Global Digital Solutions, Inc. Securities Litigation c/o Strategic Claims Services 600 N. Jackson Street, Suite 205 Media, PA 19063 Toll-free number: 866-274-4004 www.strategicclaims.net/globaldigital/

October 14, 2019

Re: Hull v. Global Digital Solutions, Inc. Securities Litigation – Case No. 3:16-cv-05153 (D.N.J.)

To Potential Settlement Class Member:

We previously mailed you a postcard notice regarding the above-mentioned litigation. Although the claim filing deadline was October 7, 2019, we have been informed by Lead Counsel that you may still submit a claim in this matter. There is no guarantee that any late submissions will be accepted by the Court. However, if you choose to submit a claim now, it will be processed, and Lead Counsel will present it to the Court for its consideration and approval.

Attached to this letter is the Summary Notice of Pendency and Proposed Class Action Settlement along with a Proof of Claim and Release Form ("Claim Form").

In order to be eligible to receive your share of the Net Settlement Fund, please submit the Claim Form with adequate supporting documentation **as soon as possible; however, every effort should be made to submit your claim no later than November 4, 2019**. If you need more time to complete your Claim Form, please contact our office at 866-274-4004 or by email at info@strategicclaims.net. You can file your Claim Form with documentation online at <a href="www.strategicclaims.net/globaldigital/">www.strategicclaims.net/globaldigital/</a> or mail it to: Global Digital Solutions, Inc. Securities Litigation., c/o Strategic Claims Services, 600 N. Jackson Street, Suite 205, Media, PA 19063.

Please feel free to contact us at 866-274-4004 or email them at info@strategicclaims.net with any questions.

Regards,

Claims Administrator for the Global Digital Solutions, Inc. Securities Litigation

## UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

JEFF HULL, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

V

GLOBAL DIGITAL SOLUTIONS, INC., RICHARD J. SULLIVAN, DAVID A. LOPPERT, WILLIAM J. DELGADO, ARTHUR F. NOTERMAN, and STEPHANIE C. SULLIVAN,

Defendants.

Case No. 3:16-cv-05153-FLW-TJB

**CLASS ACTION** 

# SUMMARY NOTICE OF PENDENCY AND PROPOSED CLASS ACTION SETTLEMENT

# TO: ALL PERSONS WHO PURCHASED PUBLICLY TRADED GLOBAL DIGITAL SOLUTIONS, INC. SECURITIES FROM OCTOBER 8, 2013 THROUGH AUGUST 11, 2016, BOTH DATES INCLUSIVE.

YOU ARE HEREBY NOTIFIED, pursuant to an Order of the United States District Court for the District of New Jersey, that a hearing will be held on November 6, 2019, at 10:00 a.m. before the Honorable Freda L. Wolfson, United States District Judge of the District of New Jersey, 402 East State Street, Courtroom 5E, Trenton, New Jersey 08608 for the purpose of determining: (1) whether the proposed Settlement of the claims in the above-captioned Action and release of related derivative and direct claims in the Lopez Actions for consideration including the sum of \$595,000 should be approved by the Court as fair, reasonable, and adequate; (2) whether the proposed plan to distribute the Settlement proceeds is fair, reasonable, and adequate; (3) whether the application of Lead Counsel of up to one-third of the Settlement Amount plus interest for an award of Lead Counsel's and Lopez's Counsel's attorneys' fees, and reimbursement of their expenses of not more than \$37,500 and incentive payments of no more than \$5,000 to Lead Plaintiff and \$1,000 to Lopez, should be approved; and (4) whether this Action should be dismissed with prejudice as set forth in the Stipulation and Agreement of Settlement, dated June 12, 2019 (the "Settlement Stipulation").

