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IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE SCULPTOR CAPITAL
MANAGEMENT, INC. STOCKHOLDER
LITIGATION

CONSOLIDATED
C.A. No. 2023-0921-SG

**AFFIDAVIT OF JACK EWASHKO IN SUPPORT OF PLAINTIFF’S
[UNOPPOSED] MOTION FOR ADMINISTRATIVE ORDER**

STATE OF WISCONSIN)
) ss.:
COUNTY OF MILWAUKEE)

I, JACK EWASHKO, being duly sworn this 20th day of December 2024,
hereby deposes and says:

1. I am a Director of Case Management at A.B. Data, Ltd.’s Class Action
Administration Company (“A.B. Data”). I am over 21 years of age and am not a
party to the above-captioned action (the “Action”). My business address is 600 A.B.
Data Drive, Milwaukee, Wisconsin 53217, and my direct telephone number is (414)
961-7555.

2. A.B. Data serves as the Settlement Administrator¹ in connection with
the Action. I respectfully submit this Affidavit in order to provide the Court with

¹ Unless otherwise defined herein, all capitalized terms that are not defined in this affidavit
(the “Affidavit”) have the meaning ascribed to them in the Stipulation and Agreement of
Settlement, Compromise and Release (the “Stipulation”), dated January 22, 2024. Trans.
ID 71843143.

information regarding the proposed distribution of the Net Settlement Fund to Eligible Class Members (hereinafter, “Authorized Claimants”).

3. The following statements are based on my personal knowledge and information provided by A.B. Data employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

DISTRIBUTION OF NET SETTLEMENT FUND

4. Pursuant to the terms of the Stipulation, the Net Settlement Fund is to be distributed on a *pro rata* basis to Eligible Class Members.

5. On March 23, 2024, A.B. Data received a Security Position Report from the Depository Trust Company (“DTC”) showing each DTC Participant’s holdings of Sculptor common stock as of November 17, 2023 (the “Class Distribution Record Date”). The DTC Security Position Report contains each DTC Participant’s identification number, name, and the number of shares held by the DTC Participant. The Security Position Report identified 120 DTC Participants holding a total of 25,013,530 shares of Sculptor common stock.

6. On February 5, 2024, A.B. Data also received a copy of the stockholder register (the “Stockholder Register”) identifying each Sculptor stockholder of record as of the Class Distribution Record Date. The Stockholder Register contains the names, addresses, and number of shares held by each Sculptor stockholder of record.

The Stockholder Register identified 10 stockholders of record holding a total of 636 shares of Sculptor common stock. In total, there were 25,014,166 shares of Sculptor common stock outstanding on the Class Distribution Record Date.

7. Consistent with the terms of the Settlement, counsel for Defendants provided A.B. Data with information concerning the shareholdings of Excluded Persons as of the Class Distribution Record Date. In sum, a total of 1,343,692 shares have been identified as being held by six Excluded Persons as of the Class Distribution Record Date.

8. Accounting for the 1,343,692 Excluded Person shares, Authorized Claimants held 23,670,474 shares of Sculptor common stock on the Class Distribution Record Date (“Eligible Shares”). Therefore, each Authorized Claimant will receive a pro rata share of the Net Settlement Fund calculated by dividing each Authorized Claimant’s number of shares by the 23,670,474 Eligible Shares (“Per Eligible Share Amount”).

9. Subject to Court approval, A.B. Data will provide each DTC Participant the number of Eligible Shares that, according to the DTC Security Position Report, the institution’s customers held on the Class Distribution Record Date. If the DTC Participant held shares on behalf of an Excluded Person, A.B. Data will provide the Excluded Person’s shareholdings and account information to the DTC Participant.

A.B. Data will instruct the DTC Participant to pay the Per Eligible Share Amount to Authorized Claimants and similarly direct that no shares held by Excluded Persons be paid the Per Share Eligible Amount. A.B. Data will provide each DTC Participant its share of the Net Settlement Fund by check or wire transfer.

10. For Authorized Claimants whose Eligible Shares were held directly with the Company and not through a DTC Participant, A.B. Data is instructing each shareholder that, in the event that the record holder is not also the beneficial holder of Eligible Shares, it is the responsibility of that record holder to distribute the Per Eligible Share Amount to the beneficial holder(s) of such shares. A.B. Data will provide each record holder its share of the Net Settlement Fund by check or wire transfer.

11. A.B. Data will then conduct an initial distribution of the Net Settlement Fund to Authorized Claimants, after withholding funds for any potential tax liability that could be incurred by the Account (“Initial Distribution”). DTC Participants will be directed to distribute payments from the Net Settlement Fund to Eligible Closing Date Beneficial Holders in accordance with the Per Eligible Share Amount.

12. If there is any balance in the Account after six (6) months following the date of the Initial Distribution, A.B. Data will make further payments consistent with the Plan of Allocation.

13. Pursuant to the Settlement, Defendants and/or their insurers caused a total of \$6,500,000 in cash to be deposited into the Account. Stipulation ¶¶ I.1.kk; III.3 (a) i. (a)-(b). A.B. Data agreed to be the Administrator in exchange for payment of its fees and out-of-pocket expenses. A.B. Data's total Administrative Costs for this matter as of November 30, 2024, are \$66,843.43. A.B. Data anticipates that its fees and expenses for the work performed in connection with the Initial Distribution of the Net Settlement Fund are \$18,552.91. Accordingly, the balance due is \$85,396.34 payable to A.B. Data, which includes the estimate for completing the Initial Distribution of the Net Settlement Fund. \$4,746,024.07 (including interest), remains after deducting the \$1,707,258.73 (Fund Fee and Expense Award), \$406.11 (bank fees), \$10,000 (tax reserve) and \$85,396.34 (Administrative Costs) (i.e., the "Class Amount").

14. The Class Amount is to be distributed on a pro rata basis to all Authorized Claimants. The Initial Distribution should consist of a payment of approximately \$0.20 per Eligible Share.

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

Dated: December 20, 2024



Jack Ewashko

Subscribed and sworn to before me
this 20th day of December 2024.



Noah T. Fenner

Noah Fenner
Online Notary Public
Wisconsin
Milwaukee
Commission #: 249319
Commission Expires: 2026-08-29

Notarized online using audio-video communication

My commission expires August 29, 2026.