

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

*In re U. S. Steel Consolidated Cases*

Civil Action No. 17-579

Judge Cathy Bissoon

**SUPPLEMENTAL DECLARATION OF SHANNON L. HOPKINS IN FURTHER  
SUPPORT OF: (I) PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT AND PLAN OF ALLOCATION AND (II) LEAD COUNSEL'S  
MOTION FOR AWARD OF ATTORNEYS' FEES AND LITIGATION EXPENSES, AND  
SERVICE AWARDS TO PLAINTIFFS PURSUANT TO 15 U.S.C. § 78u-4(a)(4)**

I, Shannon, L. Hopkins, Esq., pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am admitted to practice law before all courts of the State of Connecticut and am admitted *pro hac vice* in the above-captioned Action. I am a partner at the law firm of Levi & Korsinsky, LLP, counsel of record for Plaintiffs, Court-appointed Lead Counsel and Counsel for the Settlement Class.<sup>1</sup> I respectfully submit this declaration in further support of: (I) Plaintiffs' motion for approval of the Settlement, and the Plan of Allocation of the Net Settlement Fund; and (II) Lead Counsel's application for attorneys' fees in the amount of one-third of the Settlement, and reimbursement of out-of-pocket expenses in the amount of \$2,711,338.12, plus \$70,000 to Lead Plaintiff Vrakas and \$10,000 to Plaintiff Reed pursuant to the Private Securities Litigation Reform Act of 1995 ("PSLRA") for their costs and expenses incurred in connection with their representation of the Class. I have personal knowledge of the matters set forth herein based on my active supervision of, and participation in, the prosecution and resolution of the Action.

2. On March 9, 2023, after Plaintiffs filed all papers related to their reply in further support of their motion for final approval of the Settlement and Plan of Allocation and in support of Lead Counsel's motion for attorneys' fees and Litigation Expenses and service awards to Plaintiffs (ECF 350-51), Plaintiffs received a request for exclusion from the Settlement from a Settlement Class Member named Miro Mundik (the "Mundik Request"). The Mundik Request was postmarked by the date required by the Court's Preliminary Approval Order, but experienced delayed delivery by the postal service.

3. Attached hereto as Exhibit 21 is a true and correct copy of the Supplemental Declaration of Eric Nordskog Regarding Settlement Class Notice and Report on Requests for

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<sup>1</sup> Unless otherwise noted, capitalized terms have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated May 20, 2022, (ECF 329-1) (the "Stipulation").

Exclusion Received (the “Nordskog Supplemental Declaration”).<sup>2</sup> The Nordskog Supplemental Declaration includes documentation related to the Mundik Request.

4. Attached hereto as Exhibit 22 is a [Proposed] Final Judgment and Order of Dismissal with Prejudice that is substantially identical to the one preliminarily approved by the Court (ECF 329-1 at 101) with the addition of a complete list of requests for exclusion, including the Mundik Request.

Executed on March 17, 2023 at Stamford, CT.

By: /s/ Shannon L. Hopkins  
Shannon L. Hopkins

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<sup>2</sup> For the Court’s, Settlement Class’s, and Settling Parties’ convenience, Exhibits hereto are sequenced as a continuation of the Exhibits enumerated in the declarations of Shannon L. Hopkins located at ECF 346 and ECF 351. Accordingly, the first Exhibit enumerated herein is Exhibit 21.

# Exhibit 21

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

*In re U. S. Steel Consolidated Cases*

Civil Action No. 17-579

Judge Cathy Bissoon

**SECOND SUPPLEMENTAL DECLARATION OF ERIC NORDSKOG REGARDING  
SETTLEMENT CLASS NOTICE AND REPORT ON  
REQUESTS FOR EXCLUSION RECEIVED**

I, ERIC NORDSKOG, hereby declare under penalty of perjury as follows:

1. I am a Senior Project Manager of A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data”). The following statements are based on my personal knowledge and information provided by other A.B. Data employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

2. Pursuant to its Order Preliminarily Approving Settlement and Providing for Notice dated November 9, 2022 (ECF No. 341, the “Preliminary Approval Order”), the Court approved the retention of A.B. Data as the Claims Administrator for the above-captioned action (the “Action”).<sup>1</sup> I submit this Declaration as a supplement to my earlier declarations, the Declaration of Eric Nordskog Regarding Settlement Class Notice and Report on Requests for Exclusion Received (the “Initial Mailing Declaration,” ECF No. 346-3) dated February 6, 2023, and the Supplemental Declaration of Eric Nordskog Regarding Settlement Class Notice and Report on

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<sup>1</sup> Unless otherwise defined in this Declaration, all capitalized terms have the meanings set forth in the Stipulation and Agreement of Settlement, dated May 20, 2022 (the “Stipulation”). ECF No. 329-1.

