

EXHIBIT D

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Lead Counsel for Lead Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re NUTANIX, INC. SECURITIES
LITIGATION

Case No. 3:19-cv-01651-WHO
Case No. 3:21-cv-04080-WHO

JOHN P. NORTON, ON BEHALF OF THE
NORTON FAMILY LIVING TRUST UAD
11/15/2002, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

VS.

NUTANIX, INC., DHEERAJ PANDEY, and
DUSTON M. WILLIAMS,

Defendants.

CLASS ACTION

DECLARATION OF ROSS D. MURRAY
REGARDING NOTICE DISSEMINATION,
PUBLICATION, AND REQUESTS FOR
EXCLUSION RECEIVED TO DATE

DATE: October 4, 2023
TIME: 2:00 p.m. (via videoconference)
JUDGE: Honorable William H. Orrick

1 I, ROSS D. MURRAY, declare and state as follows:

2 1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”),
3 located at 1 McInnis Parkway, Suite 250, San Rafael, California. The following statements are
4 based on my personal knowledge and information provided to me by other Gilardi employees and
5 if called to testify I could and would do so competently.

6 2. Pursuant to this Court’s May 19, 2023 Order Preliminarily Approving Settlement
7 and Providing for Notice as Amended (“Notice Order”) (*Nutanix* Action ECF 311), Gilardi was
8 appointed as the Claims Administrator in connection with the proposed Settlement of the above-
9 captioned actions (the “Actions”).¹ I oversaw the notice services that Gilardi provided in
10 accordance with the Notice Order.

11 3. I submit this declaration in order to provide the Court and the parties to the Actions
12 with information regarding: (i) emailing and mailing of the Court-approved Postcard Notice
13 (attached hereto as Exhibit A), and if requested, mailing of the Court-approved Notice of Pendency
14 and Proposed Settlement of Class Actions (the “Notice”) and Proof of Claim and Release Form
15 (the “Proof of Claim”) (collectively, the “Claim Package,” attached hereto as Exhibit B); (ii)
16 publication of the Summary Notice; (iii) establishment of the website and toll-free telephone
17 number dedicated to this Settlement; and (iv) the number of requests for exclusion from the Class
18 received to date by Gilardi.

19 **DISSEMINATION OF NOTICE**

20 4. Pursuant to the Notice Order, Gilardi is responsible for disseminating notice of the
21 proposed settlement of these Actions to potential Class Members. The Class consists of all persons
22 or entities who: (i) purchased or otherwise acquired Nutanix, Inc. (“Nutanix”) securities between
23 November 30, 2017 and May 30, 2019, inclusive (the “Class Period”); and/or (ii) transacted in
24 publicly traded call options and/or put options of Nutanix during the Class Period. Excluded from
25

26 ¹ Any capitalized terms used that are not otherwise defined herein shall have the meanings ascribed
27 to them in the Stipulation of Settlement dated April 7, 2023 (the “Stipulation”) (*Nutanix* Action
28 ECF 307-2), which is available on the website established for the Settlement at
www.NutanixSecuritiesSettlement.com.

1 the Class are Nutanix and its subsidiaries and affiliates, the Individual Defendants, any of
2 Defendants' respective officers and directors at all relevant times, and any of their immediate
3 families, legal representatives, heirs, successors, or assigns, and any entity in which any Defendant
4 has or had a Controlling Interest. Also excluded from the Class are any persons or entities who
5 exclude themselves by submitting a request for exclusion in connection with the Notice that is
6 accepted by the Court.

7 5. Gilardi received a file via email from Nutanix's transfer agent, which contained the
8 names and addresses, and, where available, email addresses, of potential Class Members. The list
9 was reviewed to identify and eliminate duplicate entries and incomplete data, resulting in a usable
10 mailing list of 129 unique names and addresses, and an email list of 32 records. Gilardi had the
11 unique name and address data printed on to Postcard Notices, posted the Postcard Notices for First-
12 Class Mail, postage prepaid, and delivered 129 Postcard Notices on June 8, 2023, to the United
13 States Post Office for mailing. Gilardi also sent 32 Postcard Notices via email to the potential
14 Class Members with email addresses.

15 6. In addition, on June 8, 2023, as part of its normal mailing procedures, Gilardi
16 mailed, by First-Class Mail, Postcard Notices and cover letters to 279 brokerages, custodial banks,
17 and other institutions ("Nominee Holders") that hold securities in "street name" as nominees for
18 the benefit of their customers who are the beneficial owners of the securities. The Nominee
19 Holders also include a group of filers/institutions who have requested notification of every
20 securities case. These Nominee Holders are included in a proprietary database created and
21 maintained by Gilardi. In Gilardi's experience, the Nominee Holders included in this proprietary
22 database represent a significant majority of the beneficial holders of securities. The cover letter
23 accompanying the Postcard Notices advised the Nominee Holders of the proposed Settlement and
24 requested their cooperation in forwarding the Postcard Notices to potential Class Members. In the
25 more than three decades that Gilardi has been providing notice and claims administration services
26 in securities class actions, Gilardi has found the majority of potential class members hold their
27 securities in street name and are notified through the Nominee Holders. Gilardi also mailed
28

1 Postcard Notices and cover letters to the 4,439 institutions included on the U.S. Securities and
2 Exchange Commission's ("SEC") list of active brokers and dealers at the time of mailing. A
3 sample of the cover letter mailed to Nominee Holders and the institutions included on the SEC's
4 list of active brokers and dealers is attached hereto as Exhibit C.

5 7. On June 8, 2023, Gilardi also delivered electronic copies of the Postcard Notice to
6 390 registered electronic filers who are qualified to submit electronic claims. These filers are
7 primarily institutions and third-party filers who typically file numerous claims on behalf of
8 beneficial owners for whom they act as trustees or fiduciaries.

9 8. As part of the notice program for this Settlement, on June 8, 2023, Gilardi also
10 delivered electronic copies of the Postcard Notice and the Claim Package via email to be published
11 by the Depository Trust Company ("DTC") on the DTC Legal Notice System ("LENS"). LENS
12 enables the participating bank and broker nominees to review the Postcard Notice and the Claim
13 Package and contact Gilardi for copies of the Postcard Notice for their beneficial holders.

14 9. Gilardi has acted as a repository for shareholder and nominee inquiries and
15 communications received in this Settlement. In this regard, Gilardi has forwarded the Postcard
16 Notice on request to nominees who purchased or acquired Nutanix securities for the beneficial
17 interest of other persons. Gilardi has also forwarded the Postcard Notice directly to beneficial
18 owners upon receipt of the names and addresses from such beneficial owners or nominees.

19 10. Following the initial mailing, Gilardi received 19 responses to the outreach efforts
20 described above, which included computer files containing a total of 42,431 names and addresses
21 and three email addresses of potential Class Members. In addition, 30 institutions requested that
22 Gilardi send them a total of 106,185 Postcard Notices for forwarding directly to their clients.
23 Gilardi also received 47 requests for Claim Packages from potential Class Members. Gilardi has
24 also mailed 116 Postcard Notices as a result of returned mail for which new addresses were
25
26
27
28

1 identified for re-mailing to those potential Class Members.² Each of these requests has been
2 completed in a timely manner.

3 11. As of August 29, 2023, Gilardi has mailed or emailed a total of 154,004 Postcard
4 Notices and 47 Claim Packages to potential Class Members and nominees. Additionally, one
5 institution reported that they anticipated sending Postcard Notices via email to 68,013 potential
6 Class Members.

7 **PUBLICATION OF THE SUMMARY NOTICE**

8 12. In accordance with the Notice Order, on June 15, 2023, Gilardi caused the
9 Summary Notice to be published in *The Wall Street Journal* and to be transmitted over *Business*
10 *Wire*, as shown in the confirmations of publication attached hereto as Exhibit D.

11 **TELEPHONE HELPLINE AND WEBSITE**

12 13. On June 8, 2023, Gilardi established and continues to maintain a case-specific, toll-
13 free telephone helpline, 1-888-850-8229, to accommodate potential Class Member inquiries. The
14 toll-free number was set forth in the Postcard Notice, the Claim Package, and on the case website.
15 Gilardi has been and will continue to promptly respond to all inquiries to the toll-free telephone
16 helpline.

17 14. On June 8, 2023, Gilardi established and continues to maintain a website dedicated
18 to this Settlement (www.NutanixSecuritiesSettlement.com) to provide additional information to
19 Class Members and to provide answers to frequently asked questions. The web address was set
20 forth in the Postcard Notice, the Claim Package, and the Summary Notice. The website includes
21 information regarding the Actions and the Settlement, including the objection and claim filing
22 deadlines, and the date and time of the Court's Settlement Hearing. Copies of the Notice, Proof
23 of Claim, Stipulation, and Notice Order are posted on the website and are available for
24 downloading. Class Members can also complete and submit a Proof of Claim through the website.

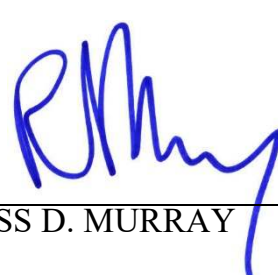
25
26
27 ² To date, of the 153,579 mailed Postcard Notices, 1,118 were undeliverable. Updated addresses
28 were located, and an additional 116 Postcard Notices were mailed.

REQUESTS FOR EXCLUSION RECEIVED TO DATE

15. The Postcard Notice informs potential Class Members that written requests for exclusion from the Class must be mailed to *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are postmarked no later than September 13, 2023.

16. The Notice and the website set forth the information that must be included in each request for exclusion. Gilardi has monitored and will continue to monitor all mail delivered to this address. As of the date of this declaration, Gilardi has received one request for exclusion, a redacted copy of which is attached hereto as Exhibit E.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 29th day of August, 2023, at San Rafael, California.



ROSS D. MURRAY

EXHIBIT A

~~Nutanix Securities Settlement~~
c/o Gilardi & Co. LLC
P.O. Box 301133
Los Angeles, CA 90030-1133

LEGAL NOTICE

In re Nutanix, Inc. Securities Litigation
No. 3:19-cv-01651-WHO (N.D. Cal.)
John P. Norton, on behalf of the Norton Family Living
Trust UAD 11/15/2002 v. Nutanix, Inc., et al.,
No. 3:21-cv-04080-WHO (N.D. Cal.)

www.NutanixSecuritiesSettlement.com

Court-Ordered Legal Notice
(Forwarding Service Requested)

Important Information about a Securities Class Action Settlement

You may be entitled to a payment. This Notice may affect
your legal rights. Please read it carefully.



Postal Service: Please Do Not Mark Barcode

NUX - «Claim8»-«CkDig»

«FirstNAME» «LastNAME»

«Name1»

«Name2»

«Name3»

«Name4»

«Addr1» «Addr2»

«City», «State»«FProv» «Zip»«FZip»

«FCountry»



VISIT THE
SETTLEMENT
WEBSITE BY
SCANNING
THE PROVIDED
QR CODE

NUX

THIS CARD PROVIDES ONLY LIMITED INFORMATION ABOUT THE CLASS ACTIONS AND SETTLEMENT
VISIT WWW.NUTANIXSECURITIESSETTLEMENT.COM OR CALL 1-888-850-8229 FOR MORE INFORMATION

If you (i) purchased or otherwise acquired securities of Nutanix, Inc. (“Nutanix” or the “Company”) between November 30, 2017 and May 30, 2019, inclusive (the “Class Period”), and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period, this Notice is to inform you that a Class was certified, as just described, for purposes of the proposed settlement (“Settlement”) only, and that you could be entitled to a payment from the Settlement reached in these actions (“Actions”). Your rights may be affected by these Actions and the Settlement. A hearing will be held on October 4, 2023, at 2:00 p.m. before the Honorable William H. Orrick at the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102 to determine whether the proposed settlement of the Actions against Defendants Nutanix, Dheeraj Pandey, and Duston M. Williams for \$71 million and the Plan of Allocation should be approved as fair, reasonable, and adequate and whether the Actions should be dismissed with prejudice against the Defendants, as set forth in the Stipulation of Settlement (“Stipulation”) filed with the Court; and whether Lead Counsel’s application for an award of attorneys’ fees of up to 30% of the Settlement Amount, plus interest, and expenses in an amount not to exceed \$750,000, plus interest, should be granted.

The proposed Settlement would resolve two class action lawsuits alleging that, in violation of the U.S. federal laws, Defendants made material misrepresentations and omissions, with scienter, regarding the Company’s declining sales pipeline, revenues, and billings. Defendants deny the allegations. For a full description of the Settlement and your rights and to make a claim, you may obtain the Stipulation, long-form Notice of Pendency and Proposed Settlement of Class Action, and the Proof of Claim and Release (“Claim Form”) by visiting the website: www.NutanixSecuritiesSettlement.com (the “Website”) or you may request copies from the Claims Administrator by: (i) mail: *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, P.O. Box 301133, Los Angeles, CA 90030-1133; or (ii) call toll-free: 1-888-850-8229.

To qualify for payment, you must submit a valid Proof of Claim, with supporting documentation, postmarked no later than September 6, 2023. You will be bound by any Judgment entered in the Actions, regardless of whether you submit a Proof of Claim, unless you submit a request to exclude yourself from the Class. If you exclude yourself, you cannot get money from this Settlement. If you wish to exclude yourself from the Class, you must submit a request for exclusion so that it is **postmarked** no later than September 13, 2023, to: *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, Exclusions, P.O. Box 5100, Larkspur, CA 94977-5100. If you do not exclude yourself and you stay in the Class, you may object to the Settlement, Plan of Allocation, or request for award of attorneys’ fees and expenses such that the objection is **received** no later than September 13, 2023. The long-form Notice and the Website explain how to exclude yourself from the Class or how to object.

Lead Plaintiff and the Class are represented by Lead Counsel: Theodore J. Pintar, Esq., Robbins Geller Rudman & Dowd LLP, 655 W. Broadway, Suite 1900, San Diego, CA 92101, 1-800-449-4900, settlementinfo@rgrdlaw.com. You may, but do not have to, attend the Court hearing to be heard. The Court reserves the right to hold the Settlement Hearing telephonically or by other virtual means.

EXHIBIT B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re NUTANIX, INC. SECURITIES LITIGATION)	Case No. 3:19-cv-01651-WHO
)	
)	Case No. 3:21-cv-04080-WHO
)	
JOHN P. NORTON, ON BEHALF OF THE)	<u>CLASS ACTION</u>
NORTON FAMILY LIVING TRUST UAD)	
11/15/2002, Individually and On Behalf of All)	
Others Similarly Situated,)	
)	
Plaintiff,)	
)	
vs.)	
)	
NUTANIX, INC., DHEERAJ PANDEY, and)	
DUSTON M. WILLIAMS,)	
)	
Defendants.)	

NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTIONS

A Federal Court Authorized This Notice. This Is Not a Solicitation from a Lawyer.

NOTICE OF PENDENCY OF CLASS ACTIONS: If you (i) purchased or otherwise acquired securities of Nutanix, Inc. (“Nutanix” or the “Company”) between November 30, 2017 and May 30, 2019, inclusive (the “Class Period”), and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period, please be advised that your rights may be affected by the above-captioned class action lawsuits, *In re Nutanix, Inc. Securities Litigation*, No. 3:19-cv-01651-WHO (N.D. Cal.) (the “Nutanix Action”) and *John P. Norton, on behalf of the Norton Family Living Trust UAD 11/15/2002 v. Nutanix, Inc., et al.*, No. 3:21-cv-04080-WHO (N.D. Cal.) (the “Norton Action,” and with the Nutanix Action, the “Actions”), which have been certified as a class action, for settlement purposes only and are pending in this Court.

NOTICE OF SETTLEMENT: Please also be advised that on behalf of the Class (as defined in ¶1 below), (i) lead plaintiff California Ironworkers Field Pension Trust (“California Ironworkers”) and named plaintiff City of Miami Fire Fighters’ and Police Officers’ Retirement Trust (“City of Miami”) in the *Nutanix Action*, and (ii) lead plaintiff John P. Norton, on behalf of the Norton Family Living Trust UAD November 15, 2002 (“Norton” and collectively, with California Ironworkers and City of Miami, “Plaintiffs”) in the *Norton Action*, have reached a proposed settlement of the Actions for a total of \$71 million that will resolve all claims in the Actions (the “Settlement”).¹

This Notice explains important rights you may have, including your possible receipt of cash from the Settlement. Your legal rights will be affected whether or not you act. Please read this Notice carefully.

