

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CITY OF PONTIAC GENERAL	)	Case No. 1:15-cv-00374-LY
EMPLOYEES' RETIREMENT SYSTEM,	)	
Individually and on Behalf of All Others	)	<u>CLASS ACTION</u>
Similarly Situated,	)	
	)	The Honorable Lee Yeakel
Plaintiff,	)	
	)	
vs.	)	
	)	
DELL INC., et al.,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF MISHKA FERGUSON REGARDING NOTICE DISSEMINATION  
AND REQUESTS FOR EXCLUSION RECEIVED TO DATE**

I, MISHKA FERGUSON, declare:

1. I am employed as Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 3301 Kerner Blvd., San Rafael, California. Gilardi was retained by Lead Counsel to supervise and administer the notice procedure as well as the processing of claims in the above captioned action (the “Litigation”)<sup>1</sup>.

2. I submit this declaration as a supplement to the previous declaration, the Declaration of Carole K. Sylvester Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date, dated December 4, 2019 (the “Mailing Declaration”) (ECF No. 229). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and, if called to testify I could and would do so competently.

#### **UPDATE ON THE DISSEMINATION OF THE CLAIM PACKAGE**

3. As more fully detailed in the Mailing Declaration, as of December 4, 2019, Gilardi had mailed 102,693 copies of the Notice of Proposed Settlement of Class Action (the “Notice”) and the Proof of Claim and Release (the “Proof of Claim”) (collectively, the “Claim Package”) to potential Class Members and their nominees. *See* Mailing Declaration, ¶11.

4. Since December 4, 2019, Gilardi has mailed an additional 9,850 copies of the Claim Package in response to additional requests from potential Class Members, brokers, and nominees. Therefore, as of January 2, 2020, Gilardi has mailed a total of 112,543 Claim Packages to potential Class Members and nominees.

#### **REQUESTS FOR EXCLUSION RECEIVED TO DATE**

5. The Notice informed potential Class Members that written requests for exclusion from the Class were to be mailed to *Dell Securities Settlement*, Claims Administrator, c/o Gilardi

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the same meanings as set forth in the Stipulation of Settlement, dated September 13, 2019 (ECF No. 217).

& Co. LLC, EXCLUSIONS, 3301 Kerner Blvd., San Rafael, CA 94901, such that they were postmarked no later than December 20, 2019.

6. To date, Gilardi has received 3 requests for exclusion from potential Class Members, redacted copies of which are attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd day of January, 2020, at San Rafael, California.



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MISHKA FERGUSON

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on January 3, 2020, 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 the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

ROBBINS GELLER RUDMAN  
& DOWD LLP

655 West Broadway, Suite 1900  
San Diego, CA 92101-8498  
Telephone: 619/231-1058  
619/231-7423 (fax)

E-mail: elleng@rgrdlaw.com

# Mailing Information for a Case 1:15-cv-00374-LY City of Pontiac General Employees Retirement System v. Dell Inc. et al

## Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **X. Jay Alvarez**  
jaya@rgrdlaw.com,scaesar@rgrdlaw.com
- **Cynthia J. Billings**  
cbillings@swappc.com
- **Christina Elizabeth Bortz**  
christina.bortz@alston.com,joyce.dogru@alston.com
- **Rachel A. Cocalis**  
rcocalis@rgrdlaw.com
- **Marcy Hogan Greer**  
mgreer@adjtlaw.com,gverlander@adjtlaw.com,ggrimm@adjtlaw.com
- **Tor Gronborg**  
TorG@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Susan Elaine Hurd**  
susan.hurd@alston.com,angie.knowles@alston.com
- **Steven M. Jodlowski**  
sjodlowski@rgrdlaw.com
- **Evan Jay Kaufman**  
ekaufman@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Joe Kendall**  
jkendall@kendalllawgroup.com,administrator@kendalllawgroup.com
- **Laurie L. Largent**  
llargent@rgrdlaw.com
- **John L. Latham**  
john.latham@alston.com,chuck.mattson@alston.com
- **Alexander Seton Lorenzo**  
alexander.lorenzo@alston.com,managingclerksoffice-NYC@alston.com
- **Danielle S. Myers**  
dmyers@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Darren J. Robbins**  
e\_file\_sd@rgrdlaw.com,jaimem@rgrdlaw.com
- **David Avi Rosenfeld**  
drosenfeld@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,e\_file\_sd@rgrdlaw.com

