

Must Be Postmarked  
or Delivered No  
Later Than  
December 27, 2019

***Guevoura Fund Ltd. v. Sillerman, et al.***  
c/o JND Legal Administration  
PO Box 91202  
Seattle, WA 98111-9302

## **PROOF OF CLAIM AND RELEASE**

***THIS PROOF OF CLAIM MUST BE MAILED TO THE ADDRESS ABOVE AND POSTMARKED  
OR DELIVERED NO LATER THAN DECEMBER 27, 2019.***

*Please print clearly in black ink.*

To recover as a member of the Class based on your claims in the actions entitled *Guevoura Fund Ltd. v. Sillerman, et al.*, Civil Action Nos. 1:15-cv-07192-CM, 1:18-cv-09784-CM (“Action”), in the United States District Court for the Southern District of New York (“Court”), you must complete and, under Section E below, sign this Proof of Claim and Release form (“Proof of Claim”). If you fail to submit a timely, properly completed and addressed Proof of Claim, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund. All defined terms contained herein shall have the same meaning as set forth in the Stipulation and Agreement of Settlement dated as of April 30, 2019 (the “Stipulation”).

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## SECTION A - CLAIMANT INFORMATION

LAST NAME (CLAIMANT)

Last Name (Beneficial Owner if Different From Claimant)

Last Name (Co-Beneficial Owner)

Company/Other Entity (If Claimant Is Not an Individual)

FIRST NAME (CLAIMANT)

First Name (Beneficial Owner)

First Name (Co-Beneficial Owner)

Contact Person (If Claimant is Not an Individual)

Trustee/Nominee/Other

Account Number (If Claimant Is Not an Individual)

Trust/Other Date (If Applicable)

Address Line 1

Address Line 2 (If Applicable)

City

State

Zip Code

Foreign Province

Postal Code

Foreign Country

Telephone Number (Day)

Telephone Number (Night)

Beneficial Owner's Employer Identification Number or Social Security Number

Email Address (Email address is not required, but if you provide it you authorize the Claims Administrator to use it in providing you with information relevant to this claim.)

**IF YOU FAIL TO SUBMIT A COMPLETE CLAIM BY DECEMBER 27, 2019, YOUR CLAIM IS SUBJECT TO REJECTION OR YOUR PAYMENT MAY BE DELAYED.**

**NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request to, or may be requested to, submit information regarding their transactions in electronic files. To obtain the mandatory electronic filing requirements and file layout, you may visit the website at [www.SFXSecuritiesLitigation.com](http://www.SFXSecuritiesLitigation.com) or you may email the Claims Administrator, JND Legal Administration, at [info@SFXSecuritiesLitigation.com](mailto:info@SFXSecuritiesLitigation.com). Any file not in accordance with the required electronic filing format will be subject to rejection. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues an email after processing your file with your claim numbers and respective account information. Do not assume that your file has been received or processed until you receive this email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at [SFXSecurities@JNDLA.com](mailto:SFXSecurities@JNDLA.com) to inquire about your file and confirm it was received and acceptable.

## SECTION B - SCHEDULE OF TRANSACTIONS IN COMMON STOCK

Provide SFX Entertainment, Inc. ("SFX") Common Stock Trading History from **February 25, 2015** through **February 12, 2016**.

| <b>1. BEGINNING HOLDINGS</b> – List the number of SFX shares at the opening of trading on <b>February 25, 2015</b> (If none, write "zero" or "0," if other than zero, please provide documentation). <div style="float: right; border: 1px solid black; width: 150px; height: 20px; margin-top: 5px;"></div> |   |                          |  |  |
|--|---|--------------------------|--|--|
| <b>2. PURCHASES/ACQUISITIONS</b> – List each individual purchase of SFX Common Stock from <b>February 25, 2015</b> through <b>February 12, 2016</b> (Please note, purchases during the period between November 18, 2015 through February 12, 2016 will be used to balance your claim only).                  |   |                          |  |  |
| Date(s) of Purchase or Acquisition<br>(List Chronologically)<br>(Month/Day/Year)   | Number of Shares Purchased/<br>Acquired | Purchase Price Per Share | Total Transaction Amount<br>(excluding commissions, taxes, and fees) | Please check the box if this was a purchase in which you covered a "short sale"                                  |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| <b>3. SALES</b> – List each individual sale of SFX Common Stock from <b>February 25, 2015</b> through <b>February 12, 2016</b> .   |   |                          |  |  |
| Date(s) of Sale<br>(List Chronologically)<br>(Month/Day/Year)  | Number of Shares Sold                   | Sale Price Per Share     | Total Transaction Amount<br>(excluding commissions, taxes, and fees) | Please check the box if this was a purchase in which you covered a "short sale"                                  |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| / /  |   | \$                       | \$   | <input type="checkbox"/>   |
| <b>4. ENDING HOLDINGS</b> – Number of SFX shares held at the close of trading on February 12, 2016: (If none, write "zero" or "0"; if other than zero, must be documented.)  |   |                          |  | <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div> <b>Number of Shares</b> |

