

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

*In re European Government Bonds Antitrust Litigation*

No. 1:19-cv-2601 (VM)

**NOTICE OF PENDENCY OF CLASS ACTION, HEARING ON PROPOSED SETTLEMENTS AND ATTORNEYS’  
FEES PETITION, AND RIGHT TO SHARE IN NET SETTLEMENT FUND**

**PLEASE READ THIS ENTIRE NOTICE CAREFULLY. A UNITED STATES FEDERAL COURT AUTHORIZED THIS NOTICE. YOUR RIGHTS MAY BE AFFECTED BY THE PROCEEDINGS IN THIS ACTION. THIS NOTICE ADVISES YOU OF YOUR RIGHTS AND OPTIONS WITH RESPECT TO THE ACTION, INCLUDING WHAT YOU MUST DO IF YOU WISH TO SHARE IN THE PROCEEDS OF THE NET SETTLEMENT FUND. TO CLAIM YOUR SHARE OF THE NET SETTLEMENT FUND, YOU MUST ELECTRONICALLY SUBMIT YOUR CLAIM FORM SO THAT IT IS RECEIVED NO LATER THAN NOVEMBER 28, 2023.**

To: All persons and entities who or which purchased or sold one or more European Government Bond(s) in the United States directly from a Defendant, Deutsche Bank, or Rabobank, or a direct or indirect parent, subsidiary, affiliate, or division of a Defendant, Deutsche Bank, or Rabobank, or any of their alleged co-conspirators, from January 1, 2005 through December 31, 2016.

“European Government Bonds” means euro-denominated sovereign debt or bonds issued by European governments (*e.g.*, Austria, Belgium, Cyprus, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, Slovakia, Slovenia, and Spain).

**This Notice of Pendency of Class Action, Hearing on Proposed Settlements and Attorneys’ Fees Petition, and Right to Share in Net Settlement Fund (“Notice”) is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Southern District of New York (the “Court”). It is not junk mail, an advertisement, or a solicitation from a lawyer. You have not been sued.**

You may have previously received a notice regarding the Stipulation and Agreement of Settlement with JPMorgan Chase Bank, N.A., J.P. Morgan Securities PLC (f/k/a J.P. Morgan Securities Ltd.), and J.P. Morgan Securities LLC (f/k/a J.P. Morgan Securities Inc.) (the “JPMorgan Stipulation”) and the Stipulation and Agreement of Settlement with State Street Corporation and State Street Bank and Trust Company (the “State Street Stipulation” and, together with the JPMorgan Stipulation, the “JPMorgan and State Street Stipulations”). **The deadlines for the JPMorgan and State Street Stipulations have been vacated. This Notice supersedes the prior notice and provides updated deadlines and information regarding two new and additional settlements with UniCredit Bank AG and Natixis S.A.**

The capitalized terms in these paragraphs, as well as other capitalized terms, are explained or defined below or in the JPMorgan and State Street Stipulations, Stipulation and Agreement of Settlement with UniCredit Bank AG (the “UniCredit Stipulation”), and the Stipulation and Agreement of Settlement with Natixis S.A. (the “Natixis Stipulation” and, together with the UniCredit Stipulation, the “UniCredit and Natixis Stipulations”). The UniCredit and Natixis Stipulations, the JPMorgan and State Street Stipulations, and the Court’s Preliminary Approval Orders are posted on the Claims Administrator’s website at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com) (the “Settlement Website”).

The purpose of this Notice is to inform you of the separate settlements (“Settlements”) with JPMorgan Chase Bank, N.A., J.P. Morgan Securities PLC (f/k/a J.P. Morgan Securities Ltd.), and J.P. Morgan Securities LLC (f/k/a J.P. Morgan Securities Inc.) together with their affiliates and subsidiaries (“JPMorgan”), State Street Corporation and State Street Bank and Trust Company together with their affiliates and subsidiaries (“State Street”), UniCredit Bank AG together with its affiliates and subsidiaries (“UniCredit”), and Natixis S.A. together with its affiliates and subsidiaries (“Natixis”) (collectively, the “Settling Defendants”).

**Please do not contact the Court regarding this Notice.** Inquiries concerning this Notice, the Proof of Claim and Release Form (the “Claim Form”), or any other questions related to the Settlements should be directed to:

European Government Bonds Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173119  
Milwaukee, WI 53217  
Tel.: 1-877-883-7336  
Email: [info@EuropeanGovernmentBondsSettlement.com](mailto:info@EuropeanGovernmentBondsSettlement.com)  
Website: [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com)

Plaintiffs allege in this action that Bank of America, N.A. and Merrill Lynch International (together, “Bank of America”); Natixis; NatWest Markets plc (f/k/a Royal Bank of Scotland plc) and NatWest Markets Securities Inc. (f/k/a RBS Securities Inc.) (together, “NatWest”); Nomura Securities International Inc. and Nomura International PLC (together, “Nomura”); UBS AG, UBS Europe SE, and UBS Securities LLC f/k/a UBS Warburg LLC (collectively, “UBS”); UniCredit; Citigroup Global Markets Limited and Citigroup Global Markets Inc. (together, “Citigroup”); JPMorgan; RBC Europe Limited f/k/a Royal Bank of Canada Europe Limited, Royal Bank of Canada, and RBC Capital Markets, LLC (f/k/a Dain Rauscher Inc.) (collectively, “RBC”); Jefferies International Limited and Jefferies LLC (f/k/a Jefferies & Company, Inc.) (together, “Jefferies”); and State Street conspired to fix prices of European Government Bonds, in both the primary and secondary markets in violation of §1 of the Sherman Antitrust Act, 15 U.S.C. §1. Plaintiffs also allege that various entities and individuals unknown to Plaintiffs at this time participated as co-conspirators in the acts complained of and performed acts and made statements that aided and abetted and were in furtherance of the unlawful conduct alleged.

