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Counsel for Plaintiff and the Class

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

HSINGCHING HSU, Individually and
on Behalf of All Others Similarly
Situating,

Plaintiff,

vs.

PUMA BIOTECHNOLOGY, INC., et
al.,

Defendants.

Case No. 8:15-cv-00865-DOC-SHK

CLASS ACTION

DECLARATION OF ROSS D.
MURRAY REGARDING NOTICE
DISSEMINATION, PUBLICATION,
AND OBJECTIONS FILED TO DATE

DATE: April 11, 2022

TIME: 8:00 a.m.

CTRM: 9D

JUDGE: Hon. David O. Carter

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
3 (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. The
4 following statements are based on my personal knowledge and information provided
5 to me by other Gilardi employees and if called to testify I could and would do so
6 competently.

7 2. Pursuant to this Court’s December 29, 2021 Order Preliminarily
8 Approving Settlement and Providing for Notice (“Notice Order”), Gilardi was
9 appointed to supervise and administer the notice procedure in connection with the
10 settlement of the above-captioned action (the “Action”). I oversaw the notice
11 services that Gilardi provided in accordance with the Notice Order.

12 3. I submit this declaration in order to provide the Court and the parties to
13 the Action with information regarding: (i) mailing of the Court-approved Notice of
14 Class Action Settlement (the “Notice,” attached hereto as Exhibit A); (ii) publication
15 of the summary Notice of Class Action Settlement (the “Summary Notice”); and (iii)
16 any objections filed by the validated claimants.

17 4. A validated claimant is any Class Member who submitted a Proof of
18 Claim form that was processed and validated in accordance with the Court-approved
19 damages formula set forth in the Notice of Verdict in Favor of Plaintiff Class and
20 Against Puma Biotechnology, Inc. and Alan H. Auerbach. All validated claimants
21 were identified in the October 29, 2021 Judgment Pursuant to Federal Rule of Civil
22 Procedure 54.

23 **DISSEMINATION OF THE NOTICE**

24 5. Pursuant to the Notice Order, Gilardi is responsible for disseminating
25 the Notice to all validated claimants. The Notice describes the settlement and directs
26 recipients to the website established for this Action
27 (www.pumabiosecuritieslitigation.com), where they are able to find more details
28

1 about the Action and look up the value of their validated claims by either name or
2 claim number.

3 6. Gilardi created a file which contained the names and addresses for all
4 validated claims that beneficial owners filed on their own behalf. The file contained
5 a list of 568 unique names and addresses. Gilardi had the unique name and address
6 data printed on to the postcard Notices, posted the Notices for First-Class Mail,
7 postage prepaid, and delivered 568 Notices on January 14, 2022, to the United States
8 Post Office for mailing.

9 7. In addition, on January 14, 2022, Gilardi delivered electronic copies of
10 the Notice to 46 registered electronic filers who are qualified to submit electronic
11 claims and who had filed at least one valid claim. These filers are primarily
12 institutions and third-party filers who typically file numerous claims on behalf of
13 beneficial owners for whom they act as trustees or fiduciaries.

14 **PUBLICATION OF THE SUMMARY NOTICE**

15 8. In accordance with the Notice Order, on January 11, 2022, Gilardi
16 caused the Summary Notice to be published in *The Wall Street Journal* and to be
17 transmitted over *Business Wire*, as shown in the confirmations of publication
18 attached hereto as Exhibit B.

19 **OBJECTIONS FILED TO DATE**

20 9. The Notice informs validated claimants that any objections to Class
21 Counsel's application for an award of attorneys' fees and expenses and/or the
22 application for an award to Lead Plaintiff are due no later than March 21, 2022.

23 10. The Notice directs the validated claimants to the case website, which
24 sets forth instructions on how to file an objection, including the information that
25 must be included in each objection. Gilardi has confirmed with Lead Counsel that
26 as of the date of this declaration, no objections have been filed.

1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing is true and correct. Executed this 4th day of March, 2022, at San Rafael,
3 California.

