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Counsel for Plaintiff
SEB Investment Management AB

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SEB INVESTMENT MANAGEMENT AB,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

SYMANTEC CORPORATION and
GREGORY S. CLARK,

Defendants.

Case No. 3:18-cv-02902-WHA

ECF CASE

**DECLARATION OF ERIC J. MILLER
REGARDING CLASS NOTICE AND
REPORT ON REQUESTS FOR
EXCLUSION RECEIVED**

Dept.: Courtroom 12, 19th Floor
Judge: Honorable William Alsup

1 I, ERIC J. MILLER, hereby declare under penalty of perjury as follows:

2 1. I am a Senior Vice President of A.B. Data, Ltd.’s Class Action Administration
3 Company (“A.B. Data”), whose Corporate Office is located in Milwaukee, Wisconsin. The
4 following statements are based on my personal knowledge and information provided by other
5 A.B. Data employees working under my supervision, and if called on to do so, I could and would
6 testify competently thereto.

7 2. Pursuant to the Stipulation and Order Regarding Dissemination of Class Notice
8 dated May 29, 2020 (the “Notice Order”), the Court approved the retention of A.B. Data as the
9 Administrator of Class notice for the above-captioned action (the “Action”).¹ I submit this
10 declaration to provide the Court with proof of the mailing of the Court-approved Notice of
11 Pendency of Class Action (the “Class Notice”) and the publication of the Summary Notice of
12 Pendency of Class Action (the “Summary Class Notice”), and to report on the requests for
13 exclusion from the Class received in connection with dissemination of the Class Notice.

14 **MAILING OF THE CLASS NOTICE**

15 3. Pursuant to the Notice Order, A.B. Data has disseminated the Class Notice to
16 potential Class Members and nominees. A copy of the Class Notice is attached to this declaration
17 as Exhibit A.

18 4. Pursuant to the Notice Order, A.B. Data received an electronic spreadsheet from
19 Defendants’ Counsel, which contained the names and addresses of potential members of the Class.
20 This information contained 96 unique names and addresses of potential Class Members. On June
21 19, 2020, A.B. Data caused the Class Notice to be disseminated by first-class mail to those 96
22 potential Class Members.

23 5. As in most class actions of this nature, the large majority of potential Class
24 Members are beneficial purchasers whose securities are held in “street name” – *i.e.*, the securities

25
26 _____
27 ¹ Unless otherwise defined in this declaration, all capitalized terms have the meanings defined in
28 the Notice Order.

1 are purchased by brokerage firms, banks, institutions, and other third-party nominees in the name
2 of the nominee, on behalf of the beneficial purchasers. A.B. Data maintains a proprietary database
3 with names and addresses of the largest and most common banks, brokers, and other nominees
4 (the “Nominee Database”). The Nominee Database is updated from time to time as new nominees
5 are identified, and others go out of business. At the time of the initial mailing of the Class Notice,
6 the Nominee Database contained 4,162 mailing records. On June 19, 2020, A.B. Data caused the
7 Class Notice to be mailed to the 4,162 mailing records contained in the Nominee Database.

8 6. The Class Notice instructed those who, during the period from May 11, 2017 to
9 August 2, 2018, inclusive, purchased or otherwise acquired shares of publicly-traded Symantec
10 common stock, for the beneficial interest of any person or entity other than themselves, that they
11 must, within seven (7) calendar days of receipt of the Class Notice, either: (i) request sufficient
12 copies of the Class Notice to forward to all such beneficial owners (and then forward the Class
13 Notices to the beneficial owners within seven (7) calendar days of receipt) or (ii) provide the
14 names, addresses, and, if available, email addresses of such beneficial owners to A.B. Data. See
15 Class Notice ¶ 9.

16 7. Through the date of this Declaration, A.B. Data has mailed an additional 54,283
17 copies of the Class Notice to potential members of the Class whose names and addresses were
18 received from individuals, entities, or nominees requesting that the Class Notice be mailed to such
19 persons. In addition, 68,287 Class Notices have been delivered to nominees for forwarding to their
20 customers or emailed by nominees to investors who requested electronic rather than paper
21 communications.

22 8. Through the date of this Declaration, a total of 126,828 Class Notices have been
23 disseminated to potential members of the Class or their nominees. In addition, A.B. Data has re-
24 mailed 514 Class Notices to persons whose original mailings were returned by the U.S. Postal
25 Service (“USPS”) as undeliverable and for whom updated addresses were provided to A.B. Data
26 by the USPS.

1 **PUBLICATION OF THE SUMMARY CLASS NOTICE**

2 9. Pursuant to the Notice Order, A.B. Data caused the Summary Class Notice to be
3 published in *The Wall Street Journal* and *The Financial Times* and to be transmitted over the *PR*
4 *Newswire* on July 6, 2020. Copies of proof of publication of the Summary Class Notice in *The*
5 *Wall Street Journal* and *The Financial Times* and over the *PR Newswire* are attached to this
6 declaration as Exhibits B, C, and D, respectively.

7 **WEBSITE**

8 10. Beginning on June 19, 2020, A.B. Data established and continues to maintain a
9 website dedicated to this Action (www.SymantecSecuritiesLitigation.com) to assist Class
10 Members. The website address was set forth in the Class Notice and the Summary Class Notice.
11 The website lists the deadline for requesting exclusion from the Class and contains copies of the
12 Class Notice, the Summary Class Notice, the Notice Order, the operative Complaint, Symantec
13 and Gregory S. Clark’s Answers to the operative Complaint, and the Court’s order certifying the
14 Class. A.B. Data will continue operating, maintaining, and updating the case website as
15 appropriate.