Requests for Exclusion Received (the “Supplemental Mailing Declaration,” ECF No. 351-1) dated March 6, 2023, which were previously filed with the Court.

**UPDATE ON MAILING OF THE NOTICE AND CLAIM FORM**

3. As more fully stated in my Supplemental Mailing Declaration, as of March 6, 2023, A.B. Data had mailed a total of 315,798 copies of the Notice and Claim Form (collectively, the “Notice Package”) to potential Settlement Class Members and re-mailed a total of 3,164 Notice Packages to persons whose original mailings were returned by the U.S. Postal Service (“USPS”) and for whom updated addresses were provided to A.B. Data by the USPS.

4. Since the execution of the Supplemental Mailing Declaration, A.B. Data has not mailed or re-mailed any additional Notice Packages to potential Settlement Class Members.

**UPDATE ON OBJECTIONS AND REQUESTS FOR EXCLUSION**

5. The Notice informed potential Settlement Class Members that requests for exclusion from the Settlement Class are to be mailed to the Claims Administrator postmarked no later than February 20, 2023. The Notice also set forth the information that was required to be included in each request for exclusion.

6. As previously noted in the Supplemental Mailing Declaration, A.B. Data had received eleven (11) requests for exclusion from the Settlement Class totaling 1,334.33 shares. A.B. Data has since received one (1) additional request for exclusion. Attached hereto as Exhibit A is the additional request received, redacted to remove personal information.

7. In total, A.B. Data has received 49 requests for exclusion including the 37 requests for exclusion received during the original Class Notice program. All requests received have been from individual investors. The 49 requests represent 37,150.48 shares. Redacted copies of the previously submitted exclusion requests were included with the Supplemental Mailing Declaration.

8. According to the Notice, Settlement Class Members seeking to object to the proposed Settlement, Lead Counsel's request for fees and Litigation Expenses, or Plaintiffs' request for reimbursement of costs and expenses 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 February 20, 2023. Although Settlement Class Members were not required to send objections to A.B. Data, A.B. Data has not received any misdirected objections.

9. I understand that an objection to Lead Counsel's request for fees was filed on February 14, 2023, by Counsel to New York State Comptroller Thomas P. DiNapoli, Trustee of the New York State Common Retirement Fund ("NYSCRF"). ECF No. 347. A.B. Data has received three (3) Claims submitted on behalf of NYSCRF. At the request of Lead Counsel, A.B. Data performed a Recognized Loss calculation on the NYSCRF Claims and determined the transactions submitted did not have a Recognized Loss under the Plan of Allocation.

#### **CLAIMS RECEIVED TO DATE**

10. As of the date of this Declaration A.B. Data has received 29,451 Claims. Of these Claims, 3,574 were mailed to A.B. Data, or were submitted online via the Settlement website. Furthermore, 155 institutional filers have submitted Claims, individually, or on behalf of their affiliated persons or entities. Submissions by these institutions comprised 25,877 Claims.

11. In addition, I understand from speaking with the fiduciary in charge of submitting claims on behalf of participants in U. S. Steel's retirement plans, that he expects to submit additional data in support of the placeholder claim form previously submitted, which will likely result in a substantial number of additional individual claims on behalf of plan participants.

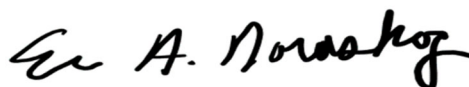
12. During the claims administration process, A.B. Data will review and process all Claims received, will provide Claimants with an opportunity to cure any deficiency or request judicial review of the denial of their Claims, if applicable, and will ultimately mail or wire

Authorized Claimants their *pro rata* share of the Net Settlement Fund, as calculated under the Plan of Allocation.

13. A.B. Data agreed to be the Claims Administrator in exchange for payment of its fees and out-of-pocket expenses. To date, charges relating to the settlement administration total \$721,869.81. This sum includes A.B. Data's fees and out-of-pocket expenses charged prior to February 25, 2022 (including mailing of the Class Notice) totaling \$129,599.01, and \$592,270.80 in fees or expenses charged subsequent to February 25, 2022. A.B. Data estimates additional charges of \$50,000 to \$75,000 to complete the initial distribution.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge.

Executed on March 16, 2023.

A handwritten signature in black ink, reading "Eric A. Nordskog". The signature is written in a cursive, slightly slanted style. Below the signature is a horizontal line.