Plaintiffs also allege in a related action, *Ohio Carpenters’ Pension Fund, et al. v. Deutsche Bank, et al.*, No. 1:22-cv-10462-VM (S.D.N.Y.) (“EGB II”), that Deutsche Bank AG and Deutsche Bank Securities Inc. (together, “Deutsche Bank”); and Cooperatieve Rabobank U.A. (f/k/a Cooperatieve Centrale Raiffeisen-Boerenleenbank B.A.) and Rabo Securities USA, Inc. (together, “Rabobank”) conspired to fix prices of European Government Bonds in the secondary market in violation of §1 of the Sherman Antitrust Act, 15 U.S.C. §1 and that various entities and individuals unknown to Plaintiffs at this time participated as co-conspirators in the acts complained of and performed acts and made statements that aided and abetted and were in furtherance of the unlawful conduct alleged.

The Court preliminarily approved the Settlements with JPMorgan, State Street, UniCredit, and Natixis. To resolve all Settled Claims against it, JPMorgan agreed to pay a total of \$13 million in cash and provide cooperation, including the production of documents, transaction data, and deposition and trial witnesses (“Cooperation Material”) in connection with Plaintiffs’ continued prosecution of claims against the non-settling Defendants. To resolve all Settled Claims against it, State Street, which was the first Defendant to settle with Plaintiffs, agreed to provide Cooperation Materials in connection with Plaintiffs’ continued prosecution of claims against the non-settling Defendants. To resolve all Settled Claims against it, UniCredit agreed to pay a total of \$13 million in cash and provide Cooperation Materials in connection with Plaintiffs’ continued prosecution of claims against the non-settling Defendants and against the defendants in EGB II. To resolve all Settled Claims against it, Natixis agreed to pay a total of \$14 million in cash and provide Cooperation Materials in connection with Plaintiffs’ continued prosecution of claims against the non-settling Defendants and against the defendants in EGB II. Co-Lead Counsel believe that the Cooperation Materials have and will continue to aid Plaintiffs in pursuing their claims against the non-settling Defendants (with the exception of the RBC entities and Nomura Securities International Inc., which have been dismissed from the Action). Settlement Class Members will not, by participating in the Settlements, be releasing their claims against the non-settling Defendants.

The following table contains a summary of your rights and options regarding the Settlements. More detailed information about your rights and options can be found in the Stipulations and Distribution Plan, all of which are available at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com).

**YOUR LEGAL RIGHTS AND OPTIONS IN THESE SETTLEMENTS**

<p align="center"><b>DO NOTHING</b></p>	<p>You are automatically part of the Settlement Class if you fit the Settlement Class description. However, if you do not timely submit a valid Claim Form, you will not receive any payment from the Net Settlement Fund. You will be bound by past and any future Court rulings, including rulings on the Settlements, if approved, and Releases, but will not be eligible to receive any payment from the Net Settlement Fund. <i>See</i> Question 17.</p>
<p align="center"><b>SUBMIT A CLAIM FORM</b></p>	<p>You may be eligible to share in the Net Settlement Fund if you submit a valid Claim Form by no later than <b>November 28, 2023</b>. If you submit a Claim Form, you will remain in the Settlement Class if you are a Settlement Class Member. If you already submitted a Claim Form for the JPMorgan Settlement, you may want to resubmit your claim form to include additional European Government Bonds you traded. The UniCredit and Natixis Settlement Class includes European Government Bond transactions with Defendants, Deutsche Bank, and Rabobank, from January 1, 2005 through December 31, 2016. <i>See</i> Question 7. You will be bound by past and any future Court rulings, including rulings on the Settlements, if approved, and Releases. <i>See</i> Question 11.</p>
<p align="center"><b>EXCLUDE YOURSELF FROM THE SETTLEMENTS</b></p>	<p>If you wish to exclude yourself from the Settlement(s), you must submit a written request so that it is received by <b>November 13, 2023</b>. If you exclude yourself, you will not be bound by the Settlement(s), if approved, or Settlement Release(s), and you will not be eligible for any payment from the Net Settlement Fund. <i>See</i> Questions 18 through 22.</p>
<p align="center"><b>OBJECT TO THE SETTLEMENTS</b></p>	<p>If you wish to object to the Settlement(s), you must file a written objection with the Court by <b>November 13, 2023</b> and serve copies on Co-Lead Counsel, JPMorgan’s Counsel, State Street’s Counsel, UniCredit’s Counsel, and Natixis’s Counsel. You must be and remain within the Settlement Class in order to object. <i>See</i> Questions 23 and 24.</p>
<p align="center"><b>GO TO THE SETTLEMENT HEARING</b></p>	<p>You may ask the Court for permission to speak at the Settlement Hearing about the Settlements by including such a request in your written objection, which you must file with the Court and serve copies on Co-Lead Counsel, JPMorgan’s Counsel, State Street’s Counsel, UniCredit’s Counsel, and Natixis’s Counsel by <b>November 13, 2023</b>. The Settlement Hearing is scheduled for <b>January 5, 2024 at 10:00 a.m.</b> <i>See</i> Questions 27 through 29.</p>
<p align="center"><b>APPEAR THROUGH AN ATTORNEY</b></p>	<p>You may enter an appearance through your own counsel at your own expense. <i>See</i> Question 29.</p>

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

You are receiving this Notice because records indicate that you may be a Settlement Class Member in the Action because you may have purchased or sold one or more European Government Bond(s) in the United States directly from a Defendant, Deutsche Bank, or Rabobank during the Settlement Class Period.

