

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

<i>Laydon v. Mizuho Bank, Ltd., et al.</i>	No. 12-cv-3419 (GBD)
<i>Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.</i>	No. 15-cv-5844 (GBD)

**AFFIDAVIT OF ERIC J. MILLER ON BEHALF OF A.B. DATA, LTD.  
REGARDING REQUESTS FOR EXCLUSION**

**STATE OF FLORIDA           )**  
**)** **ss.**  
**PALM BEACH COUNTY       )**

I, Eric J. Miller, being duly sworn, certify as follows:

1. I am the Vice President of Client Services of A.B. Data, Ltd’s Class Action Administration Division (“A.B. Data”). I am over 21 years of age and am not a party to these Actions. My business address is 3507 Kyoto Gardens Drive, Suite 200, Palm Beach Gardens, FL 33410, and my telephone number is 561-336-1801. 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 affidavit as a supplement to the Affidavit of Eric J. Miller on behalf of A.B. Data, Ltd. regarding Notice and Claims Administration, dated June 1, 2018, previously filed with this Court (*Laydon v. Mizuho Bank, Ltd., et al.*, No. 12-cv-3419, ECF No. 873; *Sonterra Capital Master Fund Ltd., et al. v. UBS AG, et al.*, No. 15-cv-5844, ECF No. 412) (the “Initial Mailing Affidavit”).

3. Pursuant to the Order Preliminarily Approving Proposed Settlement with The Bank of Tokyo-Mitsubishi UFJ, Ltd. (“BTMU”) and Mitsubishi UFJ Trust and Banking Corporation (“MUTB”), Scheduling Hearing for Final Approval Thereof, and Approving the Proposed Form and Program of Notice to the Class, entered on March 8, 2018 (the “Preliminary Approval Order”), this Affidavit reports on the Opt-Out List<sup>1</sup> identifying all Persons who submitted a timely Request for Exclusion from the Settlement Class.

4. Pursuant to Paragraphs 25 and 26 of the Preliminary Approval Order and Section III.C of the Mailed Notice, those members of the Settlement Class requesting exclusion were to provide the following information: (i) the name, address, and telephone number of the member of the Settlement Class; (ii) a list of all trade names or business names that the member of the Settlement Class requests to be excluded; (iii) the name of the Actions (“*Laydon v. Mizuho Bank, Ltd., et al.*, No. 12-cv-3419 (GBD) (S.D.N.Y.) and *Sonterra Capital Master Fund Ltd. et al. v. UBS AG et al.*, No. 15-cv-5844 (GBD) (S.D.N.Y.)”); (iv) a statement certifying such person is a member of the Settlement Class; (v) a description of the Euroyen-Based Derivatives transactions entered into by the member of the Settlement Class that fall within the Settlement Class definition (including, for each transaction, the identity of the broker, the date of the transaction, the type (including direction) of the transaction, the counterparty (if any), the exchange on which the transaction occurred (if any), any transaction identification numbers, the rate, and the notional amount of the transaction); (vi) a statement that “I/we hereby request that I/we be excluded from the Settlement Class in *Laydon v. Mizuho Bank, Ltd. et al.*, No. 12-cv-3419 (GBD) (S.D.N.Y.) and *Sonterra Capital Master Fund*

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms used herein shall have the meanings set forth in the Preliminary Approval Order, the Notice of Proposed Class Action Settlement, July 12, 2018 Fairness Hearing Thereon, and Class Members’ Rights, attached as Exhibit A to Initial Mailing Affidavit (the “Mailed Notice”), and/or the Settlement Agreement.

*Ltd. et al. v. UBS AG et al.*, No. 15-cv-5844 (GBD) (S.D.N.Y.)”); and (vii) a statement specifying whether such person is requesting exclusion from the Settlement Class as it relates to the BTMU and MUTB Settlement. All written requests must have been signed by the member of the Settlement Class (or his, her or its legally authorized representative), notarized, and sent by U.S. first class mail (or if sent from outside the U.S. by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) to the Settlement Administrator postmarked no later than June 7, 2018.

5. Pursuant to Paragraph 28 of the Preliminary Approval Order, A.B. Data promptly logged each Request for Exclusion that it received and provided copies of the log to Class Counsel, and to BTMU and MUTB’s counsel.

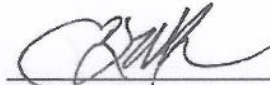
6. As reported in the Initial Mailing Affidavit, A.B. Data received six (6) requests for exclusion from the Settlement Class as of June 1, 2018. Since that date, A.B. Data has received one (1) additional request for exclusion. Attached hereto as Exhibit A is a summary report of the seven (7) exclusions from potential Settlement Class Members received as of the date of this Affidavit.

7. Pursuant to Paragraph 20 of the Preliminary Approval Order and Section III.B of the Mailed Notice, those members of the Settlement Class who wished to object to any aspect of the Settlement, application for attorneys’ fees and expenses, or the Final Approval Order and Final Judgment were to file such objection with the Court and serve on Class Counsel and counsel of record for BTMU and MUTB no later than June 12, 2018.

8. As of the date of this Affidavit, A.B. Data has not received any objections to the Settlement and A.B. Data knows of no objections sent to Class Counsel and/or counsel for BTMU and MUTB.

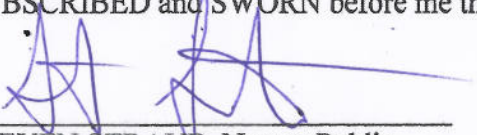
I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of June 2018.



Eric J. Miller

SUBSCRIBED and SWORN before me this 14<sup>th</sup> day of June 2018.



STEVEN STRAUB, Notary Public  
My commission expires May 18, 2020.



# EXHIBIT A

***Euroyen Litigation***  
**BTMU MUTB Exclusion Report**

<b>Name</b>	<b>Exclusion ID #</b>	<b>Postmark</b>	<b>Timely?</b>	<b>Contact information?</b>	<b>Name of Actions?</b>	<b>Statement that Class Member?</b>	<b>Transactions Statement?</b>	<b>Exclusion Statement?</b>	<b>BTMU and MUTB Statement</b>	<b>Signed?</b>	<b>Notarized?</b>
1. Raymond Wang	37941261	4/3/2018	Y	Y	Y	N	N	Y	Y	Y	N
2. Akira Kusakawa	37941262	4/3/2018	Y	Y	N	N	N	Y	N	Y	N
3. Trans-Pecos Pipeline LLC	37941263	4/30/2018	Y	Y	Y	N	N	Y	N	Y	N
4. Comanche Trail, Pipeline LLC	37941263	4/30/2018	Y	Y	Y	N	N	Y	N	Y	N
5. Kyodo America Industries Co., Ltd	37941264	5/22/2018	Y	Y	Y	N	N	Y	Y	Y	Y
6. Banco De La Nacion Peru	37941265	5/24/2018	Y	Y	Y	N	N	Y	N	Y	Y
7. Sojitz Corporation of America	37941266	6/6/2018	Y	Y	Y	Y	N	Y	Y	Y	Y