

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

PATRICIA B. BAUM, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

HARMAN INTERNATIONAL  
INDUSTRIES, INCORPORATED, et al.,

Defendants.

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) No. 3:17-cv-00246-RNC

) CLASS ACTION

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

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

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court’s July 13, 2022 Order Preliminarily Approving Settlement and Providing for Notice (“Notice Order”), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the “Initial Mailing Declaration”) (ECF 206). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

#### **UPDATE ON DISSEMINATION OF THE CLAIM PACKAGE**

3. As more fully detailed in the Initial Mailing Declaration, as of October 6, 2022, Gilardi had mailed 37,721 copies of the Court-approved Notice of Pendency and Proposed Settlement of Class Action (the “Notice”) and Proof of Claim and Release Form (the “Proof of Claim”) (collectively, the “Claim Package”) to potential Class Members and their nominees. *See* Initial Mailing Declaration, ¶11.

4. Since October 6, 2022, Gilardi has mailed an additional 269 copies of the Claim Package in response to requests from potential Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of November 2, 2022, Gilardi has mailed a total of 37,990 Claim Packages to potential Class Members and nominees.

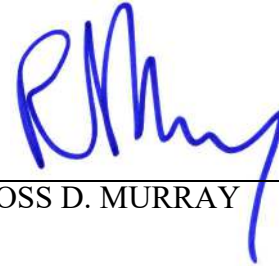
#### **REQUESTS FOR EXCLUSION RECEIVED TO DATE**

5. Pursuant to the Notice Order, the Notice informed potential Class Members that written requests for exclusion from the Class must be mailed to *Harman Merger Litigation, c/o* Gilardi & Co. LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are

received no later than October 20, 2022. At the time of the Initial Mailing Declaration, Gilardi reported that it had not received any requests for exclusion in connection with this Settlement. *See* Initial Mailing Declaration, ¶16.

6. Since the Initial Mailing Declaration was executed, Gilardi did receive a submission purporting to request exclusion, but also attaching a claim form and indicating an intent to participate in the Settlement. Given this ambiguity, the potential Class Member subsequently clarified the submission to make clear that he was not in fact requesting exclusion. Redacted copies of that initial submission and subsequent clarifications are attached hereto as Exhibit A.

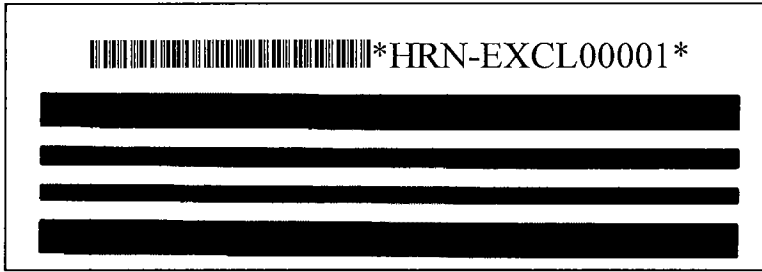
I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 2nd day of November, 2022, at San Rafael, California.



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ROSS D. MURRAY

# EXHIBIT A



RECEIVED  
October 17, 2022  
Claims Center

## Exclusion Cover Page

Case Name: Harman Merger Litigation

Case Code: HRN

Exclusion Deadline: October 20, 2022 (Received By)

Name of Person Filing Exclusion: David White

Please exclude me in addition to  
filing for this claim, so I may be  
eligible for more benefits from further  
litigation.

David White



Schwab One® Account  
Account Number: [REDACTED]

Statement Period: March 1, 2017 to March 31, 2017  
Page 3 of 4

### Income Summary

Description	This Period	Year to Date
<b>Federally Taxable</b>		
Deposit Accounts Interest	0.02	0.06
Cash Dividends	562.76	1,053.90
<b>Total Income</b>	<b>562.78</b>	<b>1,053.96</b>