1. **Description of the Actions and the Class:** This Notice relates to a proposed Settlement of related class action lawsuits pending against Nutanix and its former executives, Dheeraj Pandey and Duston M. Williams (the “Individual Defendants,” and with Nutanix, “Defendants”). The proposed Settlement, if approved by the Court, will apply to the following Class (the “Class”): all persons or entities who: (i) purchased or otherwise acquired Nutanix securities between November 30, 2017 and May 30, 2019, inclusive (the “Class Period”); and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period. Excluded from the Class are Nutanix and its subsidiaries and affiliates, the Individual Defendants, any of Defendants’ respective officers and directors at all relevant times, and any of their immediate families, legal representatives, heirs, successors, or assigns, and any entity in which any Defendant has or had a Controlling Interest.² Also excluded from the Class are any persons or entities who exclude themselves by submitting a request for exclusion in connection with the Notice that is accepted by the Court.

2. **Statement of Class’s Recovery:** Subject to Court approval, and as described more fully in ¶¶3-6 below, Plaintiffs, on behalf of the Class, have agreed to settle all Released Claims (as defined in ¶73 below) against Defendants and other Released Defendant Parties (as defined in ¶74 below) in exchange for a settlement payment of \$71 million (the “Settlement Amount”) to be deposited into an escrow account. The Net Settlement Fund (the Settlement Fund less Taxes and Tax Expenses, Notice and Administration Expenses, Court-awarded attorneys’ fees and expenses and any awards to Plaintiffs, and any other

¹ All capitalized terms used in this Notice that are not otherwise defined herein shall have the meanings provided in the Stipulation of Settlement dated April 7, 2023 (the “Settlement Agreement” or “Stipulation”), which is available on the Settlement website, www.NutanixSecuritiesSettlement.com.

² “Controlling Interest” is defined as having a majority ownership interest or ownership of the majority of voting stock of the entity.

fees or expenses approved by the Court) will be distributed in accordance with a plan of allocation (the “Plan of Allocation”) that will be approved by the Court and will determine how the Net Settlement Fund shall be distributed to members of the Class. The Plan of Allocation is a basis for determining the relative positions of Class Members for purposes of allocating the Net Settlement Fund. The proposed Plan of Allocation is included in this Notice, and may be modified by the Court without further notice.

3. **Statement of Average Distribution Per Security:** The Settlement Fund consists of the \$71 million Settlement Amount plus interest earned thereon. Assuming all potential Class Members elect to participate, the estimated average recovery under the Plan of Allocation is \$0.43 per damaged share of common stock before fees and expenses. Class Members may recover more or less than this amount depending on, among other factors, the aggregate value of the Recognized Claims represented by valid and acceptable Claim Forms as explained in the Plan of Allocation; when their shares were purchased or acquired and the price at the time of purchase or acquisition; whether the shares were sold, and if so, when they were sold and for how much. In addition, the actual recovery of Class Members may be further reduced by the payment of fees and costs from the Settlement Fund, as approved by the Court.

4. **Statement of the Parties’ Position on Damages:** Defendants deny all claims of wrongdoing, that they engaged in any wrongdoing, that they are liable to Plaintiffs and/or the Class and that Plaintiffs or other members of the Class suffered any injury. Moreover, the parties do not agree on the amount of recoverable damages if Plaintiffs were to prevail on each of the claims. The issues on which the parties disagree include, but are not limited to, whether: (i) the statements made or facts allegedly omitted were material, false or misleading; (ii) Defendants are liable under the securities laws for those statements or alleged omissions; (iii) Plaintiffs or Class Members have suffered damage, or were otherwise harmed by the conduct alleged in the Actions; and (iv) any portion of the damages allegedly suffered by members of the Class were caused by factors other than the allegedly false or misleading statements or omissions.

5. **Statement of Attorneys’ Fees and Expenses Sought:** Lead Counsel will apply to the Court for an award of attorneys’ fees from the Settlement Fund of no more than 30% of the Settlement Amount, plus interest earned at the same rate and for the same period as earned by the Settlement Fund. In addition, Lead Counsel also will apply to the Court for payment from the Settlement Fund for Lead Counsel’s litigation expenses (reasonable expenses or charges of Lead Counsel in connection with commencing and prosecuting the Actions), in a total amount not to exceed \$750,000, plus interest earned at the same rate and for the same period as earned by the Settlement Fund. If the Court approves Lead Counsel’s fee and expense application, the estimated average cost per damaged share of common stock is \$0.13. In addition, Lead Counsel will apply for awards to Plaintiffs in amounts not to exceed \$10,000 for California Ironworkers, not to exceed \$10,000 for City of Miami, and not to exceed \$5,000 for Norton, pursuant to 15 U.S.C. §78u-4(a)(4) in connection with their representation of the Class.

6. **Identification of Attorneys’ Representatives:** Plaintiffs and the Class are being represented by Robbins Geller Rudman & Dowd LLP and Levi & Korsinsky, LLP (“Lead Counsel”). Any questions regarding the Settlement should be directed to Theodore J. Pintar, Esq. at Robbins Geller Rudman & Dowd LLP, 655 W. Broadway, Suite 1900, San Diego, CA 92101, 1-800-449-4900, settlementinfo@rgrdlaw.com.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT	
DO NOTHING	Get no payment. Remain a Class Member. Give up your rights.
REMAIN A MEMBER OF THE CLASS AND SUBMIT A CLAIM FORM POSTMARKED OR SUBMITTED ONLINE NO LATER THAN SEPTEMBER 6, 2023	This is the only way to be potentially eligible to receive a payment. If you wish to obtain a payment as a member of the Class, you will need to submit a claim form (the “Claim Form” or “Proof of Claim”), postmarked or submitted online no later than September 6, 2023.
EXCLUDE YOURSELF FROM THE CLASS BY SUBMITTING A REQUEST FOR EXCLUSION THAT IS POSTMARKED NO LATER THAN SEPTEMBER 13, 2023	Get no payment. This is the only option that potentially allows you to ever be part of any other lawsuit against the Defendants or any other Released Defendant Parties about the legal claims being resolved by this Settlement. Should you elect to exclude yourself from the Class, you should understand that Defendants and the other Released Defendant Parties will have the right to assert any and all defenses they may have to any claims that you may seek to assert, including, without limitation, the defense that any such claims are untimely under applicable statutes of limitations and statutes of repose.
OBJECT TO THE SETTLEMENT SO THAT IT IS FILED OR POSTMARKED NO LATER THAN SEPTEMBER 13, 2023	Write to the Court about your view on the Settlement, or why you do not think the Settlement is fair to the Class. You will still be a Class Member. You must still submit a Claim Form in order to be potentially eligible to receive any money from the Settlement Fund. If you submit a written objection, you may (but do not have to) attend the hearing.
GO TO THE HEARING ON OCTOBER 4, 2023, AT 2:00 P.M., AND FILE A NOTICE OF INTENTION TO APPEAR SO THAT IT IS POSTMARKED NO LATER THAN SEPTEMBER 13, 2023	Ask to speak in Court about the fairness of the Settlement, the proposed Plan of Allocation, or the request for attorneys’ fees and litigation expenses.

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WHY DID I GET THIS NOTICE?

7. The purpose of this Notice is to inform you about: (i) these Actions, (ii) the terms of the proposed Settlement, and (iii) your rights in connection with a hearing to be held before the United States District Court, Northern District of California (the "Court"), on October 4, 2023, at 2:00 p.m., to consider the fairness, reasonableness, and adequacy of the Settlement and related matters. This Notice also describes the steps to be taken by those who wish to seek to be potentially eligible to share in the distribution of the Net Settlement Fund in the event the Settlement is approved by the Court.

8. A class action is a type of lawsuit in which the claims of a number of individuals are resolved together, thus providing the class members with both consistency and efficiency. In a class action lawsuit, one or more people, known as class representatives, sue on behalf of people who have similar claims. All of the people with similar claims are referred to as a Class or Class Members. One court resolves the issues for all Class Members, except for those Class Members who exclude themselves from the Class.

9. The judge presiding over these Actions is the Honorable William H. Orrick, United States District Judge in the Northern District of California. The people who are suing are called Plaintiffs, and those who are being sued are called Defendants. Plaintiffs are California Ironworkers and City of Miami in the *Nutanix* Action and Norton in the *Norton* Action. Defendants in these Actions are Nutanix, Dheeraj Pandey, and Duston M. Williams.

10. This Notice explains the Actions, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them. The purpose of this Notice is to inform you of this case, that it is a class action, and how you might be affected. It also informs you of the terms of the proposed Settlement, and of a hearing to be held by the Court to consider the fairness, reasonableness, and adequacy of the proposed Settlement, the proposed Plan of Allocation, and the application by Lead Counsel for attorneys' fees and litigation expenses (the "Settlement Hearing").

11. The Settlement Hearing will be held on October 4, 2023, at 2:00 p.m. before the Honorable William H. Orrick, at the United States District Court, Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, for the following purposes:

(a) to determine whether the proposed Settlement on the terms and conditions provided for in the Stipulation is fair, reasonable, and adequate and should be approved by the Court;

(b) to determine whether the Judgment as provided for under the Stipulation of Settlement dated April 7, 2023 (the "Stipulation") should be entered;

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

(d) to determine whether the application by Lead Counsel for an award of attorneys' fees and litigation expenses should be approved;

(e) to determine whether any applications for awards to Plaintiffs pursuant to 15 U.S.C. §78u-4(a)(4) should be approved; and

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

12. This Notice does not express any opinion by the Court concerning the merits of any claim in the Actions, and the Court still has to decide whether to approve the Settlement. If the Court approves the Settlement, payments to Authorized

Claimants will be made after any appeals are resolved, and after the completion of all claims processing. This process takes time. Please be patient.

WHAT IS THIS CASE ABOUT? WHAT HAS HAPPENED SO FAR?

13. Plaintiffs allege that during the period between November 30, 2017 and May 30, 2019, Defendants made materially false or misleading statements in violation of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 10b-5 promulgated thereunder, which caused the price of Nutanix securities and publicly traded options to trade at artificially inflated prices. Specifically, Plaintiffs allege that contrary to Defendants’ statements during the Class Period that Nutanix was making significant investments in sales and marketing while maintaining high profit margins, Defendants had actually decreased Nutanix’s lead generation spending, which in turn “drove” higher margins and resulted in weak guidance. Plaintiffs allege that the truth did not begin to come to light until February 28, 2019, when Defendants announced the Company’s financial results for the second quarter of fiscal 2019, revealing that despite their Class Period statements, Nutanix had held flat or decreased the “key” driver of its pipeline – lead generation. Plaintiffs allege a second corrective disclosure occurred on May 30, 2019, when Defendants allegedly revealed their sales pipeline and execution problems were far worse than previously disclosed, and would cause Nutanix to suffer year-over-year declines in several key metrics and miss the low end of revenue and billing targets set just a quarter earlier. Plaintiffs allege that Persons who purchased or acquired Nutanix securities and/or publicly traded options during the Class Period suffered economic losses when the price of Nutanix securities and publicly traded options declined as a result of the two alleged corrective disclosures revealing the issues in Nutanix’s sales pipeline to investors.

14. On March 29, 2019, an initial class action complaint was filed in this Court in the *Nutanix* Action against Defendants, alleging violations of Sections 10(b) and 20(a) of the Exchange Act. On July 10, 2019, the Court entered an order consolidating the initial class action complaint with several related class action complaints against Defendants, and on September 9, 2019, a consolidated amended complaint (the “*Nutanix* FAC”) was filed against Defendants in the *Nutanix* Action.

15. On October 24, 2019, Defendants filed a motion to dismiss the *Nutanix* FAC. On March 9, 2020, the Court granted the motion to dismiss with leave to amend the complaint. On April 17, 2020, a second consolidated amended complaint was filed against Defendants (“*Nutanix* SAC”). On May 22, 2020, Defendants moved to dismiss the *Nutanix* SAC. On September 11, 2020, the Court granted in part and denied in part the motion to dismiss, and discovery commenced.

16. On March 1, 2021, the Court entered an order withdrawing the original lead plaintiff and allowing any putative class member to file by March 22, 2021, an application to serve as lead plaintiff. On June 10, 2021, the Court entered an order appointing California Ironworkers as lead plaintiff in the *Nutanix* Action and approving its selection of Robbins Geller Rudman & Dowd LLP as lead counsel.

17. On May 28, 2021, Norton filed a class action complaint in this Court in the *Norton* Action against Defendants alleging violations of Sections 10(b) and 20(a) of the Exchange Act (“*Norton* Complaint”). The complaint was filed on behalf of Norton and all other persons or entities similarly situated who transacted in publicly traded call options and/or put options of Nutanix between November 30, 2017 and May 30, 2019, inclusive.

18. On June 2, 2021, the Court entered an order finding that the *Norton* Action was related to the *Nutanix* Action.

19. On July 8, 2021, California Ironworkers filed a motion for leave to supplement the *Nutanix* SAC to conform it to events related to the appointment of California Ironworkers as lead plaintiff. The Court granted the motion on August 16, 2021, and California Ironworkers filed a supplement to the *Nutanix* SAC on the same day.

20. On September 8, 2021, the Court entered an order appointing Norton as lead plaintiff in the *Norton* Action and approving his selection of Levi & Korsinsky, LLP as lead counsel.

21. On November 1, 2021, Defendants filed a motion to dismiss the *Norton* Complaint.

22. On January 5, 2022, the Court entered orders vacating existing deadlines in the Actions while Plaintiffs and Defendants (together, the “Settling Parties”) explored a possible resolution through the services of a private mediator. On April 26, 2022, the Settling Parties in the Actions participated in a mediation session with retired United States District Judge, Layn R. Phillips. On May 11, 2022, the Settling Parties informed the Court that they were unable to resolve the Actions in mediation, and would present a joint proposed schedule to resume the litigation.

23. On May 27, 2022, Defendants filed a motion for partial judgment on the pleadings in the *Nutanix* Action.

24. On June 16, 2022, the Court denied Defendants’ motion to dismiss the *Norton* Complaint.

25. On September 1, 2022, California Ironworkers and City of Miami filed a third consolidated amended complaint in the *Nutanix* Action (“*Nutanix* TAC”) to add new allegations, including allegations based on documents obtained from Nutanix in discovery, and to re-allege previous allegations from the *Nutanix* SAC.

26. On September 1, 2022, Norton filed a first amended class action complaint in the *Norton* Action (“*Norton* FAC”) to add new allegations, including allegations based on documents obtained from Nutanix in discovery, and to re-allege previous allegations from the *Norton* Complaint.

27. On September 7, 2022, Defendants withdrew their motion for partial judgment on the pleadings without prejudice because it was mooted by the *Nutanix* TAC.

28. On September 29, 2022, the Court granted a motion allowing Norton to file a Revised First Amended Complaint ("*Norton* RFAC") in order to conform the *Norton* FAC to the *Nutanix* TAC. On October 4, 2022, Norton filed the *Norton* RFAC.

29. On November 14, 2022, Defendants filed an omnibus motion to dismiss the *Nutanix* TAC and the *Norton* RFAC. On December 29, 2022, Plaintiffs filed an omnibus opposition to the motion to dismiss. On February 1, 2023, Defendants filed a reply in support of the motion to dismiss. A hearing on the motion to dismiss was scheduled for February 15, 2023.

30. On February 9, 2023, the Settling Parties filed a stipulation and proposed order informing the Court that the Settling Parties had agreed in principle to settle the Actions. The Settling Parties further requested that the Court vacate the motion to dismiss hearing and agreed to provide a further update to the Court regarding the status of settlement, including the anticipated schedule for Plaintiffs' motion for preliminary approval of settlement, by March 9, 2023. On February 10, 2023, the Court entered the proposed order. On March 24, 2023, the Settling Parties provided a further update to the Court regarding the status of settlement, including the anticipated schedule for Plaintiffs' motion for preliminary approval of settlement, which the Court entered the same day.

HOW DO I KNOW IF I AM AFFECTED BY THE SETTLEMENT?

31. If you are a member of the Class, you are subject to the Settlement unless you timely request to be excluded. The Class consists of all persons or entities who: (i) purchased or otherwise acquired Nutanix securities between November 30, 2017 and May 30, 2019, inclusive (the "Class Period"); and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period. Excluded from the Class are Nutanix and its subsidiaries and affiliates, the Individual Defendants, any of Defendants' respective officers and directors at all relevant times, and any of their immediate families, legal representatives, heirs, successors, or assigns, and any entity in which any Defendant has or had a Controlling Interest.³ Also excluded from the Class are any persons or entities who exclude themselves by submitting a request for exclusion in connection with the Notice that is accepted by the Court.

RECEIPT OF THIS NOTICE DOES NOT NECESSARILY MEAN THAT YOU ARE A CLASS MEMBER OR THAT YOU ARE ENTITLED TO RECEIVE PROCEEDS FROM THE SETTLEMENT. IF YOU WISH TO BE POTENTIALLY ELIGIBLE TO RECEIVE A DISTRIBUTION OF THE SETTLEMENT PROCEEDS, YOU MUST COMPLETE, SIGN, AND SUBMIT THE CLAIM FORM POSTMARKED NO LATER THAN SEPTEMBER 6, 2023. YOU MAY ALSO SUBMIT A CLAIM FORM ONLINE AT WWW.NUTANIXSECURITIESSETTLEMENT.COM BY SEPTEMBER 6, 2023.

