

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

LESLIE NIEDERKLEIN, Individually and on Behalf of All Others Similarly Situated,  
Plaintiff,  
vs.  
PCS EDVENTURES!.COM, INC., and ANTHONY A. MAHER,  
Defendants.

) Civil Action No. 1:10-cv-00479-CWD  
) CLASS ACTION  
) **PROOF OF CLAIM AND RELEASE**  
)  
)  
)



**I. GENERAL INSTRUCTIONS**

- 1. To recover as a Class Member in the action entitled *Niederklein v. PCS Edventures!.com, Inc.*, Civil Action No. 1:10-cv-00479-CWD (the "Action"), you must complete and, on Page 6 hereof, sign this Proof of Claim and Release form ("Proof of Claim"). If you fail to file a properly addressed Proof of Claim, 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.
- 2. Submission of this Proof of Claim, however, does not ensure that you will share in the proceeds of the settlement of the Action.
- 3. You must mail your completed and signed Proof of Claim postmarked no later than 90 calendar days after entry of the preliminary approval order, by January 3, 2012, addressed as follows: Niederklein v. PCS Edventures!.com, Inc., Claims Administrator, c/o A.B. Data, Ltd., PO Box 170500, Milwaukee, WI 53217-8091.
- 4. If you are a Class Member and you did not timely request exclusion in connection with the proposed settlement, you are bound by the terms of any judgment entered in the Action, including the releases provided therein, whether or not you submit a Proof of Claim.

**II. CLAIMANT IDENTIFICATION**

- 5. If you purchased PCS Edventures common stock on or about March 28, 2007 through and including August 15, 2007, and held the certificate(s) in your name, you are the beneficial owner as well as the record owner. If, however, you purchased PCS Edventures!.com, Inc. ("PCS Edventures"), common stock and the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial owner and the third party is the record owner.
- 6. Use Part I of this form entitled "Claimant Identification" to identify each purchaser of record ("nominee"), if different from the beneficial owner of the PCS Edventures common stock which forms the basis of this claim. This claim must be filed by the actual beneficial owner(s) or the legal representative of such owner(s) of the PCS Edventures common stock upon which this claim is based.
- 7. 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 employer 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**

- 8. Use Part II of this form entitled "Schedule of Transactions in PCS Edventures Common Stock" to supply all required details of your transaction(s). If you need more space or additional schedules, attach separate sheets providing all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.
- 9. On the schedules, provide all of the requested information with respect to **all** of your purchases/acquisitions/free receipts and sales/transfers/free deliveries of PCS Edventures common stock on or about March 28, 2007 through and including November 13, 2007, 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 PCS Edventures common stock you held at the close of trading on March 27, 2007 and November 13, 2007. Failure to report all such transactions and positions may result in the rejection of your claim.
- 10. List each transaction in the Settlement 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 PCS Edventures common stock. The date of a "short sale" is deemed to be the date of sale of PCS Edventures common stock.
- 11. Copies of broker confirmations or other documentation of your transactions in PCS Edventures common stock should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.
- 12. 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. All claimants **MUST** submit a manually signed paper Proof of Claim whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Claims Administrator to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgment of receipt and acceptance of electronically submitted data.

**This Proof of Claim must be postmarked no later than January 3, 2012.** Please type or print.

**PART I: CLAIMANT IDENTIFICATION**

Last Name (Claimant)

First Name (Claimant)

Last Name (Beneficial Owner if Different From Claimant)

First Name (Beneficial Owner)

Last Name (Co-Beneficial Owner)

First Name (Co-Beneficial Owner)

Company/Other Entity (If Claimant Is Not an Individual)

Record Owner's Name (If Different From Beneficial Owner Listed Above, e.g., brokerage firm, bank, nominee, etc.)

Account Number (If Claimant Is Not an Individual)

Trust/Other Date (If Applicable)

Address Line 1

Address Line 2 (If Applicable)

City

State

Zip Code

Foreign Province

Foreign Zip Code

Foreign Country

**Check Here to Use Alternate Address for Distribution (Optional)**

Distribution Address Line 1

Distribution Address Line 2 (If Applicable)

City

State

Zip Code

Foreign Province

Foreign Zip Code

Foreign Country

Telephone Number (Day)

Telephone Number (Night)

Beneficial Owner's Employer Identification Number or Social Security Number

Email Address

IDENTITY OF CLAIMANT (check only one):  Individual  Corporation  Joint Owners  Estate  Trust  Partnership  Private Pension Fund  Legal Representative  IRA, Keogh, or other type of individual retirement plan (indicate type of plan, mailing address, and name of current custodian on separate sheet)  Other (specify, describe on separate sheet)

