UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE CRONOS GROUP INC. SECURITIES LITIGATION	Civil Action No. 2:20-cv-01310-ENV-JMW

REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF (I) LEAD PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION AND (II) LEAD COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND PAYMENT OF EXPENSES

TABLE OF CONTENTS

PRELIMINARY STATEMENT 1

ARGUMENT 3

I. THE REACTION OF THE SETTLEMENT CLASS SUPPORTS APPROVAL OF THE SETTLEMENT AND PLAN OF ALLOCATION 3

II. THE REACTION OF THE SETTLEMENT CLASS SUPPORTS APPROVAL OF THE ATTORNEYS' FEE AND EXPENSE APPLICATION 4

CONCLUSION 5

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Lead Plaintiff Keith D. Norman, on behalf of himself and all other members of the proposed Settlement Class,[1] respectfully submits this reply memorandum of law in further support of (i) Lead Plaintiff's Motion for Final Approval of Class Action Settlement and Plan of Allocation (ECF No. 96); and (ii) Lead Counsel's Motion for an Award of Attorneys' Fees and Payment of Expenses (ECF No. 97) (together, the "Motions").

PRELIMINARY STATEMENT

Now that the October 29, 2026 deadline for seeking exclusion from the Settlement Class or objecting has passed, Lead Plaintiff and Lead Counsel report that the overall reaction of the Settlement Class to the Settlement, Plan of Allocation, and Lead Counsel's motion for attorneys' fees and expenses has been very positive. After a robust notice program, there has been ***one objection***[2] to the Settlement, ***no objections*** to the request for fees and expenses or approval of the Plan of Allocation, and ***no requests for exclusion***.

Pursuant to the Court's Preliminary Approval Order, as of November 12, 2026, 236,664 Postcard Notices have been disseminated to potential Settlement Class Members and nominees. *See* Supplemental Declaration of Kathleen Brauns, dated November 12, 2026, ¶6, filed herewith ("Supp. Mailing Decl."). In addition, copies of the Postcard Notice, long-form Notice, Claim Form, Stipulation, and complaints were posted on the website created for the Settlement,

[1] All capitalized terms used in this memorandum that are not defined have the same meanings as in the Stipulation and Agreement of Settlement, dated December 2, 2025 ("Stipulation", ECF No. 78-3). Unless otherwise noted, citations and internal quotations have been omitted.

[2] Attorney Garth Myers for objector James Jeffcoat states in a declaration supporting the objection that 49 people join in the objection, however none of them have submitted an objection and none of them have complied with any of the Court's requirements for objecting set forth in the Preliminary Approval Order. ECF No. 102, ¶203. (Mr. Myers submitted duplicate copies of his declaration as ECF Nos. 102, 103, 104, and 105.)

www.cronosussecuritiessettlement.com ("Settlement Website"). Further, on September 23, 2026, the Claims Administrator disseminated the Summary Notice in *The Wall Street Journal*, *The Globe and Mail*, *La Presse* (French), *PR Newswire*, and *Canada News Wire. See* Declaration of Kathleen Brauns, dated October 15, 2026, ¶13 ("Initial Mailing Decl.", ECF No. 98-2). On December 4, 2025, Defendants also issued notice of the Settlement pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. §1715. *See* ECF No. 79.[3]

Collectively, the notices provided the terms of the proposed Settlement and Plan of Allocation and stated that Lead Counsel would apply for attorneys' fees in an amount not to exceed 33.3% of the Settlement Fund and expenses not to exceed $200,000. *See* Initial Mailing Decl., Exs. A-C. The notices also apprised class members of their right to object and/or seek exclusion from the Settlement Class, and the October 29, 2026 deadline for doing so. The long-form Notice provided more detailed information about the Action and Settlement, including the Plan of Allocation and information about the Ontario Action. On October 15, 2026, pursuant to the schedule set by the Court, Lead Plaintiff and Lead Counsel filed their opening papers in support of the Motions. Those papers—which are available on the public docket and the Settlement Website—described their views of the Settlement, the Plan of Allocation, work performed in the litigation, and the fee and expense awards requested.

In response, there has only been one objection to the proposed Settlement, which was filed by Mr. Jeffcoat—a recently added named plaintiff in the Ontario Action with only $9.59 in losses under the proposed Plan of Allocation, *see* Supp. Mailing Decl. ¶11. As ordered by the Court, the Parties will respond to Mr. Jeffcoat's objection on or before November 20, 2026.

[3] The Claims Administrator has also received 86,457 Claims. Supp. Mailing Decl. ¶12.

Lead Plaintiff and Lead Counsel respectfully submit that this reaction by the Settlement Class further demonstrates the fairness, adequacy, and reasonableness of the Settlement, Plan of Allocation, and Lead Counsel's request for attorneys' fees and expenses.