*If you are a brokerage firm or other person or entity who or which entered into European Government Bond transactions with a Defendant, Deutsche Bank, or Rabobank, or a Defendant’s affiliate between January 1, 2005 and December 31, 2016 for the beneficial interest of persons or organizations other than yourself, the Court has directed that, WITHIN SEVEN (7) DAYS OF YOUR RECEIPT OF THIS NOTICE, you are to contact the Claims Administrator at the address above for further directions in providing the Notice to beneficial owners. You may either be asked to: (i) provide to the Claims Administrator the name and last known address of each person or organization that satisfies the Settlement Class definition for whom or which you made such European Government Bond transactions during the Settlement Class Period; or (ii) forward the Notice directly to beneficial owners of the European Government Bond transactions that fit the Settlement Class Definition. You may be reimbursed from the Settlement Funds for your reasonable out-of-pocket expenses in providing notice to beneficial owners upon request and submission of appropriate supporting documentation.*

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## **BASIC INFORMATION**

### **1. What Is a Class Action Lawsuit?**

A class action is a lawsuit in which one or more representative plaintiffs (in this case, Ohio Carpenters' Pension Fund, Electrical Workers Pension Fund Local 103 I.B.E.W., and San Bernardino County Employees' Retirement Association (collectively, "Plaintiffs")) bring a lawsuit on behalf of themselves and other similarly situated persons (*i.e.*, a class) who have similar claims against the defendants. The representative plaintiffs, the court, and counsel appointed to represent the class all have a responsibility to make sure that the interests of all class members are adequately represented.

Importantly, class members are NOT individually responsible for attorneys' fees or litigation expenses. In a class action, attorneys' fees and litigation expenses are paid from the settlement fund (or the court-awarded judgment amount) and must be approved by the court. If there is no recovery on behalf of the class, the attorneys do not get paid.

When a representative plaintiff enters a settlement with a defendant on behalf of a class, such as the Settlements with JPMorgan, State Street, UniCredit, and Natixis, the court will require that the members of the class be given notice of the settlement and an opportunity to be heard with respect to the settlement. The court then conducts a hearing (called a Settlement Hearing) to determine, among other things, if the settlement is fair, reasonable, and adequate.

### **2. Why Did I Get This Notice?**

You received this Notice because you requested it or records indicate that you may be a Settlement Class Member. As a potential Settlement Class Member, you have a right to know about the proposed Settlements with JPMorgan, State Street, UniCredit, and Natixis before the Court decides whether to approve the Settlements.

This Notice explains the Action, the Settlements, your legal rights, what benefits are available, who is eligible for them, and how you can seek to receive your portion of the benefits if you are eligible. The purpose of this Notice is also to inform you of the Settlement Hearing to be held by the Court to consider the fairness, reasonableness, and adequacy of the Settlements and Distribution Plan and to consider requests for awards of attorneys' fees, litigation expenses, and any service awards for Plaintiffs from the Settlement Fund.

### **3. What Is This Action About?**

Plaintiffs allege that Defendants conspired to fix the prices of European Government Bonds in the primary and/or secondary markets. Plaintiffs allege that this conduct was carried out through several interrelated means.

In the primary market, Plaintiffs allege that Defendants furthered this conspiracy by agreeing to artificially inflate European Government Bond prices at auction through a process known as "overbidding" and to otherwise coordinate their bidding strategies, thereby outbidding rivals and raising the benchmark for resale in the secondary market. In the secondary market, Plaintiffs allege that Defendants, in control of the supply of newly issued European Government Bonds, agreed to fix bid-ask spreads. This includes, Plaintiffs allege, agreeing on higher prices to charge investors for European Government Bonds. Defendants are alleged to have coordinated this scheme via online chatroom communications, where they explicitly fixed prices and bids and exchanged other sensitive, confidential information necessary to carry out the scheme.

Plaintiffs allege they were injured by these artificially inflated prices and fixed bid-ask spreads each time they transacted in European Government Bonds directly with a Defendant (or Defendant affiliate) and therefore pursue claims under the Sherman Act for themselves and on behalf of the class.

### **4. What Has Happened in This Action?**

Plaintiffs filed the Third Amended Consolidated Class Action Complaint on December 3, 2019. ECF No. 87. On February 27, 2020, Defendants moved to dismiss the Third Amended Class Action Complaint for failure to state a claim and lack of personal jurisdiction. ECF No. 110. Following an exchange of letter briefs, on July 23, 2020, the Court issued a Decision and Order granting in part and denying in part the motion to dismiss. ECF No. 115. On August 6, 2020, certain Defendants filed a motion for reconsideration of the Court's July 23, 2020 Decision and Order (ECF No. 119), which the Court denied on December 11, 2020. ECF No. 139.

On February 9, 2021, Plaintiffs filed the Fourth Amended Consolidated Class Action Complaint, naming additional Defendants. ECF No. 146. Defendants moved to dismiss the Fourth Amended Consolidated Class Action Complaint on April 16, 2021. *See* Appendices to ECF No. 206. On March 14, 2022, the Court issued a Decision and Order granting in

part and denying in part the motion to dismiss. ECF No. 236. On March 28, 2022, certain Defendants filed motions for reconsideration of the Court's March 14, 2022 Decision and Order (ECF No. 238), which the Court denied on June 16, 2022. ECF No. 270.

On December 9, 2022, Plaintiffs filed a class action complaint in *Ohio Carpenters' Pension Fund, et al. v. Deutsche Bank AG, et al.*, No. 1:22-cv-10462-VM (S.D.N.Y.) against Deutsche Bank and Rabobank. Complaint, *Ohio Carpenters' Pension Fund v. Deutsche Bank AG*, No. 1:22-cv-10462-VM (S.D.N.Y. Dec. 9, 2022), ECF No. 1.