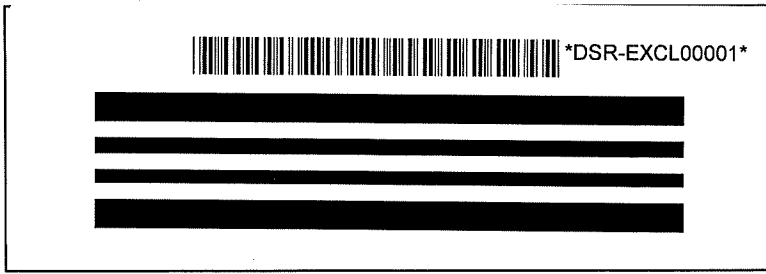
- **Samuel H. Rudman**  
srudman@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Ellen Gusikoff Stewart**  
elleng@rgrdlaw.com,jwilliams@rgrdlaw.com
- **Andrew T. Sumner**  
andy.sumner@alston.com,joyce.dogru@alston.com

## **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Oleg Ariyevich**  
18808 215th Way NE  
Woodinville, WA 98077

# **Exhibit A**



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## Exclusion Cover Page

Case Name: Dell Inc.

Case Code: DSR

Exclusion Deadline: December 20, 2019 (Postmarked)

Name of Person Filing Exclusion: Carol T Fort



**Carol T. Fort**



December 8, 2019

Dell Securities Settlement  
Claims Administrator  
c/o Gilardi & Co. LLC  
EXCLUSIONS  
4401 Kerner Blvd.  
San Rafael, CA 94901

RE: City of Pontiac General Employees' Retirement System vs. Dell. Dell Class Action Suit, Case No. 1:15-cv-00374LY.

Dear Dell Securities Settlement,

I am writing in response to your notice as to the above proposed Dell settlement of class action. My records indicate that I did own Dell stock as of January 2012, but I do not believe that I am included in the proposed settlement as a member of the class since I did not purchase or acquire Dell stock between February 22, 2012 and May 22, 2012.

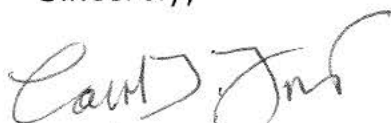
If you have any information contrary to that please contact me.

Otherwise:

I request exclusion from the Class in the Dell Securities Settlement.

Thank you very much.

Sincerely,

  
Carol T. Fort

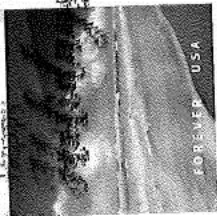


Ms. Carol Fort



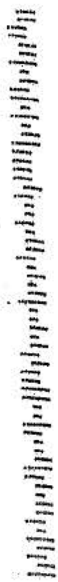
BALTIMORE MD 212

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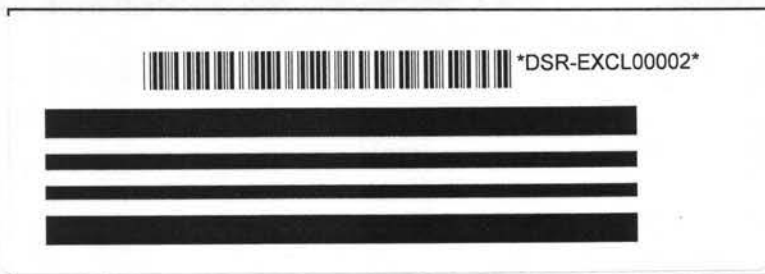


Dell Securities Settlement  
Claims Administrator  
c/o Gilardi + Co. LLC  
EXCLUSIONS  
4401 Kerner Blvd.  
San Rafael, CA 94901

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## Exclusion Cover Page

Case Name: Dell Inc.

