

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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**Post-Distribution Accounting Form**

For guidance and instruction, please see

<https://www.cand.uscourts.gov/forms/procedural-guidance-for-class-action-settlements/>

Case Number (YY-xx-#####)	20-cv-06719-WHO
Case Name	In re BioMarin Pharmaceutical Inc. Securities Litigation
Attorney Name	Katherine M. Sinderson
Nature of Action	Securities Fraud Class Action
Attorney Email	katiem@blbglaw.com
Party Represented	Arbejdsmarkedets Tillægspension
This is:	<input type="radio"/> An interim post-distribution accounting. Not all settlement funds have been distributed. <input checked="" type="radio"/> A final post-distribution accounting. All settlement funds have been distributed.

1. Total settlement fund	\$ 40,619,719.90		
2. Number of class members	# 103,534		
3. Number of class members to whom notice was sent and not returned as undeliverable	# 103,285		
4. Number of claim forms submitted	# 65,033	N/A	<input type="checkbox"/>
5. Percentage of claim forms submitted [=Q4/Q3]	% 62.8	N/A	<input type="checkbox"/>
6. Number of opt-outs	# 2		
7. Percentage of opt-outs [=Q6/Q3]	% 0.002		
8. Number of objections	# 0		
9. Percentage of objections [=Q8/Q3]	% 0.0		
10. Average recovery per claimant	\$ 1,384.38		
11. Median recovery per claimant	\$ 30.38		
12. Maximum recovery per claimant	\$ 1,116,971.23		

13. Minimum recovery per claimant					\$ 10.00			
14. Methods of notice to class members [1 or more], and percentage of success by method if known. Leave percentage blank if not known.								
<input checked="" type="checkbox"/>	99.76%	Mail	<input checked="" type="checkbox"/>	0.00%	Email	<input type="checkbox"/>	0.00% Text	
<input checked="" type="checkbox"/>	0.00%	Advertisement	<input checked="" type="checkbox"/>	0.00%	Website	<input type="checkbox"/>	0.00% Other	
15. Methods of payment to class members [1 or more], and percentage of success by method if known. Leave percentage blank if not known.								
<input type="checkbox"/>	0.00%	Direct Deposit	<input type="checkbox"/>	0.00%	Gift Card	<input checked="" type="checkbox"/>	98.9% Paper Check	
<input checked="" type="checkbox"/>	99.9%	Wire	<input type="checkbox"/>	0.00%	Payment App	<input type="checkbox"/>	0.00% Other	
16. Number of checks not cashed					# 10			
17. Total value of checks not cashed					\$ 917.03			
18. Amount of settlement funds claimed by class member					\$ 31,597,590.13	N/A	<input type="checkbox"/>	
19. Amount of settlement funds distributed to class members					\$ 31,598,507.16			
20. Amounts distributed to each cy pres recipient		Name					Amount	
		1.						\$ 0.00
		2.						\$
		3.						\$
		4.						\$
		5.						\$
		6.						\$
		7.						\$
		8.						\$
		9.						\$
		10.						\$
21. Administrative costs					\$ 450,146.22			
22. Attorneys' fees					\$ 7,592,937.00			
23. Attorneys' costs excluding expert costs					\$ 112,875.28			
24. Expert costs					\$ 284,177.50			

25. Attorneys' fees in terms of percentage of the settlement fund	% 19
26. Plaintiffs' counsel's final lodestar total	\$ 6,702,525.00
27. Lodestar multiplier [# x.y]	# x.y 1.1
28. Describe any potential fraud issues encountered, the likely causes, and how they were addressed	
The Claims Administrator, A.B. Data, did not identify any potentially fraudulent claims in this matter.	
29. Number of class members availing themselves of nonmonetary relief	# 0
30. Aggregate value redeemed	\$ 0.00

Continued on next page.

31. Where injunctive and or other non-monetary relief has been obtained, discuss the benefit conferred on the class.

N/A. This was an all cash settlement.

32. Other notes and issues required to be addressed by judge's standing order.

A Third Distribution of the Net Settlement Fund in this securities class action was conducted on August 20, 2025. The final stale date for the cashing of checks from that Third Distribution, including reissued checks, was January 6, 2026.

As of January 21, 2026, the total value of uncashed checks from the Third Distribution is just \$917.03 (or less than 0.01% of the total Settlement Fund). In addition, by maintaining the Settlement Website and the toll-free number, the Claims Administrator has incurred more than \$917.03 in additional expenses to complete the Third Distribution, which may be paid under the Court's Order Approving Distribution Plan As Amended (ECF No. 159, at ¶ 3(f)). As such, after payment of the Claims Administrator's final invoice, the Settlement Fund is now zero and the funds have been fully distributed. No cy pres payment will be made in this case because the Settlement Fund has been exhausted.

End of form.

## **NOTES TO THE POST-DISTRIBUTION ACCOUNTING**

### **Line(s)**

1. As of December 31, 2025, the Settlement Fund has earned a total of \$1,619,719.90 in interest since its inception, which has increased the total value of the Settlement Fund from the Settlement Amount of \$39,000,000 to \$40,619,719.90.
- 2,3. In a securities class action such as this one, the “number of class members” is not precisely known because the securities are widely traded and there is no definitive list of class members available to the parties covering all times during the class period. The number listed on Line 2 is the total number of Notices mailed in this matter. Notices were mailed to all potential Settlement Class Members who were identified through reasonable efforts, including through requests to brokers and nominees to identify all potential Settlement Class Members. Because the court-approved process for disseminating notice by mail is designed to reach the maximum number of potential class members, it typically results in an overbroad dissemination of notice, including the direct mailing of notices to a substantial number of persons who are not class members, such as nominees who are not beneficial owners; persons who only held, but did not purchase, the relevant securities during the class period; or persons who purchased the securities during the class period but sold such securities before any alleged corrective disclosure and were not damaged.
- 4,5. As noted above, some recipients of the Notice may not have been members of the Settlement Class. Accordingly, the percentage in Line 5 does not necessarily reflect the percentage of Settlement Class Members who submitted Claim Forms.  
  
The percentage of participating Settlement Class Members can also be represented by the percentage of damaged shares participating in the Claims process. Here, the accepted Claims include a total of 27,465,219 damaged shares, which represents approximately 99% of the total number of damaged shares as estimated by Lead Plaintiff’s damages expert.
14. Of the Notices, 249 were returned as undeliverable from the 103,534 sent, indicating that 99.76% were successfully delivered.
22. The amount provided for attorneys’ fees is equal to 19% of the \$17.5 million settlement, \$7,410,000, and Court-awarded interest thereon in the amount of \$182,937.