

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

CHAD ZUBRISKI and GEORGE  
DERATNAY, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiffs,

vs.

BIOAMBER INC., JEAN-FRANÇOIS HUC,  
and MARIO SAUCIER,

Defendants.

Case No. 2:17-cv-01531-ADS-GRB

CLASS ACTION

**NOTICE OF PENDENCY AND  
PROPOSED SETTLEMENT OF CLASS ACTION**

**If you purchased, otherwise acquired or sold the common stock (CUSIP: 09072Q106) or warrants (CUSIP: 09072Q114) of BioAmber, Inc. (“BioAmber” or the “Company”), except those purchased or sold on the Toronto Stock Exchange, between July 15, 2014 and August 3, 2017, both dates inclusive (the “Settlement Class Period”), this Notice contains information regarding your rights with regard to a class action settlement (the “Settlement”).**

*Under law, a federal court has authorized this Notice. This is not attorney advertising.*

- If approved by the Court, the settlement will provide two million two hundred fifty thousand dollars (\$2,250,000) (the “Settlement Amount”) gross, plus interest as it accrues, minus attorneys’ fees, costs, administrative expenses, and net of any taxes on interest, to pay claims of investors who purchased or acquired BioAmber common stock (CUSIP: 09072Q106) or warrants (CUSIP: 09072Q114), except those purchased on the Toronto Stock Exchange, during the Settlement Class Period.
- The Settlement represents an average gross recovery of \$0.066 per share of BioAmber securities for the 34 million shares that Plaintiffs’ expert estimates were damaged by Defendants’ alleged fraud. This is not an estimate of the actual recovery per share you should expect. Your actual recovery, if any, will depend on the total amount of allowed claims, as well as the amount of attorneys’ fees, costs and administrative expenses awarded by the court.
- Attorneys for Plaintiffs (“Lead Counsel”) intend to ask the Court to award them fees of up to one-third of the Settlement Amount or seven hundred thousand dollars (\$750,000) for attorneys’ fees, reimbursement of litigation expenses of no more than \$30,000, and an award to Plaintiffs up to \$6,000 in total, or \$3,000 each. Collectively, the attorneys’ fees and expenses are estimated to average \$0.023 per damaged share of BioAmber. If approved by the Court, these amounts will be paid from the Settlement Fund.
- The approximate recovery, after deduction of attorneys’ fees and expenses approved by the Court, is an average of \$0.043 per damaged share of BioAmber common stock. This estimate is based on the assumptions set forth in the preceding paragraphs. Your actual recovery, if any, will depend on the aggregate losses of all Settlement Class Members, the date(s) you purchased and sold BioAmber common stock or warrants, the purchase and sales prices, and the total number and amount of claims filed.
- The Settlement resolves the Action concerning whether certain of BioAmber’s officers (the “Settling Defendants”) violated the federal securities laws by making false and misleading statements about BioAmber’s financial statements and business prospects. Settling Defendants deny every claim and contention alleged in the lawsuit and deny any misconduct or wrongdoing whatsoever.

- **Your legal rights will be affected whether you act or do not act. If you do not act, you may permanently forfeit your right to recover on these claims. Therefore, you should read this Notice carefully.**

### YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

<b>SUBMIT A CLAIM FORM NO LATER THAN APRIL 22, 2020</b>	The only way to get a payment.
<b>EXCLUDE YOURSELF NO LATER THAN APRIL 29, 2020</b>	Get no payment. This is the only option that allows you to ever be part of any other lawsuit against Defendants about the legal claims in this case.
<b>OBJECT NO LATER THAN APRIL 29, 2020</b>	Write to the Court about why you do not like the Settlement.
<b>GO TO A HEARING ON MAY 20, 2020</b>	Ask to speak in Court about the fairness of the Settlement.
<b>DO NOTHING</b>	Get no payment. Give up rights.

