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13	UNITED STATES DISTRICT COURT	
14	NORTHERN DISTRICT OF CALIFORNIA	
15	SAN FRANCISCO DIVISION	
16	In re NUTANIX, INC. SECURITIES ) LITIGATION	Case No. 3:19-cv-01651-WHO Case No. 3:21-cv-04080-WHO
17	)	) CLASS ACTION
18	JOHN P. NORTON, ON BEHALF OF THE	SUPPLEMENTAL DECLARATION OF
19	NORTON FAMILY LIVING TRUST UAD   11/15/2002, Individually and On Behalf of All	ROSS D. MURRAY REGARDING NOTICE
20	Others Similarly Situated,	DISSEMINATION, REQUESTS FOR EXCLUSION RECEIVED TO DATE, AND
21	Plaintiff, )	CLAIMS RECEIVED TO DATE
22	vs.	October 4, 2023 TIME: 2:00 p.m. (via videoconference)
23	NUTANIX, INC., DHEERAJ PANDEY, and DUSTON M. WILLIAMS,	) JUDGE: Honorable William H. Orrick
	Defendants.	
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### I, ROSS D. MURRAY, declare and state as follows:

- 1. I am employed as a Vice President of Securities by Gilardi & Co. LLC ("Gilardi"), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court's May 19, 2023 Order Preliminarily Approving Settlement and Providing for Notice as Amended ("Notice Order") (*Nutanix* Action ECF 311; *Norton Action* ECF 121), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned actions (the "Actions"). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.
- 2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the "Initial Mailing Declaration") (ECF 319-4; *Norton Action* ECF 132-4). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

#### UPDATE ON DISSEMINATION OF THE CLAIM PACKAGE

- 3. As more fully detailed in the Initial Mailing Declaration, as of August 29, 2023, Gilardi had mailed or emailed 154,004 copies of the Court-approved Postcard Notice and mailed 47 copies of the Court-approved Notice of Pendency and Proposed Settlement of Class Actions (the "Notice") and Proof of Claim and Release Form (the "Proof of Claim") (collectively, the "Claim Package) to potential Class Members and their nominees. Additionally, Gilardi received a message from one institution noting that they anticipated sending Postcard Notices via email to 68,013 potential Class Members. *See* Initial Mailing Declaration, ¶11.
- 4. Since August 29, 2023, Gilardi has mailed an additional 720 copies of the Postcard Notice, and two copies of the Claim Package in response to requests from potential Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of September 26, 2023, Gilardi has mailed or emailed a total of 154,724 Postcard Notices and mailed 49 Claim Packages to potential Class Members and nominees.

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## REQUESTS FOR EXCLUSION RECEIVED TO DATE

- 5. Pursuant to the Notice Order, the Postcard Notice informed potential Class Members that written requests for exclusion from the Class must be mailed to *Nutanix Securities Settlement*, EXCLUSIONS, c/o Gilardi & Co. LLC, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are postmarked no later than September 13, 2023. At the time of the Initial Mailing Declaration, Gilardi reported that it had received one request for exclusion in connection with this Settlement. *See* Initial Mailing Declaration, ¶¶15-16.
- 6. Since the Initial Mailing Declaration was executed, and as of the date of this declaration, Gilardi has not received any additional requests for exclusion.

#### **CLAIMS RECEIVED TO DATE**

- 7. The Notice informed potential Class Members that if they wished to receive a payment from the Settlement they must submit a Proof of Claim to Gilardi, with supporting documentation, postmarked or submitted online by September 6, 2023. Through September 25, 2023, Gilardi has received a total of 78,593 Claims.
- 8. Gilardi's preliminary analysis of the Claims submitted to date shows that 510 paper Claims have been received, 1,466 on-line Claims have been submitted via the Settlement website, and 76,617 electronic Claims have been submitted by institutional filers. Based on a preliminary review of the Claims, they report approximately 92,370,000 damaged shares purchased during the Class Period.
- 9. All Claims are still subject to a comprehensive review under Gilardi's standard claims-processing procedures, which will identify any deficiencies and conditions of ineligibility in Claims. Claimants will then be given an opportunity to correct their Claims. Accordingly, it is not possible to report valid and invalid Claims at this point in time.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 26th day of September, 2023, at San Rafael, California.

ROSS D. MURRAY