16 **TOLL-FREE TELEPHONE LINE**

17 11. Beginning on June 19, 2020, A.B. Data established and continues to maintain a toll-
18 free telephone number for the Action, 1-800-949-0206. The toll-free telephone line connects
19 callers with an Interactive Voice Recording system (“IVR”). The IVR provides callers with pre-
20 recorded information, including a summary of the Action and the option to request a copy of the
21 Class Notice. In addition, Monday through Friday from 9 a.m. to 6 p.m. Eastern Time (excluding
22 official holidays), callers to the toll-free telephone line can speak to a live operator regarding the
23 status of the Action and/or obtain answers to questions they may have about the Class Notice.

24 **REPORT ON REQUESTS FOR EXCLUSION RECEIVED**

25 12. The Class Notice informed potential Class Members that requests for exclusion
26 from the Class were to be mailed to A.B. Data, postmarked no later than August 25, 2020. As of
27 the date of this Declaration, A.B. Data has received 49 requests for exclusion, each with a postmark
28

1 on or before August 25, 2020. A list of the persons and entities that submitted a request for
2 exclusion and their city and state is attached to this declaration as Exhibit E.

3 I declare, under penalty of perjury under the laws of the United States of America, that the
4 foregoing is true and correct to the best of my knowledge.

5 Executed on September 16, 2020.

6
7 

8 Eric J. Miller

EXHIBIT A

NOTICE OF PENDENCY OF CLASS ACTION

TO: All persons or entities who purchased or otherwise acquired publicly-traded Symantec Corporation (“Symantec”) common stock during the period from May 11, 2017, to August 2, 2018, inclusive (the “Class Period”), and who were damaged thereby (the “Class”).

PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY. YOUR RIGHTS MAY BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

You are receiving this notice because your rights may be affected by a class action lawsuit regarding your purchase or acquisition of publicly-traded common stock of Symantec Corporation (now known as NortonLifeLock Inc.) (“Symantec”). If you are a Class Member, your rights will be affected by this lawsuit, which is referred to as *SEB Investment Management AB v. Symantec Corp., et al.*, Case No. C 18-02902-WHA (the “Action”), and which is now pending before the United States District Court for the Northern District of California (the “Court”). The Court has ordered this notice to be sent to you.

On May 8, 2020, the Court determined that this lawsuit may proceed as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure. You received this notice because you were identified as a potential member of the Class. The purpose of this notice is to inform you how the lawsuit may affect your rights and what steps you may take. This notice is not an expression by the Court of any opinion as to the merits of any of the claims or defenses asserted by either side in the lawsuit. If you received this notice in error and you are not a member of the Class, you do not need to take any action and your rights will not be affected.

1. WHY SHOULD YOU READ THIS NOTICE?

The Court has certified a Class in this lawsuit. The Class consists of persons and entities who purchased or otherwise acquired publicly-traded shares of Symantec common stock during a certain time period. The Class is more fully described below. You may be a member of this Class. You may be entitled to participate in any benefits that may eventually be obtained for the Class as a result of this lawsuit. There is, however, no assurance that a judgment in favor of the Class will be granted.

This notice provides a summary of the lawsuit. It also describes who is eligible to be included in the Class, the effect of participating in this lawsuit as a Class Member, and how to request exclusion from the Class.

2. WHAT IS THIS LAWSUIT ABOUT?

This is a securities lawsuit filed in the United States District Court for the Northern District of California. The operative complaint in the Action names as defendants Symantec and its former Chief Executive Officer, Gregory S. Clark (collectively, “Defendants”). The Court appointed SEB Investment Management AB (“SEB”) as Lead Plaintiff in this lawsuit.

(a) LEAD PLAINTIFF’S CLAIMS

Lead Plaintiff, on behalf of the Class, alleges that Defendants violated Sections 10(b), 20(a), and 20A of the Securities Exchange Act of 1934. Lead Plaintiff alleges that Defendants defrauded shareholders by manipulating Symantec’s financial reports to create the illusion of stronger-than-actual financial performance and outlook for fiscal years 2017 and 2018. Among other things, Lead Plaintiff alleges that, while publicly reporting strong financial performance, Defendants improperly reported revenue in violation of Generally Accepted Accounting Principles, and misclassified ordinary operating expenses as “transition costs.” Moreover, the Action alleges that Defendants manipulated financial results to gain lucrative executive compensation bonuses and equity packages. According to Lead Plaintiff, Defendants’ alleged misstatements caused the price of Symantec common stock to be inflated during the Class Period (from May 11, 2017 through August 2, 2018) and to decline when the alleged truth

emerged though corrective disclosures on May 10, 2018 and August 2, 2018, resulting in financial losses to those who purchased the stock at the inflated price. Lead Plaintiff also alleges that Mr. Clark engaged in insider trading by selling shares of Symantec common stock during the Class Period while in possession of material, non-public information. You may review a copy of the operative Complaint in the Action by visiting www.SymantecSecuritiesLitigation.com.

(b) DEFENDANTS' DENIAL OF LIABILITY

Defendants deny Lead Plaintiff's allegations in full and deny any wrongdoing or liability for the claims alleged. Among other things, Defendants deny that they made any false or misleading statements violating the Securities Exchange Act of 1934, that they knew or believed Symantec's financial reporting was inaccurate, that Symantec's classifications of transition costs were improper, that the company's stock price was artificially inflated during the period from May 11, 2017 through August 2, 2018, that the stock price declines on May 10, 2018 and August 2, 2018 were caused by the disclosure of any wrongdoing or liability on the part of Defendants, or that any member of the Class sustained damages recoverable under the Securities Exchange Act of 1934. Mr. Clark further denies the allegations of insider trading.

3. WHO IS A CLASS MEMBER?

By order dated May 8, 2020, the Court certified the following Class of plaintiffs:

All persons and entities who purchased or otherwise acquired publicly-traded Symantec common stock during the period from May 11, 2017, to August 2, 2018, inclusive (the "Class Period"), and who were damaged thereby (the "Class"). The Class includes all persons or entities who purchased Symantec common stock contemporaneously with sales of Symantec common stock made or caused by Defendant Clark during the Class Period.

