

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

MARCELO CUNHA, Individually and on Behalf of All) No. ED-CV-08-01249-GW(JCx)
Others Similarly Situated,)
)
Plaintiff,)
) CLASS ACTION
vs.)
)
HANSEN NATURAL CORPORATION, et al.,)
)
Defendants.)
)

PROOF OF CLAIM AND RELEASE

I. GENERAL INSTRUCTIONS

1. To be potentially eligible to recover as a Settlement Class Member based on your claims in the consolidated action entitled *Cunha v. Hansen Natural Corporation, et al.*, No. ED-CV-08-01249-GW(JCx) (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 (as set forth in paragraph 3 below) 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 assure 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 ON OR BEFORE NOVEMBER 12, 2014, ADDRESSED AS FOLLOWS:

Hansen Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 8040
San Rafael, CA 94912-8040

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

4. If you are a Settlement 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

If you purchased or otherwise acquired Hansen Natural Corporation ("Hansen") common stock between November 9, 2006 and November 8, 2007, inclusive, and held the certificate(s) in your name, you are the beneficial purchaser as well as the record purchaser. If, however, you purchased Hansen 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 purchaser and the third party is the record purchaser.

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

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

Use Part II of this form entitled "Schedule of Transactions in Hansen Common Stock" to supply all required details of your transaction(s) in Hansen common stock. 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.

On the schedules, provide all of the requested information with respect to **all** of your purchases, acquisitions and sales of Hansen common stock which took place at any time from November 9, 2006 and February 5, 2008, 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

Hansen common stock you held at the close of trading on November 8, 2006, November 8, 2007 and February 5, 2008. Failure to report all such transactions may result in the rejection of your claim.

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 Hansen common stock. The date of a "short sale" is deemed to be the date of sale of Hansen common stock.

Copies of broker confirmations or other documentation of your transactions in Hansen 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.

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 at 1-877-343-5654 or visit their website at www.hansensecuritiessettlement.com 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.

Official
Office
Use
Only



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

Must Be Postmarked
No Later Than
November 12, 2014

Cunha v. Hansen Natural Corporation, et al.,

No. ED-CV-08-01249-GW(JCx)

PROOF OF CLAIM AND RELEASE

HANSEN



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

PART I: CLAIMANT IDENTIFICATION

Last Name

M.I.

First Name

Last Name (Co-Beneficial Owner)

M.I.

First Name (Co-Beneficial Owner)

IRA Joint Tenancy Employee Individual Other _____ (specify)

Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

Account#/Fund# (Not Necessary for Individual Filers)

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
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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 Central District of California, with respect to my (our) claim as a Settlement 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 the Claims Administrator to support this claim (including transactions in other Hansen securities) if requested to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions or sales of Hansen common stock during the Class Period 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 settle, release, and discharge from the Released Claims each and all of the "Released Persons," defined as each and all of Defendants in their individual and corporate capacities and each and all of their Related Persons. "Related Persons" means, (a) with respect to Hansen, each and all of its past or present subsidiaries, parents, commonly controlled entities or Persons, and affiliates, and each and all of its or their respective current or former officers, directors, employees, managers, shareholders, members, principals, agents, controlling persons, managing members, attorneys, legal counsel, accountants, auditors, consultants, financial advisors, investment advisors, commercial bank lenders, investment bankers, general and limited partners, indemnitors, indemnitees, insurers (including, but not limited to, Directors' and Officers' insurance carriers), reinsurers, representatives, predecessors, successors, assigns, and any Person acting on their behalf (collectively, "Affiliated Persons"); and (b) with respect to the Individual Defendants, each and all of any Individual Defendant's family members and/or spouses, successors, assigns, heirs, estates, administrators, executors, trustees, and personal representatives; any company (including, but not limited to, any limited liability company ("LLC")), corporation, partnership, trust, association, cooperative or other entity of any kind in which any Individual Defendant and/or family member and/or spouse of any Individual Defendant has or had any direct or indirect interest or management or representative position, and/or which (either in whole or in part) is for the benefit (either directly or indirectly) of any Individual Defendant and/or family member and/or spouse of any Individual Defendant (including, but not limited to, Hilrod Holdings L.P.; any partnership of which any Individual Defendant and/or family member or spouse of any Individual Defendant is (either directly or indirectly) one or more of the general and/or limited partners; and any trust of which any Individual Defendant is (either directly or indirectly) one or more of the settlors, grantors and/or trustees); and all Affiliated Persons of each Individual Defendant and each such company (including, but not limited to, LLCs), corporation, partnership, trust, association, cooperative or other entity.

