

**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

**LEAD PLAINTIFF'S REPLY MEMORANDUM OF LAW IN
SUPPORT OF (1) UNOPPOSED MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT AND (2) UNOPPOSED MOTION
FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF
LITIGATION EXPENSES, AND COMPENSATORY AWARD FOR PLAINTIFF**

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U.S. Securities and Exchange Commission Staff Legal Bull. No. 3a (Cf), Release No. SLB -3A

(June 18, 2008).....4

Lead Plaintiff Kenneth Rickert (“Lead Plaintiff”) respectfully submits this reply memorandum of law in support of the (1) Unopposed Motion for Final Approval of Class Action Settlement (ECF 62); and (2) Unopposed Motion for an Award of Attorneys’ Fees, Reimbursement of Litigation Expenses, and Compensatory Award for Plaintiff (ECF 63).

The Court-ordered May 30, 2023 deadline for Settlement Class Members¹ to request exclusion from the Settlement or object to the fairness, reasonableness, or adequacy of the Settlement, Plan of Allocation, proposed attorneys’ fees and expenses, and/or proposed compensatory award to Lead Plaintiff has lapsed. As of this filing, over 3,000 investors have filed proofs of claim seeking to participate in the Settlement, one anonymous person who may or may not be a Settlement Class Member has objected, and two exclusion requests have been received. *See* Supplemental Declaration of Eric A. Nordskog Regarding: (A) Mailing of the Postcard Notice; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion and Objections (“Supp. Nordskog Decl.”), attached as **Exhibit A**.² Further, as outlined in Lead Plaintiff’s memorandum in support of final approval, the \$2,750,000 worth of Neptune stock issued as part of the Settlement qualifies as exempt from registration under Section 3(a)(10) of the Securities Act of 1933. *See* ECF 62-1 at 19-20.

Accordingly, the Settlement Class Members’ reaction to the proposed Settlement, Plan of Allocation, proposed attorneys’ fees and expenses, and proposed compensatory award to Lead

¹ Unless otherwise defined herein, capitalized terms take the same meaning provided in the Stipulation of Settlement dated December 6, 2022 (“Settlement” or “Stipulation”) (ECF 57-2).

² Although the Settlement Class includes only those who purchased their Neptune securities on the NASDAQ or another U.S. trading venue, Lead Plaintiff received one exclusion request from an investor who appears to have purchased her Neptune securities on a Canadian trading venue, and thus would not have been a member of the Settlement Class, irrespective of her request. *See* Supp. Nordskog Decl. ¶7, Exh. 1. Nevertheless, out of an abundance of caution, Lead Plaintiff recommends that the Court give effect to the investor’s request and exclude her from the Settlement Class.

Plaintiff strongly supports entering the [Proposed] Order of Final Judgment attached hereto as **Exhibit B.**

I. THE CLAIMS ADMINISTRATOR PROVIDED NOTICE OF THE SETTLEMENT TO POTENTIAL CLASS MEMBERS

The Claims Administrator, A.B. Data Ltd. (“A.B. Data”) initially mailed the Postcard Notice or e-mailed a link to the Notice and Proof of Claim to 34,471 potential Settlement Class Members. *See* ECF 64-2, ¶8. Since Lead Plaintiff filed his Unopposed Motion for Final Approval of Class Action Settlement on May 23, 2023, 29,529 additional Postcard Notices were mailed or additional links of the Notice and Proof of Claim were e-mailed. *See* Supp. Nordskog Decl. ¶3. In total, 64,000 potential Settlement Class Members were notified of the Settlement either by mail or e-mail. *Id.* at ¶4.

On April 11, 2023, A.B. Data disseminated the Summary Notice electronically over *PR Newswire*. *See* ECF 64-2, ¶9. A.B. Data also established a website dedicated to the Settlement which included the online claim filing link, case deadlines, and important documents such as the Notice, the Preliminary Approval Order, and the Stipulation. *See* Supp. Nordskog Decl. ¶6. Further, A.B. Data has maintained a toll-free telephone number for potential Settlement Class Members. *Id.* at ¶5. This plan of notice cast a broad net to ensure that any potential Settlement Class Member had the opportunity to learn about and participate in the Settlement.

The May 21, 2023 claims filing deadline and the May 30, 2023 deadline for objections and requests for exclusions have passed. To date, there has been only one anonymous objection and two requests for exclusion from the Settlement. *Id.* at ¶¶7-9.

II. THE LIMITED OBJECTION AND EXCLUSIONS STRONGLY SUPPORTS FINAL APPROVAL

“The reaction of the Class to the Settlement is a significant factor in assessing its fairness

and adequacy, and the absence of objections may itself be taken as evidencing the fairness of a settlement.” *City of Providence v. Aeropostale, Inc.*, 2014 WL 1883494, at *5 (S.D.N.Y. May 9, 2014); *see also In re Bear Stearns Companies, Inc. Sec., Derivative, & ERISA Litig.*, 909 F. Supp. 2d 259, 266 (S.D.N.Y. 2012). Here, after completing a robust notice program that included disseminating notice of the Settlement to 64,000 potential Settlement Class Members, publishing Summary Notice on a widely-distributed, business-oriented newswire, and hosting a comprehensive settlement website containing all Notice and Settlement-related materials, only one anonymous objection has been filed and two requests for exclusion from the Settlement have been received. *See* Supp. Nordskog Decl. ¶¶7-9. The anonymous objection, which was addressed in Lead Plaintiff’s Memorandum of Law in Support of Unopposed Motion for Final Approval of Class Action Settlement (*see* ECF 62-1 at 11), declined to provide the objector’s name, contact information, or transactions. *Id.* Lead Plaintiff has been unable to find any further information about the objector and cannot ascertain whether the objector is an actual Settlement Class Member. At any rate, the objection demonstrates no deficiency with the Settlement, Plan of Allocation, or requests for attorneys’ fees and reimbursement of expenses.

The two exclusions likewise do not identify any substantive concerns. Both involved relatively small share amounts, and one appears to primarily involve purchases on Canadian exchanges which would not be included in this Action. Nonetheless, Lead Plaintiff and Counsel believe that the exclusions should be given effect, and have identified the two parties seeking exclusion on the exclusion list appended to the [Proposed] Order of Final Judgment.

The exceptionally low number of objections and exclusions is strong evidence of the fairness, reasonableness, and adequacy of the Settlement. *See, e.g., Rodriguez v. It's Just Lunch Int'l*, 2020 WL 1030983, at *4–5 (S.D.N.Y. Mar. 2, 2020); *In re MetLife Demutualization Litig.*,

689 F. Supp. 2d 297, 333 (E.D.N.Y. 2010) (collecting cases); *In re Glob. Crossing Sec. & ERISA Litig.*, 225 F.R.D. 436, 457 (S.D.N.Y. 2004). And, that no objection took issue with the proposed fee request, expense reimbursement request, or compensatory award to Lead Plaintiff, strongly favors granting those requests. *See Rodriguez*, 2020 WL 1030983, at *11 (awarding the requested 31.5% in attorneys' fees over two objections, noting that "the relatively low number of objections weighs in favor of approving the attorneys' requested fees as reasonable").