WHAT ARE PLAINTIFFS' REASONS FOR THE SETTLEMENT?

32. Plaintiffs and Lead Counsel believe that the claims asserted against Defendants have merit. Plaintiffs and Lead Counsel recognize, however, the expense and length of continued proceedings necessary to pursue their claims against Defendants through trial and appeals, as well as the difficulties in establishing liability and damages. Plaintiffs and Lead Counsel have considered the amount of the Settlement, as well as the uncertain outcome and risk in complex lawsuits like this one. Such risks include, in particular, the risk that the pending motion to dismiss the Complaints would be granted, and the risk, among others, that Plaintiffs would be unsuccessful in proving that Defendants conducted a fraudulent scheme or Defendants' alleged misstatements were materially false and misleading, that Defendants acted with scienter (that is, the requisite state of mind), or that the alleged fraud caused compensable damages to the Class.

33. In light of the amount of the Settlement and the immediacy of recovery to the Class, Plaintiffs and Lead Counsel believe that the proposed Settlement is fair, reasonable and adequate, and in the best interests of the Class. Plaintiffs and Lead Counsel believe that the Settlement provides a substantial benefit now, namely \$71 million (less the various deductions described in this Notice), as compared to the risk that the claims would produce a smaller recovery, or no recovery after resolution of Defendants' pending motions to dismiss, probable summary judgment motions, trial and appeals, possibly years in the future.

34. Defendants have denied and continue to deny each and all of the claims alleged by Plaintiffs in the Actions. Defendants expressly have denied and continue to deny all charges of wrongdoing or liability against them arising out of any of the conduct, statements, acts or omissions alleged, or that could have been alleged, in the Actions. Defendants also have denied and continue to deny, among other things, the allegations that Plaintiffs or the Class have suffered any damage, that Plaintiffs or the Class were harmed by the conduct alleged in the Actions, or that the Actions are properly certifiable as class actions.

³ "Controlling Interest" is defined as having a majority ownership interest or ownership of the majority of voting stock of the entity.

WHAT MIGHT HAPPEN IF THERE WERE NO SETTLEMENT?

35. If there were no Settlement and Plaintiffs failed to establish any essential legal or factual element of the alleged claims, neither Plaintiffs nor the Class would recover anything from Defendants. Also, if Defendants were successful in proving any of their defenses, the Class likely would recover substantially less than the amount provided in the Settlement, or nothing at all.

HOW MUCH WILL MY PAYMENT BE?

36. Defendants have agreed to cause to be paid Seventy-One Million Dollars (\$71,000,000) by check or wire transfer(s) into escrow for the benefit of the Class. At this time, it is not possible to make any determination as to how much individual Class Members may receive from the Settlement. Plaintiffs have proposed a plan for allocating the Net Settlement Fund to those Class Members who timely submit valid Claim Forms. The Plan of Allocation proposed by Plaintiffs is set forth below, and additional information is available on the case-specific website, www.NutanixSecuritiesSettlement.com.

37. Payment pursuant to the Plan of Allocation shall be conclusive against all Authorized Claimants. No person or entity shall have any claim based on distributions made substantially in accordance with the Stipulation and the Settlement contained therein, the Plan of Allocation, or further order(s) of the Court against Lead Counsel, Plaintiffs, Class Members, the Claims Administrator, Defendants and the other Released Defendant Parties (defined below), or any person or entity designated by Lead Counsel. All members of the Class who fail to timely submit an acceptable Claim Form by the deadline set by the Court, or such other deadline as may be ordered by the Court, or otherwise allowed, shall be forever barred from receiving any payments pursuant to the Settlement, but will in all other respects be subject to and bound by the terms of the Settlement, including Class Members' release of all Released Claims.

38. The Court has reserved jurisdiction to allow, disallow, or adjust on equitable grounds the claim of any member of the Class.

39. The Plan of Allocation set forth below is the proposed plan submitted by Plaintiffs and Lead Counsel for the Court's approval. The Court may approve this plan as proposed or it may modify it without further notice to the Class.

40. Each claimant shall be deemed to have submitted to the jurisdiction of the United States District Court for the Northern District of California, with respect to their, his, her, or its Claim Form.

41. Persons and entities that request to exclude themselves from the Class will not be eligible to receive a distribution from the Net Settlement Fund and should not submit a Claim Form.

PLAN OF ALLOCATION

42. The Settlement Amount of \$71 million and any interest earned thereon shall be the "Settlement Fund." The Settlement Fund, less all Taxes, Tax Expenses, Notice and Administration Expenses, approved attorneys' fees and expenses, and any other fees or expenses approved by the Court is the "Net Settlement Fund." The Net Settlement Fund shall be distributed to Class Members who submit timely and valid Proofs of Claim to the Claims Administrator ("Authorized Claimants").

43. The Plan of Allocation set forth herein is the plan that is being proposed by Plaintiffs and their counsel to the Court for approval. The Court may approve this Plan of Allocation or modify it without additional notice to the Class. Any order modifying the Plan of Allocation will be posted on the Settlement website at: www.NutanixSecuritiesSettlement.com.

44. The objective of this Plan of Allocation is to equitably distribute the Net Settlement Fund among Authorized Claimants who suffered economic losses as a result of the alleged violations of the federal securities laws during the Class Period (between November 30, 2017 and May 30, 2019).⁴ To design this Plan, Lead Counsel have conferred with their damages expert. The Plan of Allocation, however, is not a formal damages analysis.

45. The Claims Administrator shall determine each Authorized Claimant's *pro rata* share of the Net Settlement Fund based upon each Authorized Claimant's "Recognized Claim." The Recognized Claim formula is not intended to be an estimate of the amount of what a Class Member might have been able to recover after a trial; nor is it an estimate of the amount that will be paid to Authorized Claimants pursuant to the Settlement. Because the Net Settlement Fund is less than the total losses alleged to be suffered by Class Members, the Recognized Claim formula under the Plan of Allocation is only a method to weigh the claims of Authorized Claimants against one another for the purposes of making *pro rata* allocations of the Net Settlement Fund.

⁴ As documented in the *Nutanix* SAC, the first alleged misstatement occurred after markets closed on November 30, 2017. Therefore, unless the Claimant provides documentation establishing that a transaction on November 30, 2017 occurred after markets closed, such transactions will be considered as having occurred prior to the start of the Class Period.

CALCULATION OF RECOGNIZED LOSS AMOUNTS

46. For losses to be compensable damages under the federal securities laws, the disclosure of the allegedly misrepresented information must be the cause of the change in the price of the securities at issue. In this case, Plaintiffs allege that Defendants issued false statements and omitted material facts during the Class Period which allegedly artificially inflated the price of Nutanix common stock, Nutanix Notes,⁵ and Nutanix call options, and artificially deflated the price of Nutanix put options (together, "Nutanix Securities"). It is alleged that corrective information released to the market after markets closed on February 28, 2019 and May 30, 2019 impacted the market price of Nutanix Securities in a statistically significant manner and removed the alleged artificial inflation (or artificial deflation) from the share prices on March 1, 2019 and May 31, 2019. Accordingly, in order to have a compensable loss in this Settlement, Nutanix common stock, Notes, or call options must have been purchased or otherwise acquired during the Class Period and held through at least one of the alleged corrective disclosures listed above, or with respect to put options, those options must have been sold (written) during the Class Period and not closed through at least one of the alleged corrective disclosures.

47. For purposes of determining whether a Claimant has a Recognized Claim, purchases, acquisitions, and sales of the respective Nutanix Securities will first be matched on a First In/First Out ("FIFO") basis.

48. Based on the formulas set forth below, a "Recognized Loss Amount" will be calculated for each purchase or acquisition of Nutanix common stock, Notes, and call options and each sale of Nutanix put options during the Class Period that is listed in the Claim Form and for which adequate documentation is provided. To the extent that the calculation of a Claimant's Recognized Loss Amount results in a negative number, that number shall be set to zero.

COMMON STOCK CALCULATIONS

49. **For each share of Nutanix common stock purchased or acquired from November 30, 2017⁶ through and including February 28, 2019, and:**

- A. Sold before March 1, 2019, the Recognized Loss Amount for each such share shall be zero.
- B. Sold during the period from March 1, 2019 through May 30, 2019, the Recognized Loss Amount for each such share shall be **the lesser of**:
 - 1. \$3.51; or
 - 2. the purchase price **minus** the sale price.
- C. Sold during the period from May 31, 2019 through August 28, 2019, the Recognized Loss Amount for each such share shall be **the least of**:
 - 1. \$4.29; or
 - 2. the actual purchase/acquisition price of each such share **minus** the average closing price from May 31, 2019, up to the date of sale as set forth in **Table 1** below; or
 - 3. the purchase price **minus** the sale price.
- D. Held as of the close of trading on August 28, 2019, the Recognized Loss Amount for each such share shall be **the lesser of**:
 - 1. \$4.29; or
 - 2. the purchase price **minus** \$23.89.⁷

50. **For each share of Nutanix common stock purchased or acquired from March 1, 2019 through and including May 30, 2019, and:**

- A. Sold before May 31, 2019, the Recognized Loss Amount for each such share shall be zero.

⁵ "Nutanix Notes" refers solely to the Nutanix security with CUSIP 67059NAB4 (previously restricted CUSIP 67059NAA6), the zero-coupon unrestricted Convertible Senior Notes which first traded publicly during the Class Period on February 5, 2019. All Nutanix Note "per Note" prices are in terms of per \$1,000 par value.

⁶ As explained in footnote 4 above, with regard to common stock shares purchased on November 30, 2017, a Recognized Loss Amount will be calculated for such purchases only if the Claimant provides documentation that establishes that such common stock purchases were made after market close on that day.

⁷ Pursuant to Section 21D(e)(1) of the Exchange Act, "in any private action arising under this title in which the plaintiff seeks to establish damages by reference to the market price of a security, the award of damages to the plaintiff shall not exceed the difference between the purchase or sale price paid or received, as appropriate, by the plaintiff for the subject security and the mean trading price of that security during the 90-day period beginning on the date on which the information correcting the misstatement or omission that is the basis for the action is disseminated to the market." Consistent with the requirements of the Exchange Act, Recognized Loss Amounts are reduced to an appropriate extent by taking into account the closing prices of Nutanix common stock during the "90-day look-back period," May 31, 2019 through August 28, 2019. The mean (average) closing price for Nutanix common stock during this 90-day look-back period was \$23.89.

- B. Sold during the period from May 31, 2019 through August 28, 2019, the Recognized Loss Amount for each such share shall be **the least of**:
1. \$0.78; or
 2. the actual purchase/acquisition price of each such share **minus** the average closing price from May 31, 2019, up to the date of sale as set forth in **Table 1** below; or
 3. the purchase price **minus** the sale price.
- C. Held as of the close of trading on August 28, 2019, the Recognized Loss Amount for each such share shall be **the lesser of**:
1. \$0.78; or
 2. the purchase price **minus** \$23.89.⁸

NOTE CALCULATIONS

51. For each Nutanix Note purchased or acquired from February 5, 2019 through and including February 28, 2019, and:

- A. Sold before March 1, 2019, the Recognized Loss Amount for each such Note shall be zero.
- B. Sold during the period from March 1, 2019 through May 30, 2019, the Recognized Loss Amount for each such Note shall be **the lesser of**:
1. \$8.60; or
 2. the purchase price **minus** the sale price.
- C. Sold during the period from May 31, 2019 through August 28, 2019, the Recognized Loss Amount for each such Note shall be **the least of**:
1. \$9.06; or
 2. the actual purchase/acquisition price of each such Note **minus** the average closing price from May 31, 2019, up to the date of sale as set forth in **Table 1** below; or
 3. the purchase price **minus** the sale price.
- D. Held as of the close of trading on August 28, 2019, the Recognized Loss Amount for each such Note shall be **the lesser of**:
1. \$9.06; or
 2. the purchase price **minus** \$917.86.⁹

52. For each Nutanix Note purchased or acquired from March 1, 2019 through and including May 30, 2019, and:

- A. Sold before May 31, 2019, the Recognized Loss Amount for each such Note shall be zero.
- B. Sold during the period from May 31, 2019 through August 28, 2019, the Recognized Loss Amount for each such Note shall be **the least of**:
1. \$0.46; or
 2. the actual purchase/acquisition price of each such Note **minus** the average closing price from May 31, 2019, up to the date of sale as set forth in **Table 1** below; or
 3. the purchase price **minus** the sale price.
- C. Held as of the close of trading on August 28, 2019, the Recognized Loss Amount for each such Note shall be **the lesser of**:
1. \$0.46; or
 2. the purchase price **minus** \$917.86.¹⁰

⁸ As explained in footnote 7 above, pursuant to the Exchange Act, Recognized Loss Amounts are reduced to an appropriate extent by taking into account the closing prices of Nutanix common stock during the "90-day look-back period," May 31, 2019 through August 28, 2019. The mean (average) closing price for Nutanix common stock during this 90-day look-back period was \$23.89.

⁹ As explained in footnote 7 above, pursuant to the Exchange Act, Recognized Loss Amounts are reduced to an appropriate extent by taking into account the closing prices of Nutanix Notes during the "90-day look-back period," May 31, 2019 through August 28, 2019. The mean (average) closing price for Nutanix Notes during this 90-day look-back period was \$917.86.

OPTIONS CALCULATIONS

53. Exchange-traded options are traded in units called “contracts,” which entitle the holder to buy (in the case of a call option) or sell (in the case of a put option) 100 shares of the underlying security, which in this case is Nutanix common stock. Throughout this Plan of Allocation, all price quotations of exchange-traded options are per share of the underlying security (*i.e.*, 1/100 of a contract).

54. Each option contract specifies a strike price and an expiration date. Contracts with the same strike price and expiration date are referred to as a “series.” Under the Plan of Allocation, the dollar artificial inflation per share (*i.e.*, 1/100 of a contract) for each series of Nutanix call options and the dollar artificial deflation per share (*i.e.*, 1/100 of a contract) for each series of Nutanix put options has been calculated by Plaintiffs’ damages expert.

55. Table 2 sets forth the estimated and alleged dollar artificial inflation per share in Nutanix call options during the Class Period. Table 3 sets forth the estimated and alleged dollar artificial deflation per share in Nutanix put options during the Class Period. Tables 2 and 3 list only series of Nutanix options that had open interest on one of the alleged corrective disclosure dates and which expired on or after the trade date immediately following one of the corrective disclosures—because any option closed or expiring prior to the market reaction to any alleged corrective disclosure has a Recognized Loss of zero.¹¹

56. **For each exchange-traded Nutanix call option purchased or acquired from November 30, 2017¹² through and including May 30, 2019, and:**

- A. Closed (through sale, exercise, or expiration) prior to March 1, 2019, the Recognized Loss Amount for each such share shall be zero.
- B. Closed (through sale, exercise, or expiration) from March 1, 2019 through May 30, 2019, the Recognized Loss Amount for each such share shall be **the least of**:
 1. the estimated and alleged dollar artificial inflation applicable to each such share on the date of purchase/acquisition as set forth in **Table 2** **minus** the dollar artificial inflation applicable to each such share on the date of close as set forth in **Table 2**; or
 2. the purchase price **minus** the sale price if closed by sale; or
 3. the purchase price **minus** the value per option on the date of exercise or expiration if closed through exercise or expiration.¹³
- C. Open as of the close of trading on May 30, 2019, the Recognized Loss Amount for each such share shall be **the lesser of**:
 1. the estimated and alleged dollar artificial inflation applicable to each such share on the date of purchase/acquisition as set forth in **Table 2**; or
 2. the actual purchase/acquisition price of each such share **minus** the closing price on May 31, 2019 (*i.e.*, the “Holding Price”) as set forth in **Table 2**.

57. **For each exchange-traded Nutanix put option sold (written) from November 30, 2017¹⁴ through and including May 30, 2019, and:**

- A. Closed (through purchase, exercise, or expiration) prior to March 1, 2019, the Recognized Loss Amount for each such share shall be zero.
- B. Closed (through purchase, exercise, or expiration) from March 1, 2019 through May 30, 2019, the Recognized Loss Amount for each such share shall be **the least of**:
 1. the estimated and alleged dollar artificial deflation applicable to each such share on the date of sale (writing) as set forth in **Table 3** **minus** the dollar artificial deflation applicable to each such share on the date of close as set forth in **Table 3**; or

¹⁰ As explained in footnote 7 above, pursuant to the Exchange Act, Recognized Loss Amounts are reduced to an appropriate extent by taking into account the closing prices of Nutanix Notes during the “90-day look-back period,” May 31, 2019 through August 28, 2019. The mean (average) closing price for Nutanix Notes during this 90-day look-back period was \$917.86.

