

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RUBEN A. LUNA, Individually and on Behalf)	No. 1:19-cv-11662-LTS
of All Others Similarly Situated,)	(Consolidated)
))
Plaintiff,)	<u>CLASS ACTION</u>
))
vs.)	SUPPLEMENTAL DECLARATION OF
)	ROSS D. MURRAY REGARDING NOTICE
CARBONITE, INC., et al.,)	DISSEMINATION AND REQUESTS FOR
)	EXCLUSION RECEIVED TO DATE
Defendants.))
))
_____))

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 the February 1, 2024 Order Preliminarily Approving Settlement and Providing for Notice (“Notice Order”) (ECF 178), Gilardi was appointed as the Claims Administrator 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 (the “Initial Mailing Declaration”) (ECF 187). 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 April 8, 2024, Gilardi had mailed or emailed a total of 13,871 Postcard Notices to potential Class Members and their nominees. Additionally, two institutions reported that they anticipated sending Postcard Notices via email to 6,426 potential Class Members. *See* Initial Mailing Declaration, ¶11.

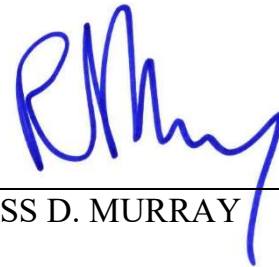
4. Since April 8, 2024, Gilardi has mailed or emailed an additional 407 Postcard Notices and one copy of the Notice of Pendency and Proposed Settlement of Class Action and Proof of Claim and Release form (collectively, the “Claim Package”) in response to requests from potential Class Members, brokers, 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 May 6, 2024, Gilardi has mailed or emailed a total of 14,278 Postcard Notices and one Claim Package to potential Class Members and nominees.

REQUESTS FOR EXCLUSION RECEIVED TO DATE

5. Pursuant to the Notice Order, the Notice informs potential Class Members that written requests for exclusion from the Class must be mailed to *Carbonite Securities Litigation*, Claims Administrator, c/o Gilardi & Co. LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are postmarked no later than April 24, 2024. At the time of the Initial Mailing Declaration, Gilardi reported that it had not received any 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 requests for exclusion.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 6th day of May, 2024, at San Rafael, California.



ROSS D. MURRAY

CERTIFICATE OF SERVICE

I, David A. Rosenfeld, hereby certify that on May 8, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all counsel of record.

/s/ David A. Rosenfeld

DAVID A. ROSENFELD