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 2 Lionel Z. Glancy (#134180)  
 3 Robert V. Prongay (#270796)  
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 8 Los Angeles, California 90067  
 9 Telephone: (310) 201-9150  
 10 Facsimile: (310) 201-9160  
 11 Email: info@glancylaw.com

12 *Lead Counsel for Plaintiffs and the Settlement Class*

13 **UNITED STATES DISTRICT COURT**  
 14 **CENTRAL DISTRICT OF CALIFORNIA**

15 In re CAPSTONE TURBINE  
 16 CORPORATION SECURITIES  
 17 LITIGATION

18 Lead Case No.: 2:15-CV-08914-DMG-  
 19 RAOx

20 **DECLARATION OF CASEY E.**  
 21 **SADLER IN FURTHER SUPPORT**  
 22 **OF: (I) PLAINTIFFS' MOTION**  
 23 **FOR FINAL APPROVAL OF**  
 24 **CLASS ACTION SETTLEMENT**  
 25 **AND PLAN OF ALLOCATION;**  
 26 **AND (II) LEAD COUNSEL'S**  
 27 **MOTION FOR AN AWARD OF**  
 28 **ATTORNEYS' FEES AND**  
**REIMBURSEMENT OF**  
**LITIGATION EXPENSES**

Date: November 15, 2019  
 Time: 10:00 a.m.  
 Crtm: 8C  
 Judge: Hon. Dolly M. Gee

1 I, Casey E. Sadler, declare as follows:

2 1. I am an attorney admitted to practice before this Court. I am a partner at  
3 the law firm Glancy Prongay & Murray LLP (“GPM”), the Court-appointed Lead  
4 Counsel in this Action. GPM represents the Court-appointed Lead Plaintiffs Randall  
5 and Elizabeth Kay (collectively “Lead Plaintiffs”), and named plaintiffs David Kinney  
6 and John Perez (collectively “Named Plaintiffs” and together with Lead Plaintiffs,  
7 “Plaintiffs”), and the proposed Settlement Class. I have personal knowledge of the  
8 facts set forth herein and, if called upon, could and would testify thereto.

9 2. Attached hereto as **Exhibit 1** is a true and correct copy of the  
10 Supplemental Declaration of Brian Manigault Regarding: (A) Mailing of Postcard  
11 Notice; (B) Report on Requests for Exclusion and Objections Received to Date; and (C)  
12 the Claims Administration Process.

13 I declare under the penalty of perjury under the laws of the United States of  
14 America that the foregoing is true and correct. Executed on October 25, 2019, in Los  
15 Angeles, California.

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18 *s/ Casey E. Sadler*  
19 \_\_\_\_\_  
20 Casey E. Sadler  
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**PROOF OF SERVICE BY ELECTRONIC POSTING**

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On October 25, 2019, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Central District of California, for receipt electronically by the parties listed on the Court’s Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 25, 2019, at Los Angeles, California.

*s/ Casey E. Sadler*  
\_\_\_\_\_

Casey E. Sadler

# EXHIBIT 1

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re CAPSTONE TURBINE  
CORPORATION SECURITIES  
LITIGATION

Lead Case No. 2:15-CV-08914 DMG (RAO)

**SUPPLEMENTAL DECLARATION  
OF BRIAN MANIGAULT  
REGARDING: (A) NOTICE  
PROGRAM; (B) REPORT ON  
REQUESTS FOR EXCLUSION  
AND OBJECTIONS RECEIVED TO  
DATE; AND (C) CLAIMS  
SUBMITTED TO DATE**

1 I, BRIAN MANIGAULT, declare, pursuant to 28 U.S.C. § 1746:

2 1. I am a Project Manager at Angeion Group (“Angeion”). My business  
3 address is 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. I submit this  
4 declaration in order to provide the Court and the parties to the above-captioned  
5 litigation (the “Action”)<sup>1</sup> with information regarding notice to the Settlement Class  
6 and regarding receipt of requests for exclusion from the Settlement Class and  
7 objections to the Settlement. I am over 21 years of age and am not a party to this  
8 action. I have personal knowledge of the facts stated herein and, if called as a  
9 witness, could and would testify competently thereto.

10 2. The purpose of this declaration is to provide the Parties and the Court  
11 with an update to my September 23, 2019 declaration that summarized the work  
12 performed by Angeion related to the administration process.

13 **UPDATE ON NOTICE PROGRAM TO DATE**

14 3. As stated in my previous declaration (Dkt. No 127-1), as of September  
15 23, 2019, Angeion mailed 36,656 Postcard Notices, directly or indirectly to potential  
16 Settlement Class Members.

