

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JEFFREY LAYDON, on behalf of himself and all others
similarly situated,

Plaintiff,

- against -

THE BANK OF TOKYO-MITSUBISHI UFJ, LTD., THE
SUMITOMO TRUST AND BANKING CO., LTD., THE
NORINCHUKIN BANK, MITSUBISHI UFJ TRUST AND
BANKING CORPORATION, SUMITOMO MITSUI
BANKING CORPORATION, J.P. MORGAN CHASE & CO.,
J.P. MORGAN CHASE BANK, NATIONAL
ASSOCIATION, J.P. MORGAN SECURITIES PLC,
MIZUHO CORPORATE BANK, LTD., DEUTSCHE BANK
AG, THE SHOKO CHUKIN BANK, LTD., SHINKIN
CENTRAL BANK, UBS AG, UBS SECURITIES JAPAN CO.
LTD., THE BANK OF YOKOHAMA, LTD., SOCIETE
GENERALE SA, THE ROYAL BANK OF SCOTLAND
GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC,
RBS SECURITIES JAPAN LIMITED, BARCLAYS BANK
PLC, CITIBANK, NA, CITIGROUP, INC., CITIBANK,
JAPAN LTD., CITIGROUP GLOBAL MARKETS JAPAN,
INC., COOPERATIEVE CENTRALE RAIFFEISEN-
BOERENLEENBANK B.A., HSBC HOLDINGS PLC, HSBC
BANK PLC, LLOYDS BANKING GROUP PLC, ICAP
EUROPE LIMITED, R.P. MARTIN HOLDINGS LIMITED,
MARTIN BROKERS (UK) LTD., TULLETT PREBON PLC,
AND JOHN DOE NOS. 1-50,

Defendants.

Docket No. 12-cv-3419
(GBD)

FUND LIQUIDATION HOLDINGS LLC as assignee and successor-in-interest to Sonterra Capital Master Fund, Ltd., HAYMAN CAPITAL MASTER FUND, L.P., JAPAN MACRO OPPORTUNITIES MASTER FUND, L.P., and CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM, on behalf of themselves and all others similarly situated,

Plaintiffs,

- against -

UBS AG, UBS SECURITIES JAPAN CO. LTD., SOCIÉTÉ GÉNÉRALE S.A., NATWEST GROUP PLC, NATWEST MARKETS PLC, NATWEST MARKETS SECURITIES JAPAN LTD, NATWEST MARKETS SECURITIES, INC., BARCLAYS BANK PLC, BARCLAYS PLC, COÖPERATIEVE RABOBANK U.A., LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, NEX INTERNATIONAL LIMITED, ICAP EUROPE LIMITED, TP ICAP PLC, BANK OF AMERICA CORPORATION, BANK OF AMERICA, N.A., MERRILL LYNCH INTERNATIONAL, AND JOHN DOE NOS. 1-50,

Defendants.

Docket No. 15-cv-5844
(GBD)

**DECLARATION OF STEVEN J. STRAUB ON BEHALF OF A.B. DATA, LTD.
REGARDING REQUESTS FOR EXCLUSION**

Pursuant to 28 U.S.C. §1746, I, Steven J. Straub, declare:

1. I am the Claimant Operations Director 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 the above-captioned action. My business address is 600 A.B. Data Drive, Milwaukee, WI 53217, and my telephone number is 414-961-7551. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. I submit this Declaration as a supplement to the Declaration of Steven J. Straub on behalf of A.B. Data, Ltd. regarding Notice Administration, dated January 24, 2023, previously filed with the Court (ECF No. 1070) (the “Initial Mailing Declaration”).¹

3. As provided in the Preliminary Approval Orders entered on October 5, 2022,² this Declaration reports on the Opt-Out List identifying all Persons who submitted a timely Request for Exclusion from the Settlement Class.

4. Pursuant to Paragraph 24 of the Preliminary Approval Orders and Section III.C of the Mailed Notice, those members of the Class requesting exclusion were to provide the following information: (i) the name, address, and telephone number of the Class Member; (ii) a list of all trade names or business names that the Class Member requests to be excluded; (iii) the name of the Actions (“*Laydon v. Mizuho Bank, Ltd., et al.*, No. 12-cv-3419 (GBD) (S.D.N.Y.)” and *Sonterra Capital Master Fund Ltd. et al v. UBS AG, et al.*, No. 15-cv-5844 (GBD) (S.D.N.Y.)”); (iv) a statement certifying such person is a Class Member; (v) a description of the Euroyen-Based Derivatives transactions entered into by the Class Member that fall within the Settlement Class definition (including, for each transaction, the identity of the broker, the date of the transaction, the type (including direction) of the transaction, the counterparty (if any), the exchange on which

¹ Unless otherwise indicated, ECF citations are to the docket in *Laydon v. The Bank of Tokyo-Mitsubishi UFJ, Ltd., et al. (Laydon v. Mizuho Bank, Ltd.)*, No. 12-cv-3419 (GBD) (S.D.N.Y.) (“*Laydon*”). “*Sonterra*” refers to *Fund Liquidation Holdings LLC, et al. v. UBS AG, et al. (Sonterra Capital Master Fund, Ltd., et al. v. UBS AG, et al.)*, No. 15-cv-5844 (GBD) (S.D.N.Y.).