III. STOCK ISSUED TO THE SETTLEMENT FUND MEETS SECTION 3(a)(10)

In addition to the \$1,500,000 cash that has already been transferred to the Settlement Fund, the Settlement calls for \$2,750,000 worth of Neptune stock to be issued to the Settlement Fund thirty-one (31) days after final approval. ECF 57-2 at 12. That stock is to be issued pursuant to an exemption from registration under Section 3(a)(10) of the Securities Act of 1933. It will not be considered "restricted" stock and may later be sold with the proceeds delivered to the Settlement Fund. However, the Stipulation provides certain contractual limits on the amount of shares that can be sold each day to maintain orderly markets. ECF 57-2 at 12-13.

As outlined in Lead Plaintiff's opening brief, all three Section 3(a)(10) requirements are satisfied here. *See* ECF 62-1 at 19-20. The Settlement (1) provides for the issuance of securities as part of a settlement to extinguish bona fide claims; (2) provides for a fairness hearing for Neptune and all Settlement Class Members to attend; and (3) contains terms and conditions that are fair and represents a negotiated agreement between sophisticated parties. *See Sabby Volatility Warrant Master Fund Ltd. v. Kiromic Biopharma, Inc.*, 2022 WL 16626898, at *2 (S.D.N.Y. Nov. 2, 2022); U.S. Securities and Exchange Commission Staff Legal Bull. No. 3a (Cf), Release No. SLB -3A (June 18, 2008). Courts both inside and outside of the Second Circuit have found that similar settlements have met all the requirements to qualify for the exemption from registration

under Section 3(a)(10) of the Securities Act of 1933. *See, e.g., Sabby*, 2022 WL 16626898, at *2; *YA II PN, Ltd. v. Taronis Techs., Inc.*, 435 F. Supp. 3d 622, 625–26 (S.D.N.Y. 2020); *Chapel Invs., Inc. v. Cherubim Ints., Inc.*, 177 F. Supp. 3d 981, 986–91 (N.D. Tex. 2016); *Oceana Capitol Grp. Ltd. v. Red Giant Ent., Inc.*, 150 F. Supp. 3d 1219, 1223 (D. Nev. 2015) (collecting cases); *In re Tripath Tech., Inc., Sec. Litig.*, No. C 04 4681 SBA, 2006 WL 1009228, at *2 (N.D. Cal. Apr. 18, 2006); *In re Rite Aid Corp. Sec. Litig.*, No. 2:99-CV-1349 SD, 2001 WL 35963382, at *2 (E.D. Pa. Aug. 16, 2001); *Adams v. Amplidyne, Inc.*, No. CIV.A. 99-4468 (MLC), 2001 WL 34885324, at *2 (D.N.J. Aug. 15, 2001).

The [Proposed] Order of Final Judgment attached hereto as **Exhibit B** contains a finding that the requirements for Section 3(a)(10) of the Securities Act of 1933 are satisfied, which Lead Plaintiff understands is necessary for issuance. *See **Exhibit B** at ¶11.*³ Thus, Lead Plaintiff respectfully requests that the Court find that Settlement qualifies for the Section 3(a)(10) exemption.

IV. CONCLUSION

For the foregoing reasons, and those in the Unopposed Motion for Final Approval of Class Action Settlement and the Unopposed Motion for an Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Compensatory Award for Plaintiff, Lead Plaintiff respectfully requests that the Court enter [Proposed] Order of Final Judgment submitted herewith as **Exhibit B**.

Dated: July 11, 2023

Respectfully submitted,

POMERANTZ LLP

/s/ Christopher P.T. Tourek

³ Paragraph 11 of the [Proposed] Order of Final Judgment attached hereto as **Exhibit B** contains more detailed language regarding the Section 3(a)(10) elements than the originally proposed Order of Final Judgment. Lead Plaintiff respectfully requests that the Court enter the attached proposed Order rather than the originally proposed Order.

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Attorneys for Lead Plaintiff Kenneth Rickert

CERTIFICATE OF SERVICE

On July 11, 2023, the foregoing document was filed through the Court's ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Christopher P.T. Tourek _____

Christopher P.T. Tourek

EXHIBIT A

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

**SUPPLEMENTAL DECLARATION OF ERIC A. NORDSKOG REGARDING: (A) MAILING
OF THE POSTCARD NOTICE; (B) PUBLICATION OF THE SUMMARY NOTICE;
AND (C) REPORT ON REQUESTS FOR EXCLUSION AND OBJECTIONS**

I, Eric A. Nordskog, declare as follows:

1. I am a Senior Project Manager of A.B. Data, Ltd.'s Class Action Administration Division ("A.B. Data")¹, whose Corporate Office is located in Milwaukee, Wisconsin. Pursuant to the Court's March 16, 2023, Order granting preliminary approval of the class action settlement and plan of allocation; certification of the proposed class; and approval of the notice to the class (the "Preliminary Approval Order"), A.B. Data was authorized to act as the Settlement Administrator in connection with the Settlement in the above-captioned action (the "Action"). I am over 21 years of age and am not a party to this Action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. I submit this Declaration to supplement the Declaration of Eric A. Nordskog Regarding: (A) Mailing of the Postcard Notice; (B) Publication of the Summary Notice; and (C) Report on Requests

¹Unless otherwise defined herein, all capitalized terms have the meanings set forth in the Stipulation of Settlement dated December 6, 2022 ("Stipulation"). ECF 57-2.

for Exclusion and Objections (the “Initial Mailing Declaration”), dated May 22, 2023, which was previously filed with the Court.

UPDATE ON MAILING OF THE POSTCARD NOTICE

3. As more fully stated in my Initial Mailing Declaration, as of May 22, 2023, A.B. Data had mailed a total of 63,993 copies of the Postcard Notice to potential Settlement Class Members and nominees. Since the date of the Initial Mailing Declaration, A.B. Data has mailed seven (7) additional Postcard Notices at the request of three nominees and Settlement Class Members, and has re-mailed an additional 35 Postcard Notices, which were previously returned to A.B. Data by the USPS.

4. Therefore, as of July 6, 2023, A.B. Data has mailed a total of 64,000 Postcard Notices to potential Settlement Class Members.

UPDATE ON TELEPHONE HOTLINE AND WEBSITE

5. On or about March 31, 2023, A.B. Data established a case-specific toll-free phone number, 877-254-8530, with an Interactive Voice Response system and live operators. An automated attendant answers all calls initially and presents callers with a series of choices to respond to basic questions. If callers need further help, they may speak to an operator during business hours. If an operator is not available or if a call is placed after hours, the caller is instructed to leave a voicemail message. A.B. Data promptly returns calls to callers who leave a voicemail message. Because A.B. Data strives to place each call with an operator when received, callers never have to endure long waits to speak to an operator.

6. A.B. Data has also established a case-specific website, www.NeptuneSecuritiesSettlement.com, which provides general information regarding the case and its current status, as well as downloadable copies of the Postcard Notice, Long-Form Notice, Proof of Claim, and other court documents, including the Settlement Agreement.