17 4. Since September 23, 2019, Angeion has received additional requests  
18 from Nominees to (i) send the Postcard Notice to the Nominee for distribution, or  
19 (ii) send the Postcard Notice directly to the Nominee’s customers, whose contact  
20 information the Nominee provided to Angeion. Through October 23, 2019, as a  
21 result of a request from one (1) Nominee, Angeion mailed 188 additional Postcard  
22 Notices, directly to potential Settlement Class Members.

23 5. As of October 23, 2019, the USPS has returned three (3) additional  
24 Postcard Notices as undeliverable with forwarding addresses. Angeion re-mailed  
25 the Postcard Notices to the forwarding addresses.

26 \_\_\_\_\_

27 <sup>1</sup> All capitalized terms not otherwise defined herein shall have the same meanings  
28 ascribed to them in the Stipulation and Agreement of Settlement dated April 12,  
2019. Dkt. No. 118-1.

1           6.       As of October 23, 2019, the USPS has returned 241 additional Postcard  
2 Notices as undeliverable with no forwarding address. Using locator services,  
3 Angeion found 107 updated addresses and mailed Postcard Notices to the updated  
4 addresses.

5           7.       As a result of efforts described in ¶¶ 3-6 above, as of October 23, 2019,  
6 Angeion has mailed a total of 36,954 Postcard Notices to potential Settlement Class  
7 Members.

8           8.       As detailed in my prior declaration, in accordance to ¶ 7(c) of the  
9 Preliminary Approval Order, the Settlement Website became operation on June 17,  
10 2019 and will be live throughout the remainder of the administration. Pursuant to  
11 the Court’s request, copies of Lead Counsel’s Notice of Motion and Motion for an  
12 Award of Attorneys’ Fees and Reimbursement of Litigation Expenses, along with  
13 the concurrently filed Memorandum of Points and Authorities in Support of Lead  
14 Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of  
15 Litigation Expenses, and the Declaration of Casey E. Sadler in Support of: (I)  
16 Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan of  
17 Allocation: and (II) Lead Counsel’s Motion for an Award of Attorneys’ Fees and  
18 Reimbursement of Litigation Expenses (“Sadler Decl.”) were uploaded to the  
19 Settlement Website promptly after their filing with the Court.

20           9.       As of October 23, 2019, there have been 3,851 visitors to the website.<sup>2</sup>

21   **REPORT ON RECEIPT OF REQUESTS**  
22   **FOR EXCLUSION AND OBJECTIONS**

23           10.      Angeion’s mailing address appears in the Postcard Notice, the  
24 Summary Notice, the Notice, and the Settlement Website. Angeion has monitored  
25 all mail that has been delivered to the mailing address, which would include requests  
26 for exclusion from the Settlement Class, objections to the Settlement, Claim Forms,

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27 \_\_\_\_\_  
28 <sup>2</sup> There have also been 538 calls to the telephone number (1-855-637-1041) with an Interactive Voice Response (“IVR”) system set up as part of the notice process.

1 and other administrative mail. All mail has been reviewed, processed, and  
2 responded to in a timely manner.

3 11. Settlement Class Members were notified that written requests for  
4 exclusion from the Settlement Class are to be postmarked no later than October 15,  
5 2019 and addressed to CLASS ACTION OPT-OUT, ATTN: *In re Capstone*  
6 *Turbine Corporation Securities Litigation*, P.O. Box 58220, John F Kennedy Blvd,  
7 Suite C31 Philadelphia, PA 19103. As of October 18, 2019, Angeion has received  
8 four (4) exclusion requests, which are attached hereto as Exhibit A.

9 12. Settlement Class Members were also notified that objections to the  
10 proposed Settlement, Plan of Allocation, or request for attorneys' fees and  
11 reimbursement of Litigation Expenses must be submitted in writing to the Court and  
12 mailed to the Claims Administrator, Lead Counsel and Defendants' Counsel, such  
13 that it is postmarked or received no later than October 15, 2019. To date, Angeion  
14 has not received any objections and is not aware of any objections being submitted  
15 to the Court.

16 13. Angeion will continue to monitor incoming mail for exclusion requests  
17 and objections up to and beyond the receipt date deadline and will report any  
18 exclusion requests or objections it receives.

19 **CLAIMS SUBMITTED TO DATE**

20 14. As of the date of this Declaration, Angeion has received 5,258 Claims.  
21 Of these, approximately 3,748 Claims were filed electronically by or on behalf of  
22 institutions and approximately 1,510 Claims were submitted by or on behalf of  
23 individuals.