### Investment Detail

Description	Symbol	Quantity	Price	Market Value
<b>Cash, Money Market, and Deposit Accounts</b>				
DEPOSIT ACCOUNTS X,Z				12,049.93
<b>Investments</b>				
ALCOA CORP (M),0	AA	36.0000	34.4000	1,238.40
ARCONIC INC (M),0	ARNC	110.7158	26.3400	2,916.25
EXXON MOBIL CORP (M),0	XOM	436.6752	82.0100	35,811.73
FRANKLIN RESOURCES (M),0	BEN	959.5942	42.1400	40,437.30
GENERAL ELECTRIC CO (M),0	GE	237.7096	29.8000	7,083.75
HOME DEPOT INC (M),0	HD	238.1228	146.8300	34,963.57
MEDTRONIC PLC F (M)	MDT	429.2612	80.5600	34,581.28
NABORS INDUSTRIES F (M)	NBR	250.0000	13.0700	3,267.50
PFIZER INCORPORATED (M),0	PFE	84.6155	34.2100	2,894.70
TRANSOCEAN INC NEW F (M),0	RIG	77.7092	12.4500	967.48
ZOETIS INC (M),0 CLASS A	ZTS	7.0960	53.3700	378.71
<b>Total Account Value</b>				<b>176,590.60</b>

### Transaction Detail

Settle Date	Trade Date	Transaction	Description	Quantity	Price	Total
<b>Cash, Money Market, and Deposit Accounts Activity</b>						
03/01	03/01	Qual Div Reinvest	PFIZER INCORPORATED: PFE			26.83
03/01	03/01	Qual Div Reinvest	ZOETIS INC CLASS A: ZTS			0.74
03/10	03/10	Qual Div Reinvest	EXXON MOBIL CORP: XOM			324.52
03/16	03/15	Bank Interest X,Z	BANK INT 021617-031517			0.02
03/23	03/23	Qual Div Reinvest	HOME DEPOT INC: HD			210.67
<b>Investments Activity</b>						
03/02	03/02	Reinvested Shares	PFIZER INCORPORATED: PFE	0.7752	34.6108	(26.83)
03/02	03/02	Reinvested Shares	ZOETIS INC CLASS A: ZTS	0.0137	53.8337	(0.74)
03/13	03/13	Reinvested Shares	EXXON MOBIL CORP: XOM	3.9773	81.5927	(324.52)
03/13	03/13	Cash Merger	HARMAN INTL INDS INC XXX MANDATORY MERGER: HAR			11,995.59
03/13	03/13	Cash Merger	HARMAN INTL INDS INC XXX MANDATORY MERGER: HAR	(107.1035)		
03/24	03/24	Reinvested Shares	HOME DEPOT INC: HD	1.4102	149.3939	(210.67)

Please see "Endnotes For Your Account" section for an explanation of the endnote codes and symbols on this statement.



Schwab One® Account  
Account Number: [REDACTED]

Statement Period: January 1, 2017 to January 31, 2017  
Page 3 of 4

### Income Summary

Description	This Period	Year to Date
<b>Federally Taxable</b>		
Deposit Accounts Interest	0.02	0.02
Cash Dividends	447.14	447.14
<b>Total Income</b>	<b>447.16</b>	<b>447.16</b>

### Investment Detail

Description	Symbol	Quantity	Price	Market Value
<b>Cash, Money Market, and Deposit Accounts</b>				
DEPOSIT ACCOUNTS <sup>X,Z</sup>				304.30
<b>Investments</b>				
ALCOA CORP <sup>(M)</sup>	AA	36.0000	36.4500	1,312.20
ARCONIC INC <sup>(M),<sup>o</sup></sup>	ARNC	110.4886	22.7900	2,518.04
EXXON MOBIL CORP <sup>(M),<sup>o</sup></sup>	XOM	432.6979	83.8900	36,299.03
FRANKLIN RESOURCES <sup>(M),<sup>o</sup></sup>	BEN	959.5942	39.7400	38,134.27
GENERAL ELECTRIC CO <sup>(M),<sup>o</sup></sup>	GE	237.7096	29.7000	7,059.98
HARMAN INTL INDS INC <sup>(M),<sup>o</sup></sup>	HAR	106.7675	111.1600	11,868.28
HOME DEPOT INC <sup>(M),<sup>o</sup></sup>	HD	236.7126	137.5800	32,566.92
MEDTRONIC PLC <sup>F (M)</sup>	MDT	429.2612	76.0200	32,632.44
NABORS INDUSTRIES <sup>F (M)</sup>	NBR	250.0000	16.2500	4,062.50
PFIZER INCORPORATED <sup>(M),<sup>o</sup></sup>	PFE	83.8403	31.7300	2,660.25
TRANSOCEAN INC NEW <sup>F (M),<sup>o</sup></sup>	RIG	77.7092	13.9700	1,085.60
ZOETIS INC <sup>(M),<sup>o</sup></sup> CLASS A	ZTS	7.0823	54.9400	389.10
<b>Total Account Value</b>				<b>170,892.91</b>