The Court granted Plaintiffs' motions for preliminary approval of the Settlements with State Street and JPMorgan on June 16, 2021 and May 2, 2022, respectively. ECF Nos. 212, 258. The Court granted Plaintiffs' motion for preliminary of the Settlements with UniCredit and Natixis on May 16, 2023, and preliminarily approved amended settlements with UniCredit and Natixis on July 12, 2023.

The Action is proceeding against the non-settling Defendants.

## **5. Why Are There Settlements?**

Plaintiffs and Co-Lead Counsel believe that Settlement Class Members were damaged by Defendants' conduct. JPMorgan, State Street, UniCredit, and Natixis do not agree with the allegations made by Plaintiffs, believe that they have meritorious defenses to Plaintiffs' allegations, and believe that certain of Plaintiffs' claims would have been rejected prior to trial, at trial, or on appeal. The Court has not decided in favor of either Plaintiffs, JPMorgan, State Street, UniCredit, or Natixis. Instead, Co-Lead Counsel engaged in separate settlement discussions with JPMorgan, State Street, UniCredit, and Natixis to reach negotiated resolutions of the Action. The Settlements allow both sides to avoid the risks and costs of lengthy litigation and the uncertainty of pre-trial proceedings, a trial, and appeals, and, if approved, they would permit eligible Settlement Class Members who or which submit valid claims to receive some compensation, rather than risk ultimately receiving nothing. Plaintiffs and Co-Lead Counsel believe the Settlements are in the best interest of all Settlement Class Members.

JPMorgan has agreed to pay a total of \$13 million in cash for the benefit of the proposed JPMorgan and State Street Settlement Class (defined below) and to provide Cooperation Materials in connection with Plaintiffs' continued prosecution of claims against the non-settling Defendants.

State Street has agreed to provide Cooperation Materials in connection with Plaintiffs' continued prosecution of claims against the remaining Defendants.

UniCredit has agreed to pay a total of \$13 million in cash for the benefit of the proposed UniCredit and Natixis Settlement Class (defined below) and to provide Cooperation Materials in connection with Plaintiffs' continued prosecution of claims against the non-settling Defendants and against the defendants in EGB II.

Natixis has agreed to pay a total of \$14 million in cash for the benefit of the proposed UniCredit and Natixis Settlement Class (defined below) and to provide Cooperation Materials in connection with Plaintiffs' continued prosecution of claims against the non-settling Defendants and against the defendants in EGB II.

If the JPMorgan, UniCredit, and Natixis Settlements are approved, the Settlement Fund, plus interest earned from the date it was established, less any Taxes, any Notice and Administration Costs, any Court-awarded attorneys' fees and litigation expenses, service awards for Plaintiffs, and any other costs or fees approved by the Court (the "Net Settlement Fund") will be divided among all Settlement Class Members who submit valid Claim Forms.

The Stipulations preserve the Settlement Class's right to recover the entire amount of damages against non-settling Defendants based on joint and several liability (after an offset post-trebling for the Settlement Amount). JPMorgan, State Street, UniCredit, and Natixis do not think that Plaintiffs would have prevailed at trial (had they successfully certified a class and survived summary judgment motions), and JPMorgan, State Street, UniCredit, and Natixis believe, as a result, Settlement Class Members would have received nothing.

If the Settlements are approved, JPMorgan, State Street, UniCredit, and Natixis will no longer be defendants in the Action, but the Action will continue against the non-settling Defendants. If the Settlements are not approved, JPMorgan, State Street, UniCredit, and Natixis will remain as defendants in the Action, and Plaintiffs will continue to pursue their claims against JPMorgan, State Street, UniCredit, Natixis, and non-settling Defendants.

## **6. How Do the Settlements Affect the Claims Against the Non-Settling Defendants?**

Plaintiffs' claims against non-settling Defendants will continue to be litigated and prepared for trial, whether or not the Settlements are approved. If damages are awarded against the non-settling Defendants, they may seek to reduce that damages award by the amount of the Settlements; any reduction would not affect Settlement Class Members' recovery under the Settlements. The Court's findings in any approval of the Settlements and certification of the Settlement Class will have no effect on the Court's rulings on future motions involving the non-settling Defendants, including any motion to certify any other class in the Action.

### **WHO GETS MONEY FROM THE SETTLEMENTS**

## **7. How Do I Know if I Am a Settlement Class Member?**

In the Preliminary Approval Orders, the Court preliminarily approved the following Settlement Class for the JPMorgan and State Street Settlements:

All persons or entities who or which purchased or sold one or more European Government Bond(s) in the United States directly from a Defendant or a direct or indirect parent, subsidiary, affiliate, or division of a Defendant, or any of their alleged co-conspirators, from January 1, 2007 through December 31, 2012.

In separate Preliminary Approval Orders, the Court preliminarily approved the following Settlement Class for the UniCredit and Natixis Settlements:

All persons or entities who or which purchased or sold one or more European Government Bond(s) in the United States directly from a Defendant, Deutsche Bank, or Rabobank, or a direct or indirect parent, subsidiary, affiliate, or division of a Defendant, Deutsche Bank, or Rabobank, or any of their alleged co-conspirators, from January 1, 2005 through December 31, 2016.

Not everyone who fits this description will be a Settlement Class Member. Please see Question 8 for a discussion of exclusions from the Settlement Class.

## **8. Are There Exceptions to Being Included in the Settlement Class?**

Yes. You are not included in the Settlement Class if you are a Defendant, a direct or indirect parent, subsidiary, affiliate, or division of a Defendant, or Defendants' alleged co-conspirators. In addition, all federal government entities and any judicial officer presiding over this Action and the members of his or her immediate family and judicial staff and any juror assigned to this Action are excluded from the Settlement Class.

## **9. I Am Still Not Sure if I Am Included.**

If you are still not sure whether you are included, you can ask for free help. You can call toll-free 1-877-883-7336 or visit [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com) for more information. Or you can submit a Claim Form to see if you qualify.