24 15. The claim filing deadline was October 15, 2019. The Claims received,  
25 both before and after the claim filing deadline, will be subject to a comprehensive  
26 review under Angeion's standard claims-processing procedures, which were  
27 detailed in my declaration submitted to the Court on September 23, 2019. Dkt. No.  
28 127-1 at ¶ 12.



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

2 Executed this 25th day of October, 2019 at Philadelphia, PA.

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Brian Manigault  
Project Manager

# **EXHIBIT A**

August 17, 2019

CLASS ACTION OPT-OUT,  
ATTN: *In re Capstone Turbine Corporation Securities Litigation*,  
P.O. Box 58220,  
1500 John F Kennedy Blvd, Suite C31,  
Philadelphia, PA 19102

Ladies and Gentlemen,

I, Philip Hubbell,

of [REDACTED]

**request exclusion from the Settlement Class in**

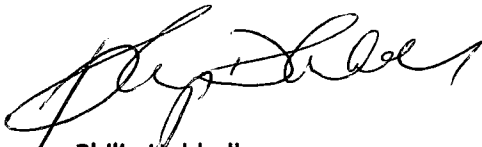
*In re Capstone Turbine Corporation Securities Litigation*,

Lead Case No. CV 15-08914-DMG (RAOx).

I purchased 10,000 shares of CPST at \$0.938 on October 9, 2014

I sold no shares during the Settlement Class Period.

Sincerely



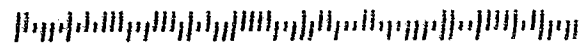
Philip Hubbell

[REDACTED]  
19 AUG 2019 PM 6 L



**CLASS ACTION OPT-OUT,  
ATTN: *In re Capstone Turbine Corporation Securities Litigation*,  
P.O. Box 58220,  
1500 John F Kennedy Blvd, Suite C31,  
Philadelphia, PA 19102**

19102-172231




REQUEST FOR EXCLUSION FROM THE SETTLEMENT CLASS


David H. Mullikin and Sharon Mullikin requests exclusion from the Settlement Class in In re Capstone Turbine Corporation Securities Litigation, Lead Case No. CV 15-08914-DMG (RAOx), and not to be included as a settlement class member in this action.

The number of Capstone shares we are requesting exclusion for is a total of 100 shares purchased during the Settlement Class Period. This was a sole purchase on December 29, 2014 through our joint account with a recorded trade date of December 29, 2014, and a recorded settlement date of January 2, 2015. The price at the time of purchase was \$00.76 per each Capstone share with a total cost of \$76.00. The recorded description of this holding on our joint account is CAPSTONE TURBINE CORP with a symbol/cusip of CPST.

Dated: October 7, 2019

  
(Signature)

DAVID H. MULLIKIN  
(Type or print name)

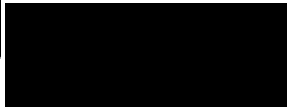
  
(Signature)

Sharon Mullikin  
(Type or print name)

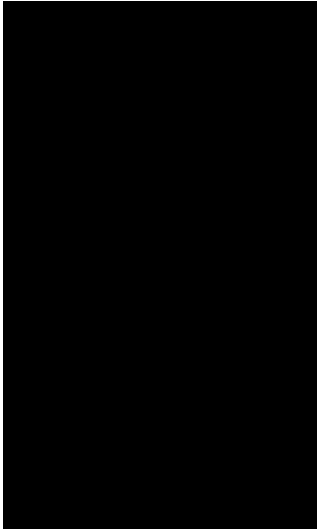
  
(Address)

  
(Telephone number)

DAVID MULLIKIN  
SHARON MULLIKIN



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE



1020



19102



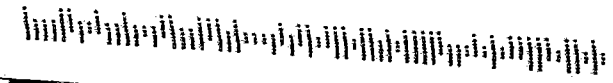
OCT 09 19  
AMOUNT

\$6.85

R2303S100690-17

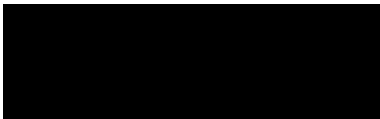
CLASS ACTION OPT-OUT ATTN;  
In re Capstone Turbine Corporation Securities Litigation  
P.O. Box 58220  
1500 John F. Kennedy Blvd  
Suite C31  
Philadelphia, PA 19102

1910281722 0013



October 14, 2019

Barbara J. Wolford



*In re* CAPSTONE TURBINE CORPORATION SECURITIES LITIGATION  
Lead Case No.: CV 15-08914-DMG (RAOx)

I, Barbara J. Wolford do hereby request exclusion from the Settlement Class in *In re Capstone Turbine Corporation Securities Litigation*, Lead Case No. CV 15-08914-DMG (RAOx).