### Transaction Detail

Settle Date	Trade Date	Transaction	Description	Quantity	Price	Total
<b>Cash, Money Market, and Deposit Accounts Activity</b>						
01/04	01/04	Cash Dividend	NABORS INDUSTRIES F: NBR			15.00
01/13	01/13	Qual Div Reinvest	FRANKLIN RESOURCES: BEN			190.96
01/13	01/13	Qualified Dividend	MEDTRONIC PLC F: MDT			184.58
01/17	01/15	Bank Interest <sup>X,Z</sup>	BANK INT 121616-011517			0.02
01/25	01/25	Qual Div Reinvest	GENERAL ELECTRIC CO: GE			56.60
01/27	01/27	Joumaled Funds	TRANSFER FUNDS TO SCHWAB BANK - 440015744178			(700.00)
<b>Investments Activity</b>						
01/17	01/17	Reinvested Shares	FRANKLIN RESOURCES: BEN	4.7699	40.0340	(190.96)
01/26	01/26	Reinvested Shares	GENERAL ELECTRIC CO: GE	1.8619	30.3989	(56.60)

Please see "Endnotes For Your Account" section for an explanation of the endnote codes and symbols on this statement.



Official  
Office  
Use  
Only

Must Be Postmarked (if Mailed)  
or Received (if Submitted Online)  
No Later Than December 1, 2022

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

Baum v. Harman Int'l Indus., Inc., et al.

No. 3:17-cv-00246-RNC

HRN

PROOF OF CLAIM AND RELEASE

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

You must provide copies of broker information or other documentation of your holdings in Harman common stock as attachments to your claim. If any such documents are not in your possession, please obtain a copy or equivalent documents from your broker because these documents are necessary to prove and process your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

PART I. CLAIMANT IDENTIFICATION

Last Name

White

Last Name (Co-Beneficial Owner)

M.I. First Name

W David

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

City

State

ZIP Code

Foreign Province

Foreign Postal Code

Foreign Country Name/Abbreviation

FOR CLAIMS PROCESSING ONLY	OB	CB	ATP KE ICI	BE DR EM	FL ME ND	OP RE SH	/	/	FOR CLAIMS PROCESSING ONLY
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PART II. HOLDINGS IN HARMAN COMMON STOCK

A. Number of shares of Harman common stock held at the close of business on January 10, 2017:

106,7675

Proof Enclosed?  Y  N

**YOUR SIGNATURE ON PAGE 6 WILL CONSTITUTE YOUR ACKNOWLEDGMENT OF THE RELEASE DESCRIBED IN PART V BELOW.**

**IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (We) submit this Proof of Claim and Release under the terms of the Stipulation of Settlement described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for District of Connecticut, with respect to my (our) claim as a Class Member 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 Litigation. I (We) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (We) have not submitted any other claim in connection with the holding of Harman common stock on the Record Date and know of no other person having done so on my (our) behalf.

**V. RELEASE**

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever release, relinquish, and discharge each and all of the Released Persons from the Released Claims as provided in the Stipulation of Settlement.

2. "Related Parties" means, with respect to each Defendant, any and all of their related parties, including, without limitation, any and all of their past or present parents, subsidiaries, affiliates, predecessors, or successors, as well as any and all of its or their current or former officers, directors, employees, associates, members of their immediate families, agents or other persons acting on their behalf, underwriters, insurers, reinsurers, attorneys, advisors, financial advisors, publicists, independent certified public accountants, auditors, accountants, assigns, creditors, administrators, heirs, estates, or legal representatives.