Eric Nordskog



# EXHIBIT A

*In re U. S. Steel Consolidates Cases, Civil Action No: 17-579***Exclusion Report - Settlement Phase**

<b>Exclusion Number</b>	<b>Name</b>	<b>Postmark Date</b>	<b>Number of Shares</b>
1	James Henry Wilhite	12/8/2022	25.627
2	Kimberly A. Forsyth	12/14/2022	28.703
3	Elizabeth Ann Fraser	1/14/2023	330
4	Troy Officer	1/28/2023	N/A
5	Aldrich B. Monahan Jr. & Danielle J. Monahan	1/25/2023	50
6	Kenneth J. Lantz	1/30/2023	N/A
7	Harold Brooks Moss	1/24/2023	N/A
8	Mace Mattieson	2/3/2023	100
9	William Northcutt	2/13/2023	N/A
10	Dallas McKay	2/16/2023	800
11	Betsy E. Judson	2/21/2023	N/A
12	Miro Mundik	2/17/2023	N/A

*In re U. S. Steel Consolidates Cases, Civil Action No: 17-579***Exclusion Report - Notice of Pendency Phase**

<b>Exclusion Number</b>	<b>Name</b>	<b>Postmark Date</b>	<b>Number of Shares</b>
1	Leo Zak	7/6/2020	0.006
2	Kathi E. Sweeney	7/6/2020	0.142
3	Duane Krause	8/6/2020	40
4	Edwardo Medina, Jr.	8/7/2020	16
5	Ruslan Ryzhkov	8/5/2020	655
6	Barry Klassy	8/7/2020	790
7	Gerald Wyeth	8/8/2020	900
8	Rosalinda Icasas	8/10/2020	500
9	Son Duong	8/6/2020	100
10	Wayne & Carol Todd	8/12/2020	N/A
11	John Johnson	8/11/2020	24,200
12	Adam Greenberg	8/10/2020	22
13	Maureen Haggerty	8/13/2020	N/A
14	Timothy Coruetti	8/12/2020	N/A
15	Lorraine Gilbert	8/12/2020	10
16	Rebecca Fischer	8/13/2020	100
17	Dorothy McClure	8/13/2020	N/A
18	Maureen O'Connor	8/17/2020	300
19	Gordon Ng	8/17/2020	N/A
20	Elke Schoenberg	8/24/2020	N/A
21	Nghi Nguyen	8/25/2020	500
22	Carol Wessel	8/20/2020	N/A
23	Diane Tomasic	8/20/2020	N/A
24	Natthamon Bridge	8/24/2020	55
25	Vladimir Gincherman	8/22/2020	1,338
26	Andrew Block	8/22/2020	96
27	Matt & Megan Dunlap	8/22/2020	15
28	Kuan-Lun Chen	8/21/2020	50
29	Jorge Puell	8/21/2020	40
30	Matthew Laszinski	8/21/2020	205
31	James Kroll (Michael Kroll)	N/A	250
32	Austin Jones	8/22/2020	5
33	Craig & Judith Drum	N/A	969

34	Mickey Ameigh	N/A	1,560
35	Dirk Campbell	8/24/2020	N/A
36	Diane Stittgen	8/27/2020	100
37	Kao Shou Yen	9/16/2020	3000

[Redacted]

February 16, 2023


**WRITTEN REQUEST FOR EXCLUSION**

Hello,

below signed Miro Mundik, [Redacted]

I would like to request to be excluded from UNITED STATES STEEL CORPORATION SECURITIES LITIGATION

reference: Class Action Notice from February 3, 2023 – copy as per attached

Thank you ! 

Feb 16/2023

Miro Mundik, [Redacted]

**CLASS ACTION NOTICE**  
**February 3, 2023**

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**Security Held:** United States Steels Corporation  
**CUSIP:** 912909108  
**Class Action Event:** Class Action Proposed Settlement

**TERMS**

We have been informed of a proposed settlement of class action for all persons that purchased or otherwise acquired United States Steels Corporation shares during the period January 27, 2016 to April 25, 2017, inclusive. Please review the documents to determine whether you are qualified to participate in the settlement.