UPDATE ON REQUESTS FOR EXCLUSION AND OBJECTIONS

7. The Postcard Notice and the Long-Form Notice informed potential Settlement Class Members that written requests for exclusion are to be mailed to *Gong v. Neptune Wellness Solutions Inc., et al.*, EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217 such that they are postmarked no later than May 30, 2023. A.B. Data has been monitoring all mail delivered to the post office box. As of the date of this Declaration, A.B. Data has received two (2) requests for exclusion, which are attached hereto as Exhibit 1.

8. According to the Long-Form Notice, Settlement Class Members seeking to object to the Settlement, the proposed Plan of Allocation of the Net Settlement Fund, the Final Order and Judgment contemplated by the Stipulation, the application for attorneys' fees and reimbursement of expenses, and/or the application for reimbursement of the reasonable time, costs, and expenses of Plaintiff are required to submit their objection in writing such that the request is received by the Parties and filed with the Court no later than May 30, 2023.

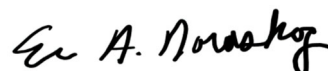
9. A.B. Data is aware an objection to the Settlement was filed with the Court on May 8, 2023 (ECF 61). As of the date of this Declaration, A.B. Data has not received any additional correspondence regarding this filing or any other misdirected objections.

UPDATE ON CLAIMS RECEIVED TO DATE

10. Pursuant to the Preliminary Approval Order, Proofs of Claim were to be submitted no later than May 21, 2023. As of the date of this Declaration, A.B. Data has received 3,004 Proofs of Claim.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 6th day of July 2023.



Eric A. Nordskog

EXHIBIT 1

Gong v. Neptune Wellness Solutions Inc., et al., No. 2:21-cv-01386-ENV-ARL

Exclusion Report

Exclusion Number	Name	Postmark Date
1	Ruth W. White	05/22/2023
2	Yin Kei So	05/29/2023

May 20, 2023

Hong v. Neptune Solutions Inc., et al.
c/o A.B. Data, Ltd.
Case No. 2:21-cv-01386-ENV-ARL (E.D.N.Y.)
P.O. Box 173073
Milwaukee, WI 53217
Notice ID: 255809715

Please exclude me from the
lawsuit.



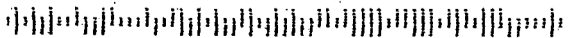
MILWAUKEE WI 530

22 MAY 2023 PM 3 1



Hong V. Neptune Wellness Solutions
c/o A. B. Data Ltd.
P.O. Box 173001
Milwaukee, WI 53217

50217-001201



[REDACTED]

Date: May 29, 2023

Re: Requesting Exclusion From THE CLASS and the Settlement in:
Gong v. Neptune Wellness Solutions Inc., et al., NO. 2:21-cv-01386-ENV-ARL (E.D.N.Y.)

[REDACTED] the beneficial owner of 4000 shares of Neptune Wellness Solutions ordinary shares, hereby requests to be excluded from the settlement and class in Gong v Neptune Solutions Inc., et al., NO. 2:21-cv-01386-ENV-ARL (E.D.N.Y.)

Details of my holding of Neptune wellness solutions Ordinary share are as below:

	<u>No. of Shares</u>	<u>Principal Amount</u>	<u>Trade Date</u>
①	Buy 200	CAD 800.00	June 12, 2020
②	Buy 1800	CAD 7,193.95	June 12, 2020
③	Buy 2000	USD 3,687.15	Feb 19, 2021
	<u>Total 4000</u>		

Copies of relevant "statement of Securities Transactions / T5008" issued by Bank of Montreal are attached for documentary proof.

Pl be noted that for privacy issue, I have blocked my I-D number thereon, as well as some other irrelevant information.

Looking forward for your kindness in approving my this exclusion request.
If in case of need, I will be reached at mobile [REDACTED]

[REDACTED]

Regards,

[REDACTED]
May 29, 2023

Applicant: [REDACTED]

ENCL: FORM # T5008 (2 sets);
Year 2020 (4 pages)
Year 2021 (5 pages)

Investment Advisor: 1 (888) 776-6886 PAGE 1
Conseiller en placement:

Issuer/Négociant:

BMO INVESTORLINE INC.
FIRST CANADIAN PLACE
100 KING ST W B1 FL
TORONTO ONTARIO
M5X 1H3



2020 [Redacted] 0 1 513 [Redacted]

Year/Année

Account Number
Numéro de compte

Box 10
Report Code
Code du feuillet

Box 11
Recipient Type
Type de bénéficiaire

Box 12
Recipient ID
I.d. du bénéficiaire

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP Number	Amount: DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition

		SHS		ARIZONA GOLD CORP COM			04053A105			
CAD	12/31/20		2,800.0000		NAME CHNG					
		SHS		EQUINOX GOLD CORP COM NO PAR			29446Y502			
CAD	04/27/20		38.0000		SELL	11.590			391.02	430.47
CAD	06/16/20		16.0000		SELL	13.610			178.85	207.81
		SHS		HEXO CORP COM			428304109			
CAD	05/26/20		2,000.0000		BUY	0.920		1,849.95 DR		
		SHS		KERR MINES INC COM NEW			492405204			
CAD	12/31/20		2,800.0000		NAME CHNG					
		SHS		NEPTUNE WELLNESS SOLUTIONS ORDINARY SHARES			64079L105			
CAD	06/12/20		200.0000		BUY	3.995		800.00 DR		
CAD	06/12/20		1,800.0000		BUY	3.992		7,193.95 DR		
		SHS		NEW GOLD INC			644535106			
CAD	03/10/20		500.0000		BUY	1.100		553.32 DR		
CAD	03/10/20		1,000.0000		BUY	1.100		1,106.63 DR		
CAD	06/11/20		5,000.0000		SELL	1.790			5,636.40	8,940.05
		OPC		CALL TD 01/15/21 72 TORONTO DOMINION BANK						
CAD	06/01/20		10.0000		BUY	0.770		792.45 DR		
		OPC		CALL NEPT 08/21/20 5 NEPTUNE WELLNESS SOLUTIONS INC						
CAD	06/23/20		20.0000		SELL	0.200				365.05
CAD	08/24/20		20.0000		EXPIRED					
		OPC		CALL NGD 04/17/20 1.50 NEW GOLD INC						
CAD	01/02/20		25.0000		SELL	0.120				265.00
CAD	04/20/20		25.0000		EXPIRED					

T5008/RL-18. SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY AND REVENU QUEBEC (RESIDENT OF QUEBEC ONLY) ON A YEARLY BASIS. THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-19-416

T5008/RL-18 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA ET REVENU QUÉBEC (RÉSIDENT DU QUÉBEC SEULEMENT) SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA EMIS. RC-19-416

Investment Advisor: 1 (888) 776-6886 PAGE 2
 Conseiller en placement:
 Issuer/Négociant:
 BMO INVESTORLINE INC.
 FIRST CANADIAN PLACE
 100 KING ST W B1 FL
 TORONTO ONTARIO
 M5X 1H3
 Account Number: [REDACTED]
 Numéro de compte: [REDACTED]

