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9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO

12 In re KING DIGITAL ENTERTAINMENT plc)
13 SHAREHOLDER LITIGATION)

Lead Case No. CGC-15-544770

) CLASS ACTION

14)
15 This Document Relates To:)

) DECLARATION OF BJORN I. STEINHOLT,
CFA

16 ALL ACTIONS.)

) Assigned for All Purposes to the
Honorable Curtis E.A. Karnow

17 Date: January 12, 2017

18 Time: 4:00 p.m.

19 Dept. 304

20 Date Action Filed: 03/17/15
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I. INTRODUCTION AND QUALIFICATIONS

1. I am a Managing Director at Caliber Advisors, Inc. (Caliber), a full-service valuation and economic consulting firm with offices in San Diego, California; Chicago, Illinois; and Washington D.C.. I have more than 25 years of experience providing capital markets consulting, including analyzing and valuing investments. Over the past 10 years, I have been retained on numerous occasions to provide expert opinions relating to market efficiency, materiality, loss causation and damages in large and complex securities class actions similar to this litigation. In *China Intelligent Lighting and Electronics, Inc.*, No. 11-cv-02768 (C.D. Cal.), the Court entered its judgment based on my aggregate damages estimate. In *Jaffe v. Household Intl Inc, et al.*, No. 02-cv-05893 (N.D. Ill.), the Court adopted my guidance and applied the prime rate when calculating pre-judgment interest for its final judgment. In *Novatel Wireless Sec. Litig.*, No. 08-cv-01689 (S.D. Cal.), the Court undertook a rigorous *Daubert* analysis of every element of my comprehensive loss causation and damages methodology, concluding that all of my testimony was admissible. Other Courts have similarly found my testimony admissible, including in *New England Health, et al v. Qwest Comm Intl Inc, et al.*, No. 01-cv-01451 (D. Col.), *Employer-Teamsters Joint Council Pension Trust Fund v. America West Holding, et al.*, No. 99-CV-399 (D. Ariz.), *Nursing Home Pension Fund et al v. Oracle Corporation et al.*, No. 01-cv-00988 (N.D. Cal.) and *Carson, et al v. Neopharm Inc, et al.*, No. 02-cv-02976 (N.D. Ill.). Furthermore, several other Courts have cited my testimony in support of their own decisions, including in *Healthsouth Corp. Sec. Litig.*, No. 03-cv-01501 (N.D. Ala.), *Luman v. Anderson, et al.*, No. 08-cv-00514 (W.D. Mo.), *Abu Dhabi Commercial Bank v. Morgan Stanley & Co.*, 08-CV-7508 (S.D. NY) and *Marcus v. J.C. Penney Co.*, No. 13-cv-736 (E.D. Tex.).

2. I received a Master of International Business degree from the University of San Diego and a Bachelor of Science degree in Computer Science and Engineering from California

State University, Long Beach. I have also earned the professional designation Chartered Financial Analyst awarded by the CFA Institute. A summary of my background and qualifications is attached as Exhibit A to this declaration.

II. OVERVIEW OF ASSIGNMENT

3. I have been retained by Plaintiffs' counsel to estimate recoverable damages pursuant to §11(e) of the Securities Act of 1933 ("1933 Act") suffered by the purchasers of King Digital Entertainment plc ("King Digital" or "Company") common stock in, or traceable to, King Digital's March 25, 2014 initial public offering ("IPO"). My recoverable damages estimate assumes that Plaintiffs' factual allegations, as summarized in their Second Amended Consolidated Class Action Complaint (the "Complaint"), are true.

4. Damages pursuant to §11(e) of the 1933 Act ("§11 Damages") are calculated using a statutory formula based on the decline in the stock price below the offering price. It is my understanding that, while Plaintiffs do not have to prove loss causation (*i.e.*, that the alleged misrepresentations caused the price decline), Defendants have an opportunity to reduce the damages based on the statutory formula to the extent they can prove so-called negative causation (*i.e.*, that some other unrelated factor(s) – such as market or industry factors – caused the price decline). That said, for the purpose of my damages analysis, I will only calculate §11 Damages for the price declines I conclude relate to the relevant truth concealed by the alleged misrepresentations.

