## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CITY OF ST. CLAIR SHORES POLICE AND : FIRE RETIREMENT SYSTEM, Individually and on : Behalf of All Others Similarly Situated, :

Plaintiff,

VS.

CREDIT SUISSE GROUP AG, THOMAS GOTTSTEIN, DAVID R. MATHERS, LARA J. WARNER and BRIAN CHIN,

Defendants.

Civil Action No. 1:21-cv-03385-NRB

**CLASS ACTION** 

**PROOF OF CLAIM AND RELEASE** 

I. GENERAL INSTRUCTIONS

- 1. It is important that you completely read and understand the Notice of Pendency and Proposed Settlement of Class Action (the "Notice") that accompanies this Proof of Claim and Release form ("Proof of Claim" or "Claim Form"), including the Plan of Allocation set forth in the Notice. The Notice describes the proposed settlement, how Class Members are affected by the settlement, and the manner in which the Net Settlement Fund will be distributed if the settlement and Plan of Allocation are approved by the Court. By signing and submitting this Claim Form, you will be certifying that you have read and that you understand the Notice, including the terms of the releases described therein and provided for herein.
- 2. This Claim Form is directed to all persons or entities who purchased or otherwise acquired an interest in American Depository Receipts ("ADRs") of Credit Suisse Group AG ("Credit Suisse") from October 29, 2020 through March 31, 2021, inclusive (the "Class Period") (the "Class"). Certain persons and entities are excluded from the Class, as set forth on page 4, paragraph 3 of the Notice.
- 3. To recover as a Class Member based on your claims in the action entitled *City of St. Clair Shores Police and Fire Retirement System v. Credit Suisse Group AG, et al.*, No. 1:21-cv-03385-NRB (the "Litigation"), you must complete and, on page 6 hereof, sign this Proof of Claim. If you fail to submit a timely and properly addressed (as set forth in paragraph 5 below) Proof of Claim, your claim may be rejected and you may not receive any recovery from the Net Settlement Fund created in connection with the proposed settlement.
- 4. Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of the settlement of the Litigation. The distribution of the Net Settlement Fund will be governed by the Plan of Allocation set forth in the Notice, if it is approved by the Court, or by such other plan of allocation as the Court approves.
- 5. YOU MUST MAIL OR SUBMIT ONLINE AT WWW.CREDITSUISSESECURITIESSETTLEMENT.COM YOUR COMPLETED AND SIGNED PROOF OF CLAIM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, POSTMARKED (IF MAILED) OR RECEIVED (IF FILED ELECTRONICALLY) NO LATER THAN APRIL 6, 2023. IF MAILED, THE COMPLETED AND SIGNED PROOF OF CLAIM MUST BE SENT TO:

Credit Suisse Securities Settlement Claims Administrator c/o Gilardi & Co. LLC P.O. Box 6159 Novato, CA 94948-6159

Do not mail or deliver your Claim Form to the Court, the parties to the Litigation, or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above. If you are NOT a Class Member, as defined in the Notice, DO NOT submit a Proof of Claim.

6. If you are a Class Member and you have not timely requested exclusion in connection with the proposed settlement, you are bound by the terms of any judgment entered in the Litigation, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM.

#### II. CLAIMANT IDENTIFICATION

If you purchased or otherwise acquired an interest in Credit Suisse ADRs (which trade on the New York Stock Exchange under the ticker symbol "CS") and held them in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, you purchased or acquired Credit Suisse ADRs and they were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser or acquirer and the third party is the record purchaser or acquirer.

Use Part I of this form entitled "Claimant Identification" to identify each purchaser or acquirer of record ("nominee"), if different from the beneficial purchaser or acquirer of Credit Suisse ADRs that form the basis of this claim. THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF CREDIT SUISSE ADRs UPON WHICH THIS CLAIM IS BASED.

All joint purchasers and 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 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 Credit Suisse ADRs" to supply all required details of your transaction(s) in Credit Suisse 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.

On the schedules, provide all of the requested information with respect to **all** of your **purchases or acquisitions** and **all** of your **sales** of Credit Suisse ADRs which took place between October 29, 2020 and June 28, 2021, inclusive, whether or not such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to **all** of the Credit Suisse ADRs you held at the close of trading on October 28, 2020, March 31, 2021, and June 28, 2021. Failure to report all such transactions or holdings may result in the rejection of your claim.