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition
OPC										
CALL TD 09/04/20 68 TORONTO DOMINION BANK										
CAD	08/28/20		10.0000		SELL	0.300				277.55
CAD	09/08/20		10.0000		EXPIRED					
TOTAL TRANSACTIONS / TOTAL DES TRANSACTIONS CAD								12,296.30 DR	6,206.27	10,485.93
SHS										
EQUINOX GOLD CORP COM NO PAR 29446Y502										
USD	05/26/20		16.0000		BUY	11.178		131.44 DR		
WTS										
WTS LEAGOLD MINING CORP RATN EXP 05/24/2020 \$3.70 52176A122										
USD	05/26/20		50.0000		EXERCISE					
SHS										
NEW GOLD INC 644535106										
USD	01/03/20		2,500.0000		BUY	0.897		2,253.45 DR		
USD	04/02/20		2,500.0000		BUY	0.520		1,309.45 DR		
USD	11/27/20		4,000.0000		SELL	1.680				6,709.90
SHS										
RITE AID CORPORATION COMMON STOCK 767754872										
USD	07/21/20		100.0000		BUY	15.709		1,580.82 DR		
USD	09/10/20		100.0000		BUY	12.089		1,218.82 DR		
OPC										
CALL HEXO 05/15/20 1.50 HEXO CORP										
USD	04/01/20		100.0000		SELL	0.050				464.98
USD	05/19/20		100.0000		EXPIRED					
OPC										
CALL HEXO 01/15/21 1.50 HEXO CORP										
USD	08/25/20		120.0000		SELL	0.050				564.98
OPC										
CALL RAD 01/15/21 15 RITE AID CORPORATION										
USD	07/20/20		6.0000		SELL	3.900				2,322.49
USD	09/09/20		6.0000		BUY	1.550		947.45 DR		
OPC										
CALL TD 07/16/21 50 TORONTO DOMINION BANK										
USD	12/22/20		10.0000		SELL	6.300				6,277.41
OPC										
CALL RAD 01/15/21 18 RITE AID CORPORATION										
USD	11/24/20		7.0000		SELL	0.150				86.29
OPC										
CALL HEXO 08/21/20 1.50 HEXO CORP										
USD	05/19/20		100.0000		SELL	0.050				464.98
USD	08/24/20		100.0000		EXPIRED					

T5008/RL-18. SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY AND REVENU QUEBEC (RESIDENT OF QUEBEC ONLY) ON A YEARLY BASIS. THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-19-416

T5008/RL-18 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA ET REVENU QUÉBEC (RÉSIDENT DU QUÉBEC SEULEMENT) SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA ÉMIS. RC-19-416



Investment Advisor: 1 (888) 776-6886 PAGE 3
 Conseiller en placement:

Issuer/Négociant:
 BMO INVESTORLINE INC.
 FIRST CANADIAN PLACE
 100 KING ST W B1 FL
 TORONTO ONTARIO
 M5X 1H3

Account Number:
 Numéro de compte:

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titre	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition
		OPC		CALL HEXO 02/21/20	5 HEXO CORP					
USD	02/24/20		100.0000		EXPIRED					
		OPC		CALL RAD 07/17/20	14 RITE AID CORPORATION					
USD	07/02/20		5.0000		BUY	3.950		1,991.20 DR		
		OPC		CALL NGD 08/21/20	1 NEW GOLD INC					
USD	04/01/20		25.0000		SELL	0.100				214.99
USD	04/24/20		25.0000		SELL	0.200				464.98
USD	06/10/20		50.0000		BUY	0.400		2,035.00 DR		
		OPC		CALL HEXO 03/20/20	2 HEXO CORP					
USD	02/25/20		100.0000		SELL	0.050				464.98
USD	03/23/20		100.0000		EXPIRED					
		OPC		CALL TD 01/15/21	47.50 TORONTO DOMINION BANK					
USD	11/19/20		10.0000		SELL	5.080				5,057.43
USD	12/22/20		10.0000		BUY	8.200		8,222.45 DR		
		OPC		CALL NEPT 05/21/21	4 NEPTUNE WELLNESS SOLUTIONS INC					
USD	10/28/20		20.0000		SELL	0.200				365.04
		OPC		CALL NEPT 06/19/20	3 NEPTUNE WELLNESS SOLUTIONS INC					
USD	06/11/20		20.0000		SELL	0.309				583.02
USD	06/22/20		20.0000		EXPIRED					
		OPC		CALL TD 08/21/20	50 TORONTO DOMINION BANK					
USD	06/22/20		10.0000		SELL	0.750				727.53
USD	08/24/20		10.0000		EXPIRED					
		OPC		CALL RAD 11/20/20	16 RITE AID CORPORATION					
USD	09/24/20		7.0000		SELL	1.050				716.28
USD	11/23/20		7.0000		EXPIRED					
		OPC		CALL RAD 10/16/20	15 RITE AID CORPORATION					
USD	07/02/20		5.0000		SELL	4.750				2,358.74
USD	07/20/20		5.0000		BUY	2.950		1,491.20 DR		
		OPC		CALL TD 06/19/20	45 TORONTO DOMINION BANK					
USD	06/01/20		10.0000		SELL	0.760				737.53
USD	06/22/20		10.0000		BUY	0.450		472.45 DR		

T5008/RL-18. SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY AND REVENU QUEBEC (RESIDENT OF QUEBEC ONLY) ON A YEARLY BASIS. THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-19-416

T5008/RL-18 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA ET REVENU QUÉBEC (RÉSIDENT DU QUÉBEC SEULEMENT) SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA ÉMIS. RC-19-416



Investment Advisor: 1 (888) 776-6886 PAGE 4
 Conseiller en placement:

Issuer/Négociant:
 BMO INVESTORLINE INC.
 FIRST CANADIAN PLACE
 100 KING ST W B1 FL
 TORONTO ONTARIO
 M5X 1H3

Account Number:
 Numéro de compte:

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition
		OPC		CALL NEPT 10/16/20 SOLUTIONS INC						
USD	08/26/20		20.0000		SELL	0.350				665.03
USD	10/19/20		20.0000		EXPIRED					
		OPC		CALL TD 11/20/20 BANK						
USD	11/06/20		10.0000		SELL	0.300				277.54
USD	11/19/20		10.0000		BUY	4.700		4,722.46 DR		
		OPC		CALL TD 10/16/20 55 TORONTO DOMINION BANK						
USD	09/09/20		10.0000		SELL	0.055				32.53
USD	10/19/20		10.0000		EXPIRED					
		OPC		CALL NGD 01/15/21 1.50 NEW GOLD INC						
USD	03/09/20		15.0000		SELL	0.100				121.29
USD	11/25/20		40.0000		BUY	0.300		1,235.00 DR		
		OPC		CALL RAD 09/25/20 14 RTE AID CORPORATION						
USD	09/09/20		7.0000		SELL	0.600				401.29
USD	09/24/20		7.0000		BUY	0.760		550.70 DR		
TOTAL TRANSACTIONS/TOTAL DES TRANSACTIONS USD								28,161.88 DR		30,079.23