5. My opinions are based on my professional experience, as well as a review of the available evidence, including: (a) the Complaint; (b) Public filings by King Digital with the United States Securities and Exchange Commission ("SEC"), including the March 25, 2014 Prospectus ("Prospectus") and filings on Forms 20-K and 6-K; (c) Company press releases and conference call transcripts; (d) Securities analyst reports regarding King Digital and its industry;

(e) Contemporaneous media reports regarding King Digital and its industry; (k) Price and volume data for King Digital, peer group companies, market and industry indices, as well as other market data such as float, institutional ownership and short interest from Bloomberg; (f) Articles, court decisions and other relevant information cited in the text, or in footnotes to the text, of this declaration.

6. Based on my analysis of the available evidence, discussed further below, I calculated recoverable §11 Damages of \$160.6 million.

III. STATUTORY §11 DAMAGES

7. It is my understanding that Plaintiffs brought this action pursuant to §11 of the 1933 Act on behalf of purchasers of King Digital common stock in, or traceable to, King Digital's March 25, 2014 IPO of 22,200,000 King Digital shares at \$22.50 per share. According to the Prospectus, King Digital shares *not* issued in the IPO were subject to lock-up agreements and would therefore not be sold for a period of 180-days following the date of the Prospectus, implying that only the 22,200,000 King Digital shares issued in the IPO traded prior to September 22, 2014. As a result, I calculated recoverable §11 Damages for all King Digital shares that were purchased in the March 25, 2014 IPO or on the open market following the IPO through September 21, 2015.

8. The 1933 Act provides specific guidance on how to calculate the statutory damages that plaintiffs may seek to recover. It is my understanding that the relevant portion of §11(e) when calculating the statutory measure of damages is as follows:

The suit authorized under subsection (a) may be to recover such damages as shall represent the difference between the amount paid for the security (not exceeding the price at which the security was offered to the public) and (1) the value thereof as of the time such suit was brought, or (2) the price at which such security shall have been disposed of in the market before suit, or (3) the price at which such security shall have been disposed of after suit but before judgment if such damages shall be less than the damages representing the difference between the

amount paid for the security (not exceeding the price at which the security was offered to the public) and the value thereof as of the time such suit was brought[.]

9. In this case, King Digital's IPO price was \$22.50 per share, and the closing price on the day the suit was filed, on March 17, 2015, was \$14.84 per share, a difference of \$7.66 per share.¹ Furthermore, on February 23, 2016, Activision Blizzard, Inc. completed its acquisition of King Digital at \$18.00 per share, meaning that all of King Digital's shares have been disposed of by now. As a result, the above formula for the statutory §11 Damages simply translates into the difference between the purchase price (not exceeding the Offer price of \$22.50 per King Digital share), and:

- (a) the sales price per King Digital share if sold prior to March 17, 2015, when the first suit was brought; or
- (b) the greater of: (i) the sales price per King Digital share, or (ii) \$14.84 per share, if sold on or after March 17, 2015.²

10. Furthermore, §11(e) of the 1933 Act specifically provides defendants with an opportunity to reduce (or eliminate) the statutory §11 Damages calculated using the above formula by proving that a portion (or all) of the decline in King Digital's stock price was caused by factors unrelated to the alleged misrepresentations and/or omissions. It states:

Provided, That if the defendant proves that any portion or all of such damages represents other than the depreciation in value of such security resulting from such part of the registration statement, with respect to which his liability is asserted, not being true or omitting to state a material fact required to be stated therein or necessary to make the statements therein not misleading, such portion of or all such damages shall not be recoverable.

¹ For the purpose of this report, I will assume that the value of King Digital's common stock on March 17, 2015 was equal to its closing price on that day.

² This measure of damages appears to be largely based on the loss causation rationale that, had investors known the truth about the alleged misrepresentations, they would not have purchased King Digital's shares in the Offering, and, thus, not suffered any losses as a result of the decline in the Company's stock price.

11. In other words, recoverable §11 Damages can be reduced (or eliminated) if defendants prove that factors other than the alleged misrepresentations caused some (or all) of the decline in the stock price following the offering, *i.e.*, prove negative causation.^{3 4} In this case, however, I do not have a negative causation analysis from Defendants. As a result, I will analyze the available economic evidence and base my estimate of recoverable §11 Damages on the price declines I conclude relate to Plaintiffs' allegations, as explained further below.