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ROSS D. MURRAY

**INDEX OF EXHIBITS TO DECLARATION OF ROSS D. MURRAY
REGARDING NOTICE DISSEMINATION, PUBLICATION, AND
OBJECTIONS FILED TO DATE**

Document	Exhibit
Notice of Class Action Settlement	A
Confirmations of Publication	B

EXHIBIT A

Puma Biotechnology Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 43301
Providence, RI 02940-3301

LEGAL NOTICE

See other side for details



Postal Service: Please Do Not Mark Barcode

PUY-«Claim8»-«CkDig»

Claim ID: «Claim8»

PIN: «PIN»

«FirstNAME» «LastNAME»

«Name1»

«Name2»

«Name3»

«Name4»

«Addr1»

«Addr2»

«City», «State»«FProv» «Zip»«FZip»

«FCountry»

PUY

Exhibit A

Notice of Class Action Settlement

You are receiving this notice because your claim in the Puma Biotechnology, Inc. securities litigation has been validated and you are entitled to recover for your losses in accordance with the jury verdict. You can identify that your claim has been validated and the amount of your damages and prejudgment interest at the website listed below. **You do not need to do anything in order to receive your share of the settlement.**

The parties have agreed to a proposed settlement of the litigation for \$54,248,374 (the "Settlement Amount"). The Settlement Amount represents the complete amount of claimed damages and prejudgment interest due to validated claims under the jury verdict. If approved, the settlement will finally resolve all claims in the litigation. Based on your previously submitted claim form and the damages calculations performed by the Claims Administrator, you will receive 100% of your damages and prejudgment interest less: (i) your pro rata share of any Court-awarded attorneys' fees and litigation expenses and any Court award to the Lead Plaintiff; (ii) settlement administration expenses; and (iii) taxes and tax expenses. Class Counsel have prosecuted this case on a wholly contingent basis and will apply to the Court for: (i) an award of attorneys' fees of 25% of the Settlement Amount; (ii) payment of litigation expenses paid or incurred by Class Counsel in an amount not to exceed \$3,100,000; and (iii) an award to Lead Plaintiff in an amount not to exceed \$100,000, pursuant to 15 U.S.C. §78u-4(a)(4). The requested attorneys' fees and expenses represent approximately \$1.33 per share.

You have the right to object to the application for Class Counsel's fees or expenses and/or the application for the Lead Plaintiff award. **Any objection is due by March 21, 2022.** For more information on filing an objection, please go to the website listed below.

A Settlement Hearing is scheduled for April 11, 2022, at 8:00 a.m., at the United States District Court for the Central District of California, Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street, Courtroom 9D, Santa Ana, CA 92701 for the purpose of determining, among other things, (i) whether the Settlement and Plan of Allocation are fair, reasonable, and adequate, and should be approved, and (ii) to consider the application of Lead Counsel for an award of attorneys' fees and expenses, and any application for an award to Lead Plaintiff.

If you have any questions, you can contact Class Counsel, Tor Gronborg, at (619) 231-1058 or visit:

www.pumabiosecuritieslitigation.com

Exhibit A

EXHIBIT B

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 January 11, 2022:

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 11th day of January 2022, at Sellersville, Pennsylvania.

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

Carla Peak



Robbins Geller Rudman & Dowd LLP Announce Proposed Settlement in the Puma Biotechnology, Inc. Securities Settlement

January 11, 2022 08:00 AM Eastern Standard Time

SAN DIEGO--(BUSINESS WIRE)--The following statement is being issued by Robbins Geller Rudman & Dowd LLP regarding the Puma Biotechnology, Inc. Securities Settlement:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

HSINGCHING HSU, INDIVIDUALLY AND	)	Case No. 8:15-cv-00865-AG-SHK
ON BEHALF OF ALL OTHERS	)	
SIMILARLY SITUATED,	)	
PLAINTIFF,	)	CLASS ACTION
VS.	)	
PUMA BIOTECHNOLOGY, INC., ET AL.,	)	
DEFENDANTS.	)	

Notice of class action settlement

You are hereby notified, pursuant to Rule 23 of the Federal Rules of Civil Procedure and Order of the United States District Court for the Central District of California, that a Settlement has been proposed in the above-captioned action. You can identify if your claim has been validated and the amount of your damages and prejudgment interest at the website listed below. **If you have submitted a validated claim, you do not need to do anything in order to receive your share of the settlement.**

The parties have agreed to a proposed settlement of the litigation for \$54,248,374.00 (the "Settlement Amount"). The Settlement Amount represents the complete amount of claimed damages and prejudgment interest due to validated claims under the jury verdict. If approved, the settlement will finally resolve all claims in the litigation. Based on your previously submitted claim form and the damages calculations performed by the Claims Administrator, you will receive 100% of your damages

and prejudgment interest less: (i) your pro rata share of any Court-awarded attorneys' fees and litigation expenses and any Court award to the Lead Plaintiff; (ii) settlement administration expenses; and (iii) taxes and tax expenses. Class Counsel have prosecuted this case on a wholly contingent basis and will apply to the Court for: (i) an award of attorneys' fees of 25% of the Settlement Amount; (ii) payment of litigation expenses paid or incurred by Class Counsel in an amount not to exceed \$3,100,000; and (iii) an award to Lead Plaintiff in an amount not to exceed \$100,000, pursuant to 15 U.S.C. §78u-4(a)(4). The requested attorneys' fees and expenses represent approximately \$1.33 per share.