2. "Released Claims" means any and all claims (including, without limitation, Unknown Claims), demands, rights, liabilities, penalties, sanctions, damages, losses, debts, obligations, fees, expenses, costs, judgments, matters, suits and causes of action of any kind or nature whatsoever, whether known or unknown, contingent or absolute, matured or unmatured, suspected or unsuspected, disclosed or undisclosed, hidden or concealed, discoverable or undiscoverable, accrued or unaccrued, liquidated or unliquidated, regardless of legal or equitable theory, including, without limitation, claims for negligence, breach of fiduciary duty, breach of the duty of care and/or loyalty, violation of any federal or state statute, rule or regulation, violation of common law, violation of administration rule or regulation, tort, breach of contract, violation of international law or violation of the law of any foreign jurisdiction, that Lead Plaintiff or any other Settlement Class Member (i) asserted in the Action, including in the Complaint, the Consolidated Complaint, the CAC and any other document, filing or statement in the Action; or (ii) could have, or in the future might have, asserted in the Action or in any other litigation or proceeding in any court, tribunal or forum against any of the Released Persons, arising from, based upon, or related in any way, directly or indirectly, in whole or in part, to (a) both the allegations, transactions, facts, matters, occurrences, representations, statements and/or omissions involved, set forth or referred to in the Complaint, the Consolidated Complaint or the CAC and any public filing, press release, conference call transcript, recording or other document incorporated therein by reference or otherwise communicated to the public by Defendants (or any of them) during the Class Period, and the purchase or acquisition of Hansen common stock during the Class Period by any Settlement Class Member or the sale of such common stock by any Settlement Class Member during the Class Period; or (b) Defendants' defense or settlement of the Action and/or Defendants' defense or settlement of the Released Claims. Notwithstanding the foregoing, "Released Claims" does not include any claim to enforce the terms of the Stipulation and Settlement.

3. "Unknown Claims" means any Released Claims which Lead Plaintiff or any Settlement Class Members do not know or suspect to exist in his, her or its favor at the time of the release of the Released Persons which, if known by him, her or it, might have affected his, her or its settlement with and release of the Released Persons, or might have affected his, her or its decision not to object to or to seek exclusion from this Settlement, and include, without limitation, any such claims, rights, benefits or provisions released or waived pursuant to ¶6.3 of the Stipulation.



4. 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.

5. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Hansen common stock which occurred during the Class Period as well as the number of shares of Hansen common stock held by me (us) at the close of trading on November 8, 2006, November 8, 2007 and February 5, 2008.

6. I (We) hereby warrant and represent that I (we) own(ed) the Hansen common stock identified in the Proof of Claim, or that, in signing and submitting this Proof of Claim, I (we) have the authority to act on behalf of the owner(s) thereof.

7. 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 AND FILL THE CIRCLE. ○

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)

(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)

**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. 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 or other documentation as they will not be returned.
- 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:
Hansen Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 8040
San Rafael, CA 94912-8040
- 8. **Do not use red pen or highlighter** on the Proof of Claim form or supporting documentation.

**THIS PROOF OF CLAIM MUST BE POSTMARKED NO LATER THAN NOVEMBER 12, 2014,
AND MUST BE MAILED TO:**

Hansen Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 8040
San Rafael, CA 94912-8040