IV. ANALYSIS OF KING DIGITAL'S PRICE DECLINE

12. For the purpose of my analysis, I have, as is customary, assumed that Plaintiffs will be able to prove their factual allegations at trial.⁵ Generally, it is my understanding that Plaintiffs allege that Defendants made certain statements in the Prospectus that were false as they omitted to disclose certain material information, thereby misleading investors with respect to the Company's prospects. More specifically, Plaintiffs allege that Defendants concealed that King Digital's bookings from Candy Crush were "plummeting," along with the number of monthly unique players ("MUPs"), and that the Company "was having to spend more on advertising to attract payers to its new games than it had to grow players of Candy Crush, driving expenses up

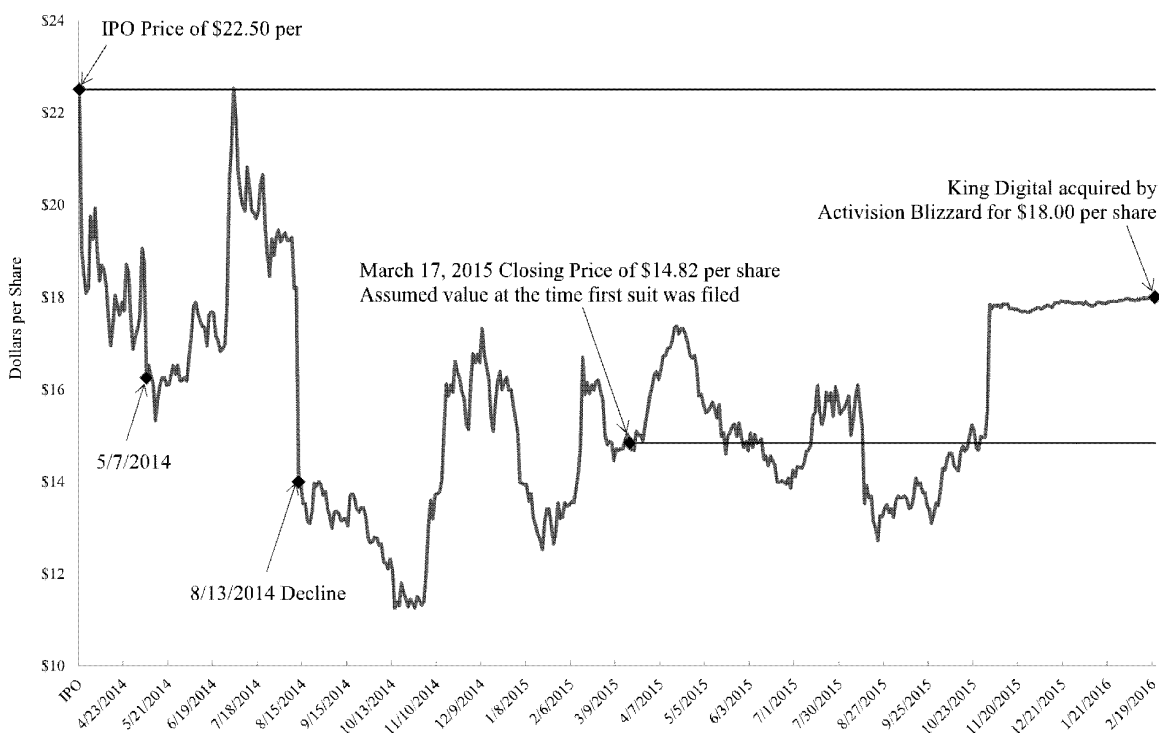
³ Negative causation is in many respects the flip side of the legal concept of loss causation, or proof that a misrepresentation caused an economic loss. Generally, to establish loss causation, the disclosed information must "reflect part of the 'relevant truth' – the truth obscured" by the misrepresentations. *Alaska Elec. Pension Fund v. Flowserve Corp.*, 572 F.3d 221, No. 07-11303 c/w 08-10071, 2009 U.S. App. LEXIS 13280, at *21 (5th Cir. June 19, 2009).

⁴ Reducing recoverable damages by the portion of King Digital's price decline attributable to factors other than the alleged misrepresentations, or negative causation, appears to be based on the rationale that investors assumed the risks of such other factors (including market and industry factors), and that even if the representations in King Digital's Registration Statement had been true, the investors would have suffered these losses.