¹¹ Table 2 and Table 3 will be posted on the website dedicated to the Settlement at www.NutanixSecuritiesSettlement.com.

¹² As explained in footnote 4 above with regard to call options purchased on November 30, 2017, a Recognized Loss Amount will be calculated for such purchases only if the Claimant provides documentation that establishes that such call option purchases were made after market close on that day.

¹³ The “value” of the call option on the date of exercise or expiration shall be the closing price of Nutanix common stock on the date of exercise or expiration **minus** the strike price of the option. If this number is less than zero, the value of the call option is zero.

¹⁴ As explained in footnote 4 above with regard to put options sold (written) on November 30, 2017, a Recognized Loss Amount will be calculated for such put options only if the Claimant provides documentation that establishes that such put option transactions were made after market close on that day.

2. the purchase price **minus** the sale price if closed by purchase; or
 3. the value per option on the date of exercise or expiration if closed through exercise or expiration **minus** the sale price.¹⁵
- C. Open as of the close of trading on May 30, 2019, the Recognized Loss Amount for each such share shall be **the lesser of**:
1. the estimated and alleged dollar artificial deflation applicable to each such share on the date of sale (writing) as set forth in **Table 3**; or
 2. the closing price on May 31, 2019 (*i.e.*, the "Holding Price") as set forth in **Table 3 minus** the sale (writing) price.

58. **Maximum Recovery for Options:** The Settlement proceeds available for Nutanix call options purchased during the Class Period and Nutanix put options sold (written) during the Class Period shall be limited to a total amount equal to 2% of the Net Settlement Fund.

ADDITIONAL PROVISIONS

59. A Claimant's Recognized Claim under the Plan of Allocation shall be the sum of his, her or its Recognized Loss Amounts.

60. Purchases or acquisitions and sales of Nutanix Securities shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" or "sale" date. All purchases, acquisitions, and sales shall exclude any fees, taxes, and commissions. The receipt or grant by gift, inheritance or operation of law of Nutanix Securities during the Class Period shall not be deemed a purchase, acquisition, or sale of these Nutanix Securities for the calculation of an Authorized Claimant's Recognized Claim, nor shall the receipt or grant be deemed an assignment of any claim relating to the purchase, acquisition, or sale of such Nutanix Securities unless (i) the donor or decedent purchased, acquired, or sold such Nutanix Securities during the Class Period; (ii) no Claim Form was submitted by or on behalf of the donor, on behalf of the decedent, or by anyone else with respect to such Nutanix Securities; and (iii) it is specifically so provided in the instrument of gift or assignment.

61. Nutanix Securities are the only securities eligible for recovery under the Plan of Allocation. With respect to Nutanix common stock purchased or sold through the exercise of an option, the purchase/sale date of those Nutanix common stock shares is the exercise date of the option, and the purchase/sale price is the exercise price of the option.

62. In accordance with the Plan of Allocation, the Recognized Loss Amount on any portion of a purchase, acquisition, or sale that matches against (or "covers") a "short sale" is zero. The Recognized Loss Amount on a "short sale" that is not covered by a purchase or acquisition is also zero. A "short sale" includes short positions in Nutanix common stock, writing Nutanix call options, and purchases of Nutanix put options.

63. In the event that a Claimant has an opening short position in Nutanix common stock at the start of the Class Period, the earliest Class Period purchases or acquisitions shall be matched against such opening short position in accordance with the FIFO matching described above and any portion of such purchases or acquisition that covers such short sales will not be entitled to recovery. In the event that a Claimant newly establishes a short position during the Class Period, the earliest subsequent Class Period purchase or acquisition shall be matched against such short position on a FIFO basis and will not be entitled to a recovery.

64. If a Claimant has "written" Nutanix call options, thereby having a short position in the call options, the date of covering such a written position is deemed to be the date of purchase or acquisition of the call option. The date on which the call option was written is deemed to be the date of sale of the call option. In accordance with the Plan of Allocation, the earliest Class Period purchases or acquisitions shall be matched against such short positions in accordance with the FIFO matching described above and any portion of such purchases or acquisitions that cover such short positions will not be entitled to recovery.

65. If a Claimant has purchased or acquired Nutanix put options, thereby having a long position in the put options, the date of purchase/acquisition is deemed to be the date of purchase/acquisition of the put option. The date on which the put option was sold, exercised, or expired is deemed to be the date of sale of the put option. In accordance with the Plan of Allocation, the earliest sales or dispositions of like put options during the Class Period shall be matched against such long positions in accordance with the FIFO matching described above and any portion of the sales that cover such long positions shall not be entitled to a recovery.

66. An Authorized Claimant's Recognized Claim shall be the amount used to calculate the Authorized Claimant's *pro rata* share of the Net Settlement Fund. If the sum total of Recognized Claims of all Authorized Claimants who are entitled to receive payment out of the Net Settlement Fund is greater than the Net Settlement Fund, each Authorized Claimant shall receive his, her, or its *pro rata* share of the Net Settlement Fund. The *pro rata* share shall be the Authorized Claimant's

¹⁵ The "value" of the put option on the date of exercise or expiration shall be the strike price of the option **minus** the closing price of Nutanix common stock on the date of exercise or expiration. If this number is less than zero, the value of the put option is zero.

Recognized Claim divided by the total of Recognized Claims of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund.

67. If the Net Settlement Fund exceeds the sum total amount of the Recognized Claims of all Authorized Claimants entitled to receive payment out of the Net Settlement Fund, the excess amount in the Net Settlement Fund shall be distributed *pro rata* to all Authorized Claimants entitled to receive payment.

68. The Net Settlement Fund will be allocated among all Authorized Claimants whose prorated payment is \$10.00 or greater. If the prorated payment to any Authorized Claimant calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Authorized Claimant.

TABLE 1

**Nutanix Common Stock and Nutanix Note Average Closing Prices
May 31, 2019 – August 28, 2019**

Date	Common Stock Average Closing Price Between May 31, 2019 and Date Shown	Note Average Closing Price Between May 31, 2019 and Date Shown
5/31/2019	\$28.07	\$948.83
6/3/2019	\$27.58	\$944.36
6/4/2019	\$27.73	\$948.32
6/5/2019	\$27.83	\$949.32
6/6/2019	\$27.85	\$949.03
6/7/2019	\$27.88	\$949.25
6/10/2019	\$27.87	\$950.25
6/11/2019	\$27.87	\$949.84
6/12/2019	\$27.82	\$949.41
6/13/2019	\$27.80	\$948.89
6/14/2019	\$27.58	\$946.22
6/17/2019	\$27.44	\$944.94
6/18/2019	\$27.31	\$943.88
6/19/2019	\$27.23	\$943.06
6/20/2019	\$27.21	\$942.69
6/21/2019	\$27.17	\$942.75
6/24/2019	\$27.08	\$942.03
6/25/2019	\$26.95	\$941.37
6/26/2019	\$26.85	\$940.57
6/27/2019	\$26.78	\$939.92
6/28/2019	\$26.74	\$939.44
7/1/2019	\$26.73	\$939.65
7/2/2019	\$26.73	\$939.77
7/3/2019	\$26.74	\$939.84
7/5/2019	\$26.73	\$939.45
7/8/2019	\$26.70	\$939.45
7/9/2019	\$26.69	\$939.20
7/10/2019	\$26.66	\$938.86
7/11/2019	\$26.66	\$938.93
7/12/2019	\$26.69	\$939.29
7/15/2019	\$26.69	\$939.45
7/16/2019	\$26.63	\$939.00
7/17/2019	\$26.57	\$937.78
7/18/2019	\$26.53	\$937.39
7/19/2019	\$26.48	\$937.14
7/22/2019	\$26.44	\$936.08
7/23/2019	\$26.39	\$935.90
7/24/2019	\$26.35	\$935.88
7/25/2019	\$26.27	\$935.39
7/26/2019	\$26.23	\$935.12
7/29/2019	\$26.17	\$935.12

Date	Common Stock Average Closing Price Between May 31, 2019 and Date Shown	Note Average Closing Price Between May 31, 2019 and Date Shown
7/30/2019	\$26.11	\$934.66
7/31/2019	\$26.03	\$934.66
8/1/2019	\$25.94	\$933.71
8/2/2019	\$25.81	\$932.49
8/5/2019	\$25.66	\$931.18
8/6/2019	\$25.53	\$929.99
8/7/2019	\$25.39	\$928.69
8/8/2019	\$25.27	\$927.54
8/9/2019	\$25.14	\$926.39
8/12/2019	\$25.01	\$924.59
8/13/2019	\$24.89	\$924.40
8/14/2019	\$24.77	\$923.22
8/15/2019	\$24.65	\$922.25
8/16/2019	\$24.53	\$921.25
8/19/2019	\$24.44	\$920.35
8/20/2019	\$24.34	\$920.35
8/21/2019	\$24.26	\$919.54
8/22/2019	\$24.18	\$918.93
8/23/2019	\$24.11	\$918.93
8/26/2019	\$24.04	\$918.36
8/27/2019	\$23.96	\$918.36
8/28/2019	\$23.89	\$917.86

69. If a Claimant had a market gain with respect to their overall transactions in Nutanix Securities during the Class Period, the value of the Claimant's Recognized Claim will be zero. If a Claimant suffered an overall market loss during the Class Period with respect to their overall transactions in Nutanix Securities, but that market loss was less than the Claimant's total Recognized Claim calculated above, then the Claimant's Recognized Claim will be limited to the amount of the actual market loss.

70. After the initial distribution of the Net Settlement Fund, the Claims Administrator shall make reasonable and diligent efforts to have Authorized Claimants cash their distribution checks. To the extent any monies remain in the fund within a reasonable time after the initial distribution, if Lead Counsel, in consultation with the Claims Administrator, determine that it is cost-effective to do so, the Claims Administrator shall conduct a re-distribution of the funds remaining after payment of any unpaid fees and expenses incurred in administering the Settlement, including for such re-distribution, to Authorized Claimants who have cashed their initial distributions. Additional re-distributions to Authorized Claimants who have cashed their prior checks may occur thereafter if Lead Counsel, in consultation with the Claims Administrator, determine that additional re-distributions, after the deduction of any additional fees and expenses incurred in administering the Settlement, including for such re-distributions, would be cost-effective. At such time as it is determined that the re-distribution of funds remaining in the Net Settlement Fund is not cost-effective, the remaining balance shall be contributed to the Investor Protection Trust.

71. Payment pursuant to the Plan of Allocation, or such other plan of allocation as may be approved by the Court, shall be conclusive against all Authorized Claimants. No person shall have any claim against Plaintiffs, Lead Counsel, Plaintiffs' damages expert, or the Claims Administrator or other agent designated by Lead Counsel, or the Released Defendant Parties and/or their respective counsel, arising from distributions made substantially in accordance with the Stipulation, the Plan of Allocation approved by the Court, or further orders of the Court. Plaintiffs, Defendants, their respective counsel, Plaintiffs' damages expert, and all other releasees shall have no responsibility or liability whatsoever for the investment or distribution of the Settlement Fund, the Net Settlement Fund, the Plan of Allocation, or the determination, administration, calculation, or payment of any Claim Form or nonperformance of the Claims Administrator, the payment or withholding of taxes (including interest and penalties) owed by the Settlement Fund, or any losses incurred in connection therewith.

WHAT RIGHTS AM I GIVING UP BY AGREEING TO THE SETTLEMENT?

72. If the Settlement is approved, the Court will enter a judgment (the "Judgment"). The Judgment will dismiss with prejudice the claims against Defendants and will provide that Plaintiffs, and all other Released Plaintiff Parties (as defined in ¶76 below) shall have waived, released, discharged, and dismissed each and every one of the Released Claims (as defined in ¶73 below), including Unknown Claims (as defined in ¶77 below), against each and every one of the Released Defendant Parties (as defined in ¶74 below) and shall forever be barred and enjoined from commencing, instituting, prosecuting, or maintaining any and all of the Released Claims against any and all of the Released Defendant Parties, whether or not they execute and deliver the Claim Form or share in the Settlement Fund. Claims to enforce the terms of the Settlement are not released.

73. “Released Claims” means any and all claims, demands, losses, debts, rights, and causes of action or liabilities of every nature and description, including any claims for damages, interest, attorneys’ fees, expert or consulting fees, and any other costs, expenses, or liability whatsoever whether known claims or Unknown Claims, whether arising under federal, state, local, statutory, common, or foreign law, or any other law, rule, or regulation, whether fixed or contingent, accrued or unaccrued, liquidated or unliquidated, at law or in equity, matured or unmatured, whether class or individual in nature, that concern, arise out of, relate to, or are based upon both: (i) the purchase or acquisition of publicly traded Nutanix securities, call options, or put options during the Class Period; and (ii) the facts, events, transactions, acts, occurrences, statements, representations or omissions which were or could have been alleged in the Actions or could have been asserted in any court or forum. Notwithstanding the foregoing, “Released Claims” does not include claims relating to the enforcement of the Settlement, claims that could be brought in any derivative action based on similar allegations, or the claims of any person or entity that submits a request for exclusion that is accepted by the Court.

74. “Released Defendant Parties” means each and all of the Defendants, and each and all of their Related Persons.

75. “Released Defendants’ Claims” means all claims and causes of action of every nature and description, including both known claims and Unknown Claims, whether arising under federal, state, common or foreign law, or any other law, that Defendants could have asserted against any of the Released Plaintiff Parties, including Lead Counsel and Class Members, that arise out of or relate in any way to the institution, prosecution, or settlement of the claims in the Actions, except for claims relating to the enforcement of the Settlement.

76. “Released Plaintiff Parties” means Plaintiffs, each and every Class Member, Lead Counsel, and each of their respective past or present trustees, officers, directors, partners, employees, contractors, auditors, principals, agents, attorneys, predecessors, successors, assigns, insurers, parents, subsidiaries, general or limited partners or partnerships, and limited liability companies; and the spouses, members of the immediate families, representatives, and heirs of any Released Plaintiff Party who is an individual, as well as any trust of which any Released Plaintiff Party is the settlor or which is for the benefit of any of their immediate family members. Released Plaintiff Parties does not include any Person who timely and validly sought exclusion from the Class.

77. “Unknown Claims” means any and all Released Claims that Plaintiffs or any other Class Members do not know or suspect to exist in their favor at the time of the release of the Released Defendant Parties, and any and all Released Defendants’ Claims that any Defendant does not know or suspect to exist in their, his, her, or its favor, which if known by any of them, might have affected their, his, her, or its decision(s) to enter into this Settlement, execute the Stipulation, and agree to all the various releases set forth herein, or might have affected their, his, her, or its decision not to object to this Settlement or not exclude themselves, himself, herself, or itself from the Class. Unknown Claims include, without limitation, those claims in which some or all of the facts composing the claim may be unsuspected, undisclosed, concealed, or hidden. With respect to any and all Released Claims and Released Defendants’ Claims, the Released Parties stipulate and agree that, upon the Effective Date, Plaintiffs and Class Members (as regards to the Released Claims) and Defendants (as regards to the Released Defendants’ Claims) shall expressly waive and relinquish, and each Class Member shall be deemed to have, and by operation of law and of the Judgment shall have, expressly waived and relinquished, to the fullest extent permitted by law, any and all provisions, rights and benefits conferred by California Civil Code §1542, or any law of any state or territory of the United States, or principle of common law or of international or foreign law, which is similar, comparable, or equivalent to California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

The Settling Parties may hereafter discover facts in addition to or different from those that they now know or believe to be true with respect to the subject matter of the Actions, but they stipulate and agree that, upon the Effective Date of the Settlement, the Settling Parties shall expressly waive and by operation of the Judgment, or Alternative Judgment, if applicable, shall have, fully, finally, and forever settled and released, any and all Released Claims or Released Defendants’ Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, that now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct that is negligent, intentional, with or without malice, or a breach of fiduciary duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts. Plaintiffs and Defendants acknowledge, and each of the Class Members shall be deemed by operation of law to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the Settlement.

WHAT PAYMENT ARE THE ATTORNEYS FOR THE CLASS SEEKING? HOW WILL THE LAWYERS BE PAID?

78. Lead Counsel have not received any payment for their services in pursuing claims against Defendants on behalf of the Class, nor have Lead Counsel been paid for their expenses. Before final approval of the Settlement, Lead Counsel intend to apply to the Court for an award of attorneys’ fees from the Settlement Fund of no more than 30% of the Settlement Amount, plus interest. At the same time, Lead Counsel also intend to apply for payment from the Settlement Fund for counsel’s litigation expenses in a total amount not to exceed \$750,000, plus interest. The Court will determine the amount of the award of fees and expenses. Such sums as may be approved by the Court will be paid from the Settlement Fund. Class Members are not personally liable for any such fees or expenses.

