

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE DIAMOND FOODS, INC.,  
SECURITIES LITIGATION

Case No.: 11-cv-05386-WHA

This Document Relates to: All Actions

**PROOF OF CLAIM**

**GENERAL INSTRUCTIONS**

To recover as a Class Member in connection with the proposed Settlement of the above-entitled matter (the "Action"), you must complete, sign and return this Proof of Claim (or "Claim Form"). If you fail to file a properly addressed Proof of Claim (as set forth below), 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 Action.

Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of the Settlement of this Action. To share in the proceeds, the Claims Administrator must determine, based on the information in your Proof of Claim, that you have a recognized loss as a result of your purchases of Diamond stock during the Class Period.

**YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM SO IT IS POSTMARKED ON OR BEFORE JANUARY 9, 2014, ADDRESSED AS FOLLOWS:**

*In re Diamond Foods, Inc. Securities Litigation*  
c/o KCC Class Action Services  
PO Box 43211  
Providence, RI 02940-3211

Telephone: 1-866-889-7090  
Email: [DiamondFoods@kccllc.com](mailto:DiamondFoods@kccllc.com)  
Website: <http://classaction.kccllc.net/DiamondFoods>

If you are NOT a Class Member as defined in the Notice of Proposed Settlement of Class Action ("Notice"), DO NOT submit a Proof of Claim.

If you are a Class Member and have not validly requested to be excluded from the Class, you are bound by the terms of any Judgment entered in the Action, including the Release included in the Stipulation of Settlement, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM FORM.

## CLAIMANT IDENTIFICATION

Use Part I of this form entitled “Claimant Identification” to identify each owner of Diamond stock on whose behalf the Claim Form is submitted. This Claim Form must be filed by the actual owner(s) or the legal representative of such owner(s). If you hold or held Diamond stock on behalf of other owners, you must complete this Claim Form and provide information regarding the person, persons or entity(ies) for whom you hold Diamond stock.

If you own this stock with your spouse or someone else in joint ownership, please identify them on this Claim Form as a joint owner. All joint owners must sign this Claim Form. Executors, administrators, guardians, conservators and trustees must complete and sign this Claim Form on behalf of Persons represented by them and evidence of their authority must accompany this Claim Form and their titles or capacities must be stated.

The last four digits of the Social Security (or taxpayer identification) number and telephone number of the 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.

## CLAIM FORM

Use Part II of this form entitled “Schedule of Transactions in Diamond Stock” to supply all required details of your transaction(s) in Diamond shares.

**Unless you are making a claim relating to purchases of 200 or fewer shares of Diamond stock, you must provide documentation for your claim. Broker confirmations or brokerage statements reflecting your purchases or other documentation of your transactions in Diamond stock during the Class Period (such as a Schedule D from your federal income tax return) should be attached to your Claim Form. If you purchased Diamond stock through a broker, you should be able to obtain duplicate copies of confirmation or brokerage statements from that broker. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.**

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 the amount of your claim. In some cases where 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 Form upon the production of additional information that it may, in its discretion, require to process the claim.

Tear along perforation at left and mail all pages of this claim form with supporting documentation

**PROOF OF CLAIM**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION  
*IN RE DIAMOND FOODS INC., SECURITIES LITIGATION*  
Case No: 11-cv-05386-WHA

**MUST BE POSTMARKED  
NO LATER THAN  
JANUARY 9, 2014  
PLEASE TYPE OR PRINT.**

**DIF**

**PART I: CLAIMANT IDENTIFICATION**

Owner Name (First, Middle, Last)

Joint Owner Name, if applicable (First, Middle, Last)

Address Line 1 (Number and Street or P.O. Box)

Address Line 2 (if needed)

City

State

Zip Code

Telephone Number Day

Telephone Number Evening

Email Address

Social Security Number (for individuals)

**OR**

Employer Identification Number (for estates, trusts, corps, etc)

Check appropriate box (check only one box):

Individual/Sole Proprietor  Corporation  Partnership  IRA  Joint Owners  Pension Plan

Trust  Other (describe):

If you are a bank or other institution filing on behalf of a third-party, and an account is needed to identify the Claimant for your records, please provide the following information:

Name of Institution

Account number for Claimant

Street Address of Institution

City

State

Zip

Phone # or Email of Institution

**NOTICE TO BROKERS AND OTHER INSTITUTIONS REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request to, or may be requested to, submit information regarding their transactions in electronic files. All Claimants **MUST** submit a manually signed paper Proof of Claim form listing all their transactions whether or not they also submit electronic copies. If you wish to file your claim electronically, you must obtain the required file layout and instructions by visiting the settlement website at: <http://classaction.kccllc.net/DiamondFoods>. 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.