### **THE SETTLEMENTS BENEFITS**

## **10. What Do the Settlements Provide?**

JPMorgan paid \$13 million into a fund to be held for disbursement to the Settlement Class and to pay for Court- approved fees and expenses, if the JPMorgan Settlement is approved.

UniCredit paid \$13 million into a fund to be held for disbursement to the Settlement Class and to pay for Court- approved fees and expenses, if the UniCredit Settlement is approved.

Natixis paid \$14 million into a fund to be held for disbursement to the Settlement Class and to pay for Court- approved fees and expenses, if the Natixis Settlement is approved.

JPMorgan, State Street, UniCredit, and Natixis have also agreed to provide cooperation for the benefit of Plaintiffs and Settlement Class Members, including but not limited to the production of documents, transaction data, an attorney proffer,

and/or witness interviews. Co-Lead Counsel believe the Cooperation Materials have and will continue to aid the continued prosecution of the Action against the non-settling Defendants.

#### **11. How Will I Get a Payment?**

If you are a Settlement Class Member and do not exclude yourself, you are eligible to submit a claim to receive your share of money from the Net Settlement Fund. A Claim Form is attached to this Notice. You may also obtain a Claim Form by visiting [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com) or by contacting the Claims Administrator toll-free at 1-877-883-7336.

Claimants must electronically submit their Claim Forms online at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com) by **11:59 p.m. Eastern Time on November 28, 2023 OR** mail the Claim Forms **such that they are received no later than November 28, 2023** by the Claims Administrator at European Government Bonds Settlement, c/o A.B. Data, Ltd., P.O. Box 173119, Milwaukee, WI 53217.

Read the instructions carefully, fill out and sign the Claim Form, include all requested documents, and submit all materials on the Settlement Website at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com).

Following receipt of your Claim Form, the Claims Administrator will send you a “Confirmation of Claim Receipt,” which will acknowledge receipt of your claim and will inform you of important next steps.

If you have already submitted a Claim Form after receiving the prior notice, you may want to submit another one. The UniCredit and Natixis Settlement Class includes European Government Bond transactions with Defendants, in addition to Deutsche Bank and Rabobank, from January 1, 2005 through December 31, 2016.

**Please keep all data and documentation related to your eligible European Government Bond transactions. Having data and documentation may be important to substantiating your claim.**

If you do not submit a Claim Form, you will not receive any payments under the Settlements.

#### **12. How Much Will My Payment Be?**

At this time, it is not known precisely how much each Authorized Claimant will receive from the Net Settlement Fund or when payments will be made. The amount of your payment will be determined by the Distribution Plan, if it is approved or by such other plan of distribution that is approved by the Court. For more information on the Distribution Plan, see Question 13.

#### **13. What Is the Distribution Plan?**

The Distribution Plan is available for review on the Settlement Website. The Multiplier Table referred to in the Distribution Plan is posted on the Settlement Website. Changes, if any, to the Multiplier Table based on newly available data or information will be promptly posted on the Settlement Website. Please check the Settlement Website for the most up-to-date information about the Distribution Plan.

#### **14. When Will I Receive a Payment?**

The Court will hold the Settlement Hearing on January 5, 2024 at 10:00 a.m. to decide whether to approve the Settlements and Distribution Plan. If the Court approves the Settlements and Distribution Plan, there may be appeals after that. It can sometimes take a year or more for the appellate process to conclude.

Please be patient and continue to check status updates at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com).

#### **15. What Do I Have to Do After I Submit a Claim Form?**

After you submit a claim, the Claims Administrator will evaluate your Claim Form to determine if you have provided sufficient information to validate your membership in the Settlement Class and calculate your payment. If the Claims Administrator determines that your Claim is deficient or defective, it will contact you. If you subsequently provide information that satisfies the Claims Administrator concerning the validity of your claim, you will not have to do anything else. If any disputes cannot be resolved, Co-Lead Counsel will submit them to the Court, and the Court will make a final determination of the validity of your claim. The decision of the Court with respect to objections to the Claims Administrator’s claim determinations shall be final and binding, and there shall be no appeal to any court.



**Please keep all data and documentation related to your eligible European Government Bond transactions. Having data and documentation may be important to substantiating your claim.**

## **16. What Am I Giving Up to Receive a Payment?**

Unless you exclude yourself, you remain a Settlement Class Member. That means you cannot sue, continue to sue, or be part of any other lawsuit about the Settled Claims in this Action against JPMorgan, State Street, UniCredit, or Natixis.

Upon the Effective Date of the Settlements, Plaintiffs and all Settlement Class Members shall be deemed to have, and by operation of the Judgments shall have, fully, finally, and forever waived, released, relinquished, and discharged all Settled Claims against the Settling Defendants, regardless of whether such Settlement Class Member executes and delivers a Claim Form. The capitalized terms used in this paragraph are defined in the Stipulations, Preliminary Approval Orders, or this Notice. For easy reference, certain of these terms are copied below:

- “Released Parties” in the JPMorgan Stipulation means JPMorgan, together with its respective past and present, direct and indirect corporate parents (including holding companies), subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past or present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns.
- “Released Parties” in the State Street Stipulation means State Street, together with its respective past and present, direct and indirect corporate parents (including holding companies), subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past or present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns.
- “Released Parties” in the UniCredit Stipulation means UniCredit, together with its respective past and present, direct and indirect corporate parents (including holding companies), subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past or present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns. For the avoidance of doubt, Released Parties include UniCredit Capital Markets LLC and UniCredit S.p.A., as well as their subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past or present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns.
- “Released Parties” in the Natixis Stipulation means Natixis, together with its respective past and present, direct and indirect corporate parents (including holding companies), subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past or present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns.
- “Settling Plaintiff Parties” in all Stipulations means individually and collectively each Plaintiff and Settlement Class Member, on behalf of himself, herself, or itself, and each of his, her, or its respective past and present, direct and indirect corporate parents (including holding companies), subsidiaries, related entities, affiliates, associates (all as defined in SEC Rule 12b-2 promulgated pursuant to the Securities Exchange Act of 1934), divisions, joint ventures, predecessors, successors, and each of their respective past and present officers, directors, partners, managing directors, employees, agents, contractors, attorneys, legal, or other representatives, trustees, trusts, heirs, beneficiaries, estates, executors, administrators, insurers, shareholders, advisors, and assigns, whether or not they object to the Settlement and whether or not they make a claim for payment from the Settlement Fund.