Excluded from the Class by definition are:

Defendants; members of the immediate family of Defendant Clark; any person who was an officer or director of Symantec; any firm or entity in which any Defendant has or had a controlling interest; any person who participated in the wrongdoing alleged; Defendants' liability insurance carriers; any affiliates, parents, or subsidiaries of Symantec, all Symantec plans that are covered by ERISA; and the legal representatives, heirs, beneficiaries, successors-in interest, or assigns of any excluded person or entity, in their respective capacity as such.

The ruling by the Court certifying the Class does not address the merits of this litigation. Rather, the certification of the Class means only that the ultimate outcome of the Action—whether favorable or unfavorable to the Class or Defendants—will apply in like manner to each Class Member who does not timely elect to be excluded from the Class.

4. WHO REPRESENTS THE CLASS?

Class Counsel, who represent the Class in this lawsuit, is the law firm Bernstein Litowitz Berger & Grossmann LLP. Class Counsel may be contacted at the address and phone number listed below under Question 7.

5. HOW DO YOU PARTICIPATE IN THIS CLASS ACTION?

If you fall within the definition of the Class set forth above, you are a member of the Class. **IF YOU WISH TO REMAIN A MEMBER OF THE CLASS, YOU DO NOT NEED TO DO ANYTHING AT THIS TIME.** As a Class Member, you will be bound by any judgment or settlement, whether favorable or unfavorable, in this Action. Thus, you may participate in any monetary settlement or judgment rendered in favor of the Class, and you may submit a Proof of Claim following such a settlement or judgment. **No settlement or judgment has occurred at this time. You will necessarily also be bound by any unfavorable judgment which may be rendered in**

favor of Defendants. You will not necessarily have the further opportunity to seek exclusion from the Class at the time of any settlement. It is within the Court's discretion whether to allow a second opportunity to request exclusion from the Class if the Action is resolved by a settlement. In other words, this may be your only chance to opt out of the lawsuit.

Lead Plaintiff and Class Counsel represent the Class and all of its members. Class Counsel has agreed to pursue this Action on a contingent-fee basis. All attorney's fees and expenses will be payable only out of a recovery by the Class, if any, and will be subject to approval by the Court. Class Members will not have to pay lawyers any additional amounts, and in no event will individual Class Members be obligated to pay any judgment, court costs, or lawyer's fees for participating in this Action.

Any Class Member who does not request exclusion from the Class may also enter an appearance through his or her own counsel at his or her own expense.

Members of the Class will be eligible to participate in any recovery that might be obtained in the Action. While this Notice is not intended to suggest any likelihood that members of the Class will recover any money, should there be a recovery, Class Members will be required to submit a Proof of Claim demonstrating their membership in the Class and documenting their sales, purchases, and/or holdings of Symantec common stock, and their resulting damages. ***For this reason, please be sure to keep all records of your transactions and holdings in Symantec common stock. DO NOT mail them to Class Counsel or the Notice Administrator at this time.*** No money or benefits are available now and there is no guarantee that money or benefits will be obtained. If they are, Class Members will be notified regarding how to obtain a share.

6. HOW CAN YOU BE EXCLUDED FROM THE CLASS?

If you wish to be excluded from the Class, meaning to opt out of the lawsuit, you must submit a request for exclusion in accordance with the instructions in the next paragraph. **If you choose to be excluded: (1) you will NOT be entitled to share in any recovery from any settlement or judgment that may be paid to members of the Class as a result of a trial or other resolution of this lawsuit; (2) you will NOT be bound by any judgment or release entered in this lawsuit; and (3) at your own expense, you MAY pursue any claims that you have by filing your own lawsuit or taking other action.**

To exclude yourself from the Class, you must send a letter stating that you "request exclusion from the Class in *SEB Investment Management AB v. Symantec Corp.*, Case No. C 18-02902-WHA." Your request must: (i) state the name, address, and telephone number of the person or entity requesting exclusion, and, in the case of entities, the name and telephone number of the appropriate contact person; and (ii) be signed by the person or entity requesting exclusion or an authorized representative, accompanied by proof of authorization. You must mail your exclusion request, ***postmarked by no later than August 25, 2020***, to the Notice Administrator, A.B. Data, Ltd., at the following address:

Symantec Securities Litigation
EXCLUSIONS
c/o A.B. Data, Ltd.
P.O. Box 173001
Milwaukee, WI 53217

Only request exclusion if you do NOT wish to participate in the Class Action and do NOT wish to share in any potential recovery that the Class may obtain.

7. HOW CAN YOU GET MORE INFORMATION?

This notice contains only a summary of the litigation and your rights as a potential Class Member. For more detailed information regarding the matters involved in this litigation, please refer to the papers on file in this Action, which may be inspected, during business hours, at the Office of the Clerk of Court, 450 Golden Gate Ave., San

Francisco, CA 94102. In addition, important documents in the case have been posted on the following website: www.SymantecSecuritiesLitigation.com. Inquiries regarding this litigation may be addressed to the following Class Counsel:

Jeremy P. Robinson, Esq.
Rebecca E. Boon, Esq.
**BERNSTEIN LITOWITZ
BERGER & GROSSMANN LLP**
1251 Avenue of the Americas
New York, NY 10020
1-800-380-8496

8. CHANGE IN YOUR ADDRESS.

If this notice was mailed to you at an old address, or if you move, please advise the Notice Administrator of your current address so that you can receive any future notice and/or Proof of Claim forms. The Notice Administrator can be reached at *Symantec Securities Litigation*, c/o A.B. Data, Ltd., P.O. Box 173106, Milwaukee, WI 53217. If you are not a member of the Class, you may discard this notice.