If so you can obtain a copy of the Claim Form at [www.ussteellitigation.com](http://www.ussteellitigation.com) submit said form, along with proof of ownership documents to the Claims Administrator by the deadline of March 01, 2023 via online or by mail to:

**United States Steel Corporation Securities Litigation**  
c/o A.B. Data, Ltd.  
P.O. Box 170500  
Milwaukee WI 53217  
1-877-868-2084  
[www.ussteellitigation.com](http://www.ussteellitigation.com)  
[info@ussteellitigation.com](mailto:info@ussteellitigation.com)

**Please note that information contained in this notice is compiled from sources believed to be reliable but not guaranteed.**

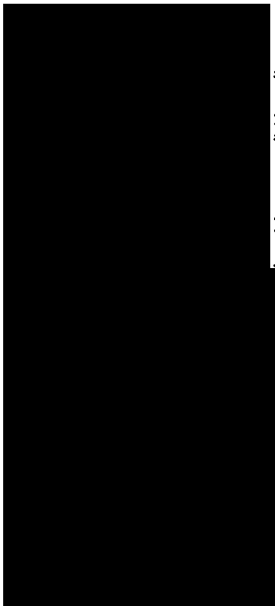
686436- XZ

TD Direct Investing is a division of TD Waterhouse Canada Inc., a subsidiary of The Toronto-Dominion Bank.  
TD Waterhouse Canada Inc. - Member of the Canadian Investor Protection Fund.  
\*\*The TD logo and other trade-marks are the property of The Toronto-Dominion Bank.

592266 (072014)

US/STEEEL CORP SEC.  
PO BOX 170500  
MILWAUKEE WI 53217  
ÉTATS - UNIS

See Commercial Invoice CN23 Attached Voir la facture commerciale ou le CN23 adjoint  
UNITED STATES POSTAL SERVICE. PRIORITY MAIL



Sender warrants that this item does not contain non-mailable matter.  
L'expéditeur garantit que cet envoi ne contient pas d'objet inadmissible.

AP08IPDVD V2302.0.259 SPEC 2697 V3  
Shipping Label Étiquette d'expédition



COMMERCIAL INVOICE / CN23 FACTURE COMMERCIALE / CN23

Sender / Expéditeur

Item ID CX 678 572 183 CA



N d'article  
Date 2023 02 17

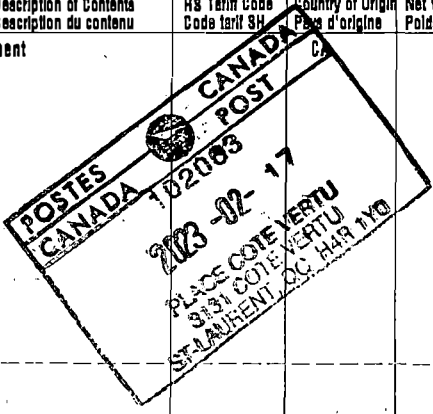
Reference No.  
N de référence

Reason for Export Document  
Raison de l'exportation Document

US TSTEEL CORP SEC.  
PO BOX 170500  
MILWAUKEE WI 53217  
ÉTATS - UNIS

Tax ID/RS/VAT/EIN  
Référence du destinataire  
Gross Weight 0.013 kg  
Poids brut

Quantity Quantité	Description of Contents Description du contenu	HS Tariff Code Code tarif SH	Country of Origin Pays d'origine	Net Weight (kg) Poids net (kg)	Total Value Valeur totale
1	document		CA	0.000	1.00



TOTAL Currency & Value CAD 1.00  
Devise et valeur

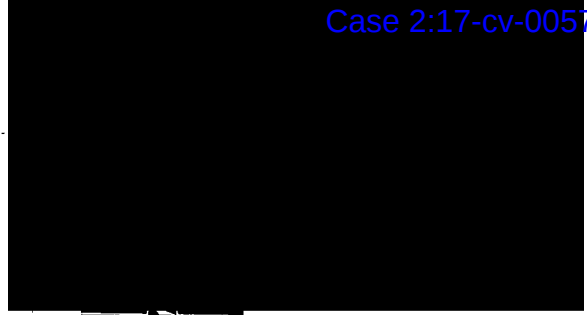
Je, soussigné, l'exportateur des marchandises, atteste que l'information fournie sur la présente déclaration relative à la facture est véridique et correcte et que le colis ne contient pas de marchandises dangereuses ou prohibées, conformément aux conditions générales de transport.

I, the undersigned exporter of goods, certify that the particulars given in this invoice

POSTES  
CANADA  
102083  
2023-02-17  
PLACE COTE VERT  
3181 COTE VERT  
ST-LAURENT, QC H4V 1V7

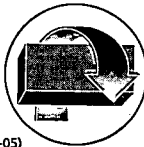
From/De: [Redacted]

Postage paid | Port. payé  
00102083  
Date  
2023 02 17  
Gross Weight | Poids brut  
0.013 kg  
Insured Value | Valeurs assurée  
\$1.00 CAD  
Postage Rate | Tarif d'affran.



