

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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In re GRAÑA Y MONTERO S.A.A. SECURITIES LITIGATION	: Civil Action No. 2:17-cv-01105-LDH-ST : : <u>CLASS ACTION</u> :
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This Document Relates To:	: SUPPLEMENTAL DECLARATION OF
ALL ACTIONS.	: ROSS D. MURRAY REGARDING NOTICE
	: DISSEMINATION AND REQUESTS FOR
	: EXCLUSION RECEIVED TO DATE
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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 August 18, 2020 Order Preliminarily Approving Settlement and Providing for Notice (“Notice Order”), Gilardi was appointed to supervise and administer the notice procedure as well as the processing of claims in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”).<sup>1</sup> 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 No. 118-5). 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 October 26, 2020, Gilardi had mailed 13,691 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 Settlement Class Members and their nominees. *See* Initial Mailing Declaration, ¶11.

4. Since October 26, 2020, Gilardi has mailed an additional 418 copies of the Claim Package in response to additional requests from potential Settlement 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 November 23, 2020, Gilardi

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<sup>1</sup> All capitalized terms that are not otherwise defined herein shall have the same meanings provided in the Stipulation and Agreement of Settlement dated July 2, 2020 (the “Stipulation”) (ECF No. 112-2).

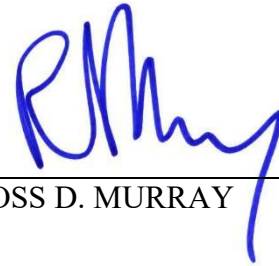
has mailed a total of 14,109 Claim Packages to potential Settlement Class Members and nominees.

**REQUESTS FOR EXCLUSION RECEIVED TO DATE**

5. Pursuant to the Notice Order, the Notice informed potential Settlement Class Members that written requests for exclusion from the Settlement Class must be mailed to *Graña y Montero Securities Settlement*, c/o Gilardi & Co. LLC, EXCLUSIONS, 150 Royall Street, Suite 101, Canton, MA 02021, such that they are postmarked no later than November 10, 2020. As reported in the Initial Mailing Declaration, as of October 26, 2020, Gilardi had not received any requests for exclusion from the Settlement Class at this mailing address. *See* Initial Mailing Declaration, ¶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 23rd day of November, 2020, at San Rafael, California.



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ROSS D. MURRAY

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on November 24, 2020, I authorized a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such public filing to the all counsel registered to received such notice.

s/ David A. Rosenfeld  
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DAVID A. ROSENFELD