

# PROOF OF CLAIM FORM

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

*VOULGARIS, et al. v. ARRAY BIOPHARMA INC., et al.*  
Case No. 1:17-cv-02789-KLM

## CONTENTS

<b>02</b>	GENERAL INFORMATION
<b>04</b>	I. CLAIMANT IDENTIFICATION
<b>05</b>	II. SCHEDULE OF TRANSACTIONS IN ARRAY SECURITIES
<b>06</b>	III. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS
<b>06</b>	IV. RELEASE
<b>08</b>	REMINDER CHECKLIST

# GENERAL INFORMATION

## I. GENERAL INSTRUCTIONS

1. All capitalized terms not otherwise defined shall have the same meanings as set forth in the Settlement Agreement dated as of April 28, 2021, which can be downloaded at [www.ArrayBiopharmaSecuritiesLitigation.com](http://www.ArrayBiopharmaSecuritiesLitigation.com).

2. To recover as a Class Member based on claims in the action entitled *Voulgaris, et al. v. Array Biopharma Inc. et al*, Case No. 1:17-cv-02789-KLM (the "Action"), you must complete and, on page 7 hereof, sign this Proof of Claim Form ("Claim Form"). If you fail to file a properly addressed (as set forth in paragraph 4 below) Claim Form, your claim may be rejected and you may be precluded from any recovery from the Settlement Fund created in connection with the proposed settlement.

3. Submission of this Claim Form, however, does not assure that you will share in the proceeds of the settlement of the Action.

4. YOU MUST MAIL YOUR COMPLETED AND SIGNED CLAIM FORM POSTMARKED ON OR BEFORE AUGUST 17, 2021, ADDRESSED AS FOLLOWS:

*Array Biopharma Securities Litigation*  
Claims Administrator  
JND Legal Administrator  
P.O. Box 91406  
Seattle, WA 98111

5. If you are a Class Member, you are bound by the terms of any judgment entered in the Action, WHETHER OR NOT YOU SUBMIT A CLAIM FORM unless you timely and validly request exclusion from the settlement class pursuant to the Notice.

## II. CLAIMANT IDENTIFICATION

1. If you purchased and/or acquired Array BioPharma Inc. ("Array") common stock between June 30, 2016 and March 17, 2017, inclusive, and held the shares in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, the shares 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 a record purchaser.

2. Use Part I of this form entitled "Claimant Identification" to identify each purchaser of record ("nominee"), if different from the beneficial purchaser of Array securities which forms the basis of this claim. THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S), OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE ARRAY COMMON STOCK UPON WHICH THIS CLAIM IS BASED.

3. All joint purchasers must sign this claim. Executors, administrators, guardians, conservators and trustees must complete and sign this claim on behalf of Persons represented by them and their authority must accompany this claim and their titles or capacities must be stated. 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.

### III. CLAIM FORM

1. Use Part II of this form entitled “Schedule of Transactions in Array Securities” to supply all required details of your transaction(s). 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 or acquisitions and **all** of your sales of Array securities which took place at any time beginning June 30, 2016 through March 21, 2017, inclusive, whether such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to all of the shares of Array securities you held at the opening of trading on June 30, 2016 and close of trading on March 21, 2017. Failure to report all such transactions may result in the rejection of your claim.

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. The date of covering a “short sale” is deemed to be the date of purchase of Array securities. The date of a “short sale” is deemed to be the date of sale of Array securities.

4. Broker confirmations or other documentation of your transactions in Array securities should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

# I. CLAIMANT IDENTIFICATION

Must be Postmarked No Later Than  
August 17, 2021

Please Type or Print

Beneficial Owner's Name (First, Middle, Last)

Co-Beneficial Owner's Name (First, Middle, Last)

Address1 (street name and number)

Address2 (apartment, unit or box number)

City

State or Province

Zip Code or Postal Code

Country

Last 4 of the Social Security Number or Taxpayer Identification Number

Individual

Corporation/Other

Telephone Number (Work)

Telephone Number (Home)

Email Address

Record Owner's Name (if different from beneficial owner listed above)

# II. SCHEDULE OF TRANSACTIONS IN ARRAY BIOPHARMA INC. SECURITIES

**A. Number of shares of Array securities held at the close of trading on June 29, 2016:**

--

**B. Purchases or acquisitions of Array Biopharma, Inc. common stock between June 30, 2016 and March 21, 2017<sup>1</sup>, inclusive: (Must be documented)**

Trade Date (MM/DD/YY)	Number of Shares Purchased or Acquired	Price Per Share	Total Purchase or Acquisition Price
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

**C. Sales of Array Biopharma, Inc. common stock between June 30, 2016 and March 21, 2017, inclusive: (Must be documented)**