POST CANADA

FLIP  
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VOIR AU  
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40-076-685 (07-05)

US Steel Corp Sec. Litigation  
c/o A.B. Data Ltd  
PO Box 170500  
Milwaukee, WI 53217  
U C X

To/A:

\$25.30 CAD  
Transaction No. | N° de transaction  
0103320905  
Non - Delivery Instructions  
Instructions de non - livraison  
return at sender's expense  
renvoyer aux frais de l'expéditeur

Declaration: This document and its contents are the property of the sender and may be subject to legal proceedings. The sender is responsible for the accuracy of the information provided. The sender is responsible for the accuracy of the information provided. The sender is responsible for the accuracy of the information provided.

SPEC 3521 V4  
Page 1 of 1  
SIGNATURE:  
RPOS/PDVO V2302.0.299



# Exhibit 22

**[PROPOSED FINAL APPROVAL ORDER]**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

*In re U. S. Steel Consolidated Cases*

Civil Action No. 17-579

Judge Cathy Bissoon

**[PROPOSED] FINAL JUDGMENT AND ORDER OF DISMISSAL WITH PREJUDICE**

WHEREAS, a consolidated class action is pending before the Court entitled *In re U. S. Steel Consolidated Cases*, Civil Action No. 17-579 (the “Action”);

WHEREAS, (i) Lead Plaintiff Christakis Vrakas and Plaintiff Leeann Reed (“Plaintiffs”), on behalf of themselves and the other members of the Settlement Class, and (ii) defendants United States Steel Corporation (“U. S. Steel” or the “Company”), Mario Longhi, David B. Burritt, and Dan Lesnak (collectively, the “Individual Defendants” and, together with U. S. Steel, the “U. S. Steel Defendants” or the “Settling Defendants,” and together with Plaintiffs, the “Settling Parties”), have determined to settle all claims asserted in the Action with prejudice on the terms and conditions set forth in the Stipulation and Agreement of Settlement dated May 20, 2022 (the “Stipulation”), subject to approval of this Court (the “Settlement”);

WHEREAS, by the Order Preliminarily Approving Settlement and Providing for Notice (“Order”) dated November 9, 2022 (ECF No. 341), this Court (a) preliminarily approved the Settlement; (b) certified the Settlement Class solely for purposes of effectuating the Settlement; (c) ordered that notice of the proposed Settlement be provided to potential Settlement Class Members; (d) provided Settlement Class Members with the opportunity either to exclude

themselves from the Settlement Class or to object to the proposed Settlement; and (e) scheduled a hearing regarding final approval of the Settlement;

WHEREAS, due and adequate notice having been given to the Settlement Class as required in the Order;

WHEREAS, the Court conducted a hearing on March 20, 2023 (the “Final Approval Hearing”) to consider, among other things, (a) whether the terms and conditions of the Settlement are fair, reasonable, and adequate to the Settlement Class, and should therefore be approved; and (b) whether a judgment should be entered dismissing the Action with prejudice; and

WHEREAS, the Court having reviewed and considered the Stipulation, all papers filed and proceedings held in connection with the Settlement, all oral and written comments received regarding the Settlement, and the record in the Action, and good cause appearing therefor, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Final Judgment and Order of Dismissal With Prejudice (“Final Judgment and Order”) incorporates by reference the definitions in the Stipulation, and all terms used herein shall have the same meanings as set forth in the Stipulation, unless otherwise set forth herein.

2. This Court has jurisdiction over the subject matter of the Action and all matters relating to the Settlement, as well as personal jurisdiction over all Settling Parties and all Settlement Class Members.

3. The Court hereby affirms its determination in the Order certifying the Action, for purposes of effectuating the proposed Settlement, as a class action pursuant to Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure on behalf of a Settlement Class consisting of all persons or entities who purchased or otherwise acquired United States Steel Corporation common stock and options during the period from January 27, 2016 through April 25, 2017, inclusive, and

were injured thereby. Excluded from the Settlement Class are: (i) Defendants; (ii) the Individual Defendants' immediate family members; (iii) any person who was an Officer or director of the Company during the Class Period; (iv) any firm, trust, corporation, or other entity in which a Defendant has or had a controlling interest; (v) the legal representatives, affiliates, heirs, successors in-interest, or assigns of any such excluded person or entity. Also excluded from the Settlement Class are those persons or entities eligible for membership in the Settlement Class who: (i) requested exclusion from the Settlement Class in connection with the Class Notice; and (ii) all persons who submitted valid and timely requests for exclusion from the Settlement Class in connection with the Notice. Those persons or entities eligible for membership in the Settlement Class who timely submitted valid requests for exclusion from the Settlement Class in connection with either: (1) the Class Notice; and/or (2) the Notice as identified on Exhibit 1 hereto are not bound by this Final Judgment and Order.