**HOW DO I PARTICIPATE IN THE SETTLEMENT?
WHAT DO I NEED TO DO?**

79. If you fall within the definition of the Class as described above and are not excluded by the definition of the Class, and you do not submit a valid and timely request to exclude yourself from the Class, then you are a Class Member, and you will be bound by the proposed Settlement if the Court approves it, and by any judgment or determination of the Court affecting the Class. If you are a Class Member, you must submit a Claim Form and supporting documentation to establish your potential entitlement to share in the proceeds of the Settlement. You may go to the website maintained by the Claims Administrator for the Settlement to download a Claim Form. The website is www.NutanixSecuritiesSettlement.com. You may also request a Claim Form by calling toll-free 1-888-850-8229. Those who submit a valid and timely request to exclude themselves from the Class, and those who do not submit timely and valid Claim Forms with adequate supporting documentation, will not be entitled to share in the proceeds of the Settlement unless otherwise ordered by the Court. Please retain all original records of your ownership of, or transactions in the securities or options, as they may be needed to document your claim.

80. As a Class Member, for purposes of the Settlement, you are represented by Plaintiffs, and Lead Counsel, unless you enter an appearance through counsel of your own choice at your own expense. You are not required to retain your own counsel.

81. If you wish to object to the Settlement or any of its terms, the proposed Plan of Allocation, or Lead Counsel's application for attorneys' fees and litigation expenses, and if you do not exclude yourself from the Class, you may present your objections by following the instructions in the section entitled, "When And Where Will The Court Decide Whether To Approve The Settlement?" below. If you submit a request to exclude yourself from the Class, you are not entitled to submit an objection.

HOW DO I GET OUT OF THE PROPOSED SETTLEMENT?

82. To exclude yourself from the Class, you must send a letter by First-Class Mail stating that you "request exclusion from the Class in the *Nutanix Securities Settlement*." To be valid, your letter must include the date(s), price(s) paid or received for each such purchase, acquisition, transaction, or sale, and number of Nutanix securities or options purchased, acquired, transacted, or sold during the Class Period. In addition, you must include your name, address, telephone number, and your signature. You must submit your exclusion request so that it is **postmarked no later than September 13, 2023** to:

Nutanix Securities Settlement
c/o Gilardi & Co. LLC
EXCLUSIONS
P.O. Box 5100
Larkspur, CA 94977-5100

83. If you ask to be excluded, you will not get any payment from the Settlement, and you cannot object to the Settlement. If you exclude yourself, you may not send in a Claim Form to ask for any money. You will not be legally bound by anything that happens in this lawsuit, and you may be able to sue the Defendants and the other Released Defendant Parties about the Released Claims in the future.

84. Unless you exclude yourself, you give up any rights you may potentially have to sue the Defendants and the other Released Defendant Parties for any and all Released Claims. If you have a pending lawsuit against the Released Defendant Parties, speak to your lawyer in that case immediately. You must exclude yourself from the Class in these Actions to continue your own lawsuit. Remember, the exclusion deadline is September 13, 2023.

**WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?
DO I HAVE TO COME TO THE HEARING?
MAY I SPEAK AT THE HEARING IF I DO NOT LIKE THE SETTLEMENT?**

85. **If you do not wish to object in person to the proposed Settlement, the proposed Plan of Allocation, and/or the application for attorneys' fees and litigation expenses, you do not need to attend the Settlement Hearing. You can object to or participate in the Settlement without attending the Settlement Hearing.**

86. The Settlement Hearing will be held on October 4, 2023, at 2:00 p.m., before the Honorable William H. Orrick, at the United States District Court, Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102. The Court reserves the right to approve the Settlement or the Plan of Allocation, Lead Counsel's motion for an award of attorneys' fees and expenses, and/or any other matter related to the Settlement at or after the Settlement Hearing without further notice to the members of the Class.

87. Any Class Member who has not submitted a request for exclusion may object to the Settlement, the Plan of Allocation, or Lead Counsel's request for an award of attorneys' fees and litigation expenses.¹⁶ You can ask the Court to deny approval by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

88. Any objection to the proposed Settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Settlement Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must: (i) clearly identify the case name and number (either *In re Nutanix, Inc. Securities Litigation*, No. 3:19-cv-01651-WHO (N.D. Cal.) or *John P. Norton, on behalf of the Norton Family Living Trust UAD 11/15/2002 v. Nutanix, Inc., et al.*, No. 3:21-cv-04080-WHO (N.D. Cal.)); (ii) be submitted to the Court either by mailing them to the Clerk of the Court, United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California; and (iii) be filed or postmarked on or before September 13, 2023.

89. The notice of objection must include documentation establishing the objecting Person's membership in the Class, including the number of Nutanix securities and/or publicly traded Nutanix options that the objecting Person: (i) owned as of the opening of trading on November 30, 2017; and (ii) purchased, acquired, transacted and/or sold during the Class Period, as well as the dates and prices for each such purchase, acquisition and sale, and contain a statement of reasons for the objection and a statement of whether the objector intends to appear at the Settlement Hearing. The objection must state whether it applies only to the objector, to a specific subset of the Class, or to the entire Class. In addition, the objector must identify all class action settlements to which the objector and their, his, her, or its counsel have previously objected. Objectors who desire to present evidence at the Settlement Hearing in support of their objection should include in their written objection or notice of appearance the identity of any witnesses they may call to testify and any exhibits they intend to introduce into evidence at the hearing.

90. You may not object to the Settlement or any aspect of it, if you exclude yourself from the Class.

91. You may file a written objection without having to appear at the Settlement Hearing. You may not appear at the Settlement Hearing to present your objection, however, unless you have first filed a written objection in accordance with the procedures described above, unless the Court orders otherwise.

92. You are not required to hire an attorney to represent you in making written objections or in appearing at the Settlement Hearing.

93. The Settlement Hearing may be adjourned by the Court without further written notice to the Class, other than a posting of the adjournment on the Settlement website, www.NutanixSecuritiesSettlement.com. If you plan to attend the Settlement Hearing, you should confirm the date and time with Lead Counsel.

Unless the Court orders otherwise, any Class Member who does not object in the manner described above will be deemed to have waived any objection and shall be forever foreclosed from making any objection to the proposed Settlement, the proposed Plan of Allocation, or Lead Counsel's request for an award of attorneys' fees and litigation expenses. Class Members do not need to appear at the hearing or take any other action to indicate their approval.

WHAT IF I BOUGHT SHARES ON SOMEONE ELSE'S BEHALF?

94. Nominees who purchased, acquired, or transacted Nutanix securities and/or publicly traded Nutanix options for beneficial owners who are Class Members are directed to: (i) request within seven (7) calendar days of receipt of the Postcard Notice sufficient copies of the Postcard Notice from the Claims Administrator to forward to all such beneficial owners; or (ii) send a list of the names and addresses (including email addresses if available) of such beneficial owners to the Claims Administrator within seven (7) calendar days after receipt of the Postcard Notice, at notifications@gilardi.com or Nutanix Securities Settlement, c/o Gilardi & Co., LLC, P.O. Box 301133, Los Angeles, CA 90030-1133. If a nominee elects to send the Postcard Notice to beneficial owners, such nominee is directed to email or mail (where an email is unavailable) the Postcard Notice within seven (7) calendar days of receipt of those documents from the Claims Administrator, and upon such emailing or mailing, the nominee shall send a statement to the Claims Administrator confirming that the emailing or mailing was made as directed, and the nominee shall retain the list of names and addresses for use in connection with any possible future notice to the Class. Upon full compliance with these instructions, including the timely emailing or mailing of the Postcard Notice to beneficial owners, such nominees may seek reimbursement of their reasonable expenses actually incurred in complying with these instructions by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought and reflecting compliance with these instructions. Reasonable out-of-pocket expenses actually incurred in connection with the foregoing includes up to \$0.03 for providing names, addresses, and email addresses to the Claims Administrator per record; up to a maximum of \$0.03 per Postcard Notice mailed by you, plus postage at the rate used

¹⁶ Lead Plaintiff's initial motion papers in support of these matters will be filed with the Court on or before August 30, 2023.

by the Claims Administrator; or \$0.03 per notice sent by email. Such properly documented expenses incurred by nominees in compliance with the terms of these instructions will be paid from the Settlement Fund.

<p>CAN I SEE THE COURT FILE? WHOM SHOULD I CONTACT IF I HAVE QUESTIONS?</p>

95. This Notice contains only a summary of the terms of the proposed Settlement. More detailed information about the matters involved in the Actions is available at www.NutanixSecuritiesSettlement.com, including, among other documents, copies of the Stipulation and the Claim Form. This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.NutanixSecuritiesSettlement.com, or by contacting Lead Counsel below. You may also access the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 1:00 p.m., Monday through Friday, excluding Court holidays. All inquiries concerning this Notice or the Claim Form should be directed to:

Nutanix Securities Settlement
c/o Gilardi & Co. LLC
P.O. Box 301133
Los Angeles, CA 90030-1133

-or-

Theodore J. Pintar, Esq.
ROBBINS GELLER RUDMAN & DOWD LLP
655 W. Broadway, Suite 1900
San Diego, CA 92101
1-800-449-4900
settlementinfo@rgrdlaw.com
Lead Counsel

**DO NOT CALL OR WRITE THE COURT, DEFENDANTS, DEFENDANTS' COUNSEL,
OR THE OFFICE OF THE CLERK OF COURT REGARDING THIS NOTICE.**

Dated: May 19, 2023

By Order of the Court
United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re NUTANIX, INC. SECURITIES LITIGATION)	Case No. 3:19-cv-01651-WHO
)	Case No. 3:21-cv-04080-WHO
)	<u>CLASS ACTION</u>
JOHN P. NORTON, ON BEHALF OF THE)	
NORTON FAMILY LIVING TRUST UAD)	
11/15/2002, Individually and On Behalf of All)	
Others Similarly Situated,)	
)	
Plaintiff,)	
)	
vs.)	
)	
NUTANIX, INC., DHEERAJ PANDEY, and)	
DUSTON M. WILLIAMS,)	
)	
Defendants.)	

Nutanix Securities Settlement
c/o Gilardi & Co. LLC
P.O. Box 301133
Los Angeles, CA 90030-1133
Toll-Free Number: 1-888-850-8229
Email: info@NutanixSecuritiesSettlement.com
Website: www.NutanixSecuritiesSettlement.com

PROOF OF CLAIM AND RELEASE FORM

To be eligible to receive a share of the Net Settlement Fund in connection with the Settlement of these Actions, you must complete and sign this Proof of Claim and Release Form ("Claim Form") and mail it by first-class mail to the above address, **postmarked no later than September 6, 2023, or submit it online at the above website on or before September 6, 2023.**

Failure to submit your Claim Form by the date specified will subject your claim to rejection and may preclude you from being eligible to receive any money in connection with the Settlement.

Do not mail or deliver your Claim Form to the Court, the parties to the Actions, or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above.

PART I – INSTRUCTIONS

A. GENERAL INSTRUCTIONS

1. This Claim Form is directed to all persons or entities who: (i) purchased or otherwise acquired Nutanix, Inc. ("Nutanix") securities between November 30, 2017 and May 30, 2019, inclusive (the "Class Period"); and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period (the "Class").¹ To recover as a member of the Class based on your claims in the actions entitled *In re Nutanix, Inc. Securities Litigation*, No. 3:19-cv-01651-WHO (N.D. Cal.) or *John P. Norton, on behalf of the Norton Family Living Trust UAD 11/15/2002 v. Nutanix, Inc., et al.*, No. 3:21-cv-04080-WHO (N.D. Cal.) (the "Actions"), you must complete and, on page 10 hereof, sign this Claim Form. If you fail to file a properly addressed (as set forth in paragraph 3 below) Claim Form, your claim may be rejected, and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed settlement of the Actions.

¹ Excluded from the Class are Nutanix and its subsidiaries and affiliates, the Individual Defendants, any of Defendants' respective officers and directors at all relevant times, and any of their immediate families, legal representatives, heirs, successors, or assigns, and any entity in which any Defendant has or had a Controlling Interest. Also excluded from the Class are any persons or entities who exclude themselves by submitting a request for exclusion in connection with the Notice that is accepted by the Court.

2. Submission of this Claim Form, however, does not assure that you will share in the proceeds of the Net Settlement Fund in the Actions.

3. YOU MUST MAIL OR SUBMIT ONLINE YOUR COMPLETED AND SIGNED CLAIM FORM ON OR BEFORE SEPTEMBER 6, 2023, ADDRESSED AS FOLLOWS:

Nutanix Securities Settlement
c/o Gilardi & Co. LLC
P.O. Box 301133
Los Angeles, CA 90030-1133
www.NutanixSecuritiesSettlement.com

If you are NOT a member of the Class, as defined above and in the Notice of Pendency and Proposed Settlement of Class Actions (the "Notice"), DO NOT submit a Claim Form as you may not, directly or indirectly, participate in the Settlement.

4. If you are a member of the Class and you do not timely and validly request exclusion from the Class, you are bound by the terms of any judgment entered in the Actions, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A CLAIM FORM.

5. It is important that you completely read and understand the Notice that accompanies this Claim Form, including the Plan of Allocation of the Net Settlement Fund set forth in the Notice. The Notice describes the proposed Settlement, how Class Members are affected by the Settlement, and the manner in which the Net Settlement Fund will be distributed if the Settlement and Plan of Allocation are approved by the Court. The Notice also contains the definitions of many of the defined terms (which are indicated by initial capital letters) used in this Claim Form. By signing and submitting this Claim Form, you will be certifying that you have read and that you understand the Notice, including the terms of the releases described therein and provided for herein.

B. CLAIMANT IDENTIFICATION

1. If you purchased or acquired Nutanix securities, and/or transacted publicly traded Nutanix call options and/or put options, and held the certificate(s) in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser and the third party is the record purchaser.

2. Use Part II of this form entitled "Claimant Identification" to identify the beneficial owner(s) of Nutanix securities and/or publicly traded Nutanix call or put options. The complete name(s) of the beneficial owner(s) must be entered. If you held the eligible Nutanix securities and/or publicly traded Nutanix call or put options in your own name, you are the beneficial owner as well as the record owner. If, however, your eligible Nutanix securities and/or publicly traded Nutanix call or put options were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial owner of these shares, but the third party is the record owner. THIS CLAIM MUST BE FILED AND SIGNED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE NUTANIX SECURITIES AND/OR PUBLICLY TRADED NUTANIX CALL OR PUT OPTIONS UPON WHICH THIS CLAIM IS BASED.

3. All joint purchasers must sign this Claim Form and be identified in Part II. The Social Security (or taxpayer identification) number and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

4. **One Claim Form should be submitted for each separate legal entity.** Separate Claim Forms should be submitted for each separate legal entity (e.g., a claim from joint owners should not include separate transactions of just one of the joint owners, and an individual should not combine his or her IRA transactions with transactions made solely in the individual's name). Conversely, a single Claim Form should be submitted on behalf of one legal entity including all transactions made by that entity on one Claim Form, no matter how many separate accounts that entity has (e.g., a corporation with multiple brokerage accounts should include all transactions made in all accounts on one Claim Form).

5. Agents, executors, administrators, guardians, and trustees must complete and sign the Claim Form on behalf of persons represented by them, and they must:

- (a) expressly state the capacity in which they are acting;
- (b) identify the name, account number, Social Security Number (or taxpayer identification number), address, and telephone number of the beneficial owner of (or other person or entity on whose behalf they are acting with respect to) the Nutanix securities and/or publicly traded Nutanix call or put options; and
- (c) furnish herewith evidence of their authority to bind to the Claim Form the person or entity on whose behalf they are acting. (Authority to complete and sign a Claim Form cannot be established by stockbrokers demonstrating only that they have discretionary authority to trade securities in another person's accounts.)

6. By submitting a signed Claim Form, you will be swearing that you:

- (a) own or owned the Nutanix securities and/or publicly traded Nutanix call or put options you have listed in the Claim Form; or
- (b) are expressly authorized to act on behalf of the owner thereof.

C. CLAIM FORM

1. Use Part III of this form entitled "Schedule of Transactions in Nutanix Common Stock," Part IV entitled "Schedule of Transactions in Nutanix Notes (CUSIP 67059NAB4 or 67059NAA6)," and Part V entitled "Schedule of Transactions in Nutanix Options" to supply all required details of your transaction(s) in Nutanix securities and/or publicly traded Nutanix call or put options. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

2. On the schedules, provide all of the requested information with respect to all of your purchases, acquisitions, transactions, and sales of Nutanix securities and/or publicly traded Nutanix call or put options that took place at any time on or between and including November 30, 2017 and August 28, 2019, whether such transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim. Also, list the number of Nutanix securities and/or publicly traded Nutanix call or put options held at the close of trading on November 30, 2017, February 4, 2019 (Options only), May 30, 2019, and August 28, 2019.