### INQUIRIES

**Please do not contact the Court regarding this Notice.** All inquiries concerning this Notice, the Proof of Claim and Release Form, or any other questions by Settlement Class Members should be directed to the Claims Administrator or Lead Counsel:

BioAmber, 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	<b>or</b>	Jonathan Horne THE ROSEN LAW FIRM, P.A. 275 Madison Avenue, 40 <sup>th</sup> Floor New York, NY 10016 Tel.: 212-686-1060 Fax: 212-202-3827 jhorne@rosenlegal.com
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### DEFINITIONS

All capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation of Settlement, dated December 18, 2019 (the “Settlement Stipulation” or “Stipulation”).

### COMMON QUESTIONS AND ANSWERS CONCERNING THE SETTLEMENT

- 1. Why did I get this Notice?**  
 You or someone in your family may have purchased or acquired or BioAmber common stock or warrants between July 15, 2014 and August 3, 2017, both dates inclusive.
- 2. What is this lawsuit about?**  
 The Action is known as *Donald Chu v. BioAmber Inc., et al.*, 17-cv-1531-ADS-GRB and the Court in charge of the case is the United States District Court for the Eastern District of New York (the “Court”). The Complaint in the Action alleges that Settling Defendants made false and misleading statements. The alleged false and misleading statements are that: (a) Defendants allegedly failed to disclose that, in an agreement dated July 2014, BioAmber allegedly designated a distributor its exclusive distributor in Asia for BioAmber’s bio-succinic acid product to be produced by BioAmber; (b) Defendants omitted to disclose that BioAmber allegedly had released the distributor from its obligations to buy BioAmber’s product for 2015 and 2016; and (c) Defendants allegedly prematurely recognized revenue for a \$1.4 million order in its projected revenue estimates for Q4 2016. The Complaint alleges that these false statements artificially inflated the price of BioAmber’s stock, which fell when these false statements were corrected.  
 Settling Defendants have vigorously denied and continue to deny the allegations in the complaint and all claims of wrongdoing, liability and damages whatsoever. For example, Settling Defendants have denied, and continue to deny, that any misstatements or materially misleading omissions were made, that Plaintiffs

and the Settlement Class have suffered any damages, that the wrongdoing alleged in the complaint caused Plaintiffs and the Settlement Class any damages, and that Plaintiffs and the Settlement Class were harmed by the conduct alleged in the Action.

The Action seeks money damages against Defendants for violation of the Securities Exchange Act of 1934. The Court has made no decision regarding the merits of the claims. The Settlement resolves all of the claims in the Action, as well as certain other claims or potential claims.

**3. Why is this a class action?**

In a class action, one or more persons, called plaintiffs, sue on behalf of all persons who have similar claims. All of these persons are referred to collectively as a class, and these individual persons are known as class members. One court resolves all of the issues for all class members, except for those class members who exclude themselves from the class.

**4. Why is there a Settlement?**

Plaintiffs and Settling Defendants do not agree on the merits of Plaintiffs' allegations and Settling Defendants' defenses to liability, or on the average amount of damages per share, if any, that would be recoverable if Plaintiffs were to prevail at trial. The issues on which Plaintiffs and the Settling Defendants disagree include: (1) whether the challenged statements were materially false or misleading; (2) whether the Settling Defendants acted with scienter (*i.e.*, an intent to defraud investors); (3) the causes of the loss in the value of BioAmber common stock and warrants; and (4) the amount of damages, if any, that could be recovered at trial.

This Action has not gone to trial, and the Court has not decided in favor of either Plaintiffs or Settling Defendants. Instead, the Parties have agreed to settle the case. Plaintiffs and Lead Counsel believe the Settlement is best for all Settlement Class Members because of the risks of continued litigation and the defenses raised by the Settling Defendants. Among the reasons that Plaintiffs and Lead Counsel believe the Settlement is fair is the fact that it is uncertain whether they will be able to prove that the alleged misstatements actually caused the Settlement Class any damages, and the amount of damages, if any.