9. NOTICE TO BROKERS AND CUSTODIANS.

If, during the period from May 11, 2017 to August 2, 2018, inclusive, you purchased or otherwise acquired publicly-traded Symantec common stock for the beneficial interest of persons or organizations other than yourself, you must either: (i) within seven (7) calendar days of receipt of this Notice, request from the Notice Administrator sufficient copies of the Notice to forward to all such beneficial owners and within seven (7) calendar days of receipt of those Notices forward them to all such beneficial owners; or (ii) within seven (7) calendar days of receipt of this Notice, provide a list of the names and addresses of all such beneficial owners to the Notice Administrator at *Symantec Securities Litigation*, c/o A.B. Data, Ltd., P.O. Box 173106, Milwaukee, WI 53217.

If you choose the first option, you must send a statement to the Administrator confirming that the mailing was made and **you must retain your mailing records for use in connection with any further notices that may be provided in the Action.** If you choose the second option, the Administrator will send a copy of the Notice to the beneficial owners. Upon full and timely compliance with these directions, such nominees may seek reimbursement of their reasonable expenses actually incurred by providing the Notice Administrator with proper documentation supporting the expenses for which reimbursement is sought. Copies of this Notice may also be obtained from www.SymantecSecuritiesLitigation.com, or by calling the Notice Administrator toll free at 1-800-949-0206.

DATED: June 26, 2020.

BY ORDER OF THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

EXHIBIT B

ADVERTISEMENT

The Marketplace

To advertise: 800-366-3975 or WSJ.com/classifieds

CLASS ACTION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKIN RE HENRY SCHEIN, INC.
DERIVATIVE LITIGATION

Lead Case No. 1:19-cv-06485-LDH-JO

This Document Relates to:
ALL ACTIONS

NOTICE OF PROPOSED SETTLEMENT OF SHAREHOLDER DERIVATIVE ACTION AND OF HEARING

TO: ALL PERSONS OR ENTITIES WHO HOLD OR BENEFICIALLY OWN, DIRECTLY OR INDIRECTLY, COMMON STOCK OR SECURITIES OF HENRY SCHEIN, INC. AS OF JUNE 26, 2020

THIS NOTICE CONCERNS A PROPOSED SETTLEMENT OF THE ABOVE-CAPTIONED SHAREHOLDER DERIVATIVE LAWSUIT AND CONTAINS IMPORTANT INFORMATION ABOUT YOUR RIGHTS CONCERNING THE LAWSUIT. THIS NOTICE DOES NOT EXPRESS THE COURT'S OPINION ABOUT THE MERITS OF ANY CLAIMS OR DEFENSES IN THE LAWSUIT. THE STATEMENTS IN THIS NOTICE ARE NOT FINDINGS OF THE COURT.

THIS ACTION IS NOT A "CLASS ACTION."

THUS, THERE IS NO COMMON FUND UPON WHICH YOU CAN MAKE A CLAIM FOR A MONETARY PAYMENT.

All securities holders of Henry Schein, Inc. ("Schein") are hereby notified that a settlement (the "Settlement") has been reached as to claims asserted in the above-captioned shareholder derivative action pending in a federal court in New York (the "Derivative Lawsuit") on behalf of Schein against certain current or former directors and officers of Schein. The terms of the proposed Settlement are set out in a Settlement Agreement that has been filed with the Court.

If the Settlement is approved (and the approval becomes final and no longer subject to appeal), it will release all of the claims in this lawsuit.

A hearing on the Settlement has been scheduled for September 22, 2020, at 11:00 a.m. ET (the "Fairness Hearing"), before U.S. District Judge LaShann DeArcy Hall, in the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201.

At the Fairness Hearing, the Court will determine (i) whether to approve the proposed Settlement as fair, reasonable, and adequate and in the best interests of Schein and its shareholders and (ii) whether to dismiss the Derivative Lawsuit on the merits and with prejudice, enjoin the prosecution of all related claims, and release the defendants and their related individuals and entities (as defined in the Settlement Agreement as "Releasees") from all claims of the type asserted in the Derivative Lawsuit.

The Court may, in its discretion, change the date and/or time of the Fairness Hearing without further notice to you. The Court also has reserved the right to hold the Fairness Hearing telephonically without further notice to you. If you intend to attend the Fairness Hearing, please consult the Court's calendar and/or the websites of plaintiffs' counsel (www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html) for any change in date, time, or format of the Fairness Hearing.

SUMMARY OF THE LITIGATION

The Derivative Lawsuit alleges breaches of fiduciary duty and other misconduct by Schein officers and directors arising out of (i) alleged anticompetitive conduct by Schein in its dental supply business, (ii) Schein's public statements about competition in the dental supply business, and (iii) a spin-off of Schein's Animal Health Business and the merger of that business with Direct Vet Marketing, Inc. (d/b/a Vets First Choice) to create Covetrus, Inc.

The Derivative Lawsuit seeks damages on behalf of Schein against Stanley J. Bergman, Steven Paladino, Timothy J. Sullivan, Barry J. Alperin, Lawrence S. Bacow, Gerald A. Benjamin, James P. Breslawski, Paul Brons, Shira Goodman, Joseph L. Herring, Donald J. Kabat, Kurt Kuehn, Philip A. Laskawy, Anne H. Margulies, Karyn Mashima, Norman S. Matthews, Mark E. Mlotek, Carol Raphael, E. Dianne Rekow, Bradley T. Sheares, and Louis W. Sullivan (collectively, the "Derivative Defendants"). The Derivative Defendants deny that the claims made in the Derivative Lawsuit have any merit.

This notice is intended to provide only a summary of the plaintiffs' claims in two lawsuits that have now been consolidated into the Derivative Lawsuit. If you hold or held, or beneficially own or owned, directly or indirectly, common stock or other equity securities of Schein, you should review the complaints for their full content. Both complaints can be found at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html.

