

1 SCOTT+SCOTT, ATTORNEYS AT LAW, LLP
John T. Jasnoch (SBN 281605)
2 707 Broadway, Suite 1000
San Diego, California 92101
3 Telephone: (619) 233-4565
Facsimile: (619) 233-0508
4 Email: jjasnoch@scott-scott.com

5 *Counsel for the Class and Lead Plaintiff*

6 BOTTINI & BOTTINI, INC.
Francis A. Bottini, Jr.
7 Albert Y. Chang
Yury A. Kolesnikov
8 7817 Ivanhoe Avenue, Suite 102
La Jolla, California 92037
9 Telephone: (858) 914-2001
Facsimile: (858) 914-2002
10 Email: fbottini@bottinilaw.com
achang@bottinilaw.com
11 ykolesnikov@bottinilaw.com

12 *Liaison Counsel for the Class*

13 [Additional Counsel on Signature Page.]

14
15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 COUNTY OF SANTA CLARA

17 IN RE FIREEYE, INC. SECURITIES
LITIGATION

Lead Case No.: 1-14-cv-266866
(Consolidated with Case No. 1-14-cv-268110)

18
19 This Document Relates To:

20 ALL ACTIONS.

**LEAD PLAINTIFF'S NOTICE OF
UNOPPOSED MOTION AND MOTION
FOR DISTRIBUTION OF CLASS
SETTLEMENT FUND**

21
22 Hearing Date: February 2, 2018
Hearing Time: 9:00 a.m.
23 Dep't: 19
24 Judge: Hon. Peter H. Kirwan

1 **NOTICE OF MOTION AND MOTION**

2 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

3 PLEASE TAKE NOTICE that Lead Plaintiff DeKalb County Employees Retirement Plan (“Lead
4 Plaintiff”) hereby respectfully moves the Court (with all parties’ consent) for entry of an unopposed
5 order, at the Court’s earliest convenience: (i) approving the administrative determinations of Kurtzman
6 Carson Consultants LLC (“KCC”) accepting or rejecting submitted claims; (ii) directing payment of
7 KCC’s administrative costs and fees incurred (including for distribution services yet to be incurred) in
8 connection with the services performed, and to be performed, by KCC in reviewing claims and
9 distributing the Settlement Fund; (iii) directing the distribution of the Net Settlement Fund (after
10 deduction of KCC’s costs and fees) to Class Members whose Proofs of Claim have been accepted;
11 (iv) authorizing, if reasonably and economically practicable, the redistribution (as part of a second
12 distribution) of any residual remaining in the Net Settlement Fund (due to, *e.g.*, uncashed checks) six
13 months after the date of distribution to Authorized Claimants; (v) barring any further claims against the
14 Settlement Fund (except as may be actually approved in accordance with paragraph (d) of the
15 Distribution Plan) and releasing and discharging all persons involved in the administration of the
16 Settlement from any and all claims arising out of such involvement; and (vi) authorizing destruction of
17 paper copies of Proof of Claim forms one year after distribution of the Net Settlement Fund and
18 destruction of electronic copies of claim records three years after distribution of the Net Settlement
19 Fund. Class Counsel has conferred with counsel for the FireEye Defendants, who confirmed that they
20 do not oppose entry of the requested Order.

21 This Motion is based upon Lead Plaintiff’s Memorandum of Law in Support of its Unopposed
22 Motion for Distribution of Class Settlement Fund, the accompanying form of [Proposed] Order being
23 contemporaneously filed herewith, Declaration of Justin R. Hughes, dated January 11, 2018, submitted
24 in support thereof, and all of the other papers, pleadings, and proceedings herein.

25 DATED: January 11, 2018

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

26 /s/ John T. Jasnoch

27 John T. Jasnoch
707 Broadway, Suite 1000
San Diego, CA 92101
28 Telephone: (619) 233-4565

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Facsimile: (619) 233-0508
Email: jjasnoch@scott-scott.com

Beth A. Kaswan
William C. Fredericks
Sean Masson
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, New York 10169
Telephone: (212) 223-6444
Facsimile: (212) 223-6334
Email: bkaswan@scott-scott.com
wfredericks@scott-scott.com
smasson@scott-scott.com

Counsel for the Class and Lead Plaintiff

Francis A. Bottini, Jr.
Albert Y. Chang
Yury A. Kolesnikov
BOTTINI & BOTTINI, INC.
7817 Ivanhoe Avenue, Suite 102
La Jolla, California 92037
Telephone: (858) 914-2001
Facsimile: (858) 914-2002
Email: fbottini@bottinilaw.com
achang@bottinilaw.com
ykolesnikov@bottinilaw.com

Liaison Counsel for the Class