If you purchased publicly traded Global Digital Solutions, Inc. ("GDSI") securities during the period from October 8, 2013 through August 11, 2016, both dates inclusive (the "Settlement Class Period"), your rights may be affected by this Settlement, including the release and extinguishment of claims you may possess relating to your ownership interest in GDSI securities. You may obtain copies of the detailed Notice of Pendency and Proposed Settlement of Class Action ("Notice") and the Proof of Claim and Release Form by writing to or calling the Claims Administrator: Global Digital Solutions, Inc. Securities Litigation, c/o Strategic Claims Services, 600 N. Jackson St., Ste. 205, P.O. Box 230, Media, PA 19063; (Tel) (866) 274-4004; (Fax) (610) 565-7985; info@strategicclaims.net. You can also download copies of the Notice and submit your Proof

<sup>&</sup>lt;sup>1</sup> The "Lopez Actions" refer to *Adrian Lopez v. William J. Delgado, et al.*, Docket No. C-70-16, which was brought derivatively by Adrian Lopez ("Lopez") on behalf of GDSI, and *Adrian Lopez v. Global Digital Solutions, Inc., et al.*, Docket No. L-002126-17, brought directly by Lopez against GDSI, both filed in the Superior Court of New Jersey, Mercer County, and later administratively closed.

of Claim and Release Form online at <a href="www.strategicclaims.net">www.strategicclaims.net</a>. If you are a member of the Settlement Class, in order to share in the distribution of the Net Settlement Fund, you must submit a Proof of Claim and Release Form electronically or postmarked no later than October 7, 2019 to the Claims Administrator, establishing that you are entitled to recovery. Unless you submit a written exclusion request, you will be bound by any judgment rendered in the Action whether or not you make a claim.

If you desire to be excluded from the Settlement Class, you must submit to the Claims Administrator a request for exclusion so that it is received no later than October 16, 2019, in the manner and form explained in the detailed Notice. All members of the Settlement Class who have not requested exclusion from the Settlement Class will be bound by any judgment entered in the Action pursuant to the Settlement Stipulation.

Any objection to the Settlement, Plan of Allocation, or Lead Counsel's request for an award to Lead Counsel and Lopez's Counsel of attorneys' fees and reimbursement of expenses and Awards to Lead Plaintiff and Lopez must be in the manner and form explained in the detailed Notice and received no later than October 16, 2019, by each of the following:

Clerk of the Court United States District Court District of New Jersey 402 East State Street Trenton, New Jersey 08608

COUNSEL FOR DEFENDANTS GLOBAL DIGITAL SOLUTIONS, INC. AND WILLIAM J. DELGADO:

BRINEN & ASSOCIATES, LLC Joshua D. Brinen 90 Broad Street, Second Floor New York, New York 10004

## **LEAD COUNSEL:**

THE ROSEN LAW FIRM, P.A.
Laurence M. Rosen
609 W. South Orange Avenue, Suite 2P
South Orange, New Jersey 07079
COUNSEL FOR DEFENDANT

COUNSEL FOR DEFENDANT DAVID A. LOPPERT:

HELLRING LINDEMAN GOLDSTEIN & SIEGAL, LLP
Jonathan L. Goldstein
Corinne B. Maloney
One Gateway Center
Newark, New Jersey 07102-5323

If you have any questions about the Settlement, you may call or write to Lead Counsel:

THE ROSEN LAW FIRM, P.A. Laurence M. Rosen 609 W. South Orange Avenue, Suite 2P South Orange, New Jersey 07079

Tel: 973-313-1887 Fax: 973-833-0399

PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE REGARDING THIS NOTICE.

Dated: July 15, 2019

BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

#### PROOF OF CLAIM AND RELEASE FORM

Deadline for Submission: October 7, 2019

IF YOU PURCHASED PUBLICLY TRADED GLOBAL DIGITAL SOLUTIONS, INC. ("GDSI") SECURITIES FROM OCTOBER 8, 2013 THROUGH AUGUST 11, 2016, BOTH DATES INCLUSIVE (THE "SETTLEMENT CLASS PERIOD") AND WERE ALLEGEDLY DAMAGED THEREBY, YOU ARE A "SETTLEMENT CLASS MEMBER" AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT PROCEEDS. (EXCLUDED FROM THE SETTLEMENT CLASS ARE DEFENDANTS AND THEIR IMMEDIATE FAMILIES, THE OFFICERS AND DIRECTORS OF GDSI AT ALL RELEVANT TIMES, THEIR LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS OR ASSIGNS, AND ANY ENTITY IN WHICH DEFENDANTS HAVE OR HAD A CONTROLLING INTEREST. ALSO EXCLUDED FROM THE SETTLEMENT CLASS ARE THOSE PERSONS WHO FILE VALID AND TIMELY REQUESTS FOR EXCLUSION IN ACCORDANCE WITH THE COURT'S ORDER OF PRELIMINARY APPROVAL OF SETTLEMENT.).