3. List each transaction in the Class Period separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

4. You are required to submit genuine and sufficient documentation for all of your transactions in and holdings of Nutanix securities and/or publicly traded Nutanix call or put options set forth in the Claim Form. Documentation may consist of copies of brokerage confirmation slips or monthly brokerage account statements, or an authorized statement from your broker containing the transactional and holding information found in a broker confirmation slip or account statement. The parties and the Claims Administrator do not independently have information about your investments in Nutanix securities and/or publicly traded Nutanix call or put options. IF SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN COPIES OF THE DOCUMENTS OR EQUIVALENT DOCUMENTS FROM YOUR BROKER. FAILURE TO SUPPLY THIS DOCUMENTATION MAY RESULT IN THE REJECTION OF YOUR CLAIM. DO NOT SEND ORIGINAL DOCUMENTS. **Please keep a copy of all documents that you send to the Claims Administrator. Also, do not highlight any portion of the Claim Form or any supporting documents.**

5. The above requests are designed to provide the minimum amount of information necessary to process the simplest claims. The Claims Administrator may request additional information as required to efficiently and reliably calculate your losses. In the event the Claims Administrator cannot perform the calculation accurately or at a reasonable cost to the Class with the information provided, the Claims Administrator may condition acceptance of the claim upon the production of additional information and/or the claimant's responsibility for any increased costs due to the nature and/or scope of the claim.

6. If the Court approves the Settlement, payments to eligible Authorized Claimants pursuant to the Plan of Allocation (or such other plan of allocation as the Court approves) will be made after any appeals are resolved, and after the completion of all claims processing. The claims process will take substantial time to complete fully and fairly. Please be patient.

7. **PLEASE NOTE:** As set forth in the Plan of Allocation, each Authorized Claimant shall receive their, his, her, or its *pro rata* share of the Net Settlement Fund. If the prorated payment to any claimant calculates to less than \$10.00, no payment shall be made to that claimant.

8. If you have questions concerning the Claim Form, or need additional copies of the Claim Form or the Notice, you may contact the Claims Administrator, Gilardi & Co. LLC, at the address on the first page of the Claim Form, by email at info@NutanixSecuritiesSettlement.com, or by toll-free phone at 1-888-850-8229, or you can visit the website, www.NutanixSecuritiesSettlement.com, where copies of the Claim Form and Notice are available for downloading.

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. To obtain the **mandatory** electronic filing requirements and file layout, you may email the Claims Administrator's electronic filing department at edata@gilardi.com. **Any file not in accordance with the required electronic filing format will be subject to rejection.** Only one claim should be submitted for each separate legal entity (see ¶B.4 above) and the **complete** name of the beneficial owner(s) of the securities must be entered where called for (see ¶B.2 above). Distribution payments must be made by check or electronic payment payable to the Authorized Claimant (beneficial account owner). The Third Party Filer shall not be the payee of any distribution payment check or electronic distribution payment. No electronic files will be considered to have been submitted unless the Claims Administrator issues an email to that effect. **Do not assume that your file has been received until you receive this email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at edata@gilardi.com to inquire about your file and confirm it was received.**

Official
Office
Use
Only

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Nutanix, Inc. Securities Litigation

*John P. Norton, on behalf of the Norton Family Living
Trust UAD 11/15/2002 v. Nutanix, Inc., et al.,*

No. 3:19-cv-01651-WHO (N.D. Cal.)

No. 3:21-cv-04080-WHO (N.D. Cal.)

**Must Be Postmarked (if Mailed)
or Received (if Submitted Online)
No Later Than September 6, 2023**

NUX

Please Type or Print in the Boxes Below
Do NOT use Red Ink, Pencil, or Staples

PROOF OF CLAIM AND RELEASE FORM

PART II. CLAIMANT IDENTIFICATION

Last Name

M.I.

First Name

Last Name (Co-Beneficial Owner)

M.I.

First Name (Co-Beneficial Owner)

☐ IRA

☐ Joint Tenancy

☐ Employee

☐ Individual

☐ Other

Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA (specify)

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

Account#/Fund# (Not Necessary for Individual Filers)

Last Four Digits of Social Security Number

Taxpayer Identification Number

or

Telephone Number (Primary Daytime)

Telephone Number (Alternate)

Email Address

MAILING INFORMATION

Address

Address (cont.)

City

State

ZIP Code

Foreign Province

Foreign Postal Code

Foreign Country Name/Abbreviation

FOR CLAIMS PROCESSING ONLY	OB	CB	<input type="radio"/> ATP	<input type="radio"/> BE	<input type="radio"/> FL	<input type="radio"/> OP	MM / DD / YYYY	FOR CLAIMS PROCESSING ONLY
			<input type="radio"/> KE	<input type="radio"/> DR	<input type="radio"/> ME	<input type="radio"/> RE		
			<input type="radio"/> ICI	<input type="radio"/> EM	<input type="radio"/> ND	<input type="radio"/> SH		

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Please be sure to include proper documentation with your Claim Form as described in detail in ¶C.4 of the Instructions. Do not include information regarding securities other than Nutanix common stock.

A. Number of shares of Nutanix common stock held at the close of trading on November 30, 2017:

B. Purchases or acquisitions of Nutanix common stock (November 30, 2017 **after the close of trading** - August 28, 2019, inclusive) (Must be documented.):

PURCHASES

PURCHASES																														
	Trade Date(s) (List Chronologically)								Number of Shares Purchased or Acquired				Total Purchase or Acquisition Price (Excluding commissions, taxes and fees)				Proof of Purchase Enclosed?													
	M	M	/	D	D	/	Y	Y	Y	Y							\$													
1.			/			/																								

IMPORTANT: (i) If any purchase listed covered a "short sale," please mark Yes: ☒ Yes

(ii) If you received shares through an acquisition or merger, please identify the date, the share amount and the company acquired:

[illegible]

C. Sales of Nutanix common stock (November 30, 2017 **after the close of trading** - August 28, 2019, inclusive) (Must be documented.):

SALES

SALES																						
	Trade Date(s) (List Chronologically)								Number of Shares Sold				Total Sales Price (Excluding commissions, taxes and fees)				Proof of Sales Enclosed?					
	M	M	D	D	Y	Y	Y	Y					\$									
1.			/		/													.	00	<input type="radio"/> Y	<input type="radio"/> N	
2.			/		/													.	00	<input type="radio"/> Y	<input type="radio"/> N	
3.			/		/													.	00	<input type="radio"/> Y	<input type="radio"/> N	
4.			/		/													.	00	<input type="radio"/> Y	<input type="radio"/> N	
5.			/		/													.	00	<input type="radio"/> Y	<input type="radio"/> N	

D. Number of shares of Nutanix common stock held at the close of trading on May 30, 2019:

E. Number of shares of Nutanix common stock held at the close of trading on August 28, 2019:



Please be sure to include proper documentation with your Claim Form as described in detail in ¶C.4 of the Instructions. Do not include information regarding securities other than Nutanix Notes.

A. Face value of Nutanix Notes held at the close of trading on February 4, 2019: Proof Enclosed? ☐ Y ☐ N

B. Purchases or acquisitions of Nutanix Notes (February 5, 2019 - August 28, 2019, inclusive) (Must be documented.):

PURCHASES											
	Trade Date(s) (List Chronologically)								Face Value of Notes Purchased or Acquired	Total Purchase or Acquisition Price (Excluding commissions, taxes and fees)	Proof of Purchase Enclosed?
	M	M	D	D	Y	Y	Y	Y			
1.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N

C. Sales of Nutanix Notes (February 5, 2019 - August 28, 2019, inclusive) (Must be documented.):

SALES											
	Trade Date(s) (List Chronologically)								Face Value of Notes Sold	Total Sales Price (Excluding commissions, taxes and fees)	Proof of Sales Enclosed?
	M	M	D	D	Y	Y	Y	Y			
1.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="radio"/> Y <input type="radio"/> N

D. Face Value of Nutanix Notes held at the close of trading on May 30, 2019: Proof Enclosed? ☐ Y ☐ N

E. Face Value of Nutanix Notes held at the close of trading on August 28, 2019: Proof Enclosed? ☐ Y ☐ N

If you require additional space, attach extra schedules in the same format as above.
 Sign and print your name on each additional page.

**YOU MUST READ AND SIGN THE RELEASE ON PAGE 10. FAILURE TO SIGN THE RELEASE
 MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.**



PURCHASES

Please be sure to include proper documentation with your Claim Form as described in detail in ¶C.4 of the Instructions. Do not include information regarding securities other than Nutanix.

Proof Enclosed?
☐ Y ☐ N

B. I made the following purchase of options on Nutanix common stock during the period from November 30, 2017 **after the close of trading** through May 30, 2019, inclusive:

Assigned/Exercised
Date (MM/DD/YY)

Enclosed? ☐ Y ☐ N

Enclosed? ☐ Y ☐ N

Enclosed? ☐ Y ☐ N

Enclosed? ☐ Y ☐ N

Enclosed? ☒ Y ☐ N

Enclosed? ☒ Y ☐ N

SALES/WRITTEN

C. I made the following sales/written options on Nutanix common stock during the period from November 30, 2017 **after the close of trading** through May 30, 2019, inclusive.

Assigned/Exercised
Date

Enclosed? ☐ Y ☐ N

Enclosed? ☐ Y ☐ N

Enclosed? ☐ Y ☐

Enclosed? ☐ Y ☐ N

Enclosed? ☒ Y ☐ N

Enclosed? ☒ Y ☐ N

Proof Enclosed?
☐ Y ☐ N

IF YOU REQUIRE ADDITIONAL SPACE, ATTACH EXTRA SCHEDULES IN THE SAME FORMAT AS ABOVE.
SIGN AND PRINT YOUR NAME ON EACH ADDITIONAL PAGE.



PART VI. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Claim Form under the terms of the Stipulation of Settlement dated April 7, 2023 ("Stipulation") described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Northern District of California with respect to my (our) claim as a Class Member (as defined in the Notice) and for purposes of enforcing the release set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Actions. I (We) agree to furnish additional information to Lead Counsel and/or the Claims Administrator to support this claim if required to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions, transactions, or sales of Nutanix securities and/or publicly traded Nutanix call or put options during the Class Period and know of no other Person having done so on my (our) behalf.

PART VII. RELEASE

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever settle, release, relinquish and discharge all of the Released Claims (including Unknown Claims) against each and all of the Released Defendant Parties, all as defined herein and in the Notice and Stipulation.

2. This release shall be of no force or effect unless and until the Court approves the Stipulation and it becomes effective on the Effective Date.

3. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof and have not submitted any other claim covering the same purchases of Nutanix securities and/or transactions of publicly traded Nutanix call or put options, and know of no other person having done so on my (our) behalf.

4. I (We) hereby warrant and represent that I (we) have included all requested information about all of my (our) purchases or acquisitions of Nutanix securities and/or transactions of publicly traded Nutanix call or put options during the Class Period, as well as the number of securities held at the close of trading on the dates requested in this claim form.

5. The number(s) shown on this form is (are) the correct SSN/TIN(s).

6. I (We) waive the right to trial by jury, to the extent it exists, and agree to the determination by the Court of the validity or amount of this claim, and waive any right of appeal or review with respect to such determination.

7. I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of §3406(a)(1)(C) of the Internal Revenue Code.

(NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, you must cross out Item 7 above.)

I (We) declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.



Executed this _____ day of _____ in _____
 (Month/Year) (City/State/Country)

 (Sign your name here)

 (Sign your name here)

 (Type or print your name here)

 (Type or print your name here)

 (Capacity of person(s) signing, e.g.,
 Beneficial Purchaser or Acquirer, Executor or Administrator)

 (Capacity of person(s) signing, e.g.,
 Beneficial Purchaser or Acquirer, Executor or Administrator)

**ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.
 THANK YOU FOR YOUR PATIENCE.**

Reminder Checklist:

1. Please sign the above release and acknowledgment.
2. Remember to attach copies of supporting documentation, if available.
3. Do not send original stock certificates. Attach only **copies** of acceptable supporting documentation as these documents will not be returned to you.
4. Keep a copy of your Claim Form and all supporting documentation for your records.
5. If you move, please send us your new address.
6. If you have any questions or concerns regarding your claim, contact the Claims Administrator at *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, P.O. Box 301133, Los Angeles, CA 90030-1133, by email at info@NutanixSecuritiesSettlement.com, or by toll-free phone at 1-888-850-8229, or you may visit www.NutanixSecuritiesSettlement.com. DO NOT call Nutanix, the other Defendants, or their counsel with questions regarding your claim.

**THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR MAILED
 NO LATER THAN SEPTEMBER 6, 2023, ADDRESSED AS FOLLOWS:**

Nutanix Securities Settlement
 c/o Gilardi & Co. LLC
 P.O. Box 301133
 Los Angeles, CA 90030-1133
www.NutanixSecuritiesSettlement.com



EXHIBIT C



1 McInnis Parkway
Suite 250
San Rafael, CA 94903
P: (415) 458-3015

June 8, 2023

«FirstName» «LastName»
«Company»
«Addr1»
«Addr2»
South Bend, IN 46601
«FCountry»

Re: **Nutanix Securities Settlement**

Dear «GENDER» «LastName»:

Please find enclosed the Notice of Pendency and Proposed Settlement of Class Action ("Notice") and Proof of Claim and Release Form ("Claim Form") for the above-referenced litigation. Please note both the Class Period and the designated eligible securities described on Page 1 of the full Notice, specifically the inclusion of all persons who (i) purchased or otherwise acquired securities of Nutanix, Inc. ("Nutanix" or the "Company") between November 30, 2017 and May 30, 2019, inclusive (the "Class Period"), and/or (ii) transacted in publicly traded call options and/or put options of Nutanix during the Class Period. In addition, **the Notice provides that the Exclusion Deadline is September 13, 2023 and the Claim Filing Deadline is September 6, 2023.**

Please pay particular attention to "What If I Bought Shares On Someone Else's Behalf?" on Page 15 of the Notice, which states: Nominees who purchased, acquired, or transacted Nutanix securities and/or publicly traded Nutanix options for beneficial owners who are Class Members are directed to: (i) request within seven (7) calendar days of receipt of the Postcard Notice sufficient copies of the Postcard Notice from the Claims Administrator to forward to all such beneficial owners; or (ii) send a list of the names and addresses (including email addresses if available) of such beneficial owners to the Claims Administrator within seven (7) calendar days after receipt of the Postcard Notice, at notifications@gilardi.com or Nutanix Securities Settlement, c/o Gilardi & Co., LLC, P.O. Box 301133, Los Angeles, CA 90030-1133. If a nominee elects to send the Postcard Notice to beneficial owners, such nominee is directed to email or mail (where an email is unavailable) the Postcard Notice within seven (7) calendar days of receipt of those documents from the Claims Administrator, and upon such emailing or mailing, the nominee shall send a statement to the Claims Administrator confirming that the emailing or mailing was made as directed, and the nominee shall retain the list of names and addresses for use in connection with any possible future notice to the Class. Upon full compliance with these instructions, including the timely emailing or mailing of the Postcard Notice to beneficial owners, such nominees may seek reimbursement of their reasonable expenses actually incurred in complying with these instructions by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought and reflecting compliance with these instructions. Reasonable out-of-pocket expenses actually incurred in connection with the foregoing includes up to \$0.03 for providing names, addresses, and email addresses to the Claims Administrator per record; up to a maximum of \$0.03 per Postcard Notice mailed by you, plus postage at the rate used by the Claims Administrator; or \$0.03 per notice sent by email. Such properly documented expenses incurred by nominees in compliance with the terms of these instructions will be paid from the Settlement Fund.

Please do not make your own copies of the Claim Form, as copies may not be accepted for processing. Additional copies of the appropriate documents may be requested by contacting us at the above address and/or phone number. If we conduct the necessary mailing on your behalf, please submit names and addresses either via email to notifications@gilardi.com, via CD Rom to the above address or contact us to obtain secure FTP transmission instructions. Mailing labels will be accepted, but you may be requested to provide an additional copy of the address information you send. Do not include any confidential information that should not appear on a mailing label.

The data provided must be in one of the following formats: ASCII Fixed Length file, ASCII Tab Delimited file, or Microsoft Excel spreadsheet. Your request must also specify the case name and Control Total(s) (for example, the total number of name and address records provided) for each file submission. If you have any questions, please email notifications@gilardi.com.