**PART II: SCHEDULE OF TRANSACTIONS IN DIAMOND STOCK**

**NOTE: IF YOU PURCHASED 200 OR FEWER SHARES OF DIAMOND STOCK DURING THE CLASS PERIOD, YOU MAY PROVIDE APPROXIMATIONS OF DATES AND PRICES FOR YOUR CLASS PERIOD TRANSACTIONS, AND OMIT THE BEGINNING AND ENDING BALANCES.**

**Number of shares of Diamond stock that I owned at the close of the market on October 4, 2010\*:**

(If none, write "zero" or "0"; if other than zero, must be documented)\* .....NUMBER OF SHARES

**I made the following purchases of shares of Diamond stock during the period from October 5, 2010 through and including February 8, 2012 (attach a separate sheet if necessary).**

**NOTE: If more than 200 shares were purchased during the Class Period, all purchases must be documented<sup>1</sup>:**

<u>Date(s) of Purchase(s) (List Chronologically) (Month/Day/Year)</u>	<u>Number of Shares of Common Stock Purchased</u>	<u>Price Per Share of Common Stock</u>	<u>Aggregate Cost (excluding commissions, taxes and fees)</u>
<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>
<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>
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<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>

**I made the following sales of shares of Diamond stock during the time period from October 5, 2010 through and including February 8, 2012 (attach a separate sheet if necessary)<sup>†</sup>:**

<u>Date(s) of Sale(s) (List Chronologically) (Month/Day/Year)</u>	<u>Number of Shares of Common Stock Sold</u>	<u>Price Per Share of Common Stock</u>	<u>Proceeds Received (excluding commissions, taxes and fees)</u>
<input style="border: 1px solid red; width: 130px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>
<input style="border: 1px solid red; width: 130px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>
<input style="border: 1px solid red; width: 130px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>	<input style="border: 1px solid red; width: 120px; height: 25px;" type="text"/>

**Number of shares of Diamond stock that I owned at the close of the market on February 8, 2012\*:**

(If none, write "zero" or "0"; if other than zero, must be documented)\* .....NUMBER OF SHARES

\* Documentation to show holding would commonly include the monthly brokerage statement for the account in which the stock was held.

† Documentation to show a purchase or sale should normally include a trade confirmation slip or a monthly statement showing the trade.

**PART III: 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 Northern District of California, San Francisco Division, with respect to my (our) claim as a Class Member (as defined in the Notice). 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 Class Counsel or the Claims Administrator to support this claim if required to do so. I (We) have not submitted any other claim covering the same Diamond shares and know of no other Person having done so on my (our) behalf.

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.

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 that I was not officer or director of the Company during the Class Period, that I am not a member of the immediate families of Michael J. Mendes or Steven M. Neil, that I am not submitting this Claim Form on behalf of any firm, trust, corporation, officer or other entity in which any Defendant has a controlling interest; that I am not the legal representatives, heirs, successors or assigns and any of the foregoing, and that I am not submitting this Claim Form with respect to purchases of Diamond stock to cover a previous short sale or sales.

I declare under penalty of perjury under the laws of the State of \_\_\_\_\_ that the foregoing information supplied by the undersigned is true and correct and that this Proof of Claim was executed this \_\_\_\_ day of \_\_\_\_\_ 201\_ in \_\_\_\_\_.  
(City, State)

Sign your name here

Type or print your name here

Joint Owner sign your name here

Joint Owner type or print your name here

Date

Date

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

**Reminder Checklist:**

1. Please remember to sign the Proof of Claim form.
2. If you purchased more than 200 shares of Diamond Foods, Inc. stock during the Class Period, remember to attach supporting documentation, and please sign and print/type your name on each additional sheet.
3. Do not send original or copies of stock certificates.
4. Keep a copy of your Proof of Claim form for your records.
5. If you move after submitting your Proof of Claim form, please send your new address to the Claims Administrator.

**Diamond Foods, Inc. Securities Litigation**

c/o KCC Class Action Services

P.O. Box 43211

Providence, RI 02940-3211

«BarCode»

«First1» «Last1»

«c/o»

«Addr2»

«Addr1»

«City», «St» «Zip» «Country»

**DIF**