**5. How do I know if I am part of the Settlement?**

The Settlement Class consists of all Persons who purchased or otherwise BioAmber common stock or warrants, except those purchased on the Toronto Stock Exchange, between July 15, 2014 and August 3, 2017, both dates inclusive ("Settlement Class Period").

**6. Are there exceptions to being included?**

Yes. Excluded from the Settlement Class are Defendants, members of the immediate family of any individual defendant, any entity in which any Defendant has more than a 50% ownership interest, or which any Defendant controls, and the legal representative, heirs, successors, or assigns of any such excluded party. Also excluded are any Persons who timely and validly request exclusion from the Settlement Class by following the instructions contained in the response to Question 11 below.

**7. I am still not sure whether I am included.**

For more information, you can contact the Claims Administrator, Strategic Claims Services, by phone at (866) 274-4004 or by fax at (610) 565-7985, visit the website [www.strategicclaims.net](http://www.strategicclaims.net), or fill out and return the Proof of Claim and Release Form described in response to Question 9, to see if you qualify.

**8. What does the Settlement provide?**

**a. What is the settlement fund?**

The Settlement provides that, in exchange for the Settlement and dismissal of the Action with prejudice, Settling Defendants will pay two million two hundred fifty thousand dollars (\$2,250,000) into a settlement fund. The Settlement is subject to Court approval. Also, subject to the Court's approval, a portion of the settlement fund will be used to pay attorneys' fees and reasonable litigation expenses to Lead Counsel and any award to Plaintiffs. A portion of the settlement fund also will be used to pay taxes due on interest earned by the settlement fund, if necessary, and the costs of the claims administration, including the costs of printing and mailing this Notice and the costs of publishing notice. After the foregoing deductions from the settlement fund have been made, the amount remaining ("Net Settlement Fund") will be distributed according to the Plan of Allocation to be approved by the Court to Settlement Class Members who submit timely, valid claims ("Authorized Claimants").

**b. What can you expect to receive under the proposed Settlement?**

Your share of the Net Settlement Fund will or may depend on: (i) the number of claims filed; (ii) the dates you purchased and sold BioAmber common stock and/or warrants; (iii) the prices of your purchases and

sales; (iv) the amount of administrative costs, including the costs of notice; and (v) the amount awarded by the Court to Lead Counsel for attorneys’ fees, costs, and expenses and to Plaintiffs.

The Claims Administrator will determine each Settlement Class Member’s *pro rata* share of the Net Settlement Fund based upon each Settlement Class Member’s valid “Recognized Loss” (also known as “Recognized Claim”), as defined in the Plan of Allocation set forth below. The Recognized Loss formula is not intended to be an estimate of the amount that a Settlement Class Member might have been able to recover after a trial; it also is not an estimate of the amount that will be paid to Settlement Class Members pursuant to the Settlement. The Recognized Loss formula is the basis upon which the Net Settlement Fund will be proportionately allocated to Authorized Claimants.

**PROPOSED PLAN OF ALLOCATION OF THE NET SETTLEMENT FUND**

The Claims Administrator will determine each Authorized Claimant’s *pro rata* share of the Net Settlement Fund based upon each Authorized Claimant’s Recognized Claim. The Recognized Claim formula, set forth below, is not intended to be an estimate of the amount of what a Class Member might have been able to recover after a trial, nor is it an estimate of the amount that will be paid to Authorized Claimants pursuant to the Settlement. The Recognized Claim formula is the basis upon which the Net Settlement Fund will be proportionately allocated to the Authorized Claimants. If the total Recognized Losses of all Authorized Claimants exceeds the Net Settlement Fund, then Class Members will receive less than their Recognized Loss.

Lead Counsel has evaluated the merits of this case and concluded that the share price decline on August 3, 2017, is considerably less likely to be recoverable from Defendants. Accordingly, Recognized Claims resulting from the August 3, 2017 share price decline will be reduced by 60%.