3. "Released Claims" means any and all claims that have been asserted, could have been asserted, or could be asserted in the future in this Litigation; and any and all claims, actions, potential actions, demands, losses, rights, causes of action, controversies, costs, damages, liabilities, obligations, judgments, suits, matters and issues of any nature for any remedy, known or unknown, suspected or unsuspected, accrued or unaccrued, whether class, individual, or otherwise, arising under the laws, regulations, or common law of the United States of America, any state or political subdivision thereof, or any foreign country or jurisdiction, in law, in contract, or in equity, and regardless of legal theory, and including claims for indemnification, contribution, or otherwise denominated, that have been asserted, could have been asserted, or could be asserted in the future, by Lead Plaintiff or any Class Member in his, her or its capacity as a purchaser, seller or holder of Harman stock, that have arisen from, could have arisen from, or relate in any manner to, in whole or in part, the allegations, conduct, facts, events, transactions, acts, occurrences, statements, representations, omissions or any other matter related to, or arising out of, the Litigation, the Merger, the Proxy, the public statements, projection and investor presentations referenced in the Amended Complaint, or the purchase, sale, or holding of Harman's common stock at any time during the period from and including January 10, 2017 through and including March 12, 2017. "Released Claims" includes "Unknown Claims" as defined below. For the avoidance of doubt, nothing in the Stipulation of Settlement is intended to, nor shall it be deemed to, release any claim that the Defendants have against any of Defendants' insurers.

4. "Released Persons" means each and all of the Defendants and each and all of their Related Parties.

5. "Settled Defendants' Released Claims" means all actions, claims, debts, demands, liabilities, losses, matters, rights, suits and causes of action of any nature whatsoever, known or unknown, contingent or absolute, mature or immature, discoverable or undiscoverable, whether concealed or hidden, suspected or unsuspected, whether based in law or equity, arising under federal, state, common or foreign law, or any other law, rule or regulation, which now exist or heretofore have existed, that have been or could have been asserted in the Litigation or any forum by the Released Persons or any of them against Lead Plaintiff, Intervening Plaintiff, Class Members, or Plaintiff's Counsel, that arise out of or relate in any way to the institution, prosecution, or settlement, of the claims against the Released Persons, except for claims related to the enforcement of the Settlement.



6. "Unknown Claims" means any of the Released Claims which Lead Plaintiff or any Class Member does not know or suspect to exist in such party's favor at the time of the release of the Released Persons, and any of the Settled Defendants' Released Claims that the Released Persons do not know or suspect to exist in his, her or its favor at the time of the release of Lead Plaintiff, each and all of the Class Members and Plaintiff's Counsel, which, if known by such party, might have affected such party's settlement with and release of the Released Persons or Lead Plaintiff, each and all of the Class Members and Lead Plaintiff's counsel, or might have affected such party's decision not to object to this Settlement or seek exclusion. Unknown Claims include those Released Claims in which some or all of the facts comprising the claim may be suspected, or even undisclosed or hidden. With respect to any and all Released Claims and the Settled Defendants' Released Claims, upon the Effective Date, Lead Plaintiff and Defendants shall expressly, and each of the Class Members and Released Persons shall be deemed to have, and by operation of the Order and Final Judgment or the Alternative Judgment, if applicable, shall have, expressly waived to the fullest extent permitted by law, the provisions, rights, and benefits of 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.**

In addition, Lead Plaintiff and Defendants shall expressly, and each of the Class Members and Released Persons shall be deemed to have, and by operation of the Order and Final Judgment or the Alternative Judgment, if applicable, shall have expressly waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable or equivalent to California Civil Code §1542. Lead Plaintiff, Class Members and the Released Persons may hereafter discover facts in addition to or different from those which such party now knows or believes to be true with respect to the subject matter of the Released Claims and the Settled Defendants' Released Claims, but Lead Plaintiff and Defendants shall expressly, and each Class Member and Released Persons, upon the Effective Date, shall be deemed to have, and by operation of the Order and Final Judgment, or the Alternative Judgment, if applicable, shall have fully, finally, and forever settled and released any and all Released Claims, or the Settled Defendants' Released Claims, as the case may be, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which 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, reckless, intentional, with or without malice, or a breach of any duty, law, or rule, without regard to the subsequent discovery or existence of such different or additional facts, whether or not previously or currently asserted in any action. Lead Plaintiff and Defendants acknowledge, and the Class Members and Released Persons shall be deemed by operation of the Order and Final Judgment, or the Alternative Judgment, if applicable, to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the Settlement of which this release is a part.

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

8. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any claim or matter released pursuant to this release or any other part or portion thereof.

9. I (We) hereby warrant and represent that I (we) have included information (including supporting documentation) about the number of shares of Harman common stock held by me (us) on the Record Date.