Case Code: DSR

Exclusion Deadline: December 20, 2019 (Postmarked)

Name of Person Filing Exclusion: Christopher R Wurtz

*Dell Securities Settlement*  
Claims Administrator  
c/o Gilardi & Co. LLC  
EXCLUSIONS  
3301 Kerner Blvd.  
San Rafael, CA 94901

Robbins Geller Rudman & Dowd LLP  
Ellen Gusikoff Stewart  
655 West Broadway, Suite 1900  
San Diego, CA 92101

Alston & Bird LLP  
John L. Latham  
1201 West Peachtree Street, Suite 4900  
Atlanta, GA 30309

Re: Request exclusion from the Class in the  
*Dell Securities Settlement*  
City of Pontiac General Employees' Retirement System v. Dell Inc., et al  
Case No. 1:15-cv-00374-LY

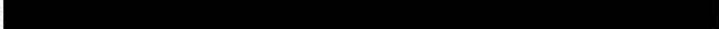
Dear Sir or Madam:

I request exclusion from the Class in the *Dell Securities Settlement* as I am not a qualified Class Member pursuant to the Class Period set forth by The Court for acquisition of *Dell* common Stock **between February 22, 2012 and May 22, 2012 inclusive.**

I owned 42 shares of *Dell* common stock during the Class Period that was in custodial care of *Edward Jones*. I did not purchase any additional *Dell* common stock, nor did I sell any *Dell* common stock during the Class Period.

Name: Christopher R. Wurtz

Address: 

Phone Number: 

Shares Owned: 42

Shares Traded: 0

Dated: December 19<sup>th</sup> 2019

Signature: Christopher R Wurtz

Printed: Christopher R Wurtz



Christopher Wurtz



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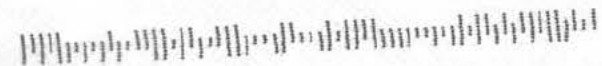
**\$4.05**

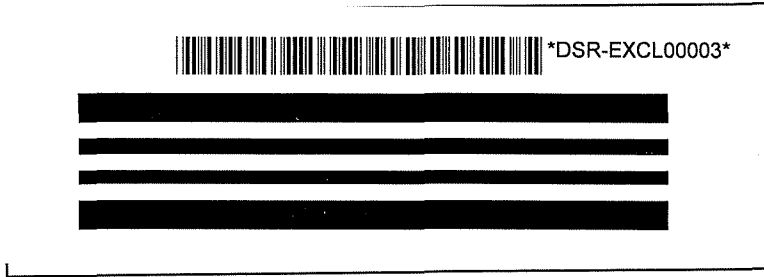
R2303S104545-20

Dell Securities Settlement  
Claims Administrator  
C/O Gilardi & Co. LLC  
3301 Kerner Blvd  
San Rafael, CA 94901

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## Exclusion Cover Page

Case Name: Dell Inc.

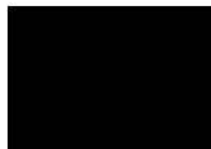
Case Code: DSR

Exclusion Deadline: December 20, 2019 (Postmarked)

Name of Person Filing Exclusion: Contrarius Investment Management Limited



Contrarius Investment Management Limited



Dell Securities Settlement  
Claims Administrator  
c/o Gilardi & Co. LLC  
Exclusions  
3301 Kerner Blvd.  
San Rafael, CA 94901

11 December 2019

Dear Sir/Madam,

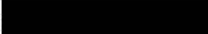
We are writing to you in order to inform you, **Contrarius Investment Management Limited** "request exclusion from the Class in the Dell Securities Settlement", (Case No. 1:15-cv-00374-LY).

As requested in the Notice of proposed settlement of Class Action, our details are:

Name: Contrarius Investment Management Limited

Address: 

Contact name: Berislav Bobus


Contact telephone number: 

We are acting on behalf of the following funds:

- Contrarius Global Equity Fund "CGEF",
- Contrarius Global Equity Fund (Ireland) "CGEFI"
- Contrarius Global Absolute Fund (Ireland) "CGAFI"

We enclose details of the trades made by the above listed entities in Dell publicly traded common stock, between February 22, 2012 and May 22, 2012.