⁵ This is consistent with the traditional role of a damages expert. *Reference Manual on Scientific Evidence: Reference Guide on Estimation of Economic Damages*, 3rd. ed. at 432. ("In almost all cases, the damages expert proceeds on the hypothesis that the defendant committed the harmful act and that it was unlawful.")

and profits down, and King's other new game offerings (beyond Candy Crush) were not drawing in new players at the rate Candy Crush was losing them.”⁶ Based on my review of the public mix of information from the March 25, 2014 IPO through the date the first suit was filed on March 17, 2015 (the “Relevant Period”), I identified two specific disclosures of the alleged truth following the IPO (on May 7, 2014 and on August 12, 2014 after the market closed) that reflected, at least partially, the alleged truth concealed, see graph below.

King Digital Entertainment
and Section 11 Limitations



13. On May 7, 2014, King Digital announced its 1Q2014 results, including disappointing bookings for Candy Crush and lower than expected MUPs. The negative news

⁶ Complaint, ¶¶36-54, ¶48.

disclosed related to the “relevant truth . . . obscured” by the alleged misrepresentations.⁷ Following this disclosure, King Digital’s stock price declined from a closing price of \$18.76 per share on May 6, 2014, to a closing price of \$16.25 per share on May 7, 2014, a price decline of \$2.51 or 13.38%, on volume of approximately 6.75 million shares, or more than 5 times the median volume during the Relevant Period. This price decline was statistically significant at the 1 percent level. In other words, this price decline was unlikely to have occurred simply by chance. Instead, it was almost certainly a result of the new negative information disclosed about disappointing bookings for Candy Crush and lower than expected MUPs. My review of the public mix of information did not uncover any other factors that could have explained the statistically significant price decline in King Digital’s stock price. Consequently, I included the May 7, 2014 decline in King Digital’s stock price in my damages analysis.

14. On August 12, 2014, after the market closed, King Digital announced its 2Q2014 results, including greater decay rate for Candy Crush, lower than expected MUPs, resulting in a reduction in guidance. Again, the negative news disclosed related to the “relevant truth . . . obscured” by the alleged misrepresentations.⁸ Following this disclosure, King Digital’s stock price declined from a closing price of \$18.20 per share on August 12, 2014, to a closing price of \$13.99 per share on August 13, 2014, a price decline of \$4.21 or 23.13%, on volume of approximately 17.65 million shares, or more than 13.5 times the median volume during the Relevant Period. This price decline was statistically significant at the 1 percent level. In other words, this price decline was unlikely to have occurred simply by chance. Instead, it was almost certainly a result of the new negative information disclosed about the greater decay for Candy

⁷ *Alaska v. Flowserve*; Complaint, ¶56; *Supra* ¶12.

⁸ *Alaska v. Flowserve*; Complaint, ¶58; *Supra* ¶12.

Crush, lower than expected MUPs, resulting in a reduction in future guidance. My review of the public mix of information did not uncover any other factors that could have explained the statistically significant price decline in King Digital's stock price.⁹ Consequently, I included the August 13, 2014 decline in King Digital's stock price in my damages analysis.

V. QUANTIFICATION OF AGGREGATE RECOVERABLE §11 DAMAGES

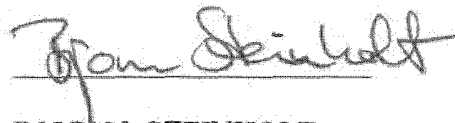
15. The aggregate §11 Damages in this case depend heavily on when Class members purchased and sold their King Digital shares. This information is not publicly available. However, we can estimate Class members' purchases and sales using trading models. In this case, I used a two-trader model assuming that 20% of the public float made up 80% of the trading volume (high-activity traders), while the remaining 80% of the float made up 20% of the trading volume (low activity traders).¹⁰ Using the above trading model assumptions, I calculated aggregate recoverable §11 Damages, as defined above, of \$160.6 million.

⁹ I am aware that Defendants argue that the decline was due to the realization of a disclosed risk, and that this somehow was unrelated to Plaintiffs' allegations. However, this is a generic argument that can be used for any revelation following a previous partial disclosure of the alleged truth, such as the May 7, 2014 disclosure in this case. In my view, the key issue is whether the risk had been fully and/or adequately disclosed. Plaintiffs allege it had not, and I assume that Plaintiffs' allegation with respect to this issue is true.