No distribution will be made if the check that would be received is less than \$10.00.

If any of the Net Settlement Fund remains six months after the initial distribution, then any balance remaining shall be used: (i) first, to pay any amounts mistakenly omitted from the initial distribution to Authorized Claimants or to pay any late, but valid, claims; (ii) second, to pay any additional Administrative Costs incurred in administering the Settlement; and (iii) finally, to make a second distribution to Authorized Claimants who cashed their checks from the initial distribution and who would receive at least \$10.00 from such second distribution. If any funds remain in the Net Settlement Fund six months after this second distribution, they will be donated to a non-profit 501(c)(3) organization(s) selected by Lead Counsel.

**THE BASIS FOR CALCULATING YOUR RECOGNIZED CLAIM**

Each Authorized Claimant shall be allocated a *pro rata* share of the Net Settlement Fund based on his, her or its Recognized Claim as compared to the total Recognized Claims of all Authorized Claimants.

The Recognized Claims shall be the amount set out in Table A, below:

	Sold before December 23, 2016	Sold before March 16, 2017	Sold before August 3, 2017	Held past August 3, 2017
Bought between July 15, 2014 and December 22, 2016	0	0	0	\$0.29
Bought between December 23, 2016 and March 16, 2016	NA	0	\$0.59	\$0.88
Bought between March 17, 2017 and August 3, 2017	N/A	N/A	0	\$0.29
Bought after August 3, 2017	N/A	N/A	N/A	0

The date of purchase, acquisition or sale is the “contract” or “trade” date and not the “settlement” or “payment” date.

The Recognized Claim for warrants purchased after December 23, 2016 and held until March 17, 2017, shall be \$9 per contract. For all other warrant transactions, the Recognized Claim shall be \$0.

**Are there any other limitations on the amount I will receive?**

(i) Transactions will be matched on a First-In, First-Out (“FIFO”) basis. In the event that a Settlement Class Member has multiple transactions in BioAmber common stock and/or warrants during the Settlement Class Period, the first sales will be matched against first any common stock or warrants

held at the close of trading on July 14, 2014, then chronologically against purchases made during the Settlement Class Period.

- (ii) Transactions during the Class Period resulting in a gain will be netted against the Class Member's transactions resulting in a loss to arrive at the total Recognized Claim.
- (iii) Any Class members whose collective transactions in the Company common stock during the Class Period resulted in a net gain will not be entitled to share in the Net Settlement Fund.
- (iv) The purchase and sales prices exclude any brokerage commissions, transfer taxes or other fees.
- (v) The covering purchase of a short sale is not an eligible purchase. Gifts and transfers are not eligible purchases.

#### **9. How can I get a payment?**

To qualify for payment, you must timely send in a form entitled "Proof of Claim and Release Form," which is attached to this Notice. You may also obtain a Proof of Claim and Release Form on the Internet at [www.strategicclaims.net](http://www.strategicclaims.net). Read the instructions carefully, fill out the form, and sign it in the location indicated. The Proof of Claim and Release Form may be completed in two ways: (1) by completing and submitting it electronically at <http://www.strategicclaims.net> by **11:59 p.m. EST on April 22, 2020**; or (2) by mailing the claim form together with all documentation requested in the form, **postmarked no later than April 22, 2020**, to the Claims Administrator, at the address appearing on page 2 of this Notice and below. The Claims Administrator will process your claim and determine whether you are an Authorized Claimant.

#### **10. What am I giving up to get a payment or stay in the Class?**

Unless you exclude yourself from the Settlement Class by the April 29, 2020 deadline, you will be a member of the Settlement Class and will be bound by the release of claims if the Settlement is approved. That means you and all other Settlement Class Members and each of their respective parent entities, associates, affiliates, subsidiaries, predecessors, successors, assigns, attorneys, immediate family members heirs, representatives, administrators, executors, devisees, legatees, and estates will release (agreeing never to sue, continue to sue, or be part of any other lawsuit) any claims which arise out of, are based upon or relate in any way to this action, the settlement or resolution of this action, and the allegations, claims, transactions, facts, matters, or occurrences, representations or omissions involved or referred to in this action and that relate to the purchase, acquisition, or sale of BioAmber common stock and/or warrants during the Settlement Class Period. It means that all of the Court's orders in the Action will apply to you and legally bind you. The specific terms of the release, including the definition of Released Claims, and related terms are included in the Stipulation.

#### **11. How do I get out of the Settlement?**

To exclude yourself from the Settlement, you must mail a letter that (A) clearly indicates your name, address, phone number and e-mail contact information (if any) and states that you "request to be excluded from the Settlement Class in *Chu v. BioAmber Inc.*", and (B) states the date, number of shares and dollar amount of each of your BioAmber common stock or warrants purchases, acquisitions, and sales during the Settlement Class Period, as well as the number of shares of BioAmber common stock or warrants you purchased between July 15, 2014 and August 3, 2017, except those purchased on the Toronto Stock Exchange. You must sign and submit the request as the beneficial owner under penalty of perjury. You must mail your exclusion request, to be received no later than April 29, 2020, by the Claims Administrator at:

BioAmber, Inc. Securities Litigation  
c/o Strategic Claims Services  
600 N. Jackson St., Ste. 205  
P.O. Box 230  
Media, PA 19063

You cannot exclude yourself by telephone or by e-mail.

If you properly exclude yourself, you will not receive a payment from the Net Settlement Fund, you cannot object to the Settlement, and you will not be legally bound by the judgment in this case.

If you do not exclude yourself by following the procedure outlined above, you will be bound by all orders entered in the Action and you will give up any right to sue the Defendants or other Released Parties for the claims being released in this Settlement. If you have a pending lawsuit related to any Released Claims (as that term is defined in the Settlement Stipulation), speak to your lawyer in that case immediately, since you must timely exclude yourself from this Settlement Class to continue your own lawsuit.

**12. Do I have a lawyer in this case?**

The Court appointed The Rosen Law Firm, P.A. and Goldberg Law PC as Lead Counsel to represent you and the other Settlement Class Members. Contact information for Lead Counsel is provided below. If you want to be represented by your own lawyer, you may hire one at your own expense.

**13. How will the lawyers be paid?**

Lead Counsel have expended considerable time litigating this action on a contingent fee basis, and have paid for the expenses of the case themselves. They have not been paid attorneys’ fees or reimbursed for their expenses in advance of this Settlement. Lead Counsel have done so with the expectation that, if they are successful in recovering money for the Settlement Class, they will receive attorneys’ fees and be reimbursed for their litigation expenses from the Settlement Fund, as is customary in this type of litigation. Lead Counsel will not receive attorneys’ fees or be reimbursed for their litigation expenses except from the Settlement Fund. Therefore, Lead Counsel will file a motion asking the Court at the Settlement Hearing to make an award of attorneys’ fees in an amount not to exceed \$750,000, reimbursement of litigation expenses in an amount not to exceed \$60,000 and an award to Plaintiffs in an amount not to exceed \$6,000 in total or \$3,000 each. The Court may award less than these amounts. Any amounts awarded by the Court will come out of the Settlement Fund.

**14. How do I tell the Court that I do not like the Settlement?**

If you are a Settlement Class Member, you can object to the Settlement, any part of the Settlement, Lead Counsel’s motion for attorneys’ fees and expenses and application for an award to Plaintiffs. To do so, you must object in a writing, stating that you object to the Settlement in *Chu v. BioAmber Inc.* You must also include (1) your name, address, telephone number and email address (if any), (2) documentation showing all of your purchases and sales of BioAmber securities during the Settlement Class Period in order to show your membership in the Settlement Class, (3) all grounds for the objection, including any legal support known to you or your counsel, (4) the name, address and telephone number of all counsel who represent you, including your former or current counsel who may be entitled to compensation in connection with the objection, and (5) the number of times each of you and/or your counsel has filed an objection to a class action settlement in the last five years, the nature of each such objection in each case, the jurisdiction in each case, and the name of the issuer of the security or seller of the product or service at issue in each case. You must serve copies of any objections, papers and briefs to each of the following addresses, to be **received no later than April 29, 2020**:

<p>Clerk of Court U.S. District Court for the Eastern District of New York 100 Federal Plaza Central Islip, NY 11722</p>	<p>LEAD COUNSEL: Jonathan Horne, Esq. THE ROSEN LAW FIRM, P.A. 275 Madison Avenue 40th Floor New York, NY. 10016 Tel: (212) 686-1060 Fax: (212) 202-3827</p>	<p>DEFENDANTS’ COUNSEL: Brian E. Pastuszynski, Esq. GOODWIN PROCTER LLP 620 Eighth Avenue New York, NY 10018 Tel: (212) 813-8800 Fax: (212) 355-3333</p>
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Any Person who does not timely submit a written objection complying with the terms set forth above shall be deemed to have waived, and shall be foreclosed from raising, any objection to the Settlement, and any untimely objections will be barred.

If you exclude yourself from the Settlement Class, you cannot object to the Settlement because it no longer concerns you. If you stay in the Settlement Class and object, but your objection is overruled, you will not be allowed a second opportunity to exclude yourself.

**15. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Settlement Hearing on May 20, 2020, at 9:00 a.m., at the United States District Court for the Eastern District of New York, Courtroom 1020, 100 Federal Plaza, Central Islip, New York 11722. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and whether to approve the Settlement. If there are objections, the Court will consider them, and the Court will listen to people who have asked to speak at the hearing following the instruction in Question 16 below. The Court may also decide how much to pay Lead Counsel for attorneys’ fees and expenses and how much to award to Plaintiffs. Be aware that the Court may change the date and time of the Settlement Hearing without further notice to Settlement Class Members. If you plan to come to the hearing, you should check with Lead Counsel before coming to be sure that the date or time has not changed.

**16. Do I have to come to the hearing?**

No. If you send an objection, you do not have to come to Court to talk about it. As long as you mail your written objection on time, the Court will consider it. However, if you wish to be heard orally at the Settlement Hearing, you must indicate in your written objection (or in a separate writing that is timely submitted) that you intend to appear at the Settlement Hearing and identify any witnesses you may call to testify and exhibits you intend to introduce into evidence at the Settlement Hearing. If you or your attorney intend to appear in Court, you must file with the Court and serve on the counsel listed above, a notice of appearance, setting forth the name and address of anyone intending to appear by no later than April 29, 2020.

**17. What happens if I do nothing at all?**

If you do nothing, you will not receive a payment from the Settlement. However, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Settling Defendants and the other Released Parties concerning the Released Claims (as defined in the Settlement Stipulation) ever again.

**18. How do I get more information about the proposed Settlement?**

This Notice summarizes the proposed Settlement. More details are in the Settlement Stipulation dated December 18, 2019. You can get a copy of the Settlement Stipulation by visiting the website [www.strategicclaims.net](http://www.strategicclaims.net), by contacting the Claims Administrator at the address/number listed on page 2 above or by contacting Lead Counsel at the address/number listed on page 2 above. In addition, the pleadings, Settlement Stipulation, other documents and orders in the Action can be inspected at the Clerk's Office, U.S. District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722.

**SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES**

If, between July 15, 2014 and August 3, 2017, inclusive, you purchased, otherwise acquired, or sold the common stock and/or warrants of BioAmber, Inc. for the beneficial interest of a person or organization other than yourself, the Court has directed that, WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS NOTICE, you either (a) provide to the Claims Administrator the name and last known address of each person or organization for whom or which you purchased such BioAmber common stock and/or warrants during such time period or (b) request additional copies of this Notice and the Proof of Claim form, which will be provided to you free of charge, and within ten (10) days mail the Notice and Proof of Claim form directly to the beneficial owners of the BioAmber securities. If you choose to follow alternative procedure (b), the Court has directed that, upon such mailing, you send a statement to the Claims Administrator confirming that the mailing was made as directed. You are entitled to reimbursement from the Settlement Fund of your reasonable out-of-pocket expenses actually incurred in connection with the foregoing, up to a maximum of \$0.75 per notice. Those expenses will be paid upon request and submission of appropriate supporting documentation. All communications regarding the foregoing should be addressed to the Claims Administrator at the address listed on page 2 above.

BY ORDER OF THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN DISTRICT OF NEW YORK

## **PROOF OF CLAIM AND RELEASE FORM**

**Deadline for Submission: April 22, 2020**

### **I. GENERAL INSTRUCTIONS**

IF YOU PURCHASED OR OTHERWISE ACQUIRED BIOAMBER, INC. (“BIOAMBER”) COMMON STOCK OR WARRANTS, OTHER THAN THOSE PURCHASED ON THE TORONTO STOCK EXCHANGE, BETWEEN JULY 15, 2014 AND AUGUST 3, 2017, BOTH DATES INCLUSIVE (“SETTLEMENT CLASS PERIOD”), YOU ARE A “SETTLEMENT CLASS MEMBER” AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT PROCEEDS. (EXCLUDED FROM THE SETTLEMENT CLASS ARE DEFENDANTS, MEMBERS OF THE IMMEDIATE FAMILY OF ANY INDIVIDUAL DEFENDANT, ANY ENTITY IN WHICH ANY DEFENDANT HAS MORE THAN A 50% OWNERSHIP INTEREST, OR WHICH ANY DEFENDANT CONTROLS, AND THE LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS OR ASSIGNS OR ANY OF THE FOREGOING.) .

IF YOU ARE A SETTLEMENT CLASS MEMBER, YOU MUST COMPLETE AND SUBMIT THIS PROOF OF CLAIM AND RELEASE FORM (“PROOF OF CLAIM AND RELEASE FORM”) IN ORDER TO BE ELIGIBLE FOR ANY SETTLEMENT BENEFITS. YOU CAN COMPLETE AND SUBMIT THE ELECTRONIC VERSION OF THIS PROOF OF CLAIM AND RELEASE FORM BY 11:59 P.M. EST ON APRIL 22, 2020 AT [WWW.STRATEGICCLAIMS.NET](http://WWW.STRATEGICCLAIMS.NET).

IF YOU DO NOT COMPLETE AND SUBMIT AN ELECTRONIC VERSION OF THIS PROOF OF CLAIM AND RELEASE FORM, YOU MUST COMPLETE AND SIGN THIS PROOF OF CLAIM AND RELEASE FORM AND MAIL IT BY FIRST CLASS MAIL, POSTMARKED NO LATER THAN APRIL 22, 2020 TO STRATEGIC CLAIMS SERVICES, THE CLAIMS ADMINISTRATOR, AT THE FOLLOWING ADDRESS:

BioAmber, Inc. Securities Litigation  
c/o Strategic Claims Services  
600 N. Jackson St., Ste. 205  
P.O. Box 230  
Media, PA 19063

YOUR FAILURE TO SUBMIT YOUR CLAIM BY APRIL 22, 2020 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 PROOF OF CLAIM AND RELEASE FORM, YOU WILL NOT SHARE IN THE SETTLEMENT PROCEEDS, BUT YOU NEVERTHELESS WILL BE BOUND BY THE TERMS OF ANY ORDER AND FINAL JUDGMENT OF THE COURT, INCLUDING THE RELEASES INCLUDED IN THE STIPULATION OF SETTLEMENT, UNLESS YOU EXCLUDE YOURSELF.

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

**II. CLAIMANT INFORMATION**

Name		
Address		
City	State	ZIP
Foreign Province	Foreign Country	
Day Phone	Evening Phone	
Email		
Social Security Number (for individuals):	OR	Taxpayer Identification Number (for estates, trusts, corporations, etc.):

**III. SCHEDULE OF TRANSACTIONS IN BIOAMBER, INC. SECURITIES**

Please supply all required details of your transaction(s) in BioAmber, Inc. (“BioAmber”) common stock and warrants. Broker confirmations, brokerage statements reflecting your purchases, or other documentation of your transactions in BioAmber common stock and warrants should be attached to your claim. If you do not have documentation from your broker, you may also attach any documents or schedules that you attached to any federal tax return that reflect Settlement Class Period purchases, acquisitions or sales of BioAmber common stock and warrants. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

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.

**Beginning Holdings:**

A. State the total number of shares of BioAmber common stock and warrants held at the close of trading on July 14, 2014 (*must be documented*). If none, write “zero” or “0.”

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**Purchases/Acquisitions:**

B. Separately list each and every purchase or acquisition of BioAmber common stock or warrants between July 15, 2014 and August 3, 2017, both dates inclusive, and provide the following information (*must be documented*):

Type of Security (Common Stock or Warrants)	Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares or Warrants Purchased/Acquired	Price per Share	Total Cost (Excluding Commissions, Taxes, and Fees)

**Sales:**

C. Separately list each and every sale of BioAmber common stock or warrants between July 15, 2014 and August 3, 2017, both dates inclusive, and provide the following information (*must be documented*):

Type of Security (Common Stock or Warrants)	Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares or Warrants Sold	Price per Share	Amount Received (Excluding Commissions, Taxes, and Fees)

**Ending Holdings:**

D. State the total number of shares of BioAmber common stock and warrants held at the close of trading on August 3, 2017 (*must be documented*).

(Shares)
(Warrants)

**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.**

**V. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGEMENTS**

I (We), \_\_\_\_\_ submit this Proof of Claim and Release under the terms of the Stipulation of Settlement dated December 18, 2019 and described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Eastern District of New York with respect to my (our) claim as a Settlement Class Member(s) (as defined herein) and for purposes of enforcing the release 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 the Action, including the releases set forth therein. I (We) agree to furnish additional information to Lead Counsel or the Claims Administrator to support this claim if required to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions or sales of BioAmber common stock or warrants during the Settlement Class Period and know of no other Person having done so on my (our) behalf.

**VI. RELEASE**

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, relinquish and discharge with prejudice all of the Released Claims against each and all of the Released Parties (as these terms are defined in the Stipulation).

2. I (We) hereby acknowledge that I (we) will not be entitled to bring, or receive recovery in, any other action against any of the Released Parties based on or arising out of the Released Claims (as these terms are defined in the Stipulation).

3. This Release shall be of no force or effect unless and until the Court approves the Settlement and it becomes effective on the Effective Date.

4. I (We) hereby warrant and represent that I (we) am (are) a member(s) of the Settlement Class and I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

**VII. CERTIFICATION**

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 AND I (WE) AGREE TO BE BOUND BY THE RELEASE AND ALL ORDERS ENTERED IN THE ACTION.

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 III, above)

Date: \_\_\_\_\_

The Claims Administrator will acknowledge receipt of your Proof of Claim and Release Form by mail or email within 45 days of receipt. Your claim is not deemed filed until you receive such an acknowledgement. If you do not receive an acknowledgement within 45 days, please contact the Claims Administrator by telephone toll free at 866-274-4004 or by email at [info@strategicclaims.net](mailto:info@strategicclaims.net).

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.

BioAmber, 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 11. If this Proof of Claim and Release Form is submitted on behalf of joint claimants, then both claimants must sign.
- Please remember to attach supporting documents. Do NOT send any stock certificates. Keep copies of everything you submit.
- Do NOT use highlighter on the Proof of Claim and Release Form or any supporting documents.
- 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 to deliver payment to you.