Trade Date (MM/DD/YY)	Number of Shares Sold	Price Per Share	Total Sales Price
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

**D. Number of shares of Array Biopharma, Inc. securities held at the close of trading on March 21, 2017: (Must be documented)**

--

**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 7. FAILURE TO SIGN THE RELEASE MAY  
RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.**

<sup>1</sup> Only Array common stock purchased or otherwise acquired during the Class Period (i.e. from June 30, 2016 to March 17, 2017, inclusive) is included in the Settlement. Your sales of Array common stock during the period from March 18, 2017 through March 21, 2017 will be used for purposes of calculating your “Recognized Loss” under the Plan of Allocation. Therefore, in order for the Settlement Administrator to be able to balance your claim, the requested purchase information through March 21, 2017 must also be provided.”

# III. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Proof of Claim under the terms of the Settlement Agreement, dated as of April 28, 2021 described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the District of Colorado, 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 Action. I (We) agree to furnish additional information to Lead Counsel to support this claim if required to do so. I (We) have not submitted any other claim covering the same purchases or sales of Array securities stock during the Class Period and know of no other Person having done so on my (our) behalf.

## IV. RELEASE

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever settle, release, relinquish and discharge and covenant not to sue with respect to, the Released Plaintiffs' Claims each and all of the Releasees.

2. "Released Plaintiffs' Claims" means any and all Claims arising from or related in any way to both (i) the purchase of Array BioPharma Inc. common stock during the Class Period and (ii) the acts, facts, statements or omissions that have been, could have been, or could be alleged by Plaintiffs in the Action, including any and all Claims and claims, demands, losses, rights, causes of action, liabilities, obligations, judgments, suits, matters and issues of any kind or nature whatsoever, whether known or unknown, contingent or absolute, suspected or unsuspected, disclosed or undisclosed, that have been, could have been, or could be asserted in the Action or in any court, tribunal, forum or proceeding (including, but not limited to, any claims arising under federal, state or foreign law, common law, statute, rule or regulation relating to alleged fraud, breach of any duty, negligence, violations of the federal securities laws, or otherwise and including all claims within the exclusive jurisdiction of the federal courts), whether individual or class, which Plaintiffs or any member of the Class, or their legal representatives, heirs, executors, administrators, predecessors, successors in interest, transferees and assignees, ever had, now have, or hereafter can, shall, or may have had, except claims to enforce the Settlement.

a. "Unknown Claims" means any and all (i) Released Plaintiffs' Claims that any Releasor does not know or suspect exists with respect to one or more Releasees at the time of the release of the Releasees or (ii) Released Defendants' Claims that any Releasee does not know or suspect exists with respect to one or more Releasors at the time of the release of the Releasors, which, if known by such Releasee or Releasor (as the case may be) might have affected his, her, or its decision(s) concerning the Settlement. As to all Claims released by the Settlement Agreement, the Parties stipulate and agree that, upon the Effective Date of the Settlement, each of the Parties expressly waives, and each Class Member shall be deemed to have waived, and by operation of the Order Approving Settlement and Final Judgment 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 of any other country, or any principle of federal or common law, that is similar, comparable or equivalent to California Civil Code Section 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 Parties acknowledge, and all other Class Members by operation of law shall be deemed to have acknowledged, that the inclusion of Unknown Claims in the Claims released pursuant to the Settlement Agreement was separately bargained for and is a key element of the Settlement Agreement.

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.

4. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Array securities that occurred during the Class Period as well as the number and type of Array securities held by me (us) on June 30, 2016 and March 21, 2017.

5. I (We) certify that I am (we are) not subject to backup withholding under the provisions of Section 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 on this Proof of Claim 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, Executor or Administrator)

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

# REMINDER CHECKLIST

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



1. Please sign the above release and declaration.

2. If this Claim is being made on behalf of Joint Claimants, then both must sign.

3. Remember to attach copies of supporting documentation, if available.



4. **Do not send** originals of certificates.

5. Keep a copy of your claim form and all supporting documentation for your records.

6. If you desire an acknowledgment of receipt of your claim form please send it Certified Mail, Return Receipt Requested.



7. If you move, please send your new address to the address below.

8. **Do not use red pen or highlighter** on the Proof of Claim Form or supporting documentation.



**THIS PROOF OF CLAIM FORM MUST BE MAILED NO LATER THAN AUGUST 17, 2021,  
ADDRESSED AS FOLLOWS**

ARRAY BIOPHARMA SECURITIES LITIGATION  
Settlement Administrator  
JND Legal Administration  
P.O. Box 91406  
Seattle, WA 98111