¹⁰ For a more full explanation and comparison of different trading models, *see* Michael Barclay & Frank Torchio, "A Comparison of Trading Models used for Calculating Aggregate Damages in Securities Litigation," *Law and Contemporary Problems*, (Spring/Summer 2001). Had I used the alternative single trader model that assumes that all shares have an equal likelihood of trading, my aggregate damages estimate would be slightly lower.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 27th day of December 2016, in San Diego, California.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Bjorn Steinholt", written over a horizontal line.

BJORN I. STEINHOLT

Exhibit A

Bjorn I. Steinholt, CFA

Caliber Advisors, Inc.

10620 Treena Street, Suite 230, San Diego, CA 92131
Telephone: (858) 549-4900 • Facsimile: (858) 549-9317
Bjorn@CaliberAdvisors.com

Employment History

Caliber Advisors, Inc.

Managing Director (2014 to present)

Caliber Advisors is a full-service valuation and economic consulting firm. Mr. Steinholt provides a broad range of capital markets consulting, including financial and economic analyses relating to mergers and acquisitions, initial public offerings, fairness opinions, structured finance, portfolio risk management, market structure, securities analysis and financial valuations, including litigation consulting and expert testimony relating to the economic issues that arise in large complex securities fraud cases.

Financial Markets Analysis, LLC

Principal (2000 to 2014)

Financial Markets Analysis was a financial valuation and economic consulting firm that primarily focused on providing economic analyses and expert testimony relating to securities analysis and financial economics. Mr. Steinholt provided capital markets consulting, financial valuation services, and various litigation consulting and expert testimony in large complex securities fraud cases.

Business Valuation Services, Inc. (subsidiary of CBIZ, Inc.)

Principal (1999 -2000)

Vice President (1998-1999)

Business Valuation Services was a national full-service financial valuation firm. Mr. Steinholt provided valuations of businesses and financial securities, including common stock, warrants, options, preferred stock, debt instruments and partnership interests, as well as intangible assets such as patents, trademarks, software, customer lists, work-force and licensing agreements. Mr. Steinholt also provided litigation support in shareholder disputes.

Princeton Venture Research, Inc.

Senior Vice President (1996-1998)

Vice President (1993-1996)

Financial Analyst (1990-1993)

Princeton Venture Research was a venture capital, investment banking and economic consulting firm. Mr. Steinholt provided various financial and economic analyses for venture capital, investment banking and consulting assignments, including shareholder disputes. Among other things, he helped identify and evaluate prospective emerging technology companies in need of venture capital funding.

University of San Diego

Research Assistant, Graduate Fellow (1988-1989)

Mr. Steinholt assisted with research regarding the performance of international equity markets following the 1987 stock market crash. He also developed computer programs related to the portfolio theory, including risk minimization and portfolio optimization based on quadratic programming techniques.

Educational Background

- **Chartered Financial Analyst**
CFA Institute, 1997
- **Master of International Business**
University of San Diego, 1989
- **Sivilingeniør** - (Norwegian graduate level engineering designation)
University of Trondheim, Norway, 1987
- **Bachelor of Science in Computer Science,
Computer Science and Engineering**
California State University, Long Beach, 1987

Professional Affiliations

- **Member, CFA Institute**
- **Member, Financial Analysts Society of San Diego**

Publications

“Price Impact Analysis – Where The Halliburton Court Erred,” Expert Analysis Section, *Law360* (August 25, 2015).

Testimony

In re: New England Health, et al v. Qwest Comm Intl Inc, et al., Case No. 1:01-cv-01451 (United States District Court for the District of Colorado). QwestDex Hearing Testimony relating to Section 11 damages: January 28, 2003. Mr. Steinholt was retained to opine on potential Section 11 damages.

In re: King, et al v. CBT Group PLC, et al., Case No. 98-CV-21014 (United States District Court, Northern District of California, San Jose Division). Deposition Testimony: November 5, 2003. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

In re: Employer-Teamsters Joint Council Pension Trust Fund v. America West Holding, et al., Case No. 99-CV-399 (United States District Court, District of Arizona). Deposition Testimony: October 28, 2004. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

In re: Howard Yue vs. New Focus, Case No. CV808031 (Superior Court of the State of California, County of Santa Clara). Deposition Testimony: July 28, 2005. Mr. Steinholt was retained to opine on the potential damages and other economic issues relating to the defendants’ acquisition of Globe Y.Technology, Inc.