REASONS FOR SETTLEMENT

Subject to the completion of confirmatory discovery, Derivative Plaintiffs and their counsel believe that the proposed Settlement is fair, reasonable, and adequate, and in the best interests of Schein and its shareholders. They reached this conclusion after considering: (i) the claims asserted against the Derivative Defendants and the potential defenses to those claims, (ii) the substantial benefits that Schein would receive from the Settlement and (iii) documents and other information concerning the facts and circumstances that gave rise to the claims.

Derivative Defendants expressly deny that plaintiffs' claims have any merit or that pursuit of such claims would be in the best interests of Schein or its shareholders. They expressly deny all assertions of wrongdoing or liability arising out of any of the conduct, statements, acts, or omissions that were, could have been, or could be asserted against them in the Derivative Lawsuit. Schein considers the terms of the proposed Settlement to be in the best interests of Schein and its shareholders. As discussed below, the proposed Settlement confers substantial benefits on Schein.

PRINCIPAL SETTLEMENT TERMS

Settlement Relief

Subject to the terms and conditions discussed in the Settlement Agreement, Schein will adopt, implement, and maintain (i) antitrust enhancements and (ii) merger and acquisition guidelines (collectively, the "Settlement Relief"). The Settlement Relief includes, subject to the terms and conditions in the Settlement Agreement, (i) creation and appointment of an antitrust compliance officer, (ii) enhanced policies, practices, procedures, and documentation regarding antitrust risk assessment and training, and (iii) creation and documentation of merger and acquisition guidelines. The Settlement Relief, which is set out in Exhibits E and F of the Settlement Agreement, can be reviewed at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html. If the settlement receives final approval by the Court, the Settlement Relief will confer substantial benefits on Schein and its shareholders, which benefits were directly and proximately caused by the filing of the complaints by Derivative Plaintiffs and the Settlement.

Release

The Settlement Agreement, if approved and no longer subject to appeal, will result in a release of all claims that (i) arise directly or indirectly from the operative facts and were, could have been, or could be asserted by or on behalf of Schein and/or (ii) all claims that were, could have been, or could be asserted in the Derivative Lawsuit through the date of final approval of the settlement against the Derivative Defendants (and related persons and entities defined in the Settlement Agreement as "Releasees"). Court approval of the settlement will also result in an injunction and order barring the prosecution of any such claims against any of the Releasees. The full release (including all of its relevant definitions) is set out in the Settlement Agreement, which is available at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html.

STATUS OF SETTLEMENT

The Court issued a preliminary approval order regarding the Settlement on June 10, 2020, in which the Court found that the proposed Settlement is within the range of possible approval and that notifying Schein's shareholders and scheduling a hearing for approval of the proposed Settlement were warranted. The Court's preliminary approval order is available at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html.

The Court has not made (and will not make in connection with its consideration of the proposed Settlement) any determination as to the merits of any of the claims or defenses in the Derivative Lawsuit. This notice does not imply that any Derivative Defendant (or any other Releasee) would be found liable or that relief would be awarded if the Derivative Lawsuit were not being settled.

ATTORNEYS' FEES AND EXPENSES

In consideration of the substantial benefits conferred upon Schein and its shareholders, and subject to the Court's approval, Schein has agreed to pay or cause to be paid \$1,850,000 in attorneys' fees and expenses to counsel for the Derivative Plaintiffs, out of which sum \$5,000 will be paid to each of the two Derivative Plaintiffs.

YOUR RIGHT TO OBJECT AND TO APPEAR AT THE FAIRNESS HEARING

If you agree that the proposed Settlement should be approved as fair, reasonable, and adequate and in the best interests of Schein and its shareholders, you do not need to do anything. However, if you wish to object to any aspects of the proposed Settlement, you may submit a written objection on your own (or through an attorney you hire at your own expense), and you (or your attorney, if you have hired one) may appear at the Fairness Hearing. YOUR OBJECTION MUST BE RECEIVED BY THE COURT AND THE COUNSEL IN THE CASE BY NO LATER THAN AUGUST 25, 2020, AS FOLLOWS.

File with the Court:

Serve on Counsel for Derivative Plaintiffs:

Serve on Counsel for Schein and Derivative Defendants:

Clerk of Court
United States District Court
for the Eastern District
of New York
225 Cadman Plaza East
Brooklyn, NY 11201Laurence Rosen
Phillip Kim
The Rosen Law Firm
275 Madison Ave., 40th Floor
New York, NY 10016
Telephone: (212) 686-1060
Facsimile: (212) 202-3827
rosen@rosenlegal.com
pkim@rosenlegal.comPeter D. Doyle
Jonathan E. Richman
Proskauer Rose LLP
11 Times Square
New York, NY 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900
pdoyle@proskauer.com
jrichman@proskauer.comThe Preliminary Approval Order sets out the procedures that you must follow if you want to object and if you want to appear at the hearing. It is available at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html.

PRELIMINARY INJUNCTION

Pending final determination of whether to approve the Settlement Agreement, the Court has preliminarily barred and enjoined holders of Schein's common stock and other equity securities and individuals and entities related to them (including anyone purporting to act on behalf of or derivatively for any of them) from filing, commencing, prosecuting, intervening in, participating in, or receiving any benefits or other relief from, any other lawsuit, arbitration or administrative, regulatory or other proceeding against any Releasees in any forum based on or relating to claims that will be released or barred by the Settlement Agreement if the Court approves it (including all claims that may be brought in a derivative capacity on behalf of Schein). The full terms of the preliminary injunction are in the Preliminary Approval Order, which is available at plaintiffs' counsel's websites – www.thebrownlawfirm.net/news/ and www.rosenlegal.com/newsroom.html.

QUESTIONS REGARDING THE PROPOSED SETTLEMENT

Please do not write or telephone the Court about the proposed Settlement Agreement. If you have any questions, you should contact the Derivative Plaintiffs' counsel Phillip Kim at The Rosen Law Firm P.A., 275 Madison Avenue, 40th Floor, New York, NY 10016; Telephone: (212) 686-1060 or Timothy Brown at The Brown Law Firm, P.C., 240 Townsend Square, Oyster Bay, NY 11771; Telephone: (516) 922-5427.

