

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

CHAITANYA KADIYALA and KELLY SHARKEY,  
on behalf of themselves individually and others  
similarly situated,

Plaintiffs,

v.

OLYMPUS CORPORATION, TSUYOSHI  
KIKUKAWA, and SHUICHI TAKAYAMA,

Defendants.

No. 11-cv-7103 (JLS)

**PROOF OF CLAIM AND RELEASE**

**I. GENERAL INSTRUCTIONS**

1. To recover as a member of the Class based on your claims in the action entitled *Kadiyala, et al. v. Olympus Corporation, et al.*, Case No. 11-cv-7103 (JLS)(E.D. Pa.) (the "Litigation"), you must complete and, on page 6 hereof, sign this Proof of Claim and Release. If you fail to file a properly addressed (as set forth in paragraph 3 below) Proof of Claim and Release, your claim may be rejected and you may be precluded from any recovery from the Settlement Fund created in connection with the proposed Settlement of the Litigation.

2. **Submission of this Proof of Claim and Release, however, does not assure that you will share in the proceeds of the Settlement of the Litigation.**

3. YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM AND RELEASE POSTMARKED ON OR BEFORE MAY 24, 2014, ADDRESSED AS FOLLOWS:

*Olympus ADR Class Action Litigation*  
c/o Gilardi & Co., LLC  
P.O. Box 8040  
San Rafael, CA 94912

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

4. If you are a Member of the Class, you are bound by the terms of any judgment entered in the Litigation, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE.

**II. CLAIMANT IDENTIFICATION INSTRUCTIONS**

1. If you purchased or acquired American Depository Receipts ("ADRs") of Olympus Corporation and held the certificate(s) in your name, you are the beneficial purchaser as well as the record purchaser. If, however, the certificates 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.

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

3. All joint purchasers or acquirers must sign this claim. Executors, administrators, guardians, conservators and trustees must complete and sign this claim on behalf of Persons represented by them and evidence of 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 INSTRUCTIONS

1. Use Part II of this form entitled "Schedule of Transactions in Olympus ADRs" to supply all required details of your transaction(s) in Olympus ADRs. 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. In order to calculate your Recognized Loss during the Class Period, please provide on the schedules all of the requested information with respect to all of your purchases or acquisitions and all of your sales of Olympus ADRs that took place at any time between May 8, 2007 and February 6, 2012, inclusive, whether such transactions resulted in a profit or a loss. 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.

4. The date of covering a "short sale" is deemed to be the date of purchase of such Olympus ADRs. The date of a "short sale" is deemed to be the date of sale of such Olympus ADRs.

5. You must attach to your claim form **copies** of broker confirmations or other documentation of your transactions in Olympus ADRs for your claim to be valid. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

6. 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 your loss. In some cases where the Claims Administrator cannot perform the calculation accurately or at a reasonable cost to the Settlement Class with the information provided, the Claims Administrator may condition acceptance of the claim upon the production of additional information and/or the hiring of an accounting expert at the claimant's cost.

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions on electronic files. All claimants **MUST** submit a manually signed paper Proof of Claim and Release form whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Claims Administrator at [www.olympussecuritiessettlement.com](http://www.olympussecuritiessettlement.com) to obtain the required layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgement and acceptance of electronically submitted data.