T5008/RL-18. SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY AND REVENU QUEBEC (RESIDENT OF QUEBEC ONLY) ON A YEARLY BASIS. THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-19-416

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ISSUER
STATEMENT OF SECURITIES TRANSACTIONS
ÉTAT DES OPÉRATIONS SUR TITRES

Investment Advisor: 1 (888) 776-6886 PAGE 1
Conseiller en placement:

Issuer/Négociant:

BMO INVESTORLINE INC.
FIRST CANADIAN PLACE
100 KING ST W B1 FL
TORONTO ONTARIO
M5X 1H3

2021

Year/Année

Account Number
Numéro de compte

Box 10
Report Code
Code du feuillet

Box 11
Recipient Type
Type de bénéficiaire

Box 12
Recipient ID
I.d. du bénéficiaire



Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP Number	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Debit CR - Credit	Coût ou valeur comptable	Produits de disposition

SHS ARIZONA GOLD CORP.COM 04053A105

CAD 09/10/21 2,800.0000 NAME CHNG

SHS 48NORTH CANNABIS CORP.COM 34978F103

CAD 05/19/21 10,000.0000 BUY 0.160 1,609.95 DR

CAD 06/03/21 500.0000 SELL 0.175 80.50 87.00

CAD 06/03/21 9,500.0000 SELL 0.190 1,529.50 1,795.55

CAD 07/09/21 2,500.0000 BUY 0.150 377.49 DR

CAD 07/09/21 7,500.0000 BUY 0.155 1,169.96 DR

SHS SABRE GOLD MINES CORP COMMON 78573W102

CAD 09/10/21 2,800.0000 NAME CHNG

OPC CALL NEPT 02/19/21 2.50 NEPTUNE WELLNESS SOLUTIONS INC

CAD 02/18/21 20.0000 SELL 0.100 165.05

CAD 02/22/21 20.0000 EXPIRED

OPC CALL NEPT 08/20/21 3 NEPTUNE WELLNESS SOLUTIONS INC

CAD 05/28/21 20.0000 SELL 0.060 85.05

CAD 08/23/21 20.0000 EXPIRED

TOTAL TRANSACTIONS/TOTAL DES TRANSACTIONS CAD 3,157.40 DR 1,610.00 2,132.65

SHS BANK OF MONTREAL 063671101

USD 01/22/21 78.680 BUY 78.680 6.95 DR

USD 04/30/21 75.000 SELL 75.000 6.95 6.99

USD 05/03/21 95.425 BUY 95.425 7.45 DR

SHS HEXO CORP.COM NEW 428304307

USD 01/20/21 3,000.0000 SELL 6.000 17,810.60

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T5008 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA ÉMIS. RC-21-416

Investment Advisor: 1 (888) 776-6886 PAGE 2
 Conseiller en placement:
 Issuer/Négociant:
 BMO INVESTORLINE INC.
 FIRST CANADIAN PLACE
 100 KING ST W B1 FL
 TORONTO ONTARIO
 M5X 1H3
 Account Number: [REDACTED]
 Numéro de compte: [REDACTED]

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition
		SHS		HECLA MINING COMPANY			422704106			
USD	01/21/21		1,000.0000		BUY	5.337		5,346.79 DR		
USD	02/17/21		1,000.0000		SELL	6.000			5,346.79	5,915.32
		SHS		NEPTUNE WELLNESS SOLUTIONS ORDINARY SHARES			64079L105			
USD	02/19/21		2,000.0000		BUY	1.839		3,687.15 DR		
		SHS		RITE AID CORPORATION COMMON STOCK			767754872			
USD	01/28/21		300.0000		BUY	22.500		6,759.95 DR		
		SHS		ROYAL BANK OF CANADA			780087102			
USD	01/20/21		[REDACTED] 0.0000		BUY	84.580		[REDACTED] .95 DR		
USD	01/20/21		[REDACTED] 0.0000		SELL	85.130			[REDACTED] 95	[REDACTED] 73
USD	01/21/21		[REDACTED] 0.0000		BUY	84.908		[REDACTED] .20 DR		
USD	01/22/21		[REDACTED] 0.0000		SELL	85.280			[REDACTED] .20	[REDACTED] 54
		SHS		SUNDIAL GROWERS INC COM			86730L109			
USD	02/10/21		3,000.0000		BUY	1.139		3,426.65 DR		
USD	02/19/21		1,500.0000		BUY	1.809		2,723.30 DR		
USD	05/06/21		1,500.0000		BUY	0.783		1,184.20 DR		
USD	08/03/21		2,000.0000		BUY	0.830		1,670.55 DR		
USD	10/21/21		800.0000		BUY	0.697		567.87 DR		
		SHS		TORONTO DOMINION BANK			891160509			
USD	01/08/21		[REDACTED] 0.0000		SELL	50.000				[REDACTED] 79
		OPC		CALL SNDL 07/16/21 1 SUNDIAL GROWERS INC						
USD	03/30/21		15.0000		BUY	0.450		703.70 DR		
USD	07/19/21		15.0000		EXPIRED					
		OPC		CALL SNDL 07/16/21 2 SUNDIAL GROWERS INC						
USD	02/18/21		15.0000		SELL	0.830				1,216.26
USD	07/19/21		15.0000		EXPIRED					
		OPC		CALL RAD 01/15/21 18 RITE AID CORPORATION						
USD	01/19/21		7.0000		BUY	0.650		473.70 DR		
		OPC		CALL SNDL 07/02/21 1.50 SUNDIAL GROWERS INC						
USD	06/18/21		45.0000		SELL	0.030				99.99
USD	07/05/21		45.0000		EXPIRED					

T5008 SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY ON A YEARLY BASIS.
 THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-21-416
 T5008 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION
 ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA ÉMIS. RC-21-416

Investment Advisor: 1 (888) 776-6886 PAGE 3

Conseiller en placement:

Issuer/Négociant:
BMO INVESTORLINE INC.
FIRST CANADIAN PLACE
100 KING ST W B1 FL
TORONTO ONTARIO
M5X 1H3

Account Number:
Numéro de compte:

