

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

MARVIN GONG, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

NEPTUNE WELLNESS SOLUTIONS INC.,  
MICHAEL CAMMARATA, TONI RINOW  
and MARTIN LANDRY,

Defendants.

**Case No. 2:21-cv-01386-ENV-ARL**

**CLASS ACTION**

Hon. Eric N. Vitaliano  
Hon. Arlene R. Lindsay

**PROOF OF CLAIM AND RELEASE FORM**

**Deadline for Submission: May 21, 2023**

IF YOU PURCHASED OR OTHERWISE ACQUIRED NEPTUNE WELLNESS SOLUTIONS INC. (“NEPTUNE”) SECURITIES ON THE NASDAQ OR ANOTHER U.S. TRADING VENUE BETWEEN JULY 24, 2019, THROUGH JULY 15, 2021, BOTH DATES INCLUSIVE (THE “CLASS PERIOD”), AND WERE DAMAGED THEREBY, YOU ARE A “CLASS MEMBER” AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT PROCEEDS. EXCLUDED FROM THE CLASS ARE DEFENDANTS, ANY FORMER OR CURRENT OFFICER OR DIRECTOR OF NEPTUNE, ANY ENTITY IN WHICH ANY DEFENDANT (ALONE OR IN COMBINATION WITH OTHER DEFENDANT(S)) HAS OR HAD A CONTROLLING INTEREST, AND ANY AFFILIATES, FAMILY MEMBERS, LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS, OR ASSIGNS OF ANY OF THE PERSONS OR ENTITIES DESCRIBED IN THIS SENTENCE.

IF YOU ARE A CLASS MEMBER, YOU MUST COMPLETE AND SUBMIT THIS PROOF OF CLAIM AND RELEASE FORM (“PROOF OF CLAIM”) IN ORDER TO BE ELIGIBLE FOR ANY SETTLEMENT BENEFITS.

YOU MUST COMPLETE AND SIGN THIS PROOF OF CLAIM AND MAIL IT BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN MAY 21, 2023, TO THE SETTLEMENT ADMINISTRATOR, AT THE FOLLOWING ADDRESS:

*Gong v. Neptune Wellness Solutions Inc., et al.*  
c/o A.B. Data, Ltd.  
P.O. Box 173073  
Milwaukee, WI 53217

YOUR FAILURE TO SUBMIT THIS PROOF OF CLAIM BY MAY 21, 2023, 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 SETTLEMENT ADMINISTRATOR AT THE ADDRESS ABOVE. IF YOU ARE A CLASS MEMBER AND DO NOT SUBMIT A PROPER PROOF OF 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 PROOF OF CLAIM DOES NOT ASSURE THAT YOU WILL SHARE IN THE PROCEEDS OF THE SETTLEMENT.

## CLAIMANT'S STATEMENT

1. I (We) acquired Neptune securities on the NASDAQ or another U.S. trading venue from July 24, 2019, through July 15, 2021, both dates inclusive. (Do not submit this Proof of Claim if you did not acquire Neptune securities during the Class Period.)
2. By submitting this Proof of Claim, I (we) state that I (we) believe in good faith that I am (we are) a Class Member(s) as defined above and in the Notice of Pendency and 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 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 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. 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 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 the processing of the Proof of Claim.
4. I (We) have set forth where requested below all relevant information with respect to each acquisition of Neptune securities during the Class Period, and each sale, if any, of such securities. I (We) agree to furnish additional information to the Settlement 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 acquisition and sale of Neptune securities listed below between July 24, 2019, and October 13, 2021, inclusive, in support of my (our) claim. It is necessary to provide purchase and sale information through October 13, 2021, even though this is beyond the Class Period, because the federal securities laws require such information in calculating losses. (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 is subject to such verification as the Settlement 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 Settlement Administrator may request additional information as required to efficiently and reliably calculate your Recognized Loss. In some cases, the Settlement 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. I (We) understand that there shall be no Recognized Loss attributed to any Neptune securities other than common stock. I (We) understand that the exercise of option contracts into Neptune common stock will be considered to be purchases or sales of Neptune common stock as of the date of the exercise.
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 will release, discharge, and dismiss with prejudice all Plaintiff's Released Claims, without costs to any party except as provided herein, upon the Effective Date. Upon the occurrence of the Court's approval of the Settlement, as detailed in the Notice, I (we) acknowledge that I (we) and each of my (our) predecessors, successors, parents, subsidiaries, affiliates, custodians, agents, assigns, representatives, heirs, executors, trustees, and administrators will be deemed by this Settlement on the Effective Date to release and forever discharge any and all of the Plaintiff's Released Claims, as those terms are defined in the Stipulation of Settlement (the "Stipulation").
9. 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) predecessors, successors, parents, subsidiaries, affiliates, custodians, agents, assigns, representatives, heirs, executors, trustees, and administrators (or, if I am (we are) submitting this Proof of Claim 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) that I (we) will be forever barred

and enjoined from commencing, instituting, prosecuting, or continuing to prosecute any action or other proceedings asserting Plaintiff's Released Claims in any court of law or equity, arbitration tribunal, or administrative forum.