4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, and for Settlement purposes only, the Court hereby affirms its determination in the Order certifying Plaintiffs, Christakis Vrakas and Leann Reed, as Class Representatives for the Settlement and appointing Lead Counsel, Levi & Korsinsky, LLP, as Class Counsel for the Settlement Class. Plaintiffs and Lead Counsel have fairly and adequately represented the Settlement Class both in terms of litigating the Action and for purposes of entering into and implementing the Settlement and have satisfied the requirements of Federal Rules of Civil Procedure 23(a)(4) and 23(g), respectively.

5. The Court finds that the dissemination of the Notice of Proposed Settlement, Final Approval Hearing, and Motion for Attorneys' Fees and Reimbursement of Litigation Expenses and the publication of the Summary Notice of Proposed Settlement, Final Approval Hearing, and Motion for Attorneys' Fees and Reimbursement of Litigation Expenses (together, the "Notice")

given to the Settlement Class: (a) was implemented in accordance with the Preliminary Approval Order; (b) constituted the best notice practicable under the circumstances; (c) constituted notice that was reasonably calculated, under the circumstances, to apprise Settlement Class Members of (i) the effect of the proposed Settlement (including the Releases to be provided thereunder); (ii) Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses; (iii) their right to object to any aspect of the Settlement, the Plan of Allocation, and/or Lead Counsel's motion for attorneys' fees and reimbursement of Litigation Expenses; (iv) their right to exclude themselves from the Settlement Class; and (v) their right to appear at the Settlement Hearing; (d) constituted due, adequate, and sufficient notice to all Persons entitled to receive notice of the proposed Settlement; and (e) satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, *et seq.*, as amended, and all other applicable laws and rules.

6. The U. S. Steel Defendants have filed a Declaration Regarding Compliance with the Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. §1715. The U. S. Steel Defendants timely mailed notice of the Stipulation pursuant to 28 U.S.C. §1715(b), including notices to the Attorney General of the United States of America and the Attorneys General of all states in which members of the Settlement Class reside. The notice contains the documents and information required by 28 U.S.C. §1715(b)(1)-(8). The Court finds that the U. S. Steel Defendants have complied in all respects with the requirements of 28 U.S.C. §1715.

7. Pursuant to, and in accordance with, Rule 23 of the Federal Rules of Civil Procedure, this Court hereby fully and finally approves the Settlement set forth in the Stipulation in all respects (including, without limitation, the amount of the Settlement; the Releases provided

for therein; and the dismissal with prejudice of the claims asserted in the Action), and finds that the Settlement is, in all respects, fair, reasonable, and adequate to the Settlement Class. The Settling Parties are directed to implement, perform, and consummate the Settlement in accordance with the terms and provisions set forth in in the Stipulation.

8. All of the claims asserted in the Action by Plaintiffs and the other Settlement Class Members are hereby dismissed with prejudice. For the avoidance of doubt, all consolidated actions, including *Payne, et al., v. United States Steel Corp., et al.*, No. 2:17-cv-660, *Bieryla v. United States Steel Corporation, et al.*, No. 2:19-cv-468, *Cetlin, et al. v. United States Steel Corporation, et al.*, No. 2:19-cv-469, and *Oklahoma Firefighters' Pension and Retirement System, et al. v. United States Steel Corporation, et al.*, No. 2:19-cv-469, also are hereby dismissed with prejudice. The Settling Parties shall bear their own costs and expenses, except as otherwise expressly provided in the Stipulation.

9. Upon the Effective Date of the Settlement, the Plaintiffs shall, and each of the Settlement Class Members shall be deemed to have, and by operation of the Final Judgment and Order shall have, fully, finally, and forever released, relinquished, and discharged all Plaintiffs' Released Claims (including Unknown Claims) against the U. S. Steel Defendant Releasees, whether or not such Settlement Class Member submits a Claim Form or seeks or obtains a distribution from the Net Settlement Fund.

10. Plaintiffs and all Settlement Class Members are hereby forever barred and enjoined from commencing, instituting, prosecuting, or continuing to prosecute any action or other proceeding in any court of law or equity, arbitration tribunal, or administrative forum, asserting any of Plaintiffs' Released Claims against any of the U. S. Steel Defendant Releasees.

11. Upon the Effective Date of the Settlement, the U. S. Steel Defendants Releasees shall be deemed to have, and by operation of this Final Judgment and Order shall have, fully, finally and forever released, relinquished, and discharged all U. S. Steel Defendants' Released Claims (including Unknown Claims) against each and all of the Plaintiff Releasees.