June 26, 2020

BY ORDER OF THE COURT:

THE HONORABLE LASHANN DEARCY HALL

CLASS ACTION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIASEB INVESTMENT MANAGEMENT AB,
individually and on behalf of all others similarly situated,
Plaintiffs,

Case No. 3:18-cv-02902-WHA

v.

SYMANTEC CORPORATION and GREGORY S. CLARK,
Defendants

SUMMARY NOTICE OF PENDENCY OF CLASS ACTION

To: All persons and entities who purchased or otherwise acquired publicly-traded common stock of Symantec Corporation ("Symantec") during the period from May 11, 2017, to August 2, 2018, inclusive (the "Class Period"), and who were damaged thereby (the "Class").

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c/o A.B. Data, Ltd.
P.O. Box 173106
Milwaukee, WI 53217
1-800-949-0206

Inquiries, other than requests for the Notice, may be made to the following representatives of Class Counsel:

Jeremy P. Robinson, Esq.
Rebecca E. Boon, Esq.
BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP
1251 Avenue of the Americas
New York, NY 10020
1-800-380-8496

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PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

BY ORDER OF THE COURT:
United States District Court for the
Northern District of California

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COMMERCIAL REAL ESTATE

UCC Public Sale Notice

Please take notice that Jones Lang LaSalle, on
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Party"), offers for sale at public auction to be
held virtually on July 24, 2020 at 11 a.m. Eastern
Time, in connection with a Uniform Commercial
Code sale of 100% of the limited liability com-
pany membership interests (the "Interests") in
D2 Mark Sub LLC (the "Mortgage Borrower"). The
Mortgage Borrower is the indirect owner of lease-
hold estates in the property commonly known as
"The Mark Hotel" located at 25 East 77th Street,
New York, New York (the "Property"). The Interests
are owned by D2 Mark LLC (the "Mezzanine Bor-
rower").The Secured Party holds a loan (the "Mezza-
nine Loan") to the Mezzanine Borrower secured
by a first priority lien on the Interests. The Secured
Party is offering the Interests for sale in connec-
tion with the foreclosure on the pledge of such
Interests. The Mezzanine Loan is subordinate to
a mortgage loan on the Property in the original
principal amount of \$230 million.The Interests are being offered as a single lot,
"as-is, where-is", with no express or implied war-
rants, representations, statements or condi-
tions of any kind made by the Secured Party or
any person acting for or on behalf of the Secured
Party, without any recourse whatsoever to the
Secured Party or any other person acting for or on
behalf of the Secured Party. The winning bidder
shall be responsible for the payment of all trans-
fer taxes, stamp duties and similar taxes incurred
in connection with the purchase of the Interests.The Secured Party reserves the right to credit
bid, set a minimum reserve price, reject any or
all bids (including without limitation any bid that
it deems to have been made by a bidder that is
unable to satisfy the requirements imposed by
the Secured Party upon prospective bidders
in connection with the sale or to whom in the
Secured Party's sole judgment a sale may not
lawfully be made) and terminate or adjourn the
sale to another time, without further notice. The
Secured Party further reserves the right to restrict
prospective bidders to those who will represent
that they are purchasing the Interests for their
own account for investment not with a view to the
distribution or resale of such Interests, to verify
that the certificate for the Interests to be sold
bears a legend substantially to the effect that
such interests have not been registered under the
Securities Act of 1933, as amended (the "Secu-
rities Act"), and may not be disposed of in viola-
tion of the provisions of the Securities Act and to
impose such other limitations or conditions in
connection with the sale of the Interests as the
Secured Party deems advisable in order to comply
with the Securities Act or any other applicable law.All bids (other than credit bids of the Secured
Party) must be for cash, and the successful bidder
must be prepared to deliver immediately available
good funds within 5 business days after the sale
(unless otherwise agreed by Secured Party) and
otherwise comply with the bidding requirements.
Further information concerning the Interests, the
requirements for obtaining information and bid-
ding on the Interests and the Terms of Sale can be
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Brett Rosenberg +1 212-812-5926;
brett.rosenberg@am.jll.com

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EXHIBIT C

COMPANIES & MARKETS

How to Lead. Jaime Augusto Zobel de Ayala, chief executive, Ayala

Stepping up in a time of crisis

The conglomerate's response to coronavirus has proved a game changer for the Philippines, writes John Reed

In mid-March, when Philippine president Rodrigo Duterte declared a "state of calamity" after a spike in Covid-19 cases, economic and social stability in the developing archipelago nation was looking precarious.

As the president imposed one of Asia's strictest lockdowns on Metro Manila, police erected roadblocks, imposed harsh punishments for curfew violators, and prevented millions of day labourers from reaching work. Concerns over food security in the megacity rose late in the month after a demonstration of hungry people in one slum ended in violence.

While the government scrambled to marshal its resources to fight the pandemic, managers at Ayala, the family-controlled conglomerate, were already at work on their own response.

In early March, Ayala's chief Jaime Augusto Zobel de Ayala, 61, and his younger brother Fernando, CEO of the group's land unit, began brainstorming at a meeting of the group's operating companies, which include property, construction, water, the country's second-biggest telecoms company Globe and Bank of the Philippine Islands.

One of their first conclusions was that the government's emergency response, including stimulus money needed to help businesses and individuals survive, would take time. "And so we got together and as a community put some numbers on the table and said 'Let's fill a gap, because this is going to be bad,'" the Ayala chief says via a Zoom call.

Since March, the group has by its own reckoning stepped up with response measures worth 9bn pesos (\$181m) in emergency food and medical aid and loan, bill and rent deferrals or forgiveness for its customers and suppliers.

"This is a period where we all have to work hand in hand with others to preserve the ecosystem we are in," Mr Ayala says. "All of us have to hold hands, suffer a little bit together for the sake of rising back together."