List each transaction 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 Credit Suisse ADRs. The date of a "short sale" is deemed to be the date of sale of Credit Suisse ADRs.

Copies of broker confirmations or other documentation of your transactions in Credit Suisse ADRs 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 edata@gilardi.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



Must Be Postmarked (if Mailed) or Received (if Submitted Online) No Later Than April 6, 2023

## **CTSU**

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

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

City of St. Clair Shores Police and Fire Retirement System v. Credit Suisse Group AG, et al.

No. 1:21-cv-03385-NRB

## **PROOF OF CLAIM AND RELEASE**

M.I.	First Name	
M.I.	First Name (Co-Beneficial Owner)	
not an Individual) or Custodi	ian Name if an IRA (Specily)	
Name (If Different from Bene	eficial Owner Listed Above)	
rs)		
Taxpayer Identification Num	nber	
Telephone Number (Alte	ernate)	
	_	
State	e ZIP Code	
State	e ZIP Code	
		istion
State Foreign Postal Code	e ZIP Code Foreign Country Name/Abbrev	iation
		riation
Foreign Postal Code	Foreign Country Name/Abbrev	viation
:	M.I.  Individual or Custod  Name (If Different from Beneral)  Taxpayer Identification Num	M.I. First Name (Co-Beneficial Owner)  sployee Individual Other not an Individual) or Custodian Name if an IRA (specify)  Name (If Different from Beneficial Owner Listed Above)



## PART II. SCHEDULE OF TRANSACTIONS IN CREDIT SUISSE ADRS

A. Number of Credit Suisse ADRs <i>held</i> at the close of trading on October 28, 2020:					Proof Enclosed? Y N					
В.	B. Purchases/acquisitions of Credit Suisse ADRs (October 29, 2020 – June 28, 2021, inclusive): ————————————————————————————————————									
					Droof of					
	Trade Date(s) (List Chronologically)	Number of ADRs Purchased or Acquired		Total Purchase or Acquisition Price	Proof of Purchase Enclosed?					
	M M D D Y Y Y	Υ								
1.			\$		_ 00 N					
2.			\$		00 N					
3.	1 1		\$		_ 00					
4.	1 1		\$		_ 00					
5.	/ /		\$		00 Y					
(ii)	IMPORTANT: (i) If any purchase listed covered a "short sale," please mark Yes: Yes  (ii) If you received shares through an acquisition or merger, please identify the date, the share amount and the company acquired:  M M D D Y Y Y Y Merger Shares: Company:									
C. Sales of Credit Suisse ADRs (October 29, 2020 – June 28, 2021, inclusive):										
	— SALES —		,							
	Trade Date(s) (List Chronologically)	Number of ADRs Sold		Total Sales Price	Proof of Sales Enclosed?					
	M M D D Y Y Y Y	Y			aa OY					
1.			\$		■ 00 N					
2.	1 1		\$		_ 00					
3.	1 1		\$		_ 00 O N					
4.	1 1		\$		■ 00 Y					
5.	/ /		\$		_00					
D.	Number of Credit Suisse ADRs <i>held</i> the close of trading on March 31, 20				Proof Enclosed? Y N					

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 6. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.