My exclusion from the Class Action Settlement is requested for 4,500 shares purchased between October 9, 2014 and November 4, 2015 inclusive.

Date	Shares	CPS
10/9/2014	500	1.00
6/19/2015	1000	0.52
7/20/2015	1000	0.35
11/4/2015	2000	0.20

Documents attached:

Sincerely,

Barbara J. Wolford

A handwritten signature in black ink that reads "Barbara J. Wolford".

WELLS FARGO ADVISORS

DATED 10/09/14

Account Number [REDACTED]

PCG13282 021976  
BARBARA J WOLFORD

[REDACTED]



GO PAPERLESS AND VIEW YOUR TRADE CONFIRMATIONS AND OTHER ACCOUNT DOCUMENTS ONLINE.  
LOG INTO YOUR BROKERAGE ACCOUNT AT [WWW.WELLSFARGO.COM](http://WWW.WELLSFARGO.COM) AND SELECT DELIVERY PREFERENCES UNDER THE STATEMENTS AND DOCUMENTS TAB TO TURN OFF PAPER DELIVERY.

BOUGHT			QUANTITY	PRICE	PRINCIPAL
CAPSTONE TURBINE CORP			500	1.000000000	500.00
SYMBOL	CPST	ACCOUNT TYPE	CASH		
SECURITY NUMBER	1429-195	TRADE DATE	10/09/14	<b>NET AMOUNT</b>	<b>\$500.00</b>
CUSIP	14067D-10-2	SETTLEMENT DATE	10/15/14		
UNSOLICITED					

MARKET: OVER THE COUNTER.

Wells Fargo Advisors, LLC, brokerage account(s) carried by First Clearing, LLC. Wells Fargo Advisors, LLC and First Clearing, LLC, Members FINRA/SIPC are separate registered broker-dealers and non-bank affiliates of Wells Fargo & Company.

Investments and insurance products are: **NOT FDIC-INSURED** **NO BANK GUARANTEE** **MAY LOSE VALUE**

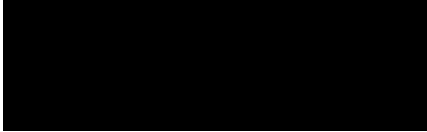
For Address Correction And Payment Due Instructions Please Refer To Contact Information On Page 2 Of This Confirmation



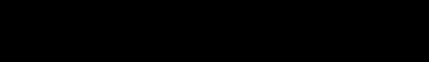


DATED 06/19/15

Account Number [REDACTED]



PCG13170 015550  
BARBARA J WOLFORD



GO PAPERLESS AND VIEW YOUR TRADE CONFIRMATIONS AND OTHER ACCOUNT DOCUMENTS ONLINE.  
LOG INTO YOUR BROKERAGE ACCOUNT AT [WWW.WELLSFARGO.COM](http://WWW.WELLSFARGO.COM) AND SELECT DELIVERY  
PREFERENCES UNDER THE STATEMENTS AND DOCUMENTS TAB TO TURN OFF PAPER DELIVERY.

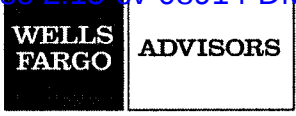
BOUGHT	QUANTITY	PRICE	PRINCIPAL
CAPSTONE TURBINE CORP	1,000	0.520000000	520.00
SYMBOL CPST	ACCOUNT TYPE CASH	CHARGE/COMMISSION	24.95
SECURITY NUMBER 1429-195	TRADE DATE 06/19/15		
CUSIP 14067D-10-2	SETTLEMENT DATE 06/24/15	<b>NET AMOUNT</b>	<b>\$544.95</b>
UNSOLICITED			

MARKET: OVER THE COUNTER.

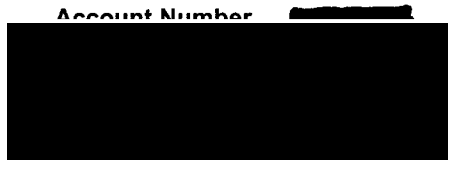
Wells Fargo Advisors, LLC, brokerage account(s) carried by First Clearing, LLC. Wells Fargo Advisors, LLC and First Clearing, LLC, Members FINRA/SIPC are separate registered broker-dealers and non-bank affiliates of Wells Fargo & Company.