- “Settled Claims” in the State Street and JPMorgan Stipulations means any and all manner of claims, including Unknown Claims, causes of action, cross-claims, counter-claims, charges, liabilities, demands, judgments, suits, obligations, debts, setoffs, rights of recovery, or liabilities for any obligations of any kind whatsoever (however denominated), whether class or individual, in law or equity or arising under constitution, statute, regulation, ordinance, contract, or otherwise in nature, for fees, costs, penalties, fines, debts, expenses, attorneys’ fees, and damages, whenever incurred, and liabilities of any nature whatsoever (including joint and several, treble, or punitive damages), known or unknown, suspected or unsuspected, asserted or unasserted, choate or inchoate, which the Settling Plaintiff Parties ever had, now have, or hereafter can, shall, or may have, individually, representatively, derivatively, or in any capacity against JPMorgan or State Street that arise from or relate in any way to the conduct alleged in the Action, or conduct that could have been alleged in the Action based on the factual predicate of the Action, including any amended complaint or pleading therein. Settled Claims shall not include: (i) claims based on transactions that are outside the extraterritorial reach of the Sherman Act pursuant to Section 6a of the Sherman Act, 15 U.S.C. §6a; (ii) any claims relating to the enforcement of the Settlement; or (iii) any claims of any person or entity that submits a request for exclusion in connection with the Notice and whose request is accepted by the Court.
- “Settled Claims” in the UniCredit and Natixis Stipulations means any and all manner of claims, including Unknown Claims, causes of action, cross-claims, counter-claims, charges, liabilities, demands, judgments, suits, obligations, debts, setoffs, rights of recovery, or liabilities for any obligations of any kind whatsoever (however denominated), whether class or individual, in law or equity or arising under constitution, statute, regulation, ordinance, contract, or otherwise in nature, for fees, costs, penalties, fines, debts, expenses, attorneys’ fees, and damages, whenever incurred, and liabilities of any nature whatsoever (including joint and several, treble, or punitive damages), known or unknown, suspected or unsuspected, asserted or unasserted, choate or inchoate, which the Settling Plaintiff Parties ever had, now have, or hereafter can, shall, or may have, individually, representatively, derivatively, or in any capacity against UniCredit or Natixis and any other Released Parties that arise from or relate in any way to the conduct alleged in the Action, or conduct that could have been alleged in the Action based on the factual predicate of the Action, including any amended complaint or pleading therein. Settled Claims include without limitation claims relating to the period January 1, 2005 through December 31, 2016 and any claims that could have been asserted against UniCredit or Natixis in EGB II. Settled Claims shall not include: (i) claims based on transactions that are outside the extraterritorial reach of the Sherman Act pursuant to Section 6a of the Sherman Act, 15 U.S.C. §6a; (ii) any claims relating to the enforcement of the Settlement; or (iii) any claims of any person or entity that submits a request for exclusion in connection with the Notice and whose request is accepted by the Court.

By remaining a Settlement Class Member, you do not give up any of your claims against the non-settling Defendants or in EGB II.

## **17. What if I Do Nothing?**

You are automatically a member of a Settlement Class if you fit the Settlement Class description. However, if you do not timely submit a Claim Form, you will not receive any payment from the Settlements. You will be bound by past and any future Court rulings, including rulings on the Settlements and Releases. Unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be a part of any other lawsuit against Settling Defendants or any of the other Released Parties based on the Settled Claims. Please see Question 16 for a description of the Settled Claims.

## **EXCLUDING YOURSELF FROM THE SETTLEMENTS**

### **18. What if I Do Not Want to Be in the Settlement Class?**

If you are a Settlement Class Member and do not want to remain in the Settlement Class as to one or both Settlements, then you must take steps to exclude yourself from one or both Settlements. This is also sometimes referred to as “opting out” of a class.

Because there are four separate proposed Settlements (the JPMorgan Settlement, State Street Settlement, UniCredit Settlement, and Natixis Settlement), you will need to decide, for each of the proposed Settlements, whether to exclude yourself from a Settlement, or whether to remain in the Settlement Class for all Settlements. If you exclude yourself from one or all of Settlements, you will be free to sue JPMorgan, State Street, UniCredit, and/or Natixis, depending on your opt-

out selection, on your own for the claims being resolved by the Settlement(s). However, you will not receive any money from the JPMorgan Settlement, UniCredit Settlement, and/or Natixis Settlement, and Co-Lead Counsel will no longer represent you with respect to any claims against JPMorgan, State Street, UniCredit, and/or Natixis, depending on your opt-out selection. Co-Lead Counsel will, however, continue to represent you in the continuing litigation against non-settling Defendants.