10. I (We) hereby warrant and represent that I am (we are) not a Defendant or other person excluded from the Class.

11. 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, please strike out the language that you are not subject to backup withholding in the certification above.



I 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 12 day of October/2022 in \_\_\_\_\_  
(Month/Year) (City/State/Country)

David W White  
(Sign your name here)

\_\_\_\_\_  
(Sign your name here)

David W White  
(Type or print your name here)

\_\_\_\_\_  
(Type or print your name here)

individual  
(Capacity of person(s) signing, e.g.,  
Beneficial Holder, Executor or Administrator)

\_\_\_\_\_  
(Capacity of person(s) signing, e.g.,  
Beneficial Holder, 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 declaration.
- 2. Remember to attach copies of supporting documentation, if available.
- 3. Do not send originals of stock certificates or other documentation as they will not be returned.
- 4. Keep a copy of your Proof of Claim and Release form and all supporting documentation for your records.
- 5. If you desire an acknowledgment of receipt of your Proof of Claim and Release form, please send it Certified Mail, Return Receipt Requested.
- 6. If you move, please send your new address to the address below.
- 7. **Do not use red pen or highlighter** on the Proof of Claim and Release form or supporting documentation.

**THIS PROOF OF CLAIM AND RELEASE MUST BE SUBMITTED ONLINE BY DECEMBER 1, 2022, OR, IF MAILED, POSTMARKED NO LATER THAN DECEMBER 1, 2022, ADDRESSED AS FOLLOWS:**

*Harman Merger Litigation*  
Claims Administrator  
c/o Gilardi & Co. LLC  
P.O. Box 6177  
Novato, CA 94948-6177  
[www.HarmanMergerLitigation.com](http://www.HarmanMergerLitigation.com)



Mr. David White

13 OCT 2022 PM 5 L

ENERGY



RECEIVED GE  
OCT 17 2022  
CLAIMS CENTER

Harman Merger Litigation  
Claims Administrator  
c/o Gilardi & Co. LLC  
P.O. Box 6177  
Novato, CA 94948-6177

HRN



David White

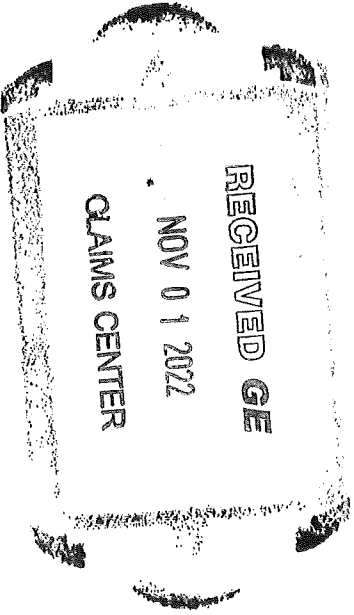
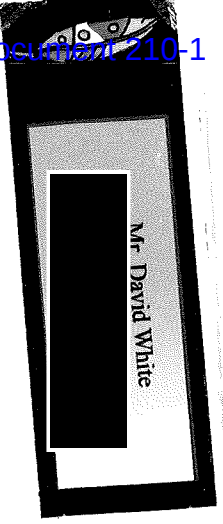


Ross Murray;

You received my claim for th Harman Merger Litigation 17 October 2022 at your claims office.

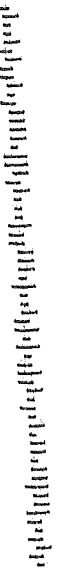
I wish to clarify my position. I wish to be considered for the current claim and not claim an exclusion. Supporting Documentation was sent and received by your claims office.

Truly,  
*David White*  
David White



94948-61777

*Rose Murray Litigation  
Hansen Mueller  
Claims Administrator  
c/o Siderdi & Co. LLC  
P.O. Box 6177  
Granite CA 94948-6177*



28 OCT 2022 PM 4 L



EMILIO SANCHEZ FOREVER USA

**Ross Murray**

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**From:** [REDACTED]  
**Sent:** Tuesday, November 1, 2022 1:40 PM  
**To:** Ross Murray  
**Subject:** The Harman Merger Litigation

**This Message Is From an External Sender**

Be cautious with links and attachments – report suspicious emails.

Dear Mr. Murray;

I don't wish to opt out of the claim form for the Harman Merger Litigation. I have received evidence you have received my claim form and supporting documentation. It can be processed.

Truly,

David White