12. Defendants and U. S. Steel Defendant Releasees are hereby forever barred and enjoined from prosecuting any U. S. Steel Defendants' Released Claims against any of the Plaintiff Releasees.

13. Neither the facts and terms of the Stipulation (including exhibits) and all negotiations, discussions, drafts, and proceedings in connection with the Stipulation or the Settlement, including the Term Sheet, nor the Order or this Final Judgment and Order: (i) shall be offered, received, or admitted against any of the U. S. Steel Defendant Releasees as evidence of, or construed or used as, or deemed to be evidence of any presumption, concession, or admission by any of the U. S. Steel Defendant Releasees: (a) of the truth of any fact; (b) of the validity of any of Plaintiffs' Released Claims or any claim that was asserted in any of the complaints in this Action, or that could have been or might have been asserted against any of the U. S. Steel Defendant Releasees in this Action or in any litigation in this or any other court, administrative agency, arbitration forum, or other tribunal; (c) of any liability, negligence, gross negligence, recklessness, deliberate recklessness, fault, or other wrongdoing of any kind of any of the U. S. Steel Defendant Releasees to any other Person; (d) of any liability, fault, misrepresentation, or omission with respect to any statement or written document approved or made by any of the U. S. Steel Defendant Releasees; or (e) of any infirmity in the defenses that have been or could have been asserted in this Action; (ii) shall be offered, received, or admitted against any of the U. S. Steel Defendant Releasees or Plaintiff Releasees, as evidence of a presumption, concession, or

admission with respect to any liability, negligence, fault, or wrongdoing of any kind, or in any way referred to for any other reason or purpose as against any of the Released Persons, in any other civil, criminal or administrative action or proceeding in any court, administrative agency or other tribunal (including, without limitation, any formal or informal investigation or inquiry by the U.S. Securities and Exchange Commission or any other state or federal governmental or regulatory agency), other than such proceedings as may be necessary to enforce the terms of the Settlement or effectuate the provisions of the Stipulation; provided, however, that any Person may: (a) refer to the Stipulation and the Settlement as necessary to secure the liability protections granted them hereunder; and/or (b) file the Stipulation and/or the Judgment in any action for any purpose, including, without limitation, in order to support a defense or counterclaim based on principles of *res judicata*, collateral estoppel, release and discharge, good faith settlement, judgment bar or reduction, or any other theory of claim preclusion or issue preclusion or similar defense or counterclaim; (iii) shall be offered or construed as evidence that a class should or should not be certified in the Action if the Settlement is not consummated; (iv) shall be construed against any of the U. S. Steel Defendant Releasees or Plaintiff Releasees as an admission, concession, or presumption that the consideration to be given hereunder represents the amount that could be or would have been recovered after trial; or (v) shall be construed against Plaintiffs, Lead Counsel or any other Settlement Class Member(s) as an admission, concession, or presumption that any of their claims are without merit or that damages recoverable under the Amended Complaint would not have exceeded the amount of the Settlement Fund; *provided, however*, that the Settling Parties and the Releasees and their respective counsel may refer to the Stipulation to effectuate the protections from liability granted thereunder or otherwise to enforce the terms of the Settlement.



14. Without affecting the finality of this Final Judgment and Order in any way, this Court hereby retains continuing and exclusive jurisdiction over (a) the Settling Parties for purposes of administration, interpretation, implementation, and enforcement of the Settlement embodied in the Stipulation, including, without limitation, the releases provided for in the Stipulation; (b) the disposition of the Settlement Fund, including any award or distribution of the Settlement Fund, including interest earned thereon; (c) hearing and determining any award of attorneys' fees and reimbursement of Litigation Expenses and/or any award to pay the costs and expenses of Plaintiffs from the Settlement Fund; (d) any motion to approve the Plan of Allocation, including administration, processing, and determination of Claims and the determination of all controversies relating thereto, including disputed questions of law and fact with respect to the validity of Claims; (e) any motion to approve the Class Distribution Order; and (f) the Settlement Class Members for all matters relating to the Action.

15. Separate orders shall be entered regarding approval of a plan of allocation and the motion of Lead Counsel for an award of attorneys' fees and reimbursement of Litigation Expenses and an award to pay the costs and expenses of Plaintiffs from the Settlement Fund. Such orders shall in no way affect or delay the finality of this Final Judgment and Order and shall not affect or delay the Effective Date of the Settlement.

16. The Court finds that, during the course of the Action, the Settling Parties and their respective counsel at all times complied with the requirements of Rule 11 of the Federal Rules of Civil Procedure relating to the prosecution, defense, and/or settlement of this Action.