Investments and insurance products are: **NOT FDIC-INSURED** **NO BANK GUARANTEE** **MAY LOSE VALUE**

For Address Correction And Payment Due Instructions Please Refer To Contact Information On Page 2 Of This Confirmation



DATED 07/20/15



PCG13201 022174  
BARBARA J WOLFORD



GO PAPERLESS AND VIEW YOUR TRADE CONFIRMATIONS AND OTHER ACCOUNT DOCUMENTS ONLINE.  
LOG INTO YOUR BROKERAGE ACCOUNT AT [WWW.WELLSFARGO.COM](http://WWW.WELLSFARGO.COM) AND SELECT DELIVERY  
PREFERENCES UNDER THE STATEMENTS AND DOCUMENTS TAB TO TURN OFF PAPER DELIVERY.

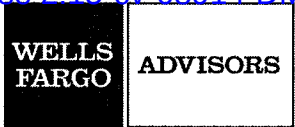
BOUGHT		QUANTITY	PRICE	PRINCIPAL
CAPSTONE TURBINE CORP		1,000	0.350000000	350.00
SYMBOL	CPST	ACCOUNT TYPE	CASH	CHARGE/COMMISSION
SECURITY NUMBER	1429-195	TRADE DATE	07/20/15	24.95
CUSIP	14067D-10-2	SETTLEMENT DATE	07/23/15	<b>NET AMOUNT</b>
UNSOLICITED				<b>\$374.95</b>

MARKET: OVER THE COUNTER.

Wells Fargo Advisors, LLC, brokerage account(s) carried by First Clearing, LLC. Wells Fargo Advisors, LLC and First Clearing, LLC, Members FINRA/SIPC are separate registered broker-dealers and non-bank affiliates of Wells Fargo & Company.

Investments and insurance products are: **NOT FDIC-INSURED** **NO BANK GUARANTEE** **MAY LOSE VALUE**

For Address Correction And Payment Due Instructions Please Refer To Contact Information On Page 2 Of This Confirmation



DATED 11/04/15

Account Number [REDACTED]

Electronic Delivery

BARBARA J WOLFORD  
[REDACTED]

<b>BOUGHT</b>			QUANTITY		PRICE	PRINCIPAL
CAPSTONE TURBINE CORP			2,000		0.200000000	400.00
SYMBOL	CPST	ACCOUNT TYPE	CASH		CHARGE/COMMISSION	24.95
SECURITY NUMBER	1429-195	TRADE DATE	11/04/15			
CUSIP	14067D-10-2	SETTLEMENT DATE	11/09/15		<b>NET AMOUNT</b>	<b>\$424.95</b>
UNSOLICITED						

**MARKET: OVER THE COUNTER.**

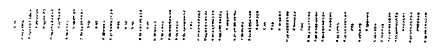
BARBARA W. [redacted]

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, HOLD AT DOTTED LINE  
#2591



AMOUNT  
**\$7.45**  
R2305K135795-09

RETURN RECEIPT  
REQUESTED



CLASS ACTION OPT-OUT  
Attn: In RE CAPSTONE TURBINE CORPORATION SECURITIES  
LITIGATION

P.O. Box 58220  
1500 JOHN F KENNEDY BLVD  
SUITE C31  
PHILADELPHIA, PA 19102

RETURN RECEIPT  
REQUESTED

RETURN RECEIPT  
REQUESTED

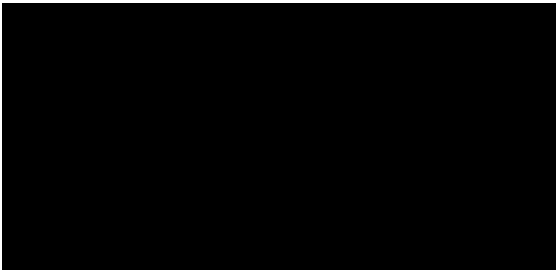
RE: CLASS ACTION OPT-OUT, ATTN: *In re Capstone Turbine Corporation Securities Litigation*

I, Roy Fersch, requests exclusion from the Settlement Class in *In re Capstone Turbine Corporation Securities Litigation*, Lead Case No. CV 15-08914-DMG (RAOx).

Purchase: 6000 Shares of Capstone Turbines @ \$1.55 on June 20, 2014  
Sale: None sold

Contact Information:

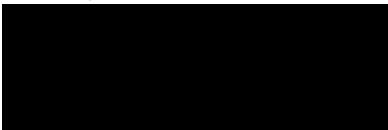
Roy Fersch



Roy Fersch

A handwritten signature in cursive script that reads "Roy Fersch".

Roy Fersch



1910031949



3926 T2E

CLASS ACTION OPT-OUT  
ATTN: In re Capstone Turbine Corporation  
Securities Litigation  
P.O. Box 58220  
1500 John F Kennedy Blvd - Suite C31  
Philadelphia, PA

1910231722 CO13