ARGUMENT

I. THE REACTION OF THE SETTLEMENT CLASS SUPPORTS APPROVAL OF THE SETTLEMENT AND PLAN OF ALLOCATION

Following a thorough notice program, only one Settlement Class Member objected to any aspect of the Settlement or the Plan of Allocation. This "favorable reaction of the overwhelming majority of class members to the Settlement is perhaps the most significant factor in [the] *Grinnell* inquiry…" and accordingly strongly supports a finding that the Settlement is fair, reasonable, and adequate. *Wal-Mart Stores, Inc. v. Visa U.S.A., Inc*., 396 F.3d 96, 119 (2d Cir. 2005); *see* also *In re 3D Sys. Sec. Litig.,* 2024 WL 50909, at *10 (E.D.N.Y. Jan. 4, 2024) (noting that the reaction of the class favored the proposed settlement where there were no valid objections and one valid request for exclusion); *In re Facebook, Inc., IPO Sec. & Derivative Litig*., 343 F. Supp. 3d 394, 410 (S.D.N.Y. 2018), *aff'd, In re Facebook Inc.*, 822 F. App'x. 40 (2d Cir. 2020) ("The overwhelmingly positive reaction–or absence of a negative reaction–weighs strongly in favor of confirming the Proposed Settlement."). As the Second Circuit reasoned in *Wal-Mart*, "[i]f only a small number of objections are received, that fact can be viewed as indicative of the adequacy of the settlement." 396 F.3d at 118.

The absence of objections from institutional investors or pension funds is also noteworthy. That these sophisticated Settlement Class Members—who have the resources to carefully evaluate the Settlement and object if it were appropriate to do so—have not objected to the Settlement (or the Plan of Allocation) provides further evidence of the fairness of the Settlement. *See, e.g.*, *In re Luxottica Grp. S.p.A. Sec. Litig*., 233 F.R.D. 306, 312 (E.D.N.Y. 2006) ("Favorable reaction of a

class of sophisticated investors evidences fairness, reasonableness, and adequacy."); *In re Signet Jewelers Ltd. Sec. Litig*., 2020 WL 4196468, at *6 (S.D.N.Y. July 21, 2020) ("Institutional investors are often sophisticated and possess the incentive and ability to object. Accordingly, the absence of objections by these sophisticated class members is further evidence of the fairness of the Settlement.").

The lack of objections from Settlement Class Members also supports approval of the Plan of Allocation. *See In re EVCI Career Colls. Holdings Corp. Sec. Litig.*, 2007 WL 2230177, at *11 (S.D.N.Y. July 27, 2007) (noting that "[c]ourts … [should] consider the reaction of a class to a plan of allocation" and, where there are no objections, "the Plan of Allocation should be approved").

Similarly, the fact that there are no requests for exclusion offers clear support for the Court's final approval. *See, e.g.*, *In re Bear Stearns Cos., Sec., Derivative & ERISA Litig*., 909 F. Supp. 2d 259, 266-67 (S.D.N.Y. 2012) ("Given the absence of significant exclusion or objection—the rate of exclusion is 5.1% and the rate of objection is less than 1%—this factor weighs strongly in favor of approval"); *In re Am. Int'l Grp. Inc. Sec. Litig.*, 2010 WL 5060697, at *2 (S.D.N.Y. Dec. 2, 2010), *aff'd*, 452 F. App'x 75 (2d Cir. 2012) (noting the "extremely positive" reaction where there were "only 105 requests for exclusion received, out of which 61 were timely and valid").

II. THE REACTION OF THE SETTLEMENT CLASS SUPPORTS APPROVAL OF THE ATTORNEYS' FEE AND EXPENSE APPLICATION

Not one Settlement Class Member has objected to Lead Counsel's motion for an award of attorneys' fees and expenses. The fact that there have been no objections is strong evidence that the requests are fair and reasonable. *See, e.g.*, *Rodriguez v. CPI Aerostructures, Inc*., 2023 WL 2184496, at *14 (E.D.N.Y. Feb. 16, 2023) (noting that "public policy and the class reactions to the

fee request also support granting Lead Counsel's request to approve the fee" where there were no objections); *Signet*, 2020 WL 4196468, at *21 ("The absence of any objections to the requested attorneys' fees and Litigation Expenses supports a finding that the request is fair and reasonable.")

CONCLUSION

For the reasons set forth herein and the opening papers filed in support of the Motions, Lead Plaintiff and Lead Counsel respectfully submit that the reaction of the Settlement Class supports approval of the proposed Settlement and Plan of Allocation as fair, reasonable, and adequate, and approval of the request for attorneys' fees and payment of expenses. Two proposed orders are being submitted herewith: a proposed Order Approving Plan of Allocation and a proposed Order Awarding Attorneys' Fees and Expenses. A proposed judgment, negotiated by the Parties, will be submitted with Lead Plaintiff's November 20, 2026 submission.

Dated: November 12, 2026

Respectfully submitted,

LABATON KELLER SUCHAROW LLP

/s/ Jake Bissell-Linsk
Carol C. Villegas
Christine M. Fox
Jake Bissell-Linsk

140 Broadway
New York, NY 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
cvillegas@labaton.com
cfox@labaton.com
jbissell-linsk@labaton.com

Counsel for Lead Plaintiff Keith D. Norman and Lead Counsel for the Proposed Settlement Clas

LOCAL RULE 7.1 CERTIFICATION

The undersigned counsel certifies that this document complies with the type–volume limitations of the Individual Practice Rules of Magistrate Judge James M. Wicks, Rule 3.C.2., excluding the parts of the brief exempted by the rule, because it contains 1,432 words, as calculated by the word–counting feature of Microsoft Office.

/s/ Jake Bissell-Linsk
JAKE BISSELL-LINSK

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2026, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered ECF participants.

Dated: November 12, 2026

/s/ Jake Bissell-Linsk
JAKE BISSELL-LINSK