Ayala is one of many global companies that have come up with coronavirus corporate social responsibility packages, and announced them with greater or lesser amounts of fanfare, credibility and self-serving corporate spin.

What is striking about Ayala's response is that it won over one of south-east Asia's toughest and most feared politicians. Before the pandemic came along, Ayala was in trouble with the administration because of a long-running, politically charged dispute over its water company in Manila. In December, Mr Duterte attacked its family owners and Manuel Pangilinan, CEO of another family conglomerate and water concessionaire First Pacific, calling them "son of a bitch" and threatening to "ruin your face" in a rant that hit the companies' share prices and sent a chill through Philippine big business.

Ayala's response to the virus appears to have proved a game changer. In an

'We got together as a community and said, "Let's fill a gap, because this is going to be bad"'

uncharacteristically conciliatory and sincere moment in May, Mr Duterte apologised to both Ayala (he specified the company, but did not say which brother) and Mr Pangilinan for his "hurting words", and thanked them for helping to fight coronavirus.

Ayala's CEO, while declining to comment on the dispute, confirms that he and his brother wrote to Mr Duterte to thank him for his words. "It was a good moment to start closing that chapter," he now says. "Of course it was warmly received and appreciated on our part."

He says that when the crisis hit "we were there from day one, regardless of what had been said or what feelings — it's the way we work".

How the Philippines' oldest conglomerate went from political hot water to the receiving end of a rare Duterte apology is a story that speaks richly about the complex symbiosis between government and business in the country.

Ayala, like other Philippine family companies, has a long history of responding to government requests for



Jaime Augusto Zobel de Ayala: 'We all have to work hand in hand with others to preserve the ecosystem we are in' — Paul Miller/Bloomberg

FT Leadership
More interviews illuminating the personalities of high-profile leaders by focusing on the issues they faced ft.com/howtolead

help, which are frequent given the country's regular disasters, such as typhoons, earthquakes, and volcanic eruptions — like the one in January at Taal. Philippine governments, past and present, are limited in their financial resources, and reliant on big private groups to supply basic infrastructure and services in public-private partnerships.

According to Mr Ayala, the company began devising its response to Covid-19 before receiving a request for help.

At their meeting in early March, the group executives discussed ways to help

Manila's legions of day labourers, including the roughly 75,000 construction workers Ayala uses on projects.

Led by Fernando, the Ayala brothers began phoning up other businessmen to put together an emergency food distribution programme, using vouchers rather than handouts to preserve beneficiaries' dignity, and distributing them through Roman Catholic churches to ensure they targeted the urban poor who needed it most. About 20 companies in all, including San Miguel, the brewing group, Jollibee, the fast-food

chain, and Aboitiz, a diversified holding group, joined in the 1.5bn peso effort. The Ayalas' focus then turned to their employees, and the network of midsized and small companies that surround the group, from material suppliers to mall tenants. Ayala announced the biggest chunk of its relief: "business operations waivers", which included short-term rent forgiveness for tenants, and grace periods for its Globe customers' phone bills and bank customers' loans. Ayala encouraged its employees to pitch in to the relief effort by sacrificing part of their first quarter bonus. "All of this happened before any government initiative or government engagement," Mr Ayala says. "It was an instinct."

While family CEOs such as Mr Ayala speak in terms of obligations, political analysts point to a symbiosis between the country's overstretched, and at times feckless, governments, and private groups that deliver infrastructure or services for profit in normal times, and emergency help when needed.

Aries Arugay of the University of the Philippines thinks the country's family billionaires have been "altruistic" by providing aid during the pandemic. But he also thinks they are "hedging their bets" if the political camp Mr Duterte represents extends its hold on power after he leaves office in 2022 and the family groups need to "fight for favours against Duterte-backed oligarchs".

For now Ayala's focus — and the government's — is squarely on the pandemic, which shows no signs of abating after more than 38,000 cases to date and nearly 1,300 deaths. The Philippine government and central bank have indeed found their footing — with help from big business, which is now focusing on getting back to work.

The leadership we don't see, and how to be indispensable

FT journalists recommend their top business reads

'Backstage Leadership: The Invisible Work of Highly Effective Leaders', by Charles Galunic

The late organisational theorist James March, who happened to teach Charles Galunic at Stanford, used to say that leadership was a delicate combination of "poetry and plumbing".

Galunic's book does not neglect the poetry. He writes well about the responsibility of leaders to set compelling visions for their teams and sell them while in the glare of the public spotlight. But his emphasis is on the prosaic plumbing and electrics. The "creating, maintaining and integrating" of fundamental processes such as developing talent, crafting culture, handling contradictions — "are the key, albeit backstage, sometimes invisible, work of business leaders".

This is not a book about how to tackle the particular challenges of managing out of a pandemic or

through a recession — it was written before lockdown. There is, however, plenty here to help hard-pressed leaders in a crisis, richly illustrated with examples from business, sport and society.

For instance, Galunic suggests "scanning and sensemaking" — the process of capturing signals and interpreting them — are vital approaches to uncertainty. He also revisits another Marchian idea about managing the contradiction between "exploration" (including innovation and invention) and "exploitation" (the endless search for further efficiency in existing

areas of business). The goal? An "ambidextrous" leadership style that balances "conflicting and often paradoxical forces".

'The Art of Being Indispensable at Work: Win Influence, Beat Overcommitment and Get the Right Things Done', by Bruce Tulgan

This book is aimed at helping us all become one of those "go-to people" that every company has — those whose wisdom, efficiency and easy way with colleagues is underpinned by firm expertise in their area of work.

It will, because of its title, especially appeal to those who already recognise themselves as "people pleasers" and whose MO at work is to gain traction through co-operation and charm. But Tulgan's advice (itself charmingly presented) is helpful to everyone: "Navigating collaborative relationships [at work] is not going away. And doing that job very, very well is how true go-to people, in the real world, win real influence, beat over commitment and get the right things done."

