

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FUND LIQUIDATION HOLDINGS LLC, as assignee and successor-in-interest to FrontPoint Asian Event Driven Fund L.P., MOON CAPITAL PARTNERS MASTER FUND LTD., and MOON CAPITAL MASTER FUND LTD., on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

CITIBANK, N.A., BANK OF AMERICA, N.A., JPMORGAN CHASE BANK, N.A., THE ROYAL BANK OF SCOTLAND PLC, UBS AG, BNP PARIBAS, S.A., OVERSEA-CHINESE BANKING CORPORATION LTD., BARCLAYS BANK PLC, DEUTSCHE BANK AG, CREDIT AGRICOLE CORPORATE AND INVESTMENT BANK, CREDIT SUISSE AG, STANDARD CHARTERED BANK, DBS BANK LTD., ING BANK, N.V., UNITED OVERSEAS BANK LIMITED, AUSTRALIA AND NEW ZEALAND BANKING GROUP, LTD., THE BANK OF TOKYO-MITSUBISHI UFJ, LTD., THE HONGKONG AND SHANGHAI BANKING CORPORATION LIMITED, COMMERZBANK AG, AND JOHN DOES NOS. 1-50,

Defendants.

Docket No. 16-cv-05263 (AKH)

**DECLARATION OF JACK EWASHKO ON BEHALF OF A.B. DATA, LTD.  
REGARDING REQUESTS FOR EXCLUSION**

Pursuant to 28 U.S.C. §1746, I, Jack Ewashko, declare:

1. I submit this Declaration as a supplement to my earlier declaration, the Declaration of Jack Ewashko Regarding Notice Administration, dated October 10, 2022 (ECF No. 528-3) (the “Initial Mailing Declaration”). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. Since the execution of the Initial Mailing Declaration, A.B. Data has continued to disseminate copies of the Notice of Proposed Class Action Settlement, November 29, 2022 Fairness

Hearing Thereon, and Settlement Class Members' Rights (the "Notice") in response to additional requests from potential Class Members and nominees and based on additional information received from Settling Defendants. Between October 11, 2022 and November 1, 2022, A.B. Data has mailed an additional 270 copies of the Notice to potential Class Members and nominees. In aggregate, A.B. Data has mailed 20,333 copies of the Notice to potential Class Members and Nominees.

3. Pursuant to paragraph 20 of the Notice, the Orders Preliminarily Approving Class Action Settlement entered on June 9, 2022 (ECF Nos. 509-15) (the "June 9th Orders"), and the Order Amending Orders Preliminarily Approving Settlements (ECF No. 523) (the "Amending Order"), this Declaration reports on the Opt-Out List identifying all Persons who submitted a Request for Exclusion from the Settlement Class.

4. Pursuant to paragraph 20 of the Notice, the June 9th Orders, and the Amending Order, Class Members requesting exclusion from the Settlement Class were to provide the following information: (a) the name, address, telephone number and email address of the Person or entity seeking exclusion, and in case of entities, the name, telephone number, and email address of the appropriate contact person; (b) state that such Person or entity requests to be excluded from the Settlement Class in the Action (*Fund Liquidation Holdings LLC, et al. v. Citibank, N.A., et al.*, Case No. 1:16-cv-5263 (AKH) (S.D.N.Y.)); and (c) provide one or more document(s) sufficient to prove membership in the Settlement Class, as well as proof of authorization to submit the Request for Exclusion if submitted by an authorized representative. The exclusion must be sent 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) or deliver so that it is received by the Settlement Administrator not later than October 31, 2022.

5. A.B. Data promptly logs each request for exclusion that it receives and provide copies of the log to Plaintiffs' Counsel.

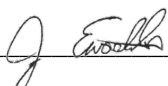
6. As reported in the Initial Mailing Declaration, as of October 10, 2022, A.B. Data had not received any requests for exclusion from the Settlement Class. Since that date, A.B Data has received one (1) request for exclusion. Attached hereto as Exhibit A is a summary report of the exclusion request received as of the date of this Declaration.

7. Pursuant to paragraph 24 of the Notice, the June 9th Orders, and the Amending Order, those Settlement Class Members who wish to object to the fairness, reasonableness, or adequacy of any term or aspect of the Settlements, were to file such objection with the Court and to serve on Plaintiffs' Counsel and all counsel for Settling Defendants no later than October 31, 2022.

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

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

Executed this 7<sup>th</sup> day of November 2022.

  
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Jack Ewashko

# EXHIBIT A

FUND LIQUIDATION HOLDINGS LLC, et al., v CITIBANK, N.A., et al., Case No.: 1:16-cv-5263 (AKH) (S.D.N.Y.)

**Exclusion Report**

	Name	Exclusion ID #	Postmark	Timely?	Contact Information?	Name of Action?	Class MemberStatement?	Transaction(s) Statement?	Exclusion Statement?	Signed?
1.	QBE Equator Reinsurances Limited	196702493	Y	Y	Y	Y	Y	Y	Y	Y
2.										
3.										
4.										
5.										
6.										
7.										
8.										