**PART II: SCHEDULE OF TRANSACTIONS IN PCS EDVENTURES COMMON STOCK**

<b>A. Beginning Holdings:</b> State the total number of shares of PCS Edventures common stock held at the close of trading on March 27, 2007. If other than zero, be sure to attach the required documentation.	<input style="width: 100%; height: 15px;" type="text"/> <input style="width: 100%; height: 15px;" type="text"/>	Proof enclosed <input type="radio"/> Y <input type="radio"/> N
IF NONE, CHECK HERE <input type="checkbox"/>		

<b>B. Purchases:</b> List all purchases/acquisitions/free receipts of PCS Edventures common stock between March 28, 2007 through November 13, 2007, inclusive. Be sure to attach the required documentation.			IF NONE, CHECK HERE <input type="checkbox"/>
Date(s) of Purchase (List Chronologically)	Number of Shares Purchased	Purchase Price Per Share (excluding commissions, taxes, & fees)	Proof of Purchase Enclosed?
MM      DD      YYYY			
<input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 40px; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	\$ <input style="width: 20px; height: 15px;" type="text"/> . <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/>	<input type="radio"/> Y <input type="radio"/> N
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<input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 40px; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	\$ <input style="width: 20px; height: 15px;" type="text"/> . <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/>	<input type="radio"/> Y <input type="radio"/> N

<b>C. Sales:</b> List all sales/transfers/free deliveries of PCS Edventures common stock between March 28, 2007 through November 13, 2007, inclusive. Be sure to attach the required documentation.			IF NONE, CHECK HERE <input type="checkbox"/>
Date(s) of Sale (List Chronologically)	Number of Shares Sold	Sale Price Per Share (excluding commissions, taxes, & fees)	Proof of Sale Enclosed?
MM      DD      YYYY			
<input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 40px; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	\$ <input style="width: 20px; height: 15px;" type="text"/> . <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/>	<input type="radio"/> Y <input type="radio"/> N
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<input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 20px; height: 15px;" type="text"/> / <input style="width: 40px; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	\$ <input style="width: 20px; height: 15px;" type="text"/> . <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/>	<input type="radio"/> Y <input type="radio"/> N

<b>D. Ending Holdings:</b> State the total number of shares of PCS Edventures common stock held at the close of trading on November 13, 2007. If other than zero, be sure to attach the required documentation.	<input style="width: 100%; height: 15px;" type="text"/> <input style="width: 100%; height: 15px;" type="text"/>	Proof enclosed <input type="radio"/> Y <input type="radio"/> N
IF NONE, CHECK HERE <input type="checkbox"/>		

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

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

I (We) submit this Proof of Claim 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 the District of Idaho, with respect to my (our) claim as a Claimant 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 the Claims Administrator to support this claim (including transactions in other PCS Edventures securities) if requested to do so. I (We) have not submitted any other claim covering the same purchases or sales of PCS Edventures common stock during the Settlement Class Period and know of no other person having done so on my (our) behalf.

Excluded from the Settlement Class are Defendants, the officers and directors of PCS, at all relevant times, members of their immediate families and their legal representatives, heirs, successors, or assigns, and any entity in which defendants have or had a controlling interest. Also excluded from the Settlement Class are Persons who timely and validly request exclusion from the Settlement Class.

Check here to confirm the claimant or beneficial owner is NOT excluded from the Settlement Class.

**V. RELEASE**

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, and discharge from the Claims and Unknown Claims each and all of the Released Parties.
2. 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.
3. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in PCS Edventures common stock which occurred during the Settlement Class Period as well as the number of shares of PCS Edventures common stock held by me (us) at the close of trading on March 27, 2007 and November 13, 2007.
4. I (We) certify that the Social Security number(s)/employer identification number provided are accurate and complete, if applicable.
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 (We) declare under penalty of perjury under the laws of the United States of America that all of 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)

\_\_\_\_\_  
Signature of Claimant Date Print Name of Claimant

\_\_\_\_\_  
Signature of Joint Claimant (if any) Date Print Name of Joint Claimant

\_\_\_\_\_  
Capacity of person(s) signing, e.g., beneficial owner(s), executor, administrator, trustee, etc.

**Reminder Checklist:**

1. Please sign the release and declaration. If this Proof of Claim is being submitted on behalf of joint claimants, then both must sign.
2. Remember to attach supporting documentation. Please do not highlight any portion of the supporting documents or Proof of Claim.
3. Do not send original stock certificates or supporting documentation. Please submit only copies.
4. Keep a copy of your Proof of Claim and all supporting documentation for your records.
5. If you desire an acknowledgment of receipt of your Proof of Claim form, please send it Certified Mail, Return Receipt requested.
6. If you move or change your name, please inform the Claims Administrator.

**THIS PROOF OF CLAIM MUST BE POSTMARKED NO LATER THAN JANUARY 3, 2012, AND MAILED TO:**

Niederklein v. PCS Edventures!.com, Inc.  
Claims Administrator  
c/o A.B. Data, Ltd.  
PO Box 170500  
Milwaukee, WI 53217-8091

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