#### IV. RELEASE

- 1. I (We) hereby acknowledge that, pursuant to the terms set forth in the Stipulation, without further action by anyone, upon the Effective Date of the settlement, I (we), on behalf of myself (ourselves) and my (our) heirs, executors, administrators, predecessors, successors, assigns, parents, subsidiaries, affiliates, officers, directors, agents, fiduciaries, beneficiaries or legal representatives, in their capacities as such, and any other person or entity legally entitled to bring Released Claims on my (our) behalf, in that capacity, shall be deemed to have, and by operation of law and of the Judgment shall have, fully, finally, and forever compromised, settled, released, resolved, relinquished, waived, and discharged each and every Released Claim (including Unknown Claims) against the Released Persons, and shall forever be barred and enjoined from bringing any action asserting any of the Released Claims against any and all of the Released Persons.
  - 2. "Released Persons" means each and all of the Defendants and their Related Parties.
- 3. "Released Claims" means any and all claims, debts, demands, rights or causes of action or liabilities of every nature and description (including, but not limited to, any claims for damages, interest, attorneys' fees, expert or consulting fees, and any other costs, expenses or liability whatsoever), whether known claims or Unknown Claims, whether arising under federal, state, local, foreign, statutory or common law, or any other law, rule or regulation, whether asserted or unasserted, fixed or contingent, accrued or un-accrued, liquidated or unliquidated, at law or in equity, matured or unmatured, whether class or individual in nature, against Defendants or their Related Parties, arising out of, based upon, or in any way relating to both: (i) the allegations, claims, circumstances, events, transactions, facts, matters, occurrences, representations or omissions involved in, set forth, or alleged or referred to in the Litigation, or which could have been alleged in the Litigation, and (ii) the purchase, acquisition, holding, sale, or disposition of any Credit Suisse ADRs or ordinary shares during the Class Period. Released Claims does not include any claims relating to the enforcement of the settlement or any claims against any person or entity who or which submits a request for exclusion from the Class that is accepted by the Court.
- 4. "Unknown Claims" means any Released Claims which Lead Plaintiff or 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 this settlement or seek exclusion from the Class. With respect to any and all Released Claims, the Settling Parties stipulate and agree that, upon the Effective Date, Lead Plaintiff shall expressly waive and each of the Class Members shall be deemed to have, and by operation of the Judgment shall have, expressly waived the provisions, rights, and benefits of California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

Lead Plaintiff shall expressly waive and each of the Class Members shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the U.S., or principle of common law, which is similar, comparable or equivalent to California Civil Code §1542. Lead Plaintiff and Class Members may hereafter discover facts in addition to or different from those which he, she or it now knows or believes to be true with respect to the subject matter of the Released Claims, but Lead Plaintiff shall expressly settle and release and each Class Member, upon the Effective Date, shall be deemed to have, and by operation of the Judgment shall have, fully, finally, and forever settled and released any and all Released Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts. Lead Plaintiff acknowledges, and the Class Members shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and a key element of the settlement of which this release is a part.

5. This release shall be of no force or effect unless and until the Court approves the Stipulation of Settlement and the Stipulation becomes effective on the Effective Date.

### V. CERTIFICATIONS

By signing and submitting this Claim Form, the claimant(s) or the person(s) who represent(s) the claimant(s) agree(s) to the release above and certifies (certify) as follows:

- 1. that I (we) have read and understand the contents of the Notice and this Claim Form, including the releases provided for in the settlement and the terms of the Plan of Allocation;
- 2. that the claimant(s) is a (are) Class Member(s), as defined in the Notice, and is (are) not excluded by definition from the Class as set forth in the Notice;
- 3. that the claimant has **not** submitted a request for exclusion from the Class;
- 4. that I (we) own(ed) Credit Suisse ADRs identified in the Claim Form and 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, and that, in signing and submitting this Claim Form, I (we) have the authority to act on behalf of the owner(s) thereof;



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- 5. that the claimant(s) has (have) not submitted any other claim covering the same purchases or acquisition of Credit Suisse ADRs and knows (know) of no other person having done so on the claimant's (claimants') behalf;
- 6. that the claimant(s) submit(s) to the jurisdiction of the Court with respect to claimant's (claimants') claim and for purposes of enforcing the releases set forth herein;
- 7. that I (we) agree to furnish such additional information with respect to this Claim Form as Lead Counsel, the Claims Administrator, or the Court may require;
- 8. that I (we) acknowledge that the claimant(s) will be bound by and subject to the terms of any judgment(s) that may be entered in the Litigation; and
- 9. that I (we) hereby warrant and represent that I (we) have included the information requested about all of my (our) transactions in Credit Suisse ADRs which are the subject of this claim, which occurred during the Class Period as well as the opening and closing positions in such securities held by me (us) on the dates requested in this Claim Form.

I 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 I	here)	
(Type or print your name here	)		(Type or print you	r name here)	
(Capacity of person(s) signing Beneficial Purchaser or Acqui		Administrator)		on(s) signing, <i>e.g.</i> , ser or Acquirer. 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.
- 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 the address below.
- 8. **Do not use red pen or highlighter** on the Claim Form or supporting documentation.

THIS PROOF OF CLAIM MUST BE SUBMITTED ONLINE AT WWW.CREDITSUISSESECURITIESSETTLEMENT.COM OR, IF MAILED, POSTMARKED NO LATER THAN APRIL 6, 2023, ADDRESSED AS FOLLOWS:

Credit Suisse Securities Settlement
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 6159
Novato, CA 94948-6159