Tulgan, who is an adviser to business leaders, is good on tips for avoiding saying yes when you need to say no — avoiding over commitment, which is a huge potential problem for the organisation's go-to person. Because in a collaborative world, the key to influence is to work across teams, in tune with your boss but not limited to vertical decision making.

Working horizontally or diagonally across other teams and projects requires technical skills — and also people management.

The key to that? Not expecting anything back. There's no quid pro quo for true go-to people, who do "not keep a tally sheet of equivalent favours to be traded for inducing colleagues to take specific decisions or actions," he writes. "If you believe in real influence, you serve others because that's what's right and that's what creates the most value for everybody, in the short term and the long term."

In tight post-crisis workplaces, being someone dependable and skilled is going to become evermore

important. Tulgan's book is timely, relevant and appealing.

'Winning Now, Winning Later: How Companies Can Win in the Short Term While Investing in the Long Term', by David Cote

When David Cote became chief executive of Honeywell of the US in 2002, he took over from Larry Bossidy, a tough-nut boss, who had written a business bestseller called Execution: The Discipline of Getting Things Done.

It is a surprise, then, to discover from his excellent and detailed account of how to run an industrial business that the company Cote inherited "needed to execute better". Behind the "facade" was "a train wreck . . . on the verge of failure".

As for getting things done, "just get it done" was what the finance department told the business divisions when they were struggling to make demanding quarterly targets. It led to "untrammelled short-termism and a compromised strategic planning process".

One lesson may be not to read books written by ostensibly successful chief executives, but Cote's could be the exception that proves that rule. It contains its share of self-congratulation

and rather too many nods to former colleagues. On the other hand, Honeywell had increased in value from \$20bn to \$120bn by the time Cote left in 2018, so he has earned the right to boast a little. *Winning Now, Winning Later* is also rescued by just enough emphasis on mistakes made and lessons learnt, and a large dose of highly practical advice on leadership, including how to ride out a recession.

Above all, Cote underlines how to try to meet the central business challenge of investing for the future and yet attaining short-term results, "accomplishing two seemingly conflicting things at the same time".

Andrew Hill and Isabel Berwick

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| UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA | |
|--|----------------------------|
| SEB INVESTMENT MANAGEMENT AB, individually and on behalf of all others similarly situated, | Case No. 3:18-cv-02902-WHA |
| Plaintiffs, | |
| v. | |
| SYMANTEC CORPORATION and GREGORY S. CLARK, | |
| Defendants | |
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| Jeremy P. Robinson, Esq. Rebecca E. Boon, Esq. BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP 1251 Avenue of the Americas New York, NY 10020 1-800-380-8496 | |
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| BY ORDER OF THE COURT: United States District Court for the Northern District of California | |

EXHIBIT D

Bernstein Litowitz Berger & Grossmann LLP Announces Pendency of Class Action on Behalf of Purchasers of Symantec Corporation Common Stock

NEWS PROVIDED BY

Bernstein Litowitz Berger & Grossmann LLP →

Jul 06, 2020, 16:00 ET

NEW YORK, July 6, 2020 /PRNewswire/ --

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEB INVESTMENT MANAGEMENT
AB, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

SYMANTEC CORPORATION and
GREGORY S. CLARK,

Defendants

Case No. 3:18-cv-02902-WHA

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Symantec Securities Litigation

c/o A.B. Data, Ltd.

P.O. Box 173106

Milwaukee, WI 53217

1-800-949-0206

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Jeremy P. Robinson, Esq.

Rebecca E. Boon, Esq.

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

1251 Avenue of the Americas

New York, NY 10020

1-800-380-8496

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PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

BY ORDER OF THE COURT:
United States District Court for the
Northern District of California

DATED: July 6, 2020

EXHIBIT E

Exhibit E

| | |
|--|--|
| 1. Joyce Baumbach Plano, TX | 14. Bruce Hammerschmitt Greenwood, IN |
| 2. Richard C. Bernhardt Melbourne, FL | 15. James Herold Granbury, TX |
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| 12. Gene Lynn Findley Tuscaloosa, AL | 25. Richard H. Martin East Norriton, PA |
| 13. Louis Greco Yonkers, NY | 26. Thomasin Ellen Meurer Charlestown, IN |

| | |
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| 27. Jennie Miller and Estate of William Miller Winter Park, FL | 33. Vivian Quigley Mount Wolf, PA |
| 28. Joost Mortelmans and Kristien E. Mortelmans Los Altos Hills, CA | 34. Robert B. Raines Milford, OH |
| 29. Janie Mundy Oak Island, NC | 35. Erin Rosenbruch Harwich Port, MA |
| 30. James P. Ongley Davenport, FL | 36. Rodrigo Kappel Saurin Atlanta, GA |
| 31. Orbis Investment Management Limited on behalf of: Orbis Global Equity Fund Limited Orbis Institutional Funds Limited Orbis Institutional Global Equity LP Orbis Optimal SA Fund Limited Orbis Institutional US Equity LP Orbis Optimal Global Equity LP Hamilton, Bermuda Orbis Global Equity Fund (Australia Registered) Orbis Global Equity LE Fund (Australia Registered) Allan Gray Australia Balanced Fund Orbis Global Balanced Fund (Australia Registered) Melbourne, Victoria, Australia Orbis SICAV Luxembourg Orbis OEIC London, United Kingdom | 37. Peter M. Shelton and Linda C. Shelton Brentwood, CA |
| 32. Steven M. Pickett Green Cove Springs, FL | 38. Lee Shepard and Elizabeth Shepard Spokane Valley, WA |

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| 45. Gabrielle J. Vetter Rockville, MD |
| 46. Joy E. and Mary J. Whitener Family Trust Joy E. Whitener and Mary J. Whitener, Trustees Columbia, MO |
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