

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

BRIAN MART, Individually and on Behalf)	Civ. No. 0:20-cv-02074-NEB-DTS
of All Others Similarly Situated,	)
	)
Plaintiff,	)
	)
vs.	)
	)
TACTILE SYSTEMS TECHNOLOGY,	)
INC., et al.,	)
	)
Defendants.	)
	)

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I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court’s May 4, 2023 Order on Motion for Preliminary Approval of Settlement (“Notice Order”) (ECF 156), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the “Initial Mailing Declaration”) (ECF 164-3). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

#### **UPDATE ON DISSEMINATION OF THE CLAIM PACKAGE**

3. As more fully detailed in the Initial Mailing Declaration, as of July 13, 2023, Gilardi had mailed 22,214 copies of the Court-approved Notice of Pendency and Proposed Settlement of Class Action (the “Notice”) and Proof of Claim and Release form (the “Proof of Claim”) (collectively, the “Claim Package”) to potential Class Members and their nominees. *See* Initial Mailing Declaration, ¶11.

4. Since July 13, 2023, Gilardi has mailed an additional 727 copies of the Claim Package in response to requests from potential Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of August 15, 2023, Gilardi has mailed a total of 22,941 Claim Packages to potential Class Members and nominees.

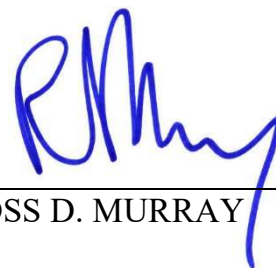
#### **REQUESTS FOR EXCLUSION RECEIVED TO DATE**

5. Pursuant to the Notice Order, the Notice informed potential Class Members that written requests for exclusion from the Class must be mailed to *Tactile Securities Settlement*, Claims Administrator, c/o Gilardi & Co. LLC, ATTN: EXCLUSIONS, P.O. Box 5100, Larkspur,

CA 94977-5100, such that they are postmarked no later than August 2, 2023. At the time of the Initial Mailing Declaration, Gilardi reported that it had not received any requests for exclusion in connection with this Settlement. *See* Initial Mailing Declaration, ¶¶15-16.

6. Since the Initial Mailing Declaration was executed, and as of the date of this declaration, Gilardi has not received any requests for exclusion.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 15th day of August, 2023, at San Rafael, California.



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ROSS D. MURRAY