IF YOU ARE A SETTLEMENT CLASS MEMBER, YOU MUST COMPLETE AND SUBMIT THIS PROOF OF CLAIM AND RELEASE FORM ("CLAIM FORM") IN ORDER TO BE ELIGIBLE FOR ANY SETTLEMENT BENEFITS. YOU CAN COMPLETE AND SUBMIT THE ELECTRONIC VERSION OF THIS CLAIM FORM BY 11:59 P.M. EST ON OCTOBER 7, 2019 AT WWW.STRATEGICCLAIMS.NET.

IF YOU DO NOT COMPLETE AND SUBMIT AN ELECTRONIC VERSION OF THIS CLAIM FORM, YOU MUST COMPLETE AND SIGN THIS CLAIM FORM AND MAIL IT BY FIRST CLASS MAIL, POSTMARKED NO LATER THAN OCTOBER 7, 2019 TO STRATEGIC CLAIMS SERVICES, THE CLAIMS ADMINISTRATOR, AT THE FOLLOWING ADDRESS:

Global Digital Solutions, Inc. Securities Litigation c/o Strategic Claims Services 600 N. Jackson St., Ste. 205 P.O. Box 230 Media, PA 19063 Fax: (610) 565-7985 info@strategicclaims.net

YOUR FAILURE TO SUBMIT YOUR CLAIM BY OCTOBER 7, 2019 WILL SUBJECT YOUR CLAIM TO REJECTION AND PRECLUDE YOU FROM RECEIVING ANY MONEY IN CONNECTION WITH THE SETTLEMENT OF THIS ACTION. DO NOT MAIL OR DELIVER YOUR CLAIM TO THE COURT OR TO ANY OF THE PARTIES OR THEIR COUNSEL, AS ANY SUCH CLAIM WILL BE DEEMED NOT TO HAVE BEEN SUBMITTED. SUBMIT YOUR CLAIM ONLY TO THE CLAIMS ADMINISTRATOR. IF YOU ARE A SETTLEMENT CLASS MEMBER AND DO NOT SUBMIT A PROPER CLAIM, YOU WILL NOT SHARE IN THE SETTLEMENT, BUT YOU NEVERTHELESS WILL BE BOUND BY THE ORDER AND FINAL JUDGMENT OF THE COURT UNLESS YOU EXCLUDE YOURSELF.

SUBMISSION OF A CLAIM FORM DOES NOT ASSURE THAT YOU WILL SHARE IN THE PROCEEDS OF THE SETTLEMENT.