17. In the event that the Settlement is terminated or does not become effective in accordance with the terms of the Stipulation, or the Effective Date otherwise fails to occur, then this Final Judgment and Order shall be vacated, rendered null and void, and be of no further force

and effect, to the extent provided by and in accordance with the Stipulation, and this Final Judgment and Order shall be without prejudice to the rights of the Settling Parties and all Settlement Class Members, and the Settling Parties shall be deemed to have reverted to their respective status in this Action as of February 25, 2022, with all of their respective claims and defenses preserved as they existed on that date, as provided in the Stipulation.

18. Without further order of the Court, the parties to the Stipulation are hereby authorized to agree to and adopt such amendments or modifications of the Stipulation or any exhibits attached thereto to effectuate the Settlement that: (a) are not materially inconsistent with this Final Judgment and Order; and (b) do not materially limit the rights of Settlement Class members in connection with the Settlement. Without further order of the Court, the Settling Parties may agree to reasonable extensions of time to carry out any of the provisions of the Stipulation.

19. There is no reason to delay the entry of this Final Judgment and Order as a final judgment in this Action. Accordingly, the Clerk of the Court is expressly directed to immediately enter this final judgment in this Action, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED

Date: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE CATHY BISSOON  
UNITED STATES DISTRICT COURT  
JUDGE

# Exhibit 1

*In re U. S. Steel Consolidates Cases, Civil Action No: 17-579***Exclusion Report - Settlement Phase**

<b>Exclusion Number</b>	<b>Name</b>	<b>Postmark Date</b>	<b>Number of Shares</b>
1	James Henry Wilhite	12/8/2022	25.627
2	Kimberly A. Forsyth	12/14/2022	28.703
3	Elizabeth Ann Fraser	1/14/2023	330
4	Troy Officer	1/28/2023	N/A
5	Aldrich B. Monahan Jr. & Danielle J. Monahan	1/25/2023	50
6	Kenneth J. Lantz	1/30/2023	N/A
7	Harold Brooks Moss	1/24/2023	N/A
8	Mace Mattieson	2/3/2023	100
9	William Northcutt	2/13/2023	N/A
10	Dallas McKay	2/16/2023	800
11	Betsy E. Judson	2/21/2023	N/A
12	Miro Mundik	2/17/2023	N/A

*In re U. S. Steel Consolidates Cases, Civil Action No: 17-579***Exclusion Report - Notice of Pendency Phase**

<b>Exclusion Number</b>	<b>Name</b>	<b>Postmark Date</b>	<b>Number of Shares</b>
1	Leo Zak	7/6/2020	0.006
2	Kathi E. Sweeney	7/6/2020	0.142
3	Duane Krause	8/6/2020	40
4	Edwardo Medina, Jr.	8/7/2020	16
5	Ruslan Ryzhkov	8/5/2020	655
6	Barry Klassy	8/7/2020	790
7	Gerald Wyeth	8/8/2020	900
8	Rosalinda Icasas	8/10/2020	500
9	Son Duong	8/6/2020	100
10	Wayne & Carol Todd	8/12/2020	N/A
11	John Johnson	8/11/2020	24,200
12	Adam Greenberg	8/10/2020	22
13	Maureen Haggerty	8/13/2020	N/A
14	Timothy Coruetti	8/12/2020	N/A
15	Lorraine Gilbert	8/12/2020	10
16	Rebecca Fischer	8/13/2020	100
17	Dorothy McClure	8/13/2020	N/A
18	Maureen O'Connor	8/17/2020	300
19	Gordon Ng	8/17/2020	N/A
20	Elke Schoenberg	8/24/2020	N/A
21	Nghi Nguyen	8/25/2020	500
22	Carol Wessel	8/20/2020	N/A
23	Diane Tomasic	8/20/2020	N/A
24	Natthamon Bridge	8/24/2020	55
25	Vladimir Gincherman	8/22/2020	1,338
26	Andrew Block	8/22/2020	96
27	Matt & Megan Dunlap	8/22/2020	15
28	Kuan-Lun Chen	8/21/2020	50
29	Jorge Puell	8/21/2020	40
30	Matthew Laszinski	8/21/2020	205
31	James Kroll (Michael Kroll)	N/A	250
32	Austin Jones	8/22/2020	5
33	Craig & Judith Drum	N/A	969

34	Mickey Ameigh	N/A	1,560
35	Dirk Campbell	8/24/2020	N/A
36	Diane Stittgen	8/27/2020	100
37	Kao Shou Yen	9/16/2020	3000