or placed themselves in data pools of our audience tab. For example: ads may be targeted to a user who is located in the U.S. or Canada, works in the investment industry, and is interested in Precious Metals Futures or Options.



Strategy	Rationale
Predictive (Look-Alike) Modeling	With predictive modeling, look-alike modeling is deployed to target user IDs whose owners have strong similarities to users who have previously clicked through to the case website.
Customer Database Targeting	With customer databases that include physical addresses and/or email addresses, digital media can be served to those customers specifically, and also to audiences modeled on actual customers.

A.B. Data employs a fully staffed digital buying team to manage all digital and social media programs in-house for the greatest control and oversight. During the course of the digital notice schedule dates, A.B. Data's digital media experts will monitor the success, conversions, and activity associated with the digital and social media campaigns and will optimize the number of impressions delivered across each platform to achieve maximum engagement and efficiency. A.B. Data's digital media experts have the following certifications:

- Google Ads Display Certification
- Google Ads Search Certification
- Google Analytics Certification
- LinkedIn Ads Certification

With this level of expertise, digital and social media campaigns are assured impressions are delivered to the target audience efficiently and effectively, with online ad verification and minimal threat of bot-traffic and inappropriate content.

### **Earned Media**

In addition to the notice efforts involving print publications and digital media, A.B. Data recommends that a news release be disseminated via *PR Newswire's* Global Financial Newswire distribution list to announce the Notice of Settlement. This news release will be distributed via *PR Newswire* to the news desks of approximately 25,000 newsrooms, including print, broadcast, and digital websites across the United States and major financial markets in Canada, Latin America, South America, Europe and Asia. Translations, other than French (which will already be available), will be provided by PR Newswire.

News about the case will also be broadcast to the news media via Twitter. It will be tweeted from *PR Newswire's* and A.B. Data's Twitter accounts to thousands of news media reporters and other followers.

## Notice Design Strategies

The Federal Rules of Civil Procedure require notices in class action cases to be written in “plain, easily understood language.” This process has been utilized in developing the Long Form Notice and Short Form Summary Notice for this case. A.B. Data is committed to adhering to the easily understood language requirement of Rule 23(c)(2) and Rule 23(b)(3).

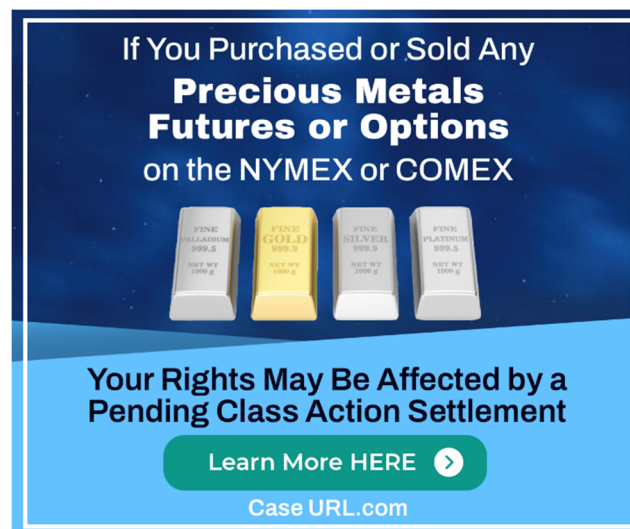
The plain language Media Notice developed for this Plan will be designed to be easily seen by potential Class Members with a large, bold headline. The plain, easily understood language in the text of the Notice will allow potential Class Members the opportunity to read it at their leisure and ensure they understand the subject of the case, the steps they must take to join the Class, and the legal rights of all Class Members.

Each printed Publication Notice will prominently display a case website address, a toll-free telephone number, and a mailing address so that potential Class Members may review the detailed Notice and other information available regarding the case.

All print and digital ads will be translated into French for the French-Canadian newspaper and digital media.

The online banner and newsfeed ads will be designed to alert potential Class Members and entities about the Action. The ads will each include a link to the case website so that potential Class Members may click on it and go directly to the website for case information.

A sample banner ad is provided.



## Due Process

The Notice efforts described herein reflect a strategic, microtargeted, and contemporary method to deploy Notice to potential Class Members. The Notice Plan summarized in this document provides a reach and frequency similar to those that courts have approved and that are recommended by the

Federal Judicial Center's *Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide*.

The Notice Plan described in this document is consistent with notice plans that A.B. Data has developed and have been approved by the Court and implemented for other similar securities and financial instrument cases with regard to the methods and tools for developing such plans.

This Notice Plan is, in A.B. Data's experience, the best practicable under the circumstances for the Class and meets due process requirements.