Sincerely,

Gilardi & Co., LLC

EXHIBIT D

NEW HIGHS AND LOWS

WSJ.com/newhighs

The following explanations apply to the New York Stock Exchange, NYSE Arca, NYSE American and Nasdaq Stock Market stocks that hit a new 52-week intraday high or low in the latest session. % CHG-Daily percentage change from the previous trading session.														
Wednesday, June 14, 2023														
Stock	Sym	52-Wk % Hi/Low Chg	Stock	Sym	52-Wk % Hi/Low Chg	Stock	Sym	52-Wk % Hi/Low Chg	Stock	Sym	52-Wk % Hi/Low Chg			
HIGHS														
Accura	ARAY	35.70 1.7	Bentley Systems	BSY	53.87 1.1	CoreMain	CNM	29.44 0.4	Shake Shack	SHAK	73.28 3.7	EaglePharm	EGRX	17.68 -5.0
Adi Energy Inds	AEIS	109.22 -1.3	Berk Hathway B	BRKJB	521.98 -0.7	Corn Growth A	COOL	10.72 -0.4	Shopify	SHOP	66.56 3.2	EcoWavePower	WAVE	2.41 -11.2
AfricanGold A	AGAC	10.51 0.1	Biohaven	BHVN	25.84 0.5	Cricut	CRCT	16.23 -0.8	SkyWest	SKYW	37.92 -1.1	Edgio	EGIO	0.46 -6.9
AlamoGroup	ALG	186.76 -1.1	BioPlusAcq A	BIOB	11.24 -0.5	Event	CVT	8.54 0.2	Snap-On	SNOW	37.92 -1.1	Electrameccanica W	SOLOW	0.01 130.0
Allstate Pfd J	ALPJ	26.77 -0.2	BiteAcq	BITE	10.84 2.0	Darden	DEI	168.72 1.0	SoFi Tech	SOFI	10.23 2.1	ElevanceHealth	ELV	42.87 -6.9
AmeriSupercond	AMSC	7.58 -6.2	BowmanConsult	BWIN	31.36 1.4	Deckers Outdoor	DECK	51.00 3.3	StarGroup	STN	14.96 2.1	EmbankTech Wt	EMBKW	0.01 -8.7
Ametek	AME	154.48 0.1	Bright Horizons	BFAM	95.12 -0.4	Delta Air	DAL	42.23 1.5	Surgipartners	SGRY	44.59 5.0	Emcore	EMKR	0.66 -4.8
Amrop	ADR	16.86 1.9	Brink's	BRKS	73.33 -0.8	DexCom	DXCM	129.20 0.9	Symbotic	SYMB	48.62 2.6	Emergen	EMRG	0.29 -4.2
Apellis Pharm	APLS	94.75 -1.3	Brink's Int'l	CBZ	94.42 -1.0	DoubleVerify	DV	37.17 0.8	Tat Technologies	TAT	7.35 3.4	FirstMajestic	AG	5.50 -1.1
API Group	APG	25.75 -0.3	CBZ	94.42 -1.0	Dropsbox	DBX	25.16 0.9	TenetHealthcare	THC	85.40 2.5	FranklinCovey	FC	34.36 -0.5	
Apollo Gbl Mgmt	APO	76.52 0.2	Carnival	CCL	15.78 1.7	ESAB	ESAB	66.45 0.4	Teradyme	TER	112.17 -0.9	GlobalStar Wt	GLSTW	0.02 -22.5
Applied Optoelec	AOAI	4.11 3.3	Carnival	CUK	14.14 1.6	ESHI Acqn	CLBT	6.56 -3.3	TigerEnergy Wt	TYGW	0.99 18.2	GreatElmCap	GECC	7.55 -0.3
ApAqnt A	APAI	10.75 -0.1	Celebrite DI	CEL	7.29 1.7	Ecobee	ECL	19.48 0.8	Tskos Energy Pfd A	TNPFA	25.04 0.1	Greenlane	GNLN	1.95 -6.2
Aquaaron Acq	AQU	11.43 0.3	Cemex	CEX	32.93 -1.3	EmbraceChange	EMCGU	10.68 0.2	UltramarPart	UCP	3.70 2.2	HEXO	HEXO	0.75 -10.4
Archer Aviation Wt	ACHW	1.02 6.0	Cerence	CCF	131.82 0.2	Embraer	ERJ	16.87 2.3	UrbanOne D	UONE	6.34 4.3	HTG Molecular	HTGM	0.46 -20.0
ArrowElec	ARW	139.55 0.3	Cintas	CTAS	487.40 0.6	EnerSys	ENS	106.65 0.2	Verivox	VRT	22.80 0.4	HubCyberSecurity	HUBC	0.52 -6.8
Avnet	AVT	48.96 0.4	Cintas	CTAS	487.40 0.6	EnerSys	ENS	106.65 0.2	VistaCoco	VIT	31.96 -1.1	HydroMining Wt	HYMWW	0.02 -4.5
Axalta Coating	AXTA	32.88 0.9	Cohu	COHU	40.43 3.6	Eneti	NETI	11.72 6.6	Watt	WATT	0.29 -4.2	Hyzon Motors Wt	HYZMW	0.01 -43.3
Axsum Therap	AXSM	83.99 8.1	Coliseum Acqn	MLIA	11.26 0.4	Equinix	EQIX	778.18 2.5	Webcam	WBC	1.63 0.3	InvivoBioScience	INVO	0.15 -10.5
BWXT Tech	BWXT	67.86 -0.2	Comstock	CODE	10.88 5.4	EV&Mobility A	EVE	11.40 0.1	Wendy's	WEN	15.73 1.0	IO Biotech	IOBT	1.56 -26.5
Banco BIVA	BBAR	5.60 1.9	Conmed	CNMD	138.47 0.9	EverestConsol	MNTNU	10.74 0.4	Wendy's	WEN	15.73 1.0	ClickInteract	CKIC	2.05 -7.5
Bladex	BLX	21.19 0.8	Constellation	CSTA	10.59 0.1	EverestConsol A	MNTN	10.65 -0.1	Watsco	WSO	36.50 -0.5	MediaBrands	IMBI	0.14 -8.8
						Intervet Surgical	ISNGV	32.72 2.4	WeaveComms	WEAV	8.97 -1.3	IntegraResources	ITRG	0.92 -1.3
						IonQ Wt	IONQW	39.28 1.8				Juniper Wellness	JUPW	0.31 -0.5
												Karyopharm Therap	KPTI	2.05 -2.3
												Kineta	KA	2.80 -7.8
												LIVCapAcq Wt	LVBW	0.03 -23.0
												Douglas Elliman	DOUG	0.25 1.4
														Continued on Page B10

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CLASS ACTION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re NUTANIX, INC. SECURITIES LITIGATION

Case No. 3:19-cv-01651-WHO
Case No. 3:21-cv-04080-WHO

CLASS ACTION

SUMMARY NOTICE

Plaintiff,

vs.

NUTANIX, INC., DHEERAJ PANDEY, and DUSTON M. WILLIAMS,

Defendants.

IF YOU (i) PURCHASED OR ACQUIRED SECURITIES IN NUTANIX, INC. ("NUTANIX") BETWEEN NOVEMBER 30, 2017 AND MAY 30, 2019, INCLUSIVE (THE "CLASS PERIOD"), AND/OR (ii) TRANSACTED IN PUBLICLY TRADED CALL OPTIONS AND/OR PUT OPTIONS OF NUTANIX DURING THE CLASS PERIOD, YOU COULD RECEIVE A PAYMENT FROM A CLASS ACTION SETTLEMENT. CERTAIN PERSONS ARE EXCLUDED FROM THE DEFINITION OF THE CLASS AS SET FORTH IN THE STIPULATION OF SETTLEMENT.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED BY CLASS ACTION LAWSUITS PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Northern District of California, that in the above-captioned litigation (the "Actions"), a Settlement has been proposed for \$71,000,000.00. A hearing will be held on October 4, 2023, at 2:00 p.m., before the Honorable William H. Orrick, at the United States District Court, Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, for the purpose of determining whether: (i) the proposed Settlement should be approved by the Court as fair, reasonable, and adequate; (ii) the proposed Plan of Allocation for distribution of the Settlement proceeds is fair, reasonable, and adequate and therefore should be approved; and (iii) the application of Lead Counsel for the payment of attorneys' fees and expenses from the Settlement Fund, including interest earned thereon, should be granted.

IF YOU ARE A MEMBER OF THE CLASS DESCRIBED ABOVE, YOUR RIGHTS MAY BE AFFECTED BY THE SETTLEMENT OF THE ACTIONS, AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT FUND. You may obtain a copy of the Stipulation of Settlement, the Notice of Pendency and Proposed Settlement of Class Action (the "Notice"), and the Proof of Claim and Release Form (the "Proof of Claim") at www.NutanixSecuritiesSettlement.com or by contacting the Claims Administrator: *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, P.O. Box 301133, Los Angeles, CA 90030-1133; 1-888-850-8229.

If you are a Class Member, to be eligible to share in the distribution of the Net Settlement Fund, you must submit a Proof of Claim by mail postmarked no later than September 6, 2023, or submit it online by that date. If you are a Class Member and do not submit a valid Proof of Claim, you will not be eligible to share in the distribution of the Net Settlement Fund, but you will still be bound by any judgment entered by the Court in the Actions (including the releases provided for therein).

To exclude yourself from the Class, you must submit a request for exclusion such that it is **postmarked by September 13, 2023**, in the manner and form explained in the Notice. If you are a Class Member and have not excluded yourself from the Class, you will be bound by any judgment entered by the Court in the Actions (including the releases provided for therein) whether or not you submit a Proof of Claim. If you submit a valid request for exclusion, you will have no right to recover money pursuant to the Settlement.

Any objection to the proposed Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court no later than September 13, 2023.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANTS, OR DEFENDANTS' COUNSEL REGARDING THIS NOTICE. If you have any questions about the Settlement, or your eligibility to participate in the Settlement, you may contact Lead Counsel at the following address or by calling 1-800-449-4900:

ROBBINS GELLER RUDMAN & DOWD LLP
THEODORE J. PINTAR
655 West Broadway, Suite 1900
San Diego, CA 92101
settlementinfo@rgdrlaw.com

DATED: May 19, 2023

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANNOUNCEMENTS

YOUR BOOK
We Write Your Biography for Your Family. Or We Write & Publish a Book of Your Success In Business & Lessons Learned. Earn Royalties on Book Sales.
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PUBLIC NOTICES

Paladin Reinsurance Corporation
This company advises all creditors that it is entering into a Commutation Plan under Section 1321(b) of the New York Insurance Law and Department Regulation 141 (11 NYCRR Section 128).
Any person who has and can provide details of a claim against this Estate should email by 14 July 2023 details of their claims to commutation@paladinreinsurance.com.

BANKRUPTCIES

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re: Desolation Holdings LLC, Bitrex, Inc. et al., Debtors.

Chapter 11
Case No. 23-10597 (BLS)
(Jointly Administered)

GENERAL BAR DATE IS AUGUST 31, 2023, AT MIDNIGHT (PREVAILING EASTERN TIME)
NOTICE OF DEADLINES FOR FILING OF PROOFS OF CLAIM

PLEASE TAKE NOTICE THAT on June 7, 2023, the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") entered an order (the "Bar Date Order") establishing August 31, 2023, at midnight (Prevailing Eastern Time) (the "General Bar Date") as the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, and trusts, including any Customers (meaning any person or entity that has a cryptocurrency account with one or more of the Debtors) to submit a proof of claim against any of the Debtors. A copy of the Bar Date Order, and any exhibits thereto are available (i) at the Debtors' expense upon request to Omni Agent Solutions, Inc. (the noticing and claims agent retained in these Chapter 11 cases) (the "Omni"), by calling (888) 481-3704 for callers in the United States or by calling (747) 293-0010 for callers outside the United States; (ii) for no charge by visiting the Debtors' restructuring website at <https://omniagentsolutions.com/Bitrex>; or (iii) for a fee via PACER by visiting <http://www.ded.uscourts.gov/>.

The Bar Date Order and the below procedures for filing proofs of claim apply to all claims against the Debtors that arose prior to May 8, 2023 (the "Petition Date"). Among other exceptions listed below, Governmental Units have until November 4, 2023 at midnight (Prevailing Eastern Time) to file proofs of claim against the Debtors.

1. WHO MUST FILE A PROOF OF CLAIM. YOU MUST file a proof of claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose prior to the Petition Date, and it is not one of the types of claims described in Section 4 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date may not be delivered by the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

YOU MUST file a proof of claim to be able to withdraw cryptocurrency or fiat currency from the Debtors' online platform (if you are a Customer, **unless your claim is one of the types of claims described in Section 4 below**). The Order establishes the following bar dates for filing proofs of claim in these Chapter 11 Cases (collectively, the "Bar Dates"):

General Bar Date. (Applicable to 503(b)(9) claims). All claimants holding or wishing to assert a claim must submit a proof of claim with respect to such claim so as to be **actually received by Omni by August 31, 2023, at midnight (Prevailing Eastern Time)**, including parties asserting claims pursuant to section 503(b)(9) of the Bankruptcy Code.

Governmental Bar Date. All governmental units (as defined in section 101(27) of the Bankruptcy Code) holding claims against any of the Debtors that arose or are deemed to have arisen prior to the Petition Date must file proofs of claim on or before **November 4, 2023, at midnight (Prevailing Eastern Time)**.

Amended Schedules Bar Date. Any claimant adversely affected by an amendment of or supplement to the Debtors' schedules and liabilities (collectively, the "Schedules") must file a proof of claim on or before the **later of (i) the applicable Bar Date and (ii) thirty (30) days from the date that notice of the applicable amendment or supplement to the schedules is served on such claimant**.

2. WHEN AND WHERE TO FILE. Except as provided for herein, all proofs of claim must be filed so as to be received on or before the applicable Bar Date. **BY FIRST CLASS MAIL, OVERNIGHT COURIER OR HAND DELIVERY:** Bitrex, Inc. Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Avenue, Suite 100, Woodland Hills, CA 91367, or **ELECTRONICALLY:** on the website located at <https://omniagentsolutions.com/BitrexCustomerClaim> for Customer Claims or <https://omniagentsolutions.com/BitrexClaims> for Non-Customer Claims, as applicable (the "Electronic Filing System"). Proofs of claim will be deemed filed only when received at the address listed above or via the Electronic Filing System on or before the applicable Bar Dates. **Proofs of claim may not be delivered by facsimile, teletype, or electronic mail transmission** (other than proofs of claim filed electronically through the Electronic Filing System).

3. WHAT TO FILE

Customer Claims: Customer Claims should be filed on a modified Customer Proof of Claim Form provided by the Debtors or obtained at the Electronic Filing System, located at <https://omniagentsolutions.com/BitrexCustomerClaim>. All Customer

Proof of Claim Forms must be signed by the Customer claimant or, if the claimant is not an individual, by an authorized agent of the claimant. It must be written in English and be denominated in the specific type of coin, cryptocurrency, or digital asset associated with the Customer account as of the Petition Date (without conversion) or in the lawful currency of the United States only if the amount was so denominated in the Customer account as of the Petition Date. The claimant also should set forth with specificity Customer identifying information, including Account ID, Username (Email) and SSN or EIN, as well as full name, address, date of birth, and driver's license or passport number of an individual associated with the Customer account. **Customer Proofs of claim should be uploaded via the encrypted link provided on the Electronic Filing System.**

Non-Customer Claims: Non-Customer Claims should be filed on the General Proof of Claim Form provided by the Debtors or obtained at (i) the website established by the Omni, located at <https://omniagentsolutions.com/Bitrex-Claims> or (ii) the Bankruptcy Court's website located at <http://www.ded.uscourts.gov/claims-information>. All General Proof of Claim Forms must be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. It must be written in English and be denominated in United States currency (using the exchange rate, if applicable, as of the Petition Date). The claimant should also set forth with specificity the legal and factual basis for the alleged claim and attach to the completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or explanation as to why the documents are not available.

ALL liabilities: If the claim is listed on the schedules of assets and liabilities filed by the Debtors (collectively, the "Schedules"), the proof of claim form also sets forth the amount of the claim as listed on the Schedules, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as "disputed," "contingent," or "unliquidated." Any holder of a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor. Any holder of a claim must identify on its proof of claim the specific Debtor against which its claim is asserted and the case number of that Debtor's bankruptcy case. A list of the Debtors and their respective case numbers is set forth above. Any holder of a claim must sign the claim or, if the claimant is not an individual, an authorized agent must sign the claim.

4. WHO NEED NOT FILE A PROOF OF CLAIM. The Order further provides that certain claimants, whose claims would otherwise be subject to the Bar Dates, need not file proofs of claims. To review a copy of the Order, please visit <https://omniagentsolutions.com/Bitrex>. Further information is also available at the Court's website at <http://www.ded.uscourts.gov> and are available free of charge at <https://omniagentsolutions.com/Bitrex>, or by written request to Omni at the address listed in Section 3 of this Notice. If you have any additional questions, you may contact Omni via email at BitrexInquiries@omniagent.com or call (888) 481-3704 (US Toll Free) or +1 (747) 293-0010 (International). A HOLDER OF A POTENTIAL CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

Date: June 29, 2023, Wilmington, Delaware

BY ORDER OF THE COURT
(collectively, the "Debtors").