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST PHOTOCOPY THIS PAGE AND CHECK THIS BOX. IF YOU DO NOT CHECK THIS BOX THESE ADDITIONAL PAGES WILL NOT BE REVIEWED.**

## SECTION C – SUPPORTING DOCUMENTATION

**Please Submit Supporting Documentation For Your Claim.** You must submit documentation for your trading history. Acceptable documentation may include: (a) monthly stock brokerage or other investment account statements; (b) trade confirmation slips; (c) a signed letter from your broker on firm letterhead verifying the information you are providing; (d) a Deposit or Escrow Receipt showing your holdings; or (e) other equivalent proof of your transactions. DO NOT SEND ORIGINALS. If you have questions, please call 1-844-961-0313.

## SECTION D – RELEASE

**Please Review the Release For the Claims Against the Director Defendants and Sign Below.**

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever release, relinquish and discharge, all of the Released Claims against the Released Parties.

“Released Claims” means any and all claims, debts, actions, causes of action, suits, dues, sums of money, accounts, liabilities, reckonings, bonds, bills, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, awards, extents, executions, and demands whatsoever (including, but not limited to, any claims for damages, interest, attorneys’ fees, expert or consulting fees, and any other costs, expenses or liability and including any claims for violations of Fed. R. Civ. P. 11), whether based on federal, state, local, statutory or common law or any other law, rule or regulation, including without limitation the federal securities laws and the claims alleged in the Non-Dischargeability Action, whether fixed or contingent, whether accrued or un-accrued, whether asserted or unasserted, whether liquidated or un-liquidated, whether at law or in equity, whether matured or unmatured, whether direct, indirect or consequential, whether class or individual in nature, whether suspected or unsuspected, and whether known claims or Unknown Claims (as defined below), which the Lead Plaintiff and the Class Members on behalf of themselves, their heirs, executors, representatives, administrators, predecessors, successors, assigns, officers and directors, any and all other persons they represent and any other person or entity claiming (now or in the future) through or on behalf of them, in their individual capacities and in their capacities as purchasers of SFX common stock, ever had, now has or hereafter can, shall or may have, from the beginning of time through and including the present, whether in their own right or by assignment, transfer or grant from any other person, thing or entity that (i) have been asserted in this Action and the Non-Dischargeability Action by the Lead Plaintiff and Class Members, or any of them, against any of the Released Parties, or (ii) could have been asserted in any forum by the Lead Plaintiff or Class Members, or any of them, against any of the Released Parties which arise out of, are based upon or relate to, directly or indirectly, the allegations, transactions, facts, statements, matters or occurrences, representations or omissions involved, set forth, or referred to in the Complaint, the complaint in the Non-Dischargeability Action or relate to the purchase, acquisition, transfer, holding, ownership, disposition, or sale of SFX common stock during the Class Period. Released Claims does not include claims relating to the enforcement of the Settlement or the terms of this Stipulation. For the avoidance of doubt, nothing in this Stipulation or this release releases the Director Defendants from their obligations under this Stipulation or their liability for breach of any term, warranty, or representation in this Stipulation.

“Released Parties” means each of the Director Defendants, Mitchell Slater, Andrew Bazos, Joseph Rascoff, Edward Simon, Pasquale Manocchia, Howard Tytel, and Sheldon Finkel, and their and SFX’s respective present and former direct and indirect parents, subsidiaries, divisions, and affiliates, and any of their present and former officers, directors, members, general partners, limited partners, employees, agents, representatives, attorneys, advisors, associates, associations, fiduciaries, sureties, insurers (including but not limited to the Insurance Carriers) and reinsurers, shareholders, auditors and accountants, financial advisors and investment banks, predecessors, heirs, estates consultants, successors and assigns of each of them,

and any other person or entity in which any of the foregoing has or had a controlling interest or which is or was related to or affiliated with any of the foregoing, and anyone acting in concert with any of them.

