

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANK MICHOLLE, Individually and on	:	Civil Action No. 1:17-cv-00210-VSB-GWG
Behalf of All Others Similarly Situated,	:	(Consolidated)
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
vs.	:	SUPPLEMENTAL DECLARATION OF
	:	ROSS D. MURRAY REGARDING NOTICE
OPHTHOTECH CORPORATION, DAVID R.	:	DISSEMINATION AND REQUESTS FOR
GUYER and SAMIR PATEL,	:	EXCLUSION RECEIVED TO DATE
	:	
Defendants.	:	
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I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court’s March 17, 2022 Order Granting Preliminary Approval Pursuant to Fed. R. Civ. P. 23(e)(1) and Permitting Notice to the Class (“Notice Order”) (ECF 137), Gilardi was appointed to supervise and administer the notice procedure as well as the processing of claims in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (ECF 146) (the “Initial Mailing Declaration”). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

UPDATE ON DISSEMINATION OF THE CLAIM PACKAGE

3. As more fully detailed in the Initial Mailing Declaration, as of August 3, 2022, Gilardi had mailed 55,701 copies of the Court-approved Notice of Pendency and Proposed Settlement of Class Action (the “Notice”) and Proof of Claim and Release form (the “Proof of Claim”) (collectively, the “Claim Package”) to potential Class Members and their nominees. *See* Initial Mailing Declaration, ¶11.

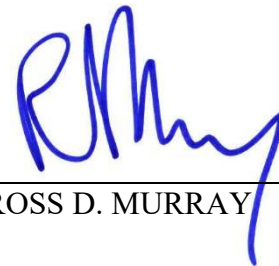
4. Since August 3, 2022, Gilardi has mailed an additional 116 copies of the Claim Package in response to requests from potential Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of August 31, 2022, Gilardi has mailed a total of 55,817 Claim Packages to potential Class Members and nominees.

REQUESTS FOR EXCLUSION RECEIVED TO DATE

5. Pursuant to the Notice Order, the Notice informed potential Class Members that written requests for exclusion from the Class must be mailed to *Ophthotech Securities Settlement*, c/o Gilardi & Co. LLC, EXCLUSIONS, 150 Royall Street, Suite 101, Canton, MA 02021, such that they are postmarked no later than August 18, 2022. At the time of the Initial Mailing Declaration, Gilardi had received two requests for exclusion in connection with this Settlement. See Initial Mailing Declaration, ¶16.

6. Since the Initial Mailing Declaration was executed, and as of the date of this declaration, Gilardi has not received any additional requests for exclusion.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 31st day of August, 2022, at San Rafael, California.



ROSS D. MURRAY

CERTIFICATE OF SERVICE

I, Erin W. Boardman, hereby certify that on September 1, 2022, I authorized a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice.

s/ Erin W. Boardman

ERIN W. BOARDMAN

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