#### **19. How Do I Exclude Myself?**

You can exclude yourself by sending a written “Request for Exclusion.” You cannot exclude yourself by telephone or email. Your written Request for Exclusion must be mailed such that it is received by November 13, 2023, to European Government Bonds Settlement, ATTN: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217, and must include: (a) the name, address, and telephone number of the member of the Settlement Class; (b) a list of all trade names or business names that the member of the Settlement Class requests to be excluded; (c) the name of this Action (“*In re European Government Bonds Antitrust Litigation*, No. 1:19-cv-02601 (S.D.N.Y.)”); (d) a statement certifying such person is a member of the Settlement Class; (e) documents sufficient to prove membership in the Settlement Class; (f) a statement that “I/we hereby request that I/we be excluded from the Settlement Class as it relates to the JPMorgan, State Street, UniCredit, [and/or] Natixis Settlements,” as applicable; and (g) the signature of the person or entity requesting the exclusion or an authorized representative, as well as proof of authorization to submit the request for exclusion if submitted by an authorized representative.

A Request for Exclusion that does not include all the foregoing information, that does not contain the proper signature, that is sent to an address other than the one designated above, or that is not sent within the time specified shall be invalid and the person(s) filing such an invalid request shall be a Settlement Class Member and shall be bound by the Settlements, if approved.

All persons who submit valid and timely Requests for Exclusion in the manner set forth above shall have no rights under the Settlements, shall not share in the distribution of the Net Settlement Fund, and shall not be bound by the Settlements. Such persons will not be precluded from participating in future settlements, if any, or participating in any certified litigation classes in the Action in the future.

#### **20. If I Do Not Exclude Myself, Can I Sue JPMorgan, State Street, UniCredit, and/or Natixis for the Same Thing Later?**

No. Unless you exclude yourself, you give up any right to sue JPMorgan, State Street, UniCredit, and/or Natixis for the claims that the Settlements resolve. If you decide to exclude yourself, your decision will apply only to JPMorgan, State Street, UniCredit, and/or Natixis. It will not apply to any other class that might be certified by the Court with respect to the non-settling Defendants, or any other class that may be approved by the Court.

#### **21. If I Exclude Myself, Can I Get Money from the Settlements?**

You will not get any money from the JPMorgan Settlement, UniCredit Settlement, and/or Natixis Settlement if you exclude yourself.

#### **22. If I Exclude Myself from the Settlements, Can I Still Object?**

No. If you exclude yourself, you are no longer a Settlement Class Member and may not object to any aspect of the Settlements.

### **OBJECTING TO THE SETTLEMENTS**

#### **23. How Do I Tell the Court What I Think About the Settlements?**

If you are a Settlement Class Member and you do not exclude yourself, you can tell the Court what you think about the Settlements. You can object to all or any part of the Settlements, Distribution Plan, and/or application for attorneys’ fees and Litigation Expenses, and any service awards for Plaintiffs. You can give reasons why you think the Court should approve them or not. The Court will consider your views.

If you want to make an objection, you may enter an appearance in the Action, at your own expense, individually or through counsel of your own choice, by filing with the Clerk of Court a notice of appearance and your objection by November 13,

2023, and serving copies of your notice of appearance and objection on Co-Lead Counsel, JPMorgan's Counsel, State Street's Counsel, UniCredit's Counsel, and Natixis's Counsel at the following physical addresses:

Lowey Dannenberg, P.C.  
Attn: Vincent Briganti  
44 South Broadway, Suite 1100  
White Plains, NY 10601

Scott+Scott Attorneys at Law LLP  
Attn: Kristen M. Anderson  
230 Park Avenue, 17th Floor  
New York, NY 10169

DiCello Levitt LLP  
Attn: Gregory S. Ascioilla  
485 Lexington Avenue, Suite 1001  
New York, NY, 10017

Berman Tabacco  
Attn: Todd A. Seaver  
425 California Street, Suite 2300  
San Francisco, CA 94104

#### Co-Lead Counsel

Covington & Burling LLP  
Attn: Robert D. Wick,  
Henry Liu  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956

Linklaters LLP  
Attn: Adam S. Lurie,  
Patrick C. Ashby  
1290 Avenue of the Americas  
New York, NY 10104

#### JPMorgan's Counsel

Skadden, Arps, Slate, Meagher & Flom LLP  
Attn: Boris Bershteyn  
One Manhattan West  
New York, New York 10001-8602

#### State Street's Counsel

Milbank LLP  
Attn: Fiona A. Schaeffer  
55 Hudson Yards  
New York, NY 10001-2163

#### UniCredit's Counsel

#### Natixis's Counsel

Any Settlement Class Member who does not enter an appearance will be represented by Co-Lead Counsel.

If you choose to object, you must file a written objection. You cannot make an objection by telephone or email. Your written objection must include: (a) a heading that refers to this Action by case name and case number; (b) a statement of the specific legal and factual basis for each objection, including whether the objection applies only to the objecting person, a specific subset of the Settlement Class or the entire Settlement Class; (c) the identity, address, and telephone number of all counsel representing the objector (if any); (d) a statement of whether the objecting or intervening person or entity intends to appear at the Settlement Hearing, either in person or through counsel; (e) a statement clarifying which Settlement(s) the objection applies to (*i.e.*, the JPMorgan Settlement, State Street Settlement, UniCredit Settlement, Natixis Settlement, or all Settlements); (f) a description of any and all evidence the objecting person or entity may offer at the Settlement Hearing, including but not limited to the names, addresses, and expected testimony of any witnesses and exhibits intended to be introduced at the Settlement Hearing; (g) documents sufficient to prove membership in the Settlement Class; and (h) a list of other cases in which the objector or intervenor or counsel for the objector or intervenor has appeared either as an objector or counsel for an objector in the last five years.

If you do not timely and validly submit your objection, your views may not be considered by the Court or any court on appeal.

#### 24. What Is the Difference Between Objecting and Excluding Myself?

Objecting is telling the Court that you do not like something about the Settlements. You can object to the Settlements only if you remain a Settlement Class Member and do not exclude yourself from the Settlements. Excluding yourself from the Settlements is telling the Court that you do not want to be a part of the Settlement Class. If you exclude yourself, you have no right to object to the Settlements because they no longer affect you.