**For and on behalf of Contrarius Investment Management Limited**

Signed: 

**Name: Berislav Bobus**

**Position: Director**

Contrarius Investment Management Limited



11/12/2019

Contrarius Investment Management Ltd.

Custodian	Broker	Shareholder of Record	Fund Code	Bloomberg Code	Equity Name	Currency	Trade Date	Settlement Date	Quantity	Price	Gross Amount
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	23/02/2012	28/02/2012	477	17.4093	8304.2361
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	08/03/2012	13/03/2012	99	17.2053	1703.3247
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	15/03/2012	20/03/2012	549	17.3424	9520.9776
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	27/04/2012	02/05/2012	-1,320	16.4464	-21709.248
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	10/05/2012	15/05/2012	404	15.6340	6316.136
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	11/05/2012	16/05/2012	-10,505	15.4732	-162545.966
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGAFI	DELL US Equity	DELL INC	USD	17/05/2012	22/05/2012	-2,806	15.0912	-42345.9072

Custodian	Broker	Shareholder of Record	Fund Code	Bloomberg Code	Equity Name	Currency	Trade Date	Settlement Date	Quantity	Price	Gross Amount
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	23/02/2012	28/02/2012	36,081	17.4093	628144.9533
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	01/03/2012	06/03/2012	88,882	17.3894	1545604.651
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	08/03/2012	13/03/2012	50,933	17.2053	876317.5449
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	15/03/2012	20/03/2012	29,662	17.3424	514410.2688
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	29/03/2012	03/04/2012	16,368	16.4828	269790.4704
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	05/04/2012	11/04/2012	9,603	16.5091	158536.8873
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	12/04/2012	17/04/2012	5,160	16.2457	83827.812
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	19/04/2012	24/04/2012	-20,146	16.1417	-325190.6882
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	26/04/2012	01/05/2012	21,834	16.4943	360136.5462
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	27/04/2012	02/05/2012	-67,677	16.4464	-1113043.013
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	03/05/2012	08/05/2012	8,742	16.2650	142188.63
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	10/05/2012	15/05/2012	-18,135	15.6173	-283219.7355
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	11/05/2012	16/05/2012	-606,663	15.4732	-9387017.932
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEF	DELL US Equity	DELL INC	USD	17/05/2012	22/05/2012	-155,127	15.0912	-2341052.582

Custodian	Broker	Shareholder of Record	Fund Code	Bloomberg Code	Equity Name	Currency	Trade Date	Settlement Date	Quantity	Price	Gross Amount
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	23/02/2012	28/02/2012	3,660	17.4093	63718.038
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	01/03/2012	06/03/2012	11,130	17.3894	193544.022
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	08/03/2012	13/03/2012	2,406	17.2053	41395.9518
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	15/03/2012	20/03/2012	4,942	17.3424	85706.1408
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	29/03/2012	03/04/2012	4,867	16.4828	80221.7876
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	05/04/2012	11/04/2012	2,298	16.5091	37937.9118
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	19/04/2012	24/04/2012	-3,171	16.1417	-51185.3307
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	26/04/2012	01/05/2012	1,146	16.4943	18902.4678
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	27/04/2012	02/05/2012	-8,121	16.4464	-133561.2144
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	10/05/2012	15/05/2012	-4,391	15.6173	-68575.5643
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	11/05/2012	16/05/2012	-90,770	15.4732	-1404502.364
BNP Paribas	Morgan Stanley	Contrarius Investment Management Limited	CGEFI	DELL US Equity	DELL INC	USD	17/05/2012	22/05/2012	-24,497	15.0912	-369689.1264





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*Dell Securities Settlement*

*Claims Administrator*

*c/o Gilardi & Co. LLC*

*EXCLUSIONS*

*3301 Kerner Blvd.*

*San Rafael, CA 94901*

*United States of America*

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