#### **CLAIMANT'S STATEMENT**

- 1. I (we) purchased publicly traded Global Digital Solutions, Inc. ("GDSI") securities during the Settlement Class Period. (Do not submit this Proof of Claim and Release Form if you did not purchase GDSI securities during the Settlement Class Period.)
- 2. By submitting this Proof of Claim and Release Form, I (we) state that I (we) believe in good faith that I am (we are) a Settlement Class Member(s) as defined above and in the Notice of Pendency and Proposed Settlement of Class Action (the "Notice"), or am (are) acting for such person(s); that I am (we are) not a Defendant in the Action or anyone excluded from the Settlement Class; that I (we) have read and understand the Notice; that I (we) believe that I am (we are) entitled to receive a share of the Net Settlement Fund, as defined in the Notice; that I (we) elect to participate in the proposed Settlement described in the Notice; and that I (we) have not filed a request for exclusion. (If you are acting in a representative capacity on behalf of a Settlement Class Member [e.g., as an executor, administrator, trustee, or other representative], you must submit evidence of your current authority to act on behalf of that Settlement Class Member. Such evidence would include, for example, letters testamentary, letters of administration, or a copy of the trust documents.)
- 3. I (we) consent to the jurisdiction of the Court with respect to all questions concerning the validity of this Proof of Claim and Release Form. I (we) understand and agree that my (our) claim may be subject to investigation and discovery under the Federal Rules of Civil Procedure, provided that such investigation and discovery shall be limited to my (our) status as a Settlement Class Member(s) and the validity and amount of my (our) claim. No discovery shall be allowed on the merits of the Action or Settlement in connection with processing of the Proof of Claim and Release Form.
- 4. I (we) have set forth where requested below all relevant information with respect to each purchase of GDSI securities, and each sale, if any, of such securities. I (we) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so.
- 5. I (we) have enclosed photocopies of the stockbroker's confirmation slips, stockbroker's statements, or other documents evidencing each purchase and sale of GDSI securities listed below in support of my (our) claim. (IF ANY SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN A COPY OR EQUIVALENT DOCUMENTS FROM YOUR BROKER OR TAX ADVISOR BECAUSE THESE DOCUMENTS ARE NECESSARY TO PROVE AND PROCESS YOUR CLAIM.)
- 6. I (we) understand that the information contained in this Proof of Claim and Release Form is subject to such verification as the Claims Administrator may request or as the Court may direct, and I (we) agree to cooperate in any such verification. (The information requested herein is designed to provide the minimum amount of information necessary to process most simple claims. The Claims Administrator may request additional information as required to efficiently and reliably calculate your Recognized Loss. In some cases, the Claims Administrator may condition acceptance of the claim based upon the production of additional information, including, where applicable, information concerning transactions in any derivatives securities such as options.)
- 7. Upon the occurrence of the Court's approval of the Settlement, as detailed in the Notice, I (we) agree and acknowledge that my (our) signature(s) hereto shall effect and constitute a full and complete release, remise and discharge by me (us) and my (our) heirs, joint tenants, tenants in common, beneficiaries, executors, administrators, predecessors, successors, attorneys, insurers and assigns (or, if I am (we are) submitting this Proof of Claim and Release Form on behalf of a corporation, a partnership, estate or one or more other persons, by it, him, her or them, and by its, his, her or their heirs, executors, administrators, predecessors, successors, and assigns) of each of the "Released

- Parties" of all "Released Claims," as those terms are defined in the Stipulation and Agreement of Settlement, dated June 12, 2019 (the "Settlement Stipulation").
- 8. Upon the occurrence of the Court's approval of the Settlement, as detailed in the Notice, I (we) agree and acknowledge that my (our) signature(s) hereto shall effect and constitute a covenant by me (us) and my (our) heirs, joint tenants, tenants in common, beneficiaries, executors, administrators, predecessors, successors, attorneys, insurers and assigns (or, if I am (we are) submitting this Proof of Claim and Release Form on behalf of a corporation, a partnership, estate or one or more other persons, by it, him, her or them, and by its, his, her or their heirs, executors, administrators, predecessors, successors, and assigns) to permanently refrain from prosecuting or attempting to prosecute any Released Claims against any of the Released Parties.
- 9. "Released Parties" has the meaning laid out in the Settlement Stipulation.
- 10. "Released Claims" has the meaning laid out in the Settlement Stipulation.
- 11. "Unknown Claims" has the meaning laid out in the Settlement Stipulation.
- 12. I (We) acknowledge that the inclusion of "Unknown Claims" in the definition of claims released pursuant to the Settlement Stipulation was separately bargained for and is a material element of the Settlement of which this release is a part.
- 13. NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. All Claimants MUST submit a manually signed paper Proof of Claim and Release Form listing all their transactions whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Claims Administrator at info@strategicclaims.net or visit their website at www.strategicclaims.net to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the Claimant a written acknowledgment of receipt and acceptance of electronically submitted data.

## I. CLAIMANT INFORMATION

· -						
Name						
Address						
City			State	ZIP		
Foreign Province			Foreign Country			
Day Phone			Evening Pho	ne		
Email						
Social Security Number (for individuals):		OR	Taxpayer Identification Number (for estates, trusts, corporations, etc.):			
II. SCHEDULE OF TRANS SECURITIES	SACTIONS 1	IN GL	OBAL DI	GITAL SOLU	TIONS,	INC.
A. State the total number of ("GDSI") securities held (must be documented). It	at the close of	f tradir	ng on Octo			
Purchases/Acquisitions:						
B. Separately list each and and August 11, 2016, documented):						
Trade Date (List Chronologically) (Month/Day/Year)	Number of S	Shares I	Purchased	Price per Shar		Total Cost cluding Commissions, Taxes, and Fees)

#### Sales:

C. Separately list each and every sale of GDSI securities between October 8, 2013 through August 11, 2016, both dates inclusive, and provide the following information (*must be documented*):

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares Sold	Price per Share	Amount Received (Excluding Commissions, Taxes, and Fees)
<b>Ending Holdings:</b>			

Ending	Hol	ldings:
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D.	State the total number of shares of GDSI securities held at the close of	
	trading on August 11, 2016 (must be documented).	