Name of Debtor, Case Number, Tax Identification Number: Desolation Holdings LLC, 23-10597, XX-XX00439; Bitrex, Inc., 23-10598, XX-XX00908; Bitrex Malta Holdings Ltd., 23-10599, XX-XX00272; Bitrex Malta Ltd., 23-10600, XX-XX01764.

CLASS ACTION

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

STEVEN FOX, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

vs.

FIFTH THIRD BANCORP, GREG D. CARMICHAEL, TAYFUN TUZUN, MARK D. HAZEL, NICHOLAS K. AKINS, B. EVAN BAYH III, JORGE L. BENITEZ, KATHERINE B. BLACKBURN, EMERSON L. BRUMBACK, JERRY W. BURRIS, GARY R. HEMINGER, JEWELL D. HOOVER, EILEEN A. MALLESCH, MICHAEL B. MCCALLISTER, and MARSHA C. WILLIAMS,

Defendants.

SUMMARY NOTICE OF PENDENCY OF CLASS ACTION, PROPOSED SETTLEMENT AND MOTION FOR ATTORNEYS' FEES AND EXPENSES

To: All who acquired Fifth Third Bancorp ("Fifth Third") publicly traded common stock pursuant and/or traceable to the Registration Statement issued in connection with Fifth Third's March 22, 2019 acquisition of MB Financial Inc.

YOU ARE HEREBY NOTIFIED, pursuant to an Order of the Circuit Court of Cook County, Illinois, that plaintiff Steven Fox ("Plaintiff"), on behalf of himself and the proposed Settlement Class, and Fifth Third and the other Defendants in the Action, have reached a proposed settlement of the above-captioned class action (the "Action") in the amount of \$5,500,000 that, if approved, will resolve the Action in its entirety (the "Settlement"). (All terms not defined herein have the definitions assigned to them in the Stipulation and Agreement of Settlement, dated May 9, 2023 ("Stipulation").)

A hearing will be held before the Honorable Celia G. Gamrath, remotely via Zoom, at the Court's discretion, at 9:15 a.m. CDT on September 14, 2023 (the "Settlement Hearing") using Zoom Meeting ID: 928 4730 2982 and Passcode: 411367 to, among other things, determine whether the Court should: (i) approve the proposed Settlement as fair, reasonable, and adequate; (ii) dismiss the Action with prejudice, as provided in the Stipulation; (iii) approve the proposed Plan of Allocation for distribution of the Net Settlement Fund; and (iv) approve Lead Counsel's Fee and Expense Application. The Court may change the date or location of the Settlement Hearing without providing another notice. Please check the Settlement website for information about the hearing: www.FifthThirdBancorpSecuritiesSettlement.com. You do NOT need to attend the Settlement Hearing to receive a distribution from the Net Settlement Fund.

IF YOU ARE A MEMBER OF THE SETTLEMENT CLASS, YOUR RIGHTS WILL BE AFFECTED BY THE PROPOSED SETTLEMENT AND YOU MAY BE ENTITLED TO A MONETARY PAYMENT. If you have not yet received a Notice and Proof of Claim and Release form ("Claim Form"), you may obtain copies of these documents by visiting the website dedicated to the Settlement, www.FifthThirdBancorpSecuritiesSettlement.com, or by contacting the Claims Administrator at:

Fifth Third Bancorp Securities Litigation
c/o KCC Class Action Services
P.O. Box 301170
Los Angeles, CA 90030-1170

Inquiries, other than requests for the Notice/Claim Form or for information about the status of a claim, may also be made to Lead Counsel:

Alfred L. Fatale III, Esq.
LABATON SUCHAROW LLP
140 Broadway
New York, NY 10005
www.labaton.com
settlementquestions@labaton.com
(888) 219-6877

If you are a Settlement Class Member, to be eligible to share in the distribution of the Net Settlement Fund, you must submit a Claim Form *postmarked or submitted online no later than September 9, 2023*. If you are a Settlement Class Member and do not timely submit a valid Claim Form, you will not be eligible to share in the distribution of the Net Settlement Fund, but you will nevertheless be bound by all judgments or orders entered by the Court in the Action, whether favorable or unfavorable.

If you are a Settlement Class Member and wish to exclude yourself from the Settlement Class, you must submit a written request for exclusion in accordance with the instructions set forth in the Notice such that it is *received no later than August 24, 2023*. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Action, whether favorable or unfavorable, and you will not be eligible to share in the distribution of the Net Settlement Fund.

Any objections to the proposed Settlement, the proposed Plan of Allocation, and/or Lead Counsel's Fee and Expense Application must be filed with the Court and mailed to counsel for the Parties in accordance with the instructions in the Notice, such that they are *filed and received no later than August 24, 2023*.

PLEASE DO NOT CONTACT THE COURT, DEFENDANTS, OR DEFENDANTS' COUNSEL REGARDING THIS NOTICE.

DATED: June 15, 2023

BY ORDER OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IN RE THE HONEST COMPANY, INC. SECURITIES LITIGATION

Case No. 21-cv-07405-MCS-PLA

CLASS ACTION

SUMMARY NOTICE OF PENDENCY OF CLASS ACTION

To: All persons and entities that purchased or otherwise acquired The Honest Company, Inc. ("Honest" or the "Company") publicly traded common stock pursuant and traceable to the Offering Documents¹ for Honest's Initial Public Offering ("IPO") prior to August 19, 2021, as well as all persons and entities that acquired ownership of a trading account, retirement account, or any other similar investment account or portfolio containing Honest's publicly traded common stock that was purchased or otherwise acquired pursuant and traceable to the Offering Documents for Honest's IPO prior to August 19, 2021, and were damaged thereby (collectively, the "Class" and individually, "Class Members").

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Central District of California, that the above-captioned action (the "Action") has been certified to proceed as a class action on behalf of the Class defined above. **Please note:** at this time, there is no judgment, settlement or monetary recovery. A trial date in the Action has not been set.

IF YOU ARE A MEMBER OF THE CLASS, YOUR RIGHTS WILL BE AFFECTED BY THIS ACTION. A Postcard Notice is currently being mailed to known potential Class Members. If you have not yet received the Postcard Notice, you may obtain a copy of it or a long-form Notice of Pendency of Class Action by downloading them at www.thehonestcompanysecuritieslitigation.com or by contacting the Administrator at:

In re The Honest Company, Inc. Sec. Litig.
c/o Epiq
P.O. Box 5619
Portland, OR 97228-5619
(888) 670-8722

Inquiries, other than requests for the Notices, may be made to the following representative of Class Counsel:

Alfred L. Fatale III, Esq.
LABATON SUCHAROW LLP
140 Broadway
New York, NY 10005
(888) 219-6877

If you are a Class Member, you have the right to decide whether to remain in the Class or to request exclusion.

If *you want to remain in the Class, you do not need to do anything at this time other than retain documentation reflecting your transactions and holdings in Honest common stock*. If you are a Class Member and do not request exclusion, you will stay in the Class and be bound by the proceedings in the Action, including all past, present, and future orders and judgments of the Court, whether favorable or unfavorable. You may also be eligible for a future recovery in the Action, if there is one.

If you **do not** wish to remain in the Class, you **must** take steps to exclude yourself. If you timely and validly ask to be excluded from the Class, you will not be bound by anything that happens in the Action. However, you will not be eligible to receive any money that might be recovered in the future. To exclude yourself from the Class, you must submit a written request for exclusion postmarked **no later than August 7, 2023**, in accordance with the instructions set forth in the Notice available at www.thehonestcompanysecuritieslitigation.com. Pursuant to Rule 23(e)(4) of the Federal Rules of Civil Procedure, it is within the Court's discretion whether to allow a second opportunity to request exclusion from the Class in the event there is a settlement or judgment in the Action.

Further information about the case may be obtained by contacting the Administrator as provided above.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE

BY ORDER OF THE COURT:
United States District Court for the Central District of California

¹ The "Offering Documents" are Honest's April 9, 2021 registration statement on Form S-1, which following amendment, was declared effective by the U.S. Securities and Exchange Commission on May 4, 2021 (the "Registration Statement"), and a May 6, 2021 final prospectus on Form 424(b)(4), which forms part of the Registration Statement.

Declaration of Publication

I, Carla Peak, as Vice President, Legal Notification Services at Gilardi & Co. LLC, a KCC Class Action Services Company in San Rafael, California, hereby certify that I caused the attached notice to be printed in said publication on June 15, 2023:

Name of Publication: The Wall Street Journal

Address: 1211 Avenue of the Americas

City, State, Zip: New York, NY 10036

Phone #: 1-800-568-7625

State of: New York

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of June 2023, at Sellersville, Pennsylvania.

A handwritten signature in black ink, appearing to read "Carla Peak", written over a horizontal line.

Carla Peak



Robbins Geller Rudman & Dowd LLP and Levi & Korsinsky, LLP Announce Proposed Settlement in the Nutanix Securities Litigation

June 15, 2023 08:00 AM Eastern Daylight Time

SAN DIEGO--(BUSINESS WIRE)--The following statement is being issued by Robbins Geller Rudman & Dowd LLP and Levi & Korsinsky, LLP regarding the Nutanix Securities Litigation:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re NUTANIX, INC. SECURITIES
LITIGATION

Case No. 3:19-cv-01651-WHO

Case No. 3:21-cv-04080-WHO

JOHN P. NORTON, ON BEHALF OF THE
NORTON FAMILY LIVING TRUST UAD
11/15/2002, Individually and on Behalf of All
Others Similarly Situated,

CLASS ACTION

SUMMARY NOTICE

Plaintiff,

vs.

NUTANIX, INC., DHEERAJ PANDEY, and
DUSTON M. WILLIAMS,

Defendants.

IF YOU (i) PURCHASED OR ACQUIRED SECURITIES IN NUTANIX, INC. ("NUTANIX") BETWEEN NOVEMBER 30, 2017 AND MAY 30, 2019, INCLUSIVE (THE "CLASS PERIOD"), AND/OR (ii) TRANSACTED IN PUBLICLY TRADED CALL OPTIONS AND/OR PUT OPTIONS OF NUTANIX DURING THE CLASS PERIOD, YOU COULD RECEIVE A PAYMENT FROM A CLASS ACTION SETTLEMENT. CERTAIN PERSONS ARE EXCLUDED FROM THE DEFINITION OF THE CLASS AS SET FORTH IN THE STIPULATION OF SETTLEMENT.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED BY CLASS ACTION LAWSUITS PENDING IN THIS COURT.

Case 3:19-cv-01651-WHO Document 319-4 Filed 08/30/23 Page 44 of 50

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Northern District of California, that in the above-captioned litigations (the "Actions"), a Settlement has been proposed for \$71,000,000.00. A hearing will be held on October 4, 2023, at 2:00 p.m., before the Honorable William H. Orrick, at the United States District Court, Northern District of California, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, for the purpose of determining whether: (i) the proposed Settlement should be approved by the Court as fair, reasonable, and adequate; (ii) the proposed Plan of Allocation for distribution of the Settlement proceeds is fair, reasonable, and adequate and therefore should be approved; and (iii) the application of Lead Counsel for the payment of attorneys' fees and expenses from the Settlement Fund, including interest earned thereon, should be granted.

IF YOU ARE A MEMBER OF THE CLASS DESCRIBED ABOVE, YOUR RIGHTS MAY BE AFFECTED BY THE SETTLEMENT OF THE ACTIONS, AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT FUND. You may obtain a copy of the Stipulation of Settlement, the Notice of Pendency and Proposed Settlement of Class Action (the "Notice"), and the Proof of Claim and Release Form (the "Proof of Claim") at www.NutanixSecuritiesSettlement.com or by contacting the Claims Administrator: *Nutanix Securities Settlement*, c/o Gilardi & Co. LLC, P.O. Box 301133, Los Angeles, CA 90030-1133; 1-888-850-8229.

If you are a Class Member, to be eligible to share in the distribution of the Net Settlement Fund, you must submit a Proof of Claim by mail postmarked no later than September 6, 2023, or submit it online by that date. If you are a Class Member and do not submit a valid Proof of Claim, you will not be eligible to share in the distribution of the Net Settlement Fund, but you will still be bound by any judgment entered by the Court in the Actions (including the releases provided for therein).

To exclude yourself from the Class, you must submit a request for exclusion such that it is **postmarked by September 13, 2023**, in the manner and form explained in the Notice. If you are a Class Member and have not excluded yourself from the Class, you will be bound by any judgment entered by the Court in the Actions (including the releases provided for therein) whether or not you submit a Proof of Claim. If you submit a valid request for exclusion, you will have no right to recover money pursuant to the Settlement.

Any objection to the proposed Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court no later than September 13, 2023.

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, DEFENDANTS, OR DEFENDANTS' COUNSEL REGARDING THIS NOTICE. If you have any questions about the Settlement, or your eligibility to participate in the Settlement, you may contact Lead Counsel at the following address or by calling 1-800-449-4900:

ROBBINS GELLER RUDMAN
& DOWD LLP
THEODORE J. PINTAR
655 West Broadway, Suite 1900
San Diego, CA 92101
settlementinfo@rgrdlaw.com

DATED: May 19, 2023

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Contacts

Media:

Robbins Geller Rudman & Dowd LLP
Shareholder Relations Department

Declaration of Publication

I, Carla Peak, as Vice President, Legal Notification Services at Gilardi & Co. LLC, a KCC Class Action Services Company in San Rafael, California, hereby certify that I caused the attached notice to be published as a press release by the following wire service:

Name of Publication: BusinessWire

Address: 101 California Street 20th Floor

City, ST Zip: San Francisco, CA 94111

Phone #: 415-986-4422

State of: California

The press release was distributed on June 15, 2023 to the following media circuits offered by the above-referenced wire service:

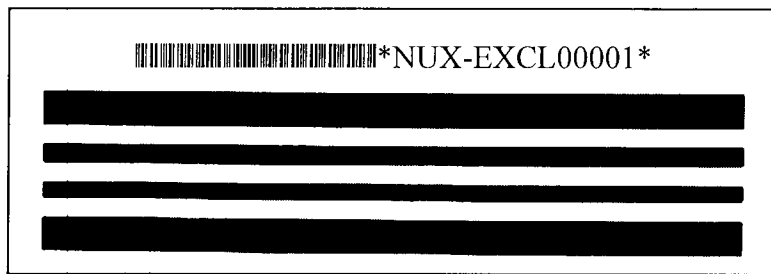
1. National Newsline

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of June 2023, at Sellersville, Pennsylvania.

A handwritten signature in black ink that reads "Carla Peak". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Carla Peak

EXHIBIT E



RECEIVED
Aug 24, 2023
Claims Center

Exclusion Cover Page

Case Name: Nutanix Securities Settlement

Case Code: NUX

Exclusion Deadline: September 13, 2023 (Postmark no later than)

Name of Person Filing Exclusion: Lubert John Orlando (Decd)

Nutanix Securities Settlement
c/o Gilardi & Co. LLC
P.O. Box 301133
Los Angeles, CA 90030-1133

LEGAL NOTICE

In re Nutanix, Inc. Securities Litigation
No. 3:19-cv-01651-WHO (N.D. Cal.)
John P. Norton, on behalf of the Norton Family Living
Trust UAD 11/15/2002 v. Nutanix, Inc., et al.,
No. 3:21-cv-04080-WHO (N.D. Cal.)

www.NutanixSecuritiesSettlement.com

Court-Ordered Legal Notice
(Forwarding Service Requested)

Important Information about a Securities Class Action Settlement

You may be entitled to a payment. This Notice may affect
your legal rights. Please read it carefully.



VISIT THE
SETTLEMENT
WEBSITE BY
SCANNING
THE PROVIDED
QR CODE

00040114



JOB# N88952-010



04

PRESORTED FIRST CLASS
U.S. POSTAGE PAID
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PERMIT NO.225

10#

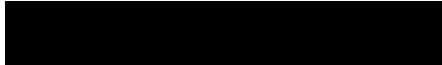
rec'd 8/11/23



*****AUTO**ALL FOR AADC 900

FMT CO CUST IRA ROLLOVER

FBO LUBERT JOHN ORLANDO



04

NUX

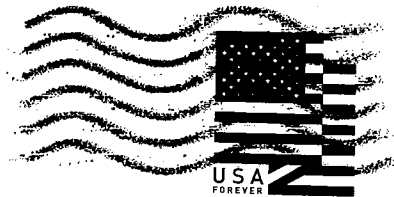
On behalf of my deceased husband,
Lubert John Orlando, I exclude
him & myself from the class.

August 17, 2023

Patricia A. Lange, wife, widow

L. J. Orlando

18 AUG 2023 PM 1:11



RECEIVED CE

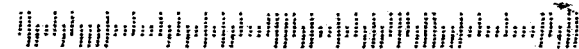
AUG 24 2023

CLAIMS CENTER

*Nutanix Securities Settlement
c/o Gilardi & Co, LLC, Exclusions
P.O. Box 5100
Larkspur, CA*

94977-5100

94977-510000



NHX