“Released Defendants’ Claims” means any and all claims, rights, causes of action or liabilities, of every nature and description whatsoever, whether based in law or equity, on federal, state, local, statutory or common law or any other law, rule or regulation (including any claims for violations of Fed. R. Civ. P. 11), including both known claims and Unknown Claims, that have been or could have been asserted in the Action, the Non-Dischargeability Action or any forum by the Released Parties, or any of them, or the successors and assigns of any of them against Lead Plaintiff or its attorneys, or against any other of the Released Parties, which arise out of or relate in any way to the institution, prosecution, or settlement of the Action and the Non-Dischargeability Action. Released Defendants’ Claims does not include claims relating to the enforcement of the Settlement or the terms of this Stipulation.

“Releasing Parties” means Lead Plaintiff and each of the Class Members on behalf of themselves, their heirs, executors, representatives, administrators, predecessors, successors, assigns, officers and directors.

“Unknown Claims” means any and all Released Claims which any Releasing Party does not know or suspect to exist in his, her or its favor at the time of the release of the Released Parties, which if known by him, her or it might have affected his, her or its decision(s) with respect to the Settlement. With respect to any and all Released Claims, the Parties stipulate and agree that the Lead Plaintiff expressly waives, and each Class Member shall be deemed to have waived, and by operation of the Final Judgment shall have expressly waived, any and all provisions, rights and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable, or equivalent to Cal. Civ. Code § 1542, which provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

Lead Plaintiff, as a Class representative, acknowledges that members of the Class may discover facts in addition to or different than those that they now know or believe to be true with respect to the subject matter of the release herein, but that it is its intention, on behalf of the Class, to fully, finally, and forever settle and release any and all claims released hereby, known or unknown, suspected or unsuspected, which now exist, or heretofore existed, or may hereafter exist, and without regard to the subsequent discovery or existence of such additional or different facts. Lead Plaintiff also acknowledges, and Class Members by operation of law shall be deemed to have acknowledged, that the inclusion of “Unknown Claims” in the definition of Released Claims was separately bargained for and was a key element of the Settlement Agreement.

2. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

3. I (We) hereby warrant and represent to the best of my (our) knowledge that I (we) have included information about all of my (our) transactions in SFX common stock during the Class Period.

## SECTION E – CERTIFICATION

Under the penalty of perjury, I (we) certify that:

1. The number shown below on this form is my (our) current SSN/TIN; and
2. I (We) certify that I am (we are) not subjected to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code.

NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

The Internal Revenue Service does not require your consent to any provision other than the certification required to avoid backup withholding.

|   |
|---|
| Social Security No. (for individuals) or Taxpayer Identification Number |
|   |

I (We) submit to the jurisdiction of the Court with respect to this claim and declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_.

(month) (year) (city) (state)

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Signature of Joint Claimant, if any

\_\_\_\_\_  
Print Name of Claimant

\_\_\_\_\_  
Print Name of Joint Claimant, if any

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

***If Claimant is other than an individual, or is not the person completing this form, the following also must be provided:***

\_\_\_\_\_  
Signature of Person Completing Form

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Person Completing Form

\_\_\_\_\_  
Capacity of person signing on behalf of Claimant, if other than an individual, e.g., executor, president, custodian, etc.

## REMINDER CHECKLIST



1. Please sign the above release and certification. If this Claim Form is being made on behalf of joint claimants, then both must sign.



2. Remember to attach only copies of acceptable supporting documentation.



3. Please do not highlight any portion of the Claim Form or any supporting documents.

4. Do not send original stock certificates or documentation. These items cannot be returned to you by the Claims Administrator.



5. Keep copies of the completed Claim Form and documentation for your own records.



6. The Claims Administrator will acknowledge receipt of your Claim Form by mail, within sixty (60) days. Your claim is not deemed filed until you receive an acknowledgement postcard. If you do not receive an acknowledgement postcard within 60 days, please call the Claims Administrator toll free at 1-844-961-0313.

7. If your address changes in the future, or if this Claim Form was sent to an old or incorrect address, please send the Claims Administrator written notification of your new address. If you change your name, please inform the Claims Administrator.



8. If you have any questions or concerns regarding your claim, please contact the Claims Administrator at the above address or at 1-844-961-0313, or visit [www.SFXSecuritiesLitigation.com](http://www.SFXSecuritiesLitigation.com).

THIS CLAIM FORM MUST BE MAILED TO THE CLAIMS ADMINISTRATOR BY FIRST-CLASS MAIL, POSTAGE PREPAID, AND **POSTMARKED OR DELIVERED NO LATER THAN DECEMBER 27, 2019**, ADDRESSED AS FOLLOWS:

***Guevoura Fund Ltd. v. Sillerman, et al.***  
**Claims Administrator**  
**c/o JND Legal Administration**  
**PO Box 91202**  
**Seattle, WA 98111-9302**