

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:21-cv-02774-RMR-KAS (consolidated with 1:21-cv-3215-RMR-KAS)

JOHNNY R. SHAFER,
DAVID P. SARRO,
KEVIN L. TYE,
JESS Q. WILLIAMS,
JUSTIN COHEN,
Individually and On Behalf of All Others Similarly Situated,

Plaintiffs,

v.

LIGHTNING EEMOTORS, INC.,
TIMOTHY R. REESER,
TERESA P. COVINGTON,
GIGACQUISITIONS3 LLC,
GIGCAPITAL GLOBAL,
AVI S. KATZ,
RALUCA DINU,
NEIL MIOTTO
GIGFOUNDERS LLC
BRAD WEIGHTMAN,
ANDREA BETTI-BERUTTO,
PETER WANG,
JOHN J. MIKULSKY, and
ROBERT FENWICK-SMITH,

Defendants.

**SUPPLEMENTAL DECLARATION OF ROSS D. MURRAY REGARDING: (A)
CONTINUED DISSEMINATION OF NOTICE; (B) UPDATE ON CALL CENTER
SERVICES AND WEBSITE; AND (C) REQUESTS FOR EXCLUSION RECEIVED**

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 July 23, 2024 Order Granting Preliminary Approval Pursuant to Fed. R. Civ. P. 23(e)(1) and Permitting Notice to the Settlement Class (ECF 130) (“Notice Order”), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned action and *Delman v. GigAcquisitions3, LLC, et al.*, No. 2021-0679-LWW (Del. Ch.) (together, the “Litigation”).¹ I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my previously filed declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (ECF 140) (the “Initial Mailing Declaration”). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees, and, if called as a witness, I could and would testify competently thereto.

CONTINUED DISSEMINATION OF NOTICE

3. As more fully detailed in the Initial Mailing Declaration, as of October 2, 2024, Gilardi had mailed or emailed a total of 27,986 copies of the Court-approved Notice of: (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys’ Fees and Expenses (“Notice”) and Proof of Claim and Release form (“Proof of Claim,” and together with the Notice, the “Claim Package”) to potential Settlement Class Members and their nominees. See Initial Mailing Declaration, ¶11.

4. Since October 2, 2024, Gilardi has mailed or emailed an additional 387 Claim Packages in response to requests from potential Settlement Class Members,

¹ Any capitalized terms used that are not otherwise defined herein shall have the meanings ascribed to them in the Stipulation of Settlement dated July 1, 2024 (ECF 127) (the “Stipulation”), which is available on the website established for the Settlement at www.LightningeMotorsSecuritiesSettlement.com.

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 November 8, 2024, Gilardi has mailed or emailed a total of 28,373 Claim Packages to potential Settlement Class Members and nominees. Additionally, Gilardi received a message from one institution noting that they anticipated sending Claim Packages via email to 57,133 potential Settlement Class Members.

UPDATE ON CALL CENTER SERVICES AND WEBSITE

5. Gilardi continues to maintain the toll-free telephone number (1-888-726-1695) to accommodate inquiries about the Settlement from potential Settlement Class Members. Gilardi also monitors the case-dedicated e-mail address, info@LightningeMotorsSecuritiesSettlement.com. Gilardi endeavors to respond timely to each telephone and e-mail inquiry and will continue to respond to Settlement Class Member inquiries via the toll-free telephone number and case dedicated e-mail address until the conclusion of the administration.

6. Gilardi also continues to maintain the website dedicated to the Settlement, www.LightningeMotorsSecuritiesSettlement.com (the "Settlement Website"), to assist potential Settlement Class Members. Following Plaintiffs' Counsel's filing of their briefing in support of the Settlement on October 4, 2024, Gilardi posted to the Settlement Website copies of the papers in support of Plaintiffs' Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation and Plaintiffs' Counsel's Motion for an Award of Attorneys' Fees and Expenses and Award to Federal Plaintiffs in Connection with their Representation of the Settlement Class. Gilardi will continue operating, maintaining and, as appropriate, updating the Settlement Website until the conclusion of the administration of this Settlement.

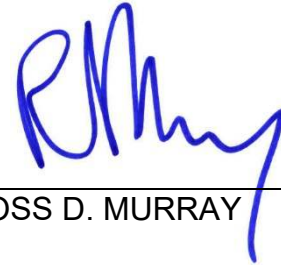
REQUESTS FOR EXCLUSION RECEIVED

7. Pursuant to the Notice Order, the Notice informed potential Settlement Class Members that written requests for exclusion from the Settlement Class were to be mailed to *Lightning eMotors Securities Settlement*, Claims Administrator, c/o Gilardi & Co.

LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, postmarked no later than October 18, 2024. Gilardi has monitored all mail delivered to the P.O. Box for the Settlement.

8. As of the date of this declaration, Gilardi has not received any requests for exclusion.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 8th day of November, 2024, at San Rafael, California.



ROSS D. MURRAY

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the e-mail addresses denoted on the Court's Electronic Mail Notice List.

s/ Hillary B. Stakem

HILLARY B. STAKEM

ROBBINS GELLER RUDMAN
& DOWD LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
hstakem@rgrdlaw.com