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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE MINDBODY, INC. SECURITIES
LITIGATION

Civil Action No. 1:19-cv-08331-VEC

~~PROPOSED~~ ORDER APPROVING PLAN OF ALLOCATION

THIS MATTER having come before the Court for a hearing on October 27, 2022, on the motion of Co-Lead Plaintiffs Walleye Trading LLC and Walleye Opportunities Master Fund Ltd. for final approval of the proposed Settlement and approval of the Plan of Allocation for the proceeds of the Settlement; the Court having considered all papers filed and proceedings had herein and otherwise being fully informed;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement, dated March 3, 2022 (the “Stipulation”), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

2. Pursuant to and in accordance with Rule 23 of the Federal Rules of Civil Procedure, this Court finds and concludes that due and adequate notice was directed to Persons who are Settlement Class Members who could be identified with reasonable effort, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to Persons who are Settlement Class Members to be heard with respect to the Plan of Allocation. There were no objections to the Plan of Allocation.

3. The Court finds and concludes that the Plan of Allocation for the calculation of the claims of claimants that is set forth in the Notice of Pendency of Class Action, Proposed Settlement, and Motion for Attorneys’ Fees and Expenses (the “Notice”) disseminated to Settlement Class Members, provides a fair and reasonable basis upon which to allocate the Net Settlement Fund among Settlement Class Members.

4. The Court finds and concludes that the Plan of Allocation, as set forth in the Notice, is fair, reasonable, and adequate and the Court approves the Plan of Allocation.

DATED this 27 day of October, 2022

BY THE COURT:



HONORABLE VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE