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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

In re VAXART, INC. SECURITIES LITIGATION

Case No. 3:20-cv-05949-VC

CLASS ACTION

*This Document Relates to:  
ALL ACTIONS*

**~~PROPOSED~~ ORDER APPROVING  
SETTLEMENT DISTRIBUTION TO  
AUTHORIZED CLAIMANTS AND  
GRANTING RELATED RELIEF**

Judge: Hon. Vince Chhabria

1 THIS MATTER having come before the Court on the motion of lead plaintiffs Wei Huang and  
2 Langdon Elliot (“Lead Plaintiffs”) and additional plaintiff Ani Hovhannisyan (collectively with Lead  
3 Plaintiffs, “Plaintiffs”) for approval of a distribution of the Net Settlement Fund to Authorized  
4 Claimants; the Settlement having reached its Effective Date; and the Court having considered the  
5 papers filed and proceedings held herein and otherwise being fully informed;

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

7 1. This Order incorporates by reference the definitions in the Stipulation and Agreement  
8 of Settlement, dated as of July 27, 2020, (ECF No. 224-2) (the “Stipulation” or “Stip.”), or Declaration  
9 of Adam D. Walter in Support of Plaintiffs’ Motion for Authorization to Distribute Net Settlement  
10 Fund (“Walter Declaration”), and all capitalized terms used, but not defined herein, shall have the  
11 same meanings as those set forth in the Stipulation and Walter Declaration.

12 2. The administrative recommendations of A.B. Data, Ltd. (“A.B. Data”), the Court-  
13 appointed Claims Administrator, to accept the Proof of Claim and Release forms (“Claim Forms”),  
14 including the late, but otherwise eligible, Claim Forms listed in Exhibits C-1 and C-2 to the Walter  
15 Declaration are hereby APPROVED.

16 3. As determined by the Claims Administrator, wholly rejected or otherwise ineligible  
17 Proofs of Claim, listed in Exhibit C-3, are hereby REJECTED.

18 4. The distribution of the Net Settlement Fund to Authorized Claimants is hereby  
19 AUTHORIZED and shall be conducted in accordance with the Stipulation, Court-approved Plan of  
20 Allocation, and distribution plan for payment of the Net Settlement Fund set forth in the Walter  
21 Declaration, which is hereby APPROVED.

22 5. Any Claim Forms received or adjusted, in a manner that would result in an increased  
23 Recognized Claim Amount, after May 30, 2024, are, and shall be, rejected (as set forth in ¶¶30, 41 of  
24 the Walter Declaration).

25 6. A payment in the amount of \$184,251.08 from the Settlement Fund for A.B. Data’s  
26 estimate of its fees and expenses to be incurred in connection with the initial distribution of the Net  
27 Settlement Fund is hereby AUTHORIZED. If the incurred fees and expenses for the initial distribution  
28 are lower than the estimate, the Claims Administrator shall promptly reimburse the Net Settlement

1 Fund.

2 7. The administration of the Settlement and the proposed distribution of the Net  
3 Settlement Fund comply with the terms of the Stipulation and Plan of Allocation.

4 8. The Claims Administrator is authorized to destroy paper copies of Claims and all  
5 supporting documentation one (1) year from the final distribution date of the Net Settlement Fund and  
6 will dispose of electronic copies of the same three (3) years after the final distribution date of the Net  
7 Settlement Fund.

8 9. As required by the Final Order and Judgment entered by the Court on January 25, 2023,  
9 no later than 120 calendar days after the initial distribution of payments to Authorized Claimants, Class  
10 Counsel shall file a Post-Distribution Accounting containing all of the information set forth at page 17  
11 of this Court's "Standing Order for Civil Cases Before Judge Vince Chhabria," except that such report  
12 shall also advise the Court whether, in accordance with ¶4.15 of the Stipulation, Plaintiffs' Counsel  
13 have determined that a second distribution of unclaimed settlement funds (whether due to uncashed  
14 checks or otherwise) should be pursued, or whether any then-remaining unclaimed settlement funds  
15 should be contributed to a non-sectarian, non-profit Section 501(c)(3) organization as may be deemed  
16 appropriate by the Court. The Post-Distribution Accounting shall also be posted on the website for the  
17 Action.

18 IT IS SO ORDERED.

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20 DATED: June 27, 2024.

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24 HONORABLE VINCE CHHABRIA  
25 UNITED STATES DISTRICT JUDGE  
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