In re: Howard Yue vs. New Focus, Case No. CV808031 (Superior Court of the State of California, County of Santa Clara). Deposition Testimony: August 9, 2005. Mr. Steinholt was retained to opine on the potential damages and other economic issues relating to the defendants’ acquisition of Globe Y.Technology, Inc.

In re: AB Liquidating Corp., fka Adaptive Broadband Corporation v. Ernst & Young, LLP (American Arbitration Association). Arbitration, March 23, 2006. Mr. Steinholt was retained to analyze the share turnover in Adaptive Broadband Corporation in connection with the liquidation of the company’s assets.

In re: AOL Time Warner, Inc. Securities and “ERISA” Litigation, Consolidated Opt-Out Action, Case No. 1:06-cv-00695 (United States District Court, Southern District of New York). Deposition Testimony: September 28, 2006. Mr. Steinholt was retained to opine on materiality and loss causation in a Section 11 context.

In re: Ohio Public Employees Retirement System vs. Richard Parsons, et al., Case No. 03-CVH07-7932 (Court of Common Pleas of Franklin County, Ohio). Deposition Testimony: March 22, 2007. Mr. Steinholt was retained to quantify Section 11 damages for various institutional investors.

In re: Ryan v. Flowserve Corporation et al., Case No. 3:03-cv-01769 (United States District Court, Northern District of Texas, Dallas Division). Deposition Testimony: June 15, 2007. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

In re: Nursing Home Pension Fund et al v. Oracle Corporation et al., Case No. 3:01-cv-00988 (United States District Court, Northern District of California). Deposition Testimony: July 2, 2007. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

In re: Carson, et al v. Neopharm Inc, et al., Case No. 1:02-cv-02976 (United States District Court, Northern District of Illinois, Eastern Division). Deposition Testimony: January 22, 2008. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

In re: HealthSouth Corporation Securities Litigation, Case No. 2:03-cv-01501-S (United States District Court, Northern District of Alabama, Southern Division). Deposition Testimony: February 1, 2008. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality and loss causation.

In re: Robert Kelleher, et al. v. ADVO, Inc., et al., Case No. 3:06-cv-01422 (United States District Court, District of Connecticut). Deposition Testimony: September 16, 2008. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality and loss causation in a class certification context.

In re: HealthSouth Corporation Securities Litigation, Case No. 2:03-cv-01501-S (United States District Court, Northern District of Alabama, Southern Division). Deposition Testimony: January 30, 2009. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality and loss causation.

In re: Huffy Corporation Securities Litigation, Case No. 3:05-cv-00028 (United States District Court, Southern District of Ohio, Western Division (at Dayton)). Deposition Testimony: November 12, 2009. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and potential damages for lead plaintiff.

Lori Weinrib v. The PMI Group, Inc. et al., Case No. 3:08-cv-01405, (United States District Court for the Northern District of California). Deposition Testimony: June 14, 2010. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

Kenneth McGuire, et al. v. Dendreon Corporation, et al., Case No. 2:07-cv-00800 (United States District Court, Western District of Washington at Seattle). Deposition Testimony: June 18, 2010. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

City of Livonia Employees' Retirement System v. The Boeing Company et al., Case No. 1:09-cv-07143, (United States District Court, Northern District of Illinois, Eastern Division). Deposition Testimony: November 5, 2010. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

Maureen Backe, et al. v. Novatel Wireless, Inc., et al., Case No.08-cv-1689 (United States District Court, Southern District of California). Deposition Testimony: February 1, 2011. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

Paul Luman, et al. v. Paul G. Anderson, et al. (FCStone Group Securities Litigation), Case No. 4:08-cv-00514 (United States District Court, Western District of Missouri, Western Division). Deposition Testimony: January 5, 2012. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

T Grocery & Food Employees Welfare Fund v. Regions Financial Corporation et al., Case No. 2:10-cv-02847 (United States District Court, Northern District of Alabama). Deposition Testimony: May 8, 2012. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

City of Pontiac General Employee's Retirement System v. Lockheed Martin Corporation et al., Case No. 1:11-cv-05026, (United States District Court, Southern District of New York). Deposition Testimony: May 18, 2012. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

United Food and Commercial Workers Union et al v. Chesapeake Energy Corporation et al., Case No. 5:09-cv-01114 (United States District Court, Western District of Oklahoma). Deposition Testimony: August 14, 2012. Mr. Steinholt was retained to opine on loss causation in a Section 11 context.

