

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GREGORY BOUTCHARD and SYNOVA  
ASSET MANAGEMENT, LLC, individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

KAMALDEEP GANDHI, YUCHUN MAO  
a/k/a BRUCE MAO, KRISHNA MOHAN,  
TOWER RESEARCH CAPITAL LLC, and  
JOHN DOE NOS. 1-5,

Defendants.

Case No. 1:18-cv-07041

Hon. John J. Tharp, Jr.

**SUPPLEMENTAL DECLARATION OF STEVEN J. STRAUB ON BEHALF OF  
A.B. DATA, LTD. REGARDING REPORT ON REQUESTS FOR EXCLUSION**

Pursuant to 28 U.S.C. §1746, I, Steven J. Straub, declare:

1. I am the Senior Project Manager 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 the above-captioned action. My business address is 600 A.B. Data Drive, Milwaukee, WI 53217, and my telephone number is 414-961-7551. A.B. Data was authorized to act as the Settlement Administrator in connection with the settlement with Tower Research Capital LLC (“Tower”) in the above-captioned action (the “Action”).<sup>1</sup> 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 Declaration to supplement to my earlier declaration, the Declaration of Steven J. Straub on Behalf of A.B. Data, Ltd. Regarding Notice and Claims Administration,

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<sup>1</sup> Unless otherwise noted, capitalized terms not defined herein have the same meaning as in the Mailed Notice and the Stipulation and Agreement of Settlement dated January 22, 2021 (the “Settlement Agreement”). ECF No. 125-1.

dated May 27, 2021 (ECF No. 138) (the “Initial Mailing Declaration”), which provided the Court with information regarding the implementation of the notice plan.

**CONTINUED MAILING OF THE NOTICE PACKET**

3. Since the execution of my Initial Mailing Declaration, A.B. Data has continued to disseminate copies of the Notice and Claim Form (together, the “Notice Packet”) in response to additional requests from potential Class Members and nominees. Through June 15, 2021, A.B. Data has mailed a total of 12,343 Notice Packets to potential Class Members and nominees.

**TELEPHONE HELPLINE AND WEBSITE**

4. A.B. Data continues to maintain the toll-free telephone number (1-877-933-3281) and interactive voice response system to accommodate any inquiries from potential Class Members with questions about the Action and the Settlement. As of the date of this declaration, 57 callers have called the toll-free number.

5. A.B. Data also continues to maintain the settlement website ([www.eminifuturesclassactionsettlement.com](http://www.eminifuturesclassactionsettlement.com)) and an email address ([info@eminifuturesclassactionsettlement.com](mailto:info@eminifuturesclassactionsettlement.com)) in order to assist Class Members. The website provides information on, among other things, the exclusion, objection, and claims-filing deadlines, the date and time of the Fairness Hearing, general information regarding the case and its current status, the Distribution Plan and instructions for submitting a claim, and provides answers to frequently asked questions. On June 1, 2021, A.B. Data posted to the website copies of the papers filed in support of Class Plaintiffs’ motion for final approval of the Settlement and Lead Counsel’s motion for an award of attorneys’ fees and expenses. The website has been visited 5,700 times as of June 14, 2021.

6. A.B. Data will continue maintaining and, as appropriate, updating the website and toll-free telephone number until the conclusion of the administration.

**REPORT ON REQUESTS FOR EXCLUSION RECEIVED**


7. The Notice informed potential members of the Class that Requests for Exclusion from the Class were to be mailed or otherwise delivered such that they are received by June 10, 2021. As reported in the Initial Mailing Declaration, as of May 27, 2021, A.B. Data had received two (2) Requests for Exclusion. No additional Requests for Exclusion have been received as of the date of this Declaration. The Requests for Exclusion total two (2), and a summary of these Requests is attached hereto as Exhibit A.

**REPORT ON OBJECTIONS**

8. The Notice also informed potential Class Members that objections to the fairness, reasonableness, or adequacy of any term or aspect of the Settlement, Fee and Expense Application, Incentive Awards, or the Final Order and Judgment were to be filed with the Court and served on Lead Counsel and Tower's counsel no later than June 10, 2021. As of the date of this Declaration, A.B. Data has not received any objections to the Settlement and knows of no other objections sent to Lead Counsel or Tower's Counsel.

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

Executed this 17<sup>th</sup> day of June 2021.



Steven Straub

# EXHIBIT A

**Towers Research Settlement  
Exclusion Report**

	<b>Name</b>	<b>Exclusion ID #</b>	<b>Postmark</b>	<b>Timely?</b>	<b>Name?</b>	<b>Address?</b>	<b>Phone?</b>	<b>Name of Actions?</b>	<b>Signed?</b>	<b>If entity, proof of Auth?</b>
1.	Nordea Bank S.A.	108520152	5/4/2021	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2.	Blue Capital SA	108520153	4/21/2021	Yes	Yes	Yes	Yes	Yes	Yes	Yes