² “Preliminary Approval Orders” means: (a) the Order Preliminarily Approving Proposed Settlement with Nex International Limited (f/k/a ICAP PLC) and ICAP Europe Limited (collectively, “ICAP”), and Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 1060); (b) the Order Preliminarily Approving Proposed Settlement with Barclays Bank PLC, Barclays Capital Inc., and Barclays PLC (collectively, “Barclays”), and Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 1061); and (c) the Order Preliminarily Approving Proposed Settlement with TP ICAP (f/k/a Tullett Prebon PLC and n/k/a TP ICAP Finance PLC) (“Tullett Prebon”), and Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class (ECF No. 1062). Collectively, Barclays, ICAP, and Tullett Prebon are herein referred to as the “Settling Defendants.”

the transaction occurred (if any), any transaction identification numbers, the rate, and the notional amount of the transaction); (vi) a statement that “I/we hereby request that I/we be excluded from the Settlement Class”; and (vii) a statement specifying whether such person is requesting exclusion from the Settlement Class as it relates to one or more of the Settlements. All written requests must be signed by the member of the Settlement Class (or his, her or its legally authorized representative) notarized, and sent by U.S first class mail (or if sent from outside the U.S. by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) to the Settlement Administrator postmarked no later than February 7, 2023.

5. Pursuant to Paragraph 27 of the Preliminary Approval Orders, A.B. Data promptly logged each Request for Exclusion that it received and provided copies of the log to Class Counsel, and to Settling Defendants’ counsel.

6. As reported in the Initial Mailing Affidavit, A.B. Data received one (1) request for exclusion from the Settlement Class as of January 24, 2023. Since that date, A.B. Data has received an additional eight (8) requests for exclusion. Attached hereto as Exhibit A is a summary report of the nine (9) exclusions from potential Settlement Class Members received as of the date of this Declaration.

7. Pursuant to Paragraph 19 of the Preliminary Approval Orders and Section III.B of the Mailed Notice, those members of the Settlement Class who wished to object to any aspect of the Settlements, the application for attorneys’ fees and expenses, or the Final Approval Orders and Final Judgments were to file such objection with the Court and serve on Class Counsel and counsel of record for Settling Defendants no later than February 7, 2023.

8. As of the date of this Declaration, A.B. Data has not received any objections to the Settlements and A.B. Data knows of no objections sent to Class Counsel and/or counsel for Settling Defendants.

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

Executed this 14th day of February 2023.

A handwritten signature in purple ink, appearing to read "S. Straub", with a long horizontal line extending to the right.

Steven J. Straub

EXHIBIT A

Euroyen Litigation
Exclusion Report

Name	Exclusion ID #	Postmark	Timely?	Address?	Contact information?	Name of Actions?	Statement of Class Membership?	Transaction Statements?	Exclusion Statement?	Signed?	Notarized?
1. Osaka Gas USA Corporation	37941272	11/28/2022	Y	Y	Y	Y	N	N	Y	Y	N
2. Mitsubishi Corporation	37941273	1/26/2023	Y	Y	Y	Y	N	N	Y	Y	N
3. Japanese Red Cross Society	37941274	1/30/2023	Y	Y	Y	Y	N	N	Y	Y	N
4. Mitsubishi Corporation International (Europe) PLC	37941275	2/1/2023	Y	Y	Y	Y	N	N	Y	Y	N
5. Equator Reinsurances Limited	37941276	2/7/2023	Y	Y	Y	Y	Y	Y	Y	Y	Y
6. Benesse Corporation	250047991	2/7/2023	Y	Y	Y	Y	N	N	Y	Y	N
7. Bank of Sydney	37941277	2/6/2023	Y	Y	Y	Y	N	N	Y	Y	N
8. Intermedia Time SRL	250047992	1/31/2023	Y	Y	Y	Y	N	N	Y	Y	N
9. WPX Energy Inc. and Devon Energy Corporation	250047993	2/6/2023	Y	Y	Y	Y	N	N	Y	Y	Y