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Debit CR - Credit	Coût ou valeur comptable	Produits de disposition
		OPC		CALL BMO 12/17/21	90 BANK OF MONTREAL					
USD	05/28/21		7.0000		SELL	15.300				10,691.24
USD	09/21/21		7.0000		BUY	8.800		6,178.70 DR		
		OPC		CALL NEPT 08/20/21	3 NEPTUNE WELLNESS SOLUTIONS INC					
USD	03/25/21		20.0000		SELL	0.200				365.04
USD	08/23/21		20.0000		EXPIRED					
		OPC		CALL RAD 02/19/21	20 RITE AID CORPORATION					
USD	01/19/21		7.0000		SELL	1.050				716.28
USD	01/27/21		3.0000		SELL	3.200				946.27
USD	02/09/21		10.0000		BUY	4.100		4,122.45 DR		
		OPC		CALL BMO 09/17/21	75 BANK OF MONTREAL					
USD	02/25/21		8.0000		SELL	12.300				9,819.99
		OPC		CALL BMO 09/17/21	90 BANK OF MONTREAL					
USD	04/30/21		7.0000		SELL	6.800				4,741.27
USD	05/28/21		7.0000		BUY	15.000		10,518.70 DR		
		OPC		CALL RAD 01/21/22	27 RITE AID CORPORATION					
USD	03/26/21		10.0000		SELL	2.900				2,877.53
		OPC		CALL SNDL 10/15/21	150 SUNDIAL GROWERS INC					
USD	08/24/21		80.0000		SELL	0.023				151.98
USD	10/18/21		80.0000		EXPIRED					
		OPC		CALL BMO 06/18/21	75 BANK OF MONTREAL					
USD	01/25/21		8.0000		SELL	4.400				3,499.97
USD	02/25/21		8.0000		BUY	11.980		9,603.95 DR		
		OPC		CALL NEPT 05/21/21	4 NEPTUNE WELLNESS SOLUTIONS INC					
USD	05/25/21		20.0000		EXPIRED					
		OPC		CALL NEPT 03/19/21	2 NEPTUNE WELLNESS SOLUTIONS INC					
USD	02/24/21		20.0000		SELL	0.180				325.04
USD	03/22/21		20.0000		EXPIRED					
		OPC		CALL SNDL 08/20/21	1 SUNDIAL GROWERS INC					
USD	08/02/21		80.0000		SELL	0.050				364.99
USD	08/23/21		80.0000		EXPIRED					

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T5008 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA ÉMIS. RC-21-416

Investment Advisor: 1 (888) 776-6886 PAGE 4

Conseiller en placement:

Issuer/Négociant:
BMO INVESTORLINE INC.
FIRST CANADIAN PLACE
100 KING ST W B1 FL
TORONTO ONTARIO
M5X 1H3

Account Number:
Numéro de compte:

Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition
		OPC		CALL SNDL 03/19/21 INC	1.50 SUNDIAL GROWERS					
USD	03/16/21		15.0000		SELL	0.200				271.29
USD	03/18/21		15.0000		BUY	0.134		229.70 DR		
		OPC		CALL SNDL 04/16/21 INC	4 SUNDIAL GROWERS INC					
USD	02/11/21		30.0000		SELL	1.550				4,602.44
USD	02/18/21		30.0000		BUY	0.400		1,235.00 DR		
		OPC		CALL SNDL 03/05/21 INC	1.50 SUNDIAL GROWERS					
USD	02/09/21		30.0000		SELL	0.200				564.98
USD	02/11/21		30.0000		BUY	1.800		5,447.45 DR		
		OPC		CALL SNDL 03/05/21 INC	2 SUNDIAL GROWERS INC					
USD	02/18/21		15.0000		SELL	0.350				496.28
USD	03/08/21		15.0000		EXPIRED					
		OPC		CALL SNDL 06/04/21 INC	1.50 SUNDIAL GROWERS					
USD	05/05/21		45.0000		SELL	0.030				99.99
USD	06/07/21		45.0000		EXPIRED					
		OPC		CALL NEPT 01/20/23 SOLUTIONS INC	5 NEPTUNE WELLNESS					
USD	08/24/21		40.0000		SELL	0.050				164.99
		OPC		CALL HL 02/12/21 INC	6 HECLA MINING CO					
USD	01/20/21		10.0000		SELL	0.160				137.54
		OPC		CALL RAD 07/16/21 INC	27 RITE AID CORPORATION					
USD	02/09/21		10.0000		SELL	4.450				4,427.45
USD	03/26/21		10.0000		BUY	1.200		1,222.45 DR		
		OPC		CALL SNDL 03/12/21 INC	1.50 SUNDIAL GROWERS					
USD	03/02/21		15.0000		SELL	0.150				196.29
USD	03/15/21		15.0000		EXPIRED					
		OPC		CALL SNDL 02/26/21 INC	2 SUNDIAL GROWERS INC					
USD	02/18/21		15.0000		SELL	0.250				346.29
USD	03/01/21		15.0000		EXPIRED					
		OPC		CALL SNDL 01/21/22 INC	1.50 SUNDIAL GROWERS					
USD	10/20/21		88.0000		SELL	0.048				385.98

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Investment Advisor: 1 (888) 776-6886 PAGE 5

Conseiller en placement:

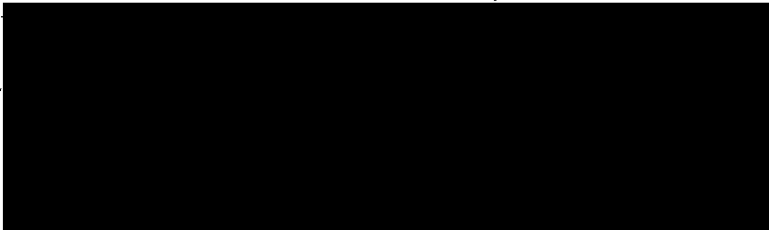
Issuer/Négociant:
 BMO INVESTORLINE INC.
 FIRST CANADIAN PLACE
 100 KING ST W B1 FL
 TORONTO ONTARIO
 M5X 1H3

Account Number:
 Numéro de compte:

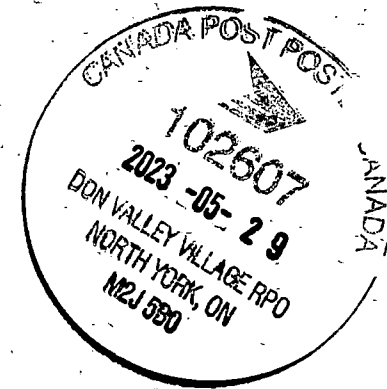
Box 13 Foreign Currency	Box 14 Date	Box 15 Type Code of Securities	Box 16 Quantity of Securities	Box 17 Identification of Securities	Type	Price	Box 18 ISIN/CUSIP	Amount DR - Debit CR - Credit	Box 20 Cost or Book Value	Box 21 Proceeds of Disposition	
Devises étrangères		Code de genre de titres	Quantité de titres	Désignation des titres		Prix	Numéro ISIN/Cusip	Montant DR - Débit CR - Crédit	Coût ou valeur comptable	Produits de disposition	
		OPC		CALL SNDL 07/16/21 INC	4.50 SUNDIAL GROWERS						
USD	03/18/21		15.0000		SELL	0.260				361.29	
USD	07/19/21		15.0000		EXPIRED						
		OPC		CALL SNDL 03/26/21 INC	1.50 SUNDIAL GROWERS						
USD	03/09/21		15.0000		SELL	0.140				181.29	
USD	03/29/21		15.0000		EXPIRED						
		OPC		CALL SNDL 04/30/21 INC	1.50 SUNDIAL GROWERS						
USD	03/30/21		30.0000		SELL	0.100				264.99	
USD	05/03/21		30.0000		EXPIRED						
		OPC		CALL SNDL 07/23/21 INC	1 SUNDIAL GROWERS INC						
USD	07/08/21		45.0000		SELL	0.050				189.99	
USD	07/26/21		45.0000		EXPIRED						
		OPC		CALL SNDL 06/11/21 INC	1.50 SUNDIAL GROWERS						
USD	06/08/21		45.0000		SELL	0.090				369.99	
USD	06/14/21		45.0000		EXPIRED						
		OPC		CALL BMO 01/20/23 INC	95 BANK OF MONTREAL						
USD	09/21/21		7.0000		SELL	8.117				5,663.26	
TOTAL TRANSACTIONS / TOTAL DES TRANSACTIONS USD											

