## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Laydon v. Mizuho Bank, Ltd., et al.	No. 12-cv-3419 (GBD)		
Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.	No. 15-cv-5844 (GBD)		

## SUPPLEMENTAL AFFIDAVIT OF ERIC J. MILLER ON BEHALF OF A.B. DATA, LTD. REGARDING REQUESTS FOR EXCLUSION

# STATE OF FLORIDA ) ) ss. PALM BEACH COUNTY )

I, Eric J. Miller, being duly sworn, certify as follows:

1. I am the Vice President of Client Services of A.B. Data, Ltd's Class Action Administration Division ("A.B. Data"). I am over 21 years of age and am not a party to these Actions. My business address is 3507 Kyoto Gardens Drive, Suite 200, Palm Beach Gardens, FL 33410, and my telephone number is 561-336-1801. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. This supplemental affidavit updates my affidavit dated June 14, 2018 that reported on all Persons who submitted a timely Request for Exclusion from the Settlement Class as required by Paragraph 30 of the Order Preliminarily Approving Proposed Settlement with The Bank of Tokyo-Mitsubishi UFJ, Ltd. (now known as MUFG Bank, Ltd.) ("BTMU") and Mitsubishi UFJ Trust and Banking Corporation ("MUTB"), Scheduling Hearing for Final Approval Thereof, and Approving

#### Case 1:15-cv-05844-GBD-HBP Document 418-1 Filed 07/03/18 Page 2 of 5

the Proposed Form and Program of Notice to the Class, entered on March 8, 2018 (the "Preliminary Approval Order").<sup>1</sup>

3. On June 29, 2018, A.B. Data received an additional Request for Exclusion from the Settlement Class. This Request for Exclusion reflected a postmark date of June 6, 2018, in compliance with the Court's Preliminary Approval Order, and is therefore considered to be timely filed.

4. As a result, A.B. Data received a total of eight (8) Requests for Exclusion from the Settlement Class postmarked on or before June 7, 2018. Attached hereto as Exhibit A is an updated summary report of the eight (8) exclusions from potential Settlement Class Members received as of the date of this Affidavit.

5. Pursuant to Paragraph 20 of the Preliminary Approval Order and Section III.B of the Mailed Notice, those members of the Settlement Class who wished to object to any aspect of the Settlement, application for attorneys' fees and expenses, or the Final Approval Order and Final Judgment were to file such objection with the Court and serve on Class Counsel and counsel of record for BTMU and MUTB no later than June 12, 2018.

6. As of the date of this Affidavit, A.B. Data has not received any objections to the Settlement and A.B. Data knows of no objections sent to Class Counsel and/or counsel for BTMU and MUTB.

<sup>&</sup>lt;sup>1</sup> Unless otherwise defined herein, all capitalized terms used herein shall have the meanings set forth in the Preliminary Approval Order, the Notice of Proposed Class Action Settlement, July 12, 2018 Fairness Hearing Thereon, and Class Members' Rights (the "Mailed Notice"), attached as Exhibit A to my affidavit dated June 1, 2018 regarding notice and claims administration, and/or the Settlement Agreement.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3<sup>rd</sup> day of July 2018.

Eric

SUBSCRIBED and SWORN before me this 3<sup>rd</sup> day of July 2018.

STEVEN STRAUB, Notary Public My commission expires May 18, 2020.



# EXHIBIT A

## Case 1:15-cv-05844-GBD-HBP Document 418-1 Filed 07/03/18 Page 5 of 5

Name	Exclusion ID #	Postmark	Timely?	Contact information?	Name of Actions?	Statement that Class Member?	Transactions Statement?	Exclusion Statement?	BTMU and MUTB Statement	Signed?	Notarized?
1. Raymond Wang	37941261	4/3/2018	Y	Y	Y	N	Ν	Y	Y	Y	Ν
2. Akira Kusukawa	37941262	4/3/2018	Y	Y	Ν	N	N	Y	Ν	Y	Ν
3. Trans-Pecos Pipeline LLC	37941263	4/30/2018	Y	Y	Y	N	N	Y	Ν	Y	Ν
4. Comanche Trail, Pipeline LLC	37941263	4/30/2018	Y	Y	Y	N	Ν	Y	Ν	Y	N
5. Kyodo America Industries Co., Ltd	37941264	5/22/2018	Y	Y	Y	N	N	Y	Y	Y	Y
6. Banco De La Nacion Peru	37941265	5/24/2018	Y	Y	Y	N	Ν	Y	Ν	Y	Y
7. Sojitz Corporation of America	37941266	6/6/2018	Y	Y	Y	Y	N	Y	Y	Y	Y
8. Sojitz (Hong Kong) Limited	37941267	6/6/2018*	Y	Y	Y	Y	Ν	Y	Y	Y	Ν

### Euroyen Litigation BTMU MUTB Exclusion Report