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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PEIFA XU, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

GRIDSUM HOLDING INC., GUOSHENG
QI, RAVI SARATHY, MICHAEL PENG
ZHANG, and THOMAS ADAM
MELCHER

Defendants.

Civil Action No. 1:18-cv-03655 (GHW)

Hon. Gregory H. Woods

~~PROPOSED~~ ORDER APPROVING PLAN OF ALLOCATION

WHEREAS, this matter came before the Court for hearing on the 3rd day of April, 2024, pursuant to the Preliminary Approval Order entered on December 15, 2023, and on the Motion for Final Approval of Class Action Settlement and Plan of Allocation; and

WHEREAS, the Court has granted final approval of the Settlement of the Action; and

WHEREAS, the Court has heard all persons properly appearing and requesting to be heard, read and considered the motions and supporting papers, and found good cause appearing; and

WHEREAS, it appearing in the record that the Postcard Notice substantially in the form approved by the Court in the Court's Preliminary Approval Order, was mailed to all reasonably identifiable Settlement Class Members and the Long Notice was posted to the Settlement Website, both in accordance with the Preliminary Approval Order and the specifications of the Court; and

WHEREAS, it appearing in the record that the Summary Notice substantially in the form approved by the Court in the Preliminary Approval Order was transmitted electronically in compliance with the Court's Preliminary Approval Order;

NOW, THEREFORE, IT HEREBY IS ORDERED, ADJUDGED AND DECREED:

1. This Order incorporates and makes a part hereof the Stipulation and Agreement of Settlement dated December 1, 2023 (the “Stipulation”) (ECF No. 289-1), and all capitalized terms not defined in this Order shall have the meaning set forth in the Stipulation.

2. This Court has jurisdiction over the subject matter of the Action and over all Parties to the Action, including all Settlement Class Members.

3. Notice of the Plan of Allocation and the right to object thereto was given to all Settlement Class Members who could be identified with reasonable effort. The form and method of notifying the Settlement Class of the motion for an award of attorneys’ fees and reimbursement of expenses satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4 as amended, due process, and all other applicable law; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto of these proceedings and the matters set forth herein to all Persons and entities entitled to such notice.

4. There have been no objections to the proposed Plan of Allocation.

5. The Court hereby finds and concludes that the formula in the Plan of Allocation for the calculation of the claims of Authorized Claimants, as set forth in the Long Notice, provides a fair and reasonable basis upon which to allocate the Net Settlement Fund among Settlement Class Members.

6. The Court hereby finds and concludes that the Plan of Allocation, as set forth in the Notice, is, in all respects, fair and reasonable, and the Court hereby approves the Plan of Allocation.

7. Any appeal or any challenge affecting this Court's approval of the Plan of Allocation shall in no way disturb or affect the finality of the Judgment entered with respect to the Settlement.


8. Exclusive jurisdiction is hereby retained over the subject matter of this Action and over all Parties to the Action, including the administration and distribution of the Net Settlement Fund to Settlement Class Members.

9. In the event that the Settlement is terminated or does not become Final, or the Effective Date does not occur in accordance with the terms of the Stipulation, this Order shall be rendered null and void to the extent provided by the Stipulation and shall be vacated in accordance with the Stipulation.

10. There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

SO ORDERED.

Date: April 3, 2024



Honorable Gregory H. Woods
United States District Judge