T5008 SECURITIES TRANSACTIONS ARE DISCLOSED TO THE CANADA REVENUE AGENCY ON A YEARLY BASIS. THESE TRANSACTIONS ARE TO BE REPORTED ON YOUR ANNUAL RETURN OF INCOME. PLEASE RETAIN FOR INCOME TAX PURPOSES, AS NO OTHER FORM WILL BE ISSUED. RC-21-416

T5008 OPÉRATIONS SUR TITRES SONT RÉVÉLÉS À L'AGENCE DE REVENU CANADA SUR UNE BASE ANNUELLE. CES LES TRANSACTIONS DOIVENT ÊTRE DÉCLARÉS SUR VOTRE DÉCLARATION ANNUELLE DE REVENU. S'IL VOUS PLAÎT CONSERVER À DES FINS IMPÔT SUR LE REVENU, COMME AUCUN AUTRE FORMULAIRE NE SERA EMIS. RC-21-416



Air Mail Par avion
43-074-038 (02-12)



Settlement Administrator
Gong v. Neptune Wellness Solutions Inc., et al.

c/o A.B. Data, Ltd.

Exclusions

P. O. Box # 173001

Milwaukee, WI 53217

U.S.A.



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EXHIBIT B

**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

[PROPOSED] FINAL APPROVAL ORDER

On the 18th day of July, 2023 a hearing having been held before this Court to determine: (1) whether the terms and conditions of the Stipulation of Settlement dated December 6, 2022 (“Stipulation”) are fair, reasonable, and adequate for the settlement of all claims asserted by the Class in this Action, including the release of Plaintiff’s Released Claims and Defendants’ Released Claims, and should be approved; (2) whether judgment should be entered dismissing this Action with prejudice; (3) whether to approve the proposed Plan of Allocation as a fair and reasonable method to allocate the Net Settlement Fund among Class Members; (4) whether and in what amount to award attorneys’ fees to Class Counsel; (5) whether and in what amount to award Class Counsel reimbursement of litigation expenses; and (6) whether and in what amount to award compensation to Lead Plaintiff.

The Court having considered all matters submitted to it at the hearing and otherwise; and it appearing in the record that the Summary Notice substantially in the form approved by the Court in the Court’s Order Granting Plaintiff’s Motion for Preliminary Approval of Class Action

Settlement, dated March 16, 2023 (“Preliminary Approval Order”) was published; the Mailed Notice and Proof of Claim were mailed or emailed to all reasonably identifiable Class Members, and the Notice, Proof of Claim, and other settlement documents were posted to the Settlement website; all in accordance with the Preliminary Approval Order and the specifications of the Court; and

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. This Final Approval Order incorporates by reference the definitions in the Stipulation, and all capitalized terms used herein shall have the same meanings as set forth therein.

2. The Court has jurisdiction over the subject matter of the Action.

3. The Court finds that, for settlement purposes only, the prerequisites for a class action under Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure have been satisfied in that:

(a) the number of Class Members is so numerous that joinder of all members thereof is impracticable;

(b) there are questions of law and fact common to the Class;

(c) the claims of Plaintiff are typical of the claims of the Class he seeks to represent;

(d) Plaintiff and Class Counsel fairly and adequately represent the interests of the Class;

(e) questions of law and fact common to the members of the Class predominate over any questions affecting only individual members of the Class; and

(f) a class action is superior to other available methods for the fair and efficient adjudication of this Action, considering:

- i. the interests of Class Members in individually controlling the prosecution of the separate actions;
- ii. the extent and nature of any litigation concerning the controversy already commenced by Class Members;
- iii. the desirability or undesirability of concentrating the litigation of these claims in this particular forum; and
- iv. the difficulties likely to be encountered in the management of the class action.

The Class is being certified for settlement purposes only.

4. The Court hereby finally certifies this action as a class action for purposes of the Settlement, pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure, on behalf of Pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure and for the purposes of the Settlement only, the Action is hereby certified as a class action on behalf of all persons and entities that purchased or otherwise acquired Neptune Wellness Solutions, Inc. (“Neptune”) securities on the NASDAQ or another U.S. trading venue between July 24, 2019, and July 15, 2021, both dates inclusive (the “Class Period”). 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. Also excluded are those Class members who have timely and validly excluded themselves from the Class in accordance with the requirements set forth in the Mailed Notice and Preliminary Approval Order, as listed on Exhibit A hereto.

5. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, for the purposes of this Settlement only, Lead Plaintiff is certified as the class representative on behalf of the Class and Class Counsel previously selected by him and appointed by the Court is hereby appointed as counsel for the Class.

6. In accordance with the Court's Preliminary Approval Order, the Court hereby finds that the forms and methods of notifying the Class of the Settlement and its terms and conditions met the requirements of due process, Rule 23 of the Federal Rules of Civil Procedure, and Section 21D(a)(7) of the Exchange Act, 15 U.S.C. § 78u-4(a)(7), as amended by the Private Securities Litigation Reform Act of 1995; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice of these proceedings and the matters set forth herein, including the Settlement and Plan of Allocation, to all Persons entitled to such notice. No Class Member is relieved from the terms and conditions of the Settlement, including the releases provided for in the Stipulation, based upon the contention or proof that such Class Member failed to receive actual or adequate notice. A full opportunity has been offered to the Class Members to object to the proposed Settlement and to participate in the hearing thereon. The Court further finds that the notice provisions of the Class Action Fairness Act, 28 U.S.C. § 1715, were fully discharged. Thus, it is hereby determined that all Class Members are bound by this Final Approval Order except those Persons listed on Exhibit A hereto.

7. The Settlement is approved as fair, reasonable, and adequate under Rule 23 of the Federal Rules of Civil Procedure, and in the best interests of the Class. This Court further finds that the Settlement set forth in the Stipulation is the result of good faith, arm's-length negotiations between experienced counsel representing the interests of Plaintiff, Class Members, and

Defendants. The Parties are directed to consummate the Settlement in accordance with the terms and provisions of the Stipulation.

8. The Action and all claims contained therein, as well as all of Plaintiff's Released Claims, are dismissed with prejudice. The Parties are to bear their own costs, except as otherwise provided in the Stipulation.

9. The Court orders that:

(a) In accordance with 15 U.S.C. § 78u-4(f)(7)(A), any and all claims for contribution, equitable indemnity, or any claims however designated that seek equivalent relief are hereby permanently barred and discharged if the claim or claims: (1) arise out of the Action or any Plaintiff's Released Claim; and (2) are filed by any Person against Defendants; except that Defendants expressly reserve the right to seek contribution, equitable indemnity, or any claim seeking equivalent relief against any Person whose liability has been extinguished by the Settlement.