If additional space is needed, attach separate, numbered sheets, giving all required information, substantially in the same format, and print your name and Social Security or Taxpayer Identification number at the top of each sheet.

#### III. SUBSTITUTE FORM W-9

Request for Taxpayer Identification Number:

Enter taxpayer identification number below for the Beneficial Owner(s). For most individuals, this is your Social Security Number. The Internal Revenue Service ("I.R.S.") requires such taxpayer identification number. If you fail to provide this information, your claim may be rejected.

Social Security Number (for individuals)	or	Taxpayer Identification Number (for estates, trusts, corporations, etc.)

#### IV. CERTIFICATION

I (We) submit this Proof of Claim and Release Form under the terms of the Settlement Stipulation described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the District of New Jersey with respect to my (our) claim as a Settlement Class Member(s) and for purposes of enforcing the release and covenant not to sue set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in this Action. I (We) have not submitted any other claim covering the same purchases or sales of GDSI securities during the Settlement Class Period and know of no other Person having done so on my (our) behalf.

I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406 (a)(1)(c) of the Internal Revenue Code because: (a) I am (We are) exempt from backup withholding; or (b) I (We) have not been notified by the I.R.S. that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the I.R.S. has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

UNDER THE PENALTIES OF PERJURY UNDER THE LAWS OF THE UNITED STATES, I (WE) CERTIFY THAT ALL OF THE INFORMATION I (WE) PROVIDED ON THIS PROOF OF CLAIM AND RELEASE FORM IS TRUE, CORRECT AND COMPLETE.

	Signature of Claimant (If this claim is being made on behalf of Joint Claimants, then each must sign):
	(Signature)
	(Signature)
	(Capacity of person(s) signing, e.g. beneficial purchaser(s), executor, administrator, trustee, etc.)
	☐ Check here if proof of authority to file is enclosed. (See Item 2 under Claimant's Statement)
Date:	

# THIS PROOF OF CLAIM AND RELEASE FORM MUST BE POSTMARKED NO LATER THAN OCTOBER 7, 2019 AND MUST BE MAILED TO:

Global Digital Solutions, Inc. Securities Litigation c/o Strategic Claims Services 600 N. Jackson St., Ste. 205 P.O. Box 230 Media, PA 19063 Fax: (610) 565-7985 info@strategicclaims.net

A Proof of Claim and Release Form received by the Claims Administrator shall be deemed to have been submitted when posted, if mailed by October 7, 2019 and if a postmark is indicated on the envelope and it is mailed first class and addressed in accordance with the above instructions. In all other cases, a Proof of Claim and Release Form shall be deemed to have been submitted when actually received by the Claims Administrator.

You should be aware that it will take a significant amount of time to process fully all of the Proof of Claim and Release Forms and to administer the Settlement. This work will be completed as promptly as time permits, given the need to investigate and tabulate each Proof of Claim and Release Form. Please notify the Claims Administrator of any change of address.

Global Digital Solutions, Inc. Securities Litigation c/o Strategic Claims Services 600 N. Jackson St., Ste 205 Media, PA 19063

### IMPORTANT LEGAL NOTICE - PLEASE FORWARD

#### REMINDER CHECKLIST

- Please be sure to sign this Proof of Claim and Release Form on page 6. If this Proof of Claim and Release Form is submitted on behalf of joint claimants, then each claimant must sign.
- Please remember to attach supporting documents. Do NOT send any stock certificates. Keep copies of everything you submit.
- o Do NOT use highlighter on the Proof of Claim and Release Form or any supporting documents.
- o If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested, or its equivalent.
- o If you move or change your address, telephone number or email address, please submit the new information to the Claims Administrator, as well as any other information that will assist us in contacting you. NOTE: Failure to submit updated information to the Claims Administrator may result in the Claims Administrator's inability to contact you regarding issues with your claim or deliver payment to you.