City of Pontiac General Employee's Retirement System v. Lockheed Martin Corporation et al., Case No. 1:11-cv-05026, (United States District Court, Southern District of New York). Deposition Testimony: October 4, 2012. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

Western Pennsylvania Electrical Employees Pension Fund, et al. v. Dennis Alter, et al., (*Advanta International Inc. Securities Litigation*) Case No. 2:09-cv-04730 (United States District Court, Eastern District of Pennsylvania). Deposition Testimony: May 1, 2013. Mr. Steinholt was retained to opine on economic issues relating to market efficiency in a class certification context.

Southern Avenue Partners LP v. The Perot Family Trust et al., (*Parkcentral Global Litigation*) Case No. 3:09-cv-00765 (United States District Court, Northern District of Texas, Dallas Division). Deposition Testimony: May 6, 2013. Mr. Steinholt was retained to opine on the calculation of potential damages.

Maureen Backe, et al. v. Novatel Wireless, Inc., et al., Case No. 08-cv-1689 (United States District Court, Southern District of California). Deposition Testimony: June 25, 2013. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

Garden City Employees' Retirement System v. Psychiatric Solutions, Inc. et al., Civil Action No. 3:09-cv-00882 (United States District Court, Middle District of Tennessee, Nashville Division). Deposition Testimony: June 6, 2014. Mr. Steinholt was retained to opine on economic issues relating to market efficiency, materiality, loss causation and Section 10(b) damages.

City of Pontiac General Employees' Retirement System v. Wal-Mart Stores, Inc. et al., Case No. 12-cv-05162 (United States District Court, Western District of Arkansas (Fayetteville)). Deposition Testimony: November 9, 2015. Mr. Steinholt was retained to opine on economic issues relating to market efficiency and the calculation of class-wide damages in a class certification context.

Alan B. Marcus, et al. v. J.C. Penney Company, Inc., et al., Case No. 13-CV-00736 (United States District Court, Eastern District of Texas (Tyler Division)). Deposition Testimony: March 4, 2016. Mr. Steinholt was retained to opine on economic issues relating to market efficiency and the calculation of class-wide damages in a class certification context.

Basis Yield Alpha Fund (Master) v. Goldman Sachs Group, Inc., et al., Index No: 652996/2011 (Supreme Court of the State of New York, County of New York). Deposition Testimony: April 1, 2016. Mr. Steinholt was retained to analyze loss causation related to two CDO-squared securities purchased by Basis Yield Alpha Fund (Master) from Goldman Sachs.

John Sender v. Franklin Resources, Inc., Case No. 11-cv-03828 (United States District Court, Northern District of California). Deposition Testimony: June 17, 2016. Mr. Steinholt was retained to analyze ERISA damages related to plaintiff's participation in defendant's Employee Stock Ownership Plan.

Alan Willis, et al. v. Big Lots, Inc., et al., Case No. 12-CV-00604 (United States District Court, Southern District of Ohio (Columbus)). Deposition Testimony: July 21, 2016. Mr. Steinholt was retained to opine on economic issues relating to market efficiency and the calculation of class-wide damages in a class certification context.

In re: Beaver County Employees Retirement Fund vs. Cyan, Inc., et al., Lead Case No. CGC-14-538355 (Superior Court of the State of California, County of San Francisco). Deposition Testimony: October 14, 2016. Mr. Steinholt was retained to opine on potential damages pursuant to §§11 and 12 of the Securities Act of 1933.

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DECLARATION OF SERVICE BY MAIL & EMAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 655 West Broadway, Suite 1900, San Diego, California 92101.

2. That on December 28, 2016, declarant served the DECLARATION OF BJORN I. STEINHOLT, CFA by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

4. Also, on December 28, 2016, declarant served the DECLARATION OF BJORN I. STEINHOLT, CFA via electronic mail on all parties listed on the attached Service List.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 28, 2016, at San Diego, California.



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