You have the right to object to the application for Class Counsel's fees or expenses and/or the application for the Lead Plaintiff award. **Any objection is due by March 21, 2022.** For more information on filing an objection, please go to the website listed below.

A Settlement Hearing is scheduled for April 11, 2022, at 8:00 a.m., at the United States District Court for the Central District of California, Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street, Courtroom 9d, Santa Ana, CA. 92701 for the purpose of determining, among other things, (i) whether the Settlement and Plan of Allocation are fair, reasonable, and adequate, and should be approved; and (ii) to consider the application of Lead Counsel for an award of attorneys' fees and expenses, and any application for an award to Lead Plaintiff.

If you have any questions, you can contact Class Counsel, Tor Gronborg, at 1-619-231-1058 or visit:

www.pumabiosecuritieslitigation.com

Contacts

Tor Gronborg, 1-619-231-1058

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

San Francisco, CA 94111

Phone #: 415-986-4422

State of: California

The press release was distributed on January 11, 2022 to the following media circuits offered by the above-referenced wire service:

1. US1 National Newsline

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 11th day of January 2022, at Sellersville, Pennsylvania.



Carla Peak
Carla Peak

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on March 7, 2022, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Tor Gronborg

TOR GRONBORG

ROBBINS GELLER RUDMAN
& DOWD LLP

655 West Broadway, Suite 1900

San Diego, CA 92101-8498

Telephone: 619/231-1058

619/231-7423 (fax)

Email: TorGrgrdlaw.com

Mailing Information for a Case 8:15-cv-00865-DOC-SHK HsingChing Hsu v. Puma Biotechnology, Inc. et al**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Michael A Attanasio**
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- **Michele D Johnson**
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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Eric **J Eastham**
The Familie
2121 New Castle Avenue, Suite E
Cardiff, CA 92007

Responses, Replies and Other Motion Related Documents

[8:15-cv-00865-DOC-SHK HsingChing Hsu v. Puma Biotechnology, Inc. et al](#)

ACCO,(SHKx),DISCOVERY,MANADR,PROTORD,REOPENED,SM

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered by Gronborg, Tor on 3/7/2022 at 1:10 PM PST and filed on 3/7/2022

Case Name: HsingChing Hsu v. Puma Biotechnology, Inc. et al

Case Number: [8:15-cv-00865-DOC-SHK](#)

Filer: Norfolk County Council, as Administering Authority of the Norfolk Pension Fund

Document Number: [900](#)

Docket Text:

DECLARATION of Ross D. Murray on Behalf of Gilardi & Co. LLC in support of NOTICE OF MOTION AND MOTION for Settlement Approval of Final Approval of Class Action Settlement and Approval of Plan of Allocation NOTICE OF MOTION AND MOTION for Attorney Fees and Expenses and an Award to Lead Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4)[896] filed by Plaintiff Norfolk County Council, as Administering Authority of the Norfolk Pension Fund. (Gronborg, Tor)

8:15-cv-00865-DOC-SHK Notice has been electronically mailed to:

Gilardi & Co. LLC classact@gilardi.com

Andrew Clubok andrew.clubok@lw.com, andrew-clubok-9012@ecf.pacerpro.com,
DCECFNotificationsDC@lw.com, washington-dc-litigation-services-5378@ecf.pacerpro.com

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Christopher Thomas Casamassima chris.casamassima@wilmerhale.com, WHDocketing@wilmerhale.com

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Craig Edward TenBroeck ctenbroeck@cooley.com, efiling-notice@ecf.pacerpro.com, maraujo@cooley.com

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Ting Hsiang Liu tliu@rgrdlaw.com

Tor Gronborg torg@rgrdlaw.com, crosini@rgrdlaw.com, e_file_sd@rgrdlaw.com

Trig Randall Smith trigs@rgrdlaw.com, e_file_sd@rgrdlaw.com, kmccormack@rgrdlaw.com

8:15-cv-00865-DOC-SHK Notice has been delivered by First Class U. S. Mail or by other means BY THE FILER to :

Eric J Eastham

The Familie
2121 New Castle Avenue, Suite E
Cardiff, CA 92007

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\Murray Decl. with Exhibits.pdf

Electronic document Stamp:

[STAMP cacdStamp_ID=1020290914 [Date=3/7/2022] [FileNumber=33530644-0]
[997f77f3e7323a0f94 924af844706ab3a151f7d2fd8d8fbef203a6a07d6d18e520a6
be63af9166c42c666102cb67feb366dc4be043c59ec214a8e22e10204749]]