10. "Effective Date" has the meaning laid out in the Stipulation.
11. "Recognized Loss" has the meaning laid out in the Plan of Allocation.
12. "Released Claims" has the meaning laid out in the Stipulation.
13. "Released Parties" has the meaning laid out in the Stipulation.
14. "Unknown Claims" has the meaning laid out in the Stipulation.
15. I (We) acknowledge that the inclusion of "Unknown Claims" in the definition of claims released pursuant to the Stipulation was separately bargained for and is a material element of the Settlement of which this release is a part.
16. NOTICE REGARDING INSTITUTIONAL FILERS: Representatives with the authority to file on behalf of (a) accounts of multiple Persons and/or (b) institutional accounts with large numbers of transactions ("Representative Filers") must submit information regarding their clients' transactions in the approved electronic spreadsheet format, which is available by request to the Settlement Administrator at *Gong v. Neptune Wellness Solutions Inc., et al.*, c/o A.B. Data, Ltd., P.O. Box 173073, Milwaukee, WI 53217 or by visiting the website [www.NeptuneSecuritiesSettlement.com](http://www.NeptuneSecuritiesSettlement.com). One spreadsheet may contain the information for multiple Persons and institutional accounts who constitute distinct legal entities ("Legal Entities"), but all Representative Filers MUST also submit a manually signed Proof of Claim, as well as proof of authority to file (see Item 2 of the Claimant's Statement) along with the electronic spreadsheet. The transactions and holdings in Neptune securities should be reported in the electronic file so that each resulting Claim corresponds to a single Legal Entity, regardless of the number of individually managed accounts the Legal Entity has, as only one Claim will be processed per Legal Entity (e.g., a Representative Filer reporting the transactions for a fund with multiple sub-accounts should report one total holding at the start of the Settlement Class Period, one total holding at the end of the Class Period, and a single set of transactions that includes all transactions made by the Legal Entity across their sub-accounts; this would constitute and be processed as a single Claim). The Settlement Administrator reserves the right to combine a Legal Entity's accounts into a single Claim prior to processing in the event that a Legal Entity's accounts are divided across multiple Claims when submitted by a Representative Filer. The Settlement Administrator also reserves the right to request additional documentary proof regarding a Legal Entity's transactions and holdings in Neptune securities to prove and accurately process the Claim.
17. NOTICE REGARDING ONLINE FILING: Claimants who are not Representative Filers may submit their claims online using the electronic version of the Proof of Claim hosted at [www.NeptuneSecuritiesSettlement.com](http://www.NeptuneSecuritiesSettlement.com). If you are not acting as a Representative Filer, you do not need to contact the Settlement Administrator prior to filing; you will receive an automated email confirming receipt once your Proof of Claim has been submitted. If you are unsure if you should submit your claim as a Representative Filer, please contact the Settlement Administrator toll-free at (877) 254-8530 or visit their website at [www.NeptuneSecuritiesSettlement.com](http://www.NeptuneSecuritiesSettlement.com). If you are not a Representative Filer, but your claim contains a large number of transactions, the Settlement Administrator may request that you also submit an electronic spreadsheet showing your transactions to accompany your Proof of Claim.

**I. CLAIMANT INFORMATION**

Beneficial Owner Name		
Address		
City	State	ZIP
Foreign Province	Foreign Country	
Day Phone	Evening Phone	
Email		

**II. SCHEDULE OF TRANSACTIONS IN NEPTUNE SECURITIES**

**FOR ALL OF THE SUBSEQUENT LISTINGS, NO REFERENCE TO THE NUMBER OF SHARES, SHARE PRICE, OR APPLICABLE INFLATION SHALL BE ADJUSTED FOR ANY SPLIT OCCURRING AFTER THE CLASS PERIOD, INCLUDING NEPTUNE’S JUNE 13, 2022, REVERSE SPLIT. THE DATE OF A PURCHASE, ACQUISITION, OR SALE OF NEPTUNE SECURITIES IS THE “TRADE” DATE, AND NOT THE “SETTLEMENT” DATE.**

**Beginning Holdings:**

A. State the total number of shares of Neptune securities held at the close of trading on July 23, 2019 (*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 Neptune securities on the NASDAQ or another U.S. trading venue between July 24, 2019, and October 13, 2021, both dates inclusive, and provide the following information (*must be documented*):

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares Purchased	Price per Share	Total Cost (Excluding Commissions, Taxes, and Fees)

**Sales:**

C. Separately list each and every sale of Neptune securities between July 24, 2019, and October 13, 2021, 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)

**Ending Holdings:**

D. State the total number of shares of Neptune securities held at the close of trading on October 13, 2021 (*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)	<b>or</b>	Taxpayer Identification Number (for estates, trusts, corporations, etc.)

**IV. CERTIFICATION**

I (We) submit this Proof of Claim under the terms of the Stipulation 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 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, acquisitions, or sales of Neptune securities during the 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 SUBMITTED NO LATER THAN MAY 21, 2023, AND MUST BE MAILED TO:**

*Gong v. Neptune Wellness Solutions Inc., et al.*  
c/o A.B. Data, Ltd.  
P.O. Box 173073  
Milwaukee, WI 53217

A Proof of Claim received by the Settlement Administrator shall be deemed to have been submitted when postmarked, if mailed by May 21, 2023, and if a postmark is indicated on the envelope, it is mailed first-class, and it is addressed in accordance with the above instructions. In all other cases, a Proof of Claim shall be deemed to have been submitted when actually received by the Settlement Administrator.

You should be aware that it will take a significant amount of time to process fully all of the Proofs of Claim 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. Please notify the Settlement Administrator of any change of address.

#### REMINDER CHECKLIST

- Please be sure to sign this Proof of Claim on page 7. If this Proof of Claim 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.
- Do NOT use highlighter on the Proof of Claim or any supporting documents.
- If you move or change your address, telephone number, or email address, please submit the new information to the Settlement Administrator, as well as any other information that will assist us in contacting you. NOTE: Failure to submit updated information to the Settlement Administrator may result in the Settlement Administrator's inability to contact you regarding issues with your claim or to deliver payment to you.