## THE LAWYERS REPRESENTING YOU

### 25. Do I Have a Lawyer in This Case?

The Court has appointed the lawyers listed below to represent you and the Settlement Class in this Action:

Vincent Briganti  
Lowey Dannenberg, P.C.  
44 South Broadway, Suite 1100  
White Plains, NY 10601

Kristen M. Anderson  
Scott+Scott Attorneys at Law LLP  
230 Park Avenue, 17th Floor  
New York, NY 10169

Gregory S. Ascioffa  
DiCello Levitt LLP  
485 Lexington Avenue, Suite 1001  
New York, NY, 10017

Todd A. Seaver  
Berman Tabacco  
425 California Street, Suite 2300  
San Francisco, CA 94104

These lawyers are called Co-Lead Counsel. Co-Lead Counsel will apply to the Court for payment of attorneys' fees and Litigation Expenses from the Settlement Fund. You will not otherwise be charged for Co-Lead Counsel's services. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 26. How Will the Lawyers Be Paid?

To date, Co-Lead Counsel have not been paid any attorneys' fees or reimbursed for any out-of-pocket Litigation Expenses. Any attorneys' fees and Litigation Expenses will be awarded only as approved by the Court in amounts determined to be fair and reasonable. The Settlements provide that Co-Lead Counsel may apply to the Court for an award of attorneys' fees and Litigation Expenses out of the Settlement Fund. Prior to the Settlement Hearing, Co-Lead Counsel will move for an award of up to 30% of the Settlement Fund (*i.e.*, up to \$12,000,000) in attorneys' fees, plus payment of no more than \$ 775,003.70 for Litigation Expenses, and for interest on such attorneys' fees and Litigation Expenses at the same rate as the earnings in the Settlement Fund, accruing from the inception of the Settlement Fund until the attorneys' fees and Litigation Expenses are paid.

The attorney fee application will be made collectively on behalf of Lowey Dannenberg, P.C., 44 S. Broadway, Ste. 1100, White Plains, NY 10601; Scott+Scott Attorneys at Law LLP, 230 Park Ave., 17th Fl., New York, NY 10169; DiCello Levitt LLC, 485 Lexington Ave., Ste. 1001, New York, NY 10017; and Berman Tabacco, 425 California St., Ste. 2300, San Francisco, CA 94101. In addition, DiCello Levitt has agreed to share its portion of the court-awarded attorneys' fees with Labaton Sucharow LLP (former Co-Lead Counsel), 140 Broadway, New York, NY 10005, and Thornton Law Firm LLP, One Lincoln St., Boston, MA 02111, both of which assisted in the litigation of the case. Payment to them will in no way increase the fees that are deducted from the Settlement Fund.

This is only a summary of the request for attorneys' fees and Litigation Expenses. Any motions in support of the requests will be available for viewing on the Settlement Website after they are filed no later than October 30, 2023. After that date, if you wish to review the motion papers, you may do so by viewing them at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com).

The Court will consider the motion for attorneys' fees and Litigation Expenses at or after the Settlement Hearing.

## THE COURT'S SETTLEMENT HEARING

### 27. When and Where Will the Court Decide Whether to Approve the Settlements?

The Court will hold the Settlement Hearing on January 5, 2024 at 10:00 a.m. at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., Courtroom 15B, New York, NY 10007. The Settlement Hearing may be moved to a different date or time without notice to you. Although you do not need to attend, if you plan to do so, you should check [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com) before making travel plans.

At the Settlement Hearing, the Court will consider whether the Settlements are fair, reasonable, and adequate. The Court will also consider whether to approve the Distribution Plan and requests for attorneys' fees and litigation expenses, and any service awards for Plaintiffs. If there are any objections, the Court will consider them at this time. We do not know how long the Settlement Hearing will take or when the Court will make its decision. The Court's decision may be appealed.

**28. Do I Have to Come to the Settlement Hearing?**

No. Co-Lead Counsel will answer any questions the Court may have. You are, however, welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you file and serve your written objection on time, the Court will consider it. You may also hire your own lawyer to attend, but you are not required to do so.

**29. May I Speak at the Settlement Hearing?**

You may ask the Court for permission to speak at the Settlement Hearing. If you want to appear at the Settlement Hearing, you may enter an appearance in the Action at your own expense, individually or through counsel of your own choice, by filing with the Clerk of Court a notice of appearance and your objection by November 13, 2023, and serving copies of your objection on Co-Lead Counsel, JPMorgan's Counsel, State Street's Counsel, UniCredit's Counsel, and Natixis's Counsel at the addresses set forth in Question 23. Any Settlement Class Member who does not enter an appearance will be represented by Co-Lead Counsel.

**GETTING MORE INFORMATION**

**30. How Do I Get More Information?**

This Notice summarizes the Settlement Agreements and Distribution Plan. More details are in the Settlement Agreements and Distribution Plan, which are available for your review at [www.EuropeanGovernmentBondsSettlement.com](http://www.EuropeanGovernmentBondsSettlement.com). The Settlement Website also has answers to common questions about the Settlements, Claim Form, and other information to help you determine whether you are a Settlement Class Member and whether you are eligible for a payment. You may also call toll-free 1-877-883-7336 or write to the Claims Administrator at:

European Government Bonds Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173119  
Milwaukee, WI 53217  
Email: [info@EuropeanGovernmentBondsSettlement.com](mailto:info@EuropeanGovernmentBondsSettlement.com)

**\*\*\*\*Please do not contact the Court or the Clerk's Office regarding this Notice or for additional information.\*\*\*\***

DATED: September 5, 2023

BY ORDER OF THE COURT