(b) Any and all Class Members and other Persons are permanently barred, enjoined, and restrained from commencing, prosecuting, or asserting any of the Plaintiff's Released Claims, however styled, (hereafter the "Complete Bar Order"). All such claims are hereby extinguished, discharged, satisfied, and unenforceable.

(c) If any term of the Complete Bar Order entered by the Court is held to be unenforceable after the date of entry, such provision shall be substituted with such other provision as may be necessary to afford the fullest protection permitted by law from any claim that is based upon, arises out of, or relates to any Plaintiff's Released Claim.

(d) Notwithstanding the Complete Bar Order or anything else in the Stipulation, nothing shall release, interfere with, limit, or bar the assertion by any Defendant of any claim for or defense to the availability of insurance coverage under any insurance, reinsurance or indemnity policy that provides coverage respecting the conduct at issue in this Action, except as limited by the insurance agreement.

10. Plaintiff and Class Members, on behalf of themselves, their successors and assigns, and any other Person claiming (now or in the future) through or on behalf of them, regardless of whether such person submits a Proof of Claim or obtains any disbursement from the Settlement Fund, shall be deemed to have, and by operation of this Final Approval Order shall have, fully, finally, and forever released, relinquished, and discharged all Plaintiff's Released Claims. Plaintiff and Class Members shall be deemed to have, and by operation of this Order shall have, covenanted not to sue with respect to any and all Plaintiff's Released Claims in any forum and in any capacity. Plaintiff and Class Members shall be and hereby are permanently barred and enjoined from commencing or prosecuting any Plaintiff's Released Claim in any forum or capacity. Defendants, on behalf of themselves, their successors and assigns, and any other persons claiming (now or in the future) through or on behalf of him, similarly release and are permanently barred and enjoined from pursuing Defendants' Released Claims. Nothing contained herein shall, however, bar Plaintiff or Defendants from bringing any action or claim to enforce the terms of the Stipulation or this Final Approval Order.

11. The stock to be issued by Neptune as part of the Settlement qualifies for the exemption under Section 3(a)(10) of the Securities Act of 1933. The stock constitutes partial consideration for resolving a bona fide dispute, and the Court has approved the exchange as fair after a hearing in which the parties involved had the opportunity to be heard. Such shares shall

not bear a restricted legend and may be resold subject to the contractual limitations set forth in the Stipulation. *See, generally, YA II PN, Ltd. v. Taronis Techs., Inc.*, 435 F. Supp. 3d 622, 626 (“Because the Court approves the exchange as fair, the shares can be resold immediately as unrestricted and freely tradeable exempted securities pursuant to Section 3(a)(10).”) (quotation and citation omitted); *Oceana Capitol Grp. Ltd. v. Red Giant Ent., Inc.*, 150 F. Supp. 3d 1219, 1223 (D. Nev. 2015) (collecting cases).

12. The Clerk of this Court shall enter Judgment dismissing this Action with prejudice.

13. The Court hereby finds that the proposed Plan of Allocation is a fair and reasonable method to allocate the Net Settlement Fund among Class Members, and Class Counsel and the Settlement Administrator are directed to administer the Plan of Allocation in accordance with its terms and the terms of the Stipulation.

14. The Court awards fees to Class Counsel of ____% of the cash contributed and stock to be contributed to the Net Settlement Fund (and any interest thereon), and reimbursement of expenses to Class Counsel in the amount of \$_____, all to be paid from the Settlement Fund. The Court also awards Lead Plaintiff a compensatory award in the amount of \$_____, also to be paid from the Settlement Fund.

15. The Court finds that the Parties and their counsel have complied with all requirements of Rule 11 of the Federal Rules of Civil Procedure and the Private Securities Litigation Record Act of 1995 as to all proceedings herein.

16. Neither this Order, the Stipulation (nor the Settlement contained therein), nor any of its terms and provisions, nor any of the negotiations, documents or proceedings connected with them:

(a) is or may be deemed to be, or may be used as an admission, concession, or evidence of, the validity or invalidity of Plaintiff's Released Claims, the truth or falsity of any fact alleged by Plaintiff, the sufficiency or deficiency of any defense that has been or could have been asserted in the Action, or of any wrongdoing, liability, negligence or fault of Defendants;

(b) is or may be deemed to be or may be used as an admission of, or evidence of, any fault or misrepresentation or omission with respect to any statement or written document attributed to, approved or made by Defendants in any civil, criminal, or administrative proceeding in any court, administrative agency, or other tribunal;

(c) is or may be deemed to be or shall be used, offered, or received against Plaintiff or Defendants as an admission, concession or evidence of the validity or invalidity of the Released Claims, the infirmity or strength of any claim raised in the Action, the truth or falsity of any fact alleged by the Plaintiff or the Class, or the availability or lack of availability of meritorious defenses to the claims raised in the Action;

(d) is or may be deemed to be or shall be construed as or received in evidence as an admission or concession against Plaintiff or Defendants that any claim is with or without merit, that a litigation class should or should not be certified, that damages recoverable in the Action would have been greater or less than the Settlement Fund or that the consideration to be given pursuant to the Stipulation represents an amount equal to, less than or greater than the amount which could have or would have been recovered after trial.

17. This Order may be filed in any other action that may be brought with respect to any of Plaintiff's Released Claims or Defendants' Released Claims to support a defense or counterclaim based on principles of res judicata, collateral estoppel, full faith and credit, release, good faith settlement, judgment bar or reduction, or any other theory of claim preclusion or issue preclusion or similar defense or counterclaim. The Parties may file the Stipulation and/or this Order in any proceedings that may be necessary to consummate or enforce the Stipulation, the Settlement, or this Order.

18. Except as otherwise provided herein or in the Stipulation, all funds held by the Escrow Agent shall be deemed to be *in custodia legis* and shall remain subject to the jurisdiction of the Court until such time as the funds are distributed or returned pursuant to the Stipulation and/or further order of the Court.

19. Without affecting the finality of this Order in any way, this Court hereby retains continuing exclusive jurisdiction regarding the administration, interpretation, effectuation, or enforcement of the Stipulation and this Order, and including any application for fees and expenses incurred in connection with administering and distributing the Settlement proceeds to the Class Members.

20. Without further order of the Court, Defendants and Plaintiff may agree to reasonable extensions of time to carry out any of the provisions of the Stipulation.

21. The finality of this Order is not contingent on rulings that the Court may make on any application in the Action for fees or expenses to Class Counsel, or compensatory awards to Lead Plaintiff.

22. If the Settlement is not consummated in accordance with the terms of the Stipulation, then the Stipulation and this Order shall be null and void, of no further force or effect,

and without prejudice to any Party, and may not be introduced as evidence or used in any action or proceeding by any Person against the Parties, and each Party shall be restored to his, her or its respective litigation positions as they existed prior to October 10, 2022, pursuant to the terms of the Stipulation.

Dated: _____, 2023

Hon. Arlene R. Lindsay
UNITED STATES MAGISTRATE DISTRICT JUDGE