

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

\_\_\_\_\_  
LUIS TORRES, ALLIA DEANGELIS,  
DARRICK INMAN, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiffs,

v.

BERRY CORPORATION, ARTHUR T.  
SMITH, CARY BAETZ, GARY A. GROVE,  
BRENT S. BUCKLEY, KAJ VAZALES, and  
EUGENE J. VOILAND,

Defendants.

Case No. 3:20-cv-03464-S

JUDGE KAREN G. SCHOLER

**PROOF OF CLAIM AND RELEASE**

**I. GENERAL INSTRUCTIONS**

To recover as a member of the Class based on your claims in the action captioned *Torres v. Berry Corporation, et al.*, No. 3:20-cv-03464-S (N.D. Tex.) (the “Action”), you must complete and, on page 7 below, sign this Proof of Claim and Release form (“Claim Form”). If you fail to submit a timely and properly addressed (as explained herein) Claim Form, your claim may be rejected and you may not receive any recovery from the Net Settlement Fund created in connection with the proposed Settlement.

Submission of this Claim Form, however, does not guarantee that you will share in the proceeds of the Settlement of the Action.

**THIS CLAIM FORM MUST BE SUBMITTED ONLINE AT  
WWW.BERRYCORPSECURITIESLITIGATION.COM NO LATER THAN MARCH 15, 2024, OR, IF  
MAILED, BE POSTMARKED NO LATER THAN MARCH 15, 2024, ADDRESSED AS FOLLOWS:**

**Berry Corp. Securities Litigation  
C/O A.B. Data, Ltd.  
P.O. Box 173012  
Milwaukee, WI 53217**

If you are a member of the Class and you do not timely request exclusion in response to the Notice dated November 16, 2023, you are bound by the terms of any Judgment entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A CLAIM FORM OR RECEIVE A PAYMENT.

## **II. CLAIMANT IDENTIFICATION**

1. If you purchased or otherwise acquired Berry Corporation (“Berry”) common stock between July 26, 2018, and November 3, 2020, both dates inclusive (the “Class Period”), and held the common stock in your name, you are the beneficial owner as well as the record owner. If, however, you purchased, otherwise acquired, or sold Berry common stock through a third party, such as a brokerage firm, you are the beneficial owner and the third party is the record owner.

2. Use **Part A** of this form entitled “Claimant Information” to identify each beneficial owner of Berry common stock that forms the basis of this claim, as well as the owner of record if different. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL OWNERS OR THE LEGAL REPRESENTATIVE OF SUCH OWNERS.**

All joint owners must sign this claim. Executors, administrators, guardians, conservators, and trustees must complete and sign this claim on behalf of persons represented by them and their authority must accompany this claim and their titles or capacities must be stated. The Social Security (or Taxpayer Identification) Number and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

## **III. IDENTIFICATION OF TRANSACTIONS**

1. Use **Part B** of this form entitled “Transactions in Berry Common Stock” to supply all required details of your transaction(s) in Berry common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

2. On the schedule, provide all of the requested information with respect to your holdings, purchases, acquisitions, and sales of Berry common stock, whether the transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim.

3. The date of covering a “short sale” is deemed to be the date of purchase of Berry common stock. The date of a “short sale” is deemed to be the date of sale of Berry common stock.

4. Copies of broker confirmations or other documentation of your transactions must be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim. **THE PARTIES DO NOT HAVE INFORMATION ABOUT YOUR TRANSACTIONS IN BERRY COMMON STOCK.**

5. NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. All claimants MUST submit a Claim Form whether or not they also submit information regarding their transactions and/or holdings in Berry common stock in electronic files. If you wish to file your transactions in electronic files, contact the Claims Administrator toll-free at 1-866-905-8124 or by email at [info@berrycorpsecuritieslitigation.com](mailto:info@berrycorpsecuritieslitigation.com) to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgment of receipt and acceptance of electronically submitted data.



**PART B: TRANSACTIONS IN BERRY COMMON STOCK**

Complete this Part B if, and only if, you purchased/acquired Berry common stock during the period between July 26, 2018, and November 3, 2020, both dates inclusive. Please include proper documentation with your Claim Form as described in detail in Section III – Identification of Transactions, above. Do not include information in this section regarding common stock other than Berry common stock.

**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST PHOTOCOPY THIS PAGE AND CHECK THIS BOX**

<b>1. PURCHASES/ACQUISITIONS FROM JULY 26, 2018, THROUGH FEBRUARY 1, 2021</b> – Separately list each and every purchase/acquisition of Berry common stock from after the opening of trading on July 26, 2018, through and including the close of trading on February 1, 2021. (Must be documented.)			
Date of Purchase (List Chronologically) (MM/DD/YY)	Number of Shares Purchased	Purchase Price Per Share	Total Purchase Price (excluding taxes, commissions, and fees)
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
<b>2. SALES FROM JULY 26, 2018, THROUGH FEBRUARY 1, 2021</b> – Separately list each and every sale/disposition of Berry common stock from after the opening of trading on July 26, 2018, through and including the close of trading on February 1, 2021. (Must be documented.)			
Date of Sale (List Chronologically) (MM/DD/YY)	Number of Shares Sold	Sale Price Per Share	Total Sale Price (excluding taxes, commissions, and fees)
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
<b>3. ENDING HOLDINGS</b> – State the total number of shares of Berry common stock held as of the close of trading on February 1, 2021. If none, write “0” or “Zero.” (Must be documented.)			
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#### **IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

By signing and submitting this Claim Form, the claimant(s) or the person(s) acting on behalf of the claimant(s) certify(ies) that: I (We) submit this Claim Form under the terms of the Stipulation described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Northern District of Texas (the “Court”) with respect to my (our) claim as a Class Member(s) and for purposes of enforcing the releases set forth herein. I (We) further acknowledge that I (we) will be bound by the terms of any Judgment entered in connection with the Settlement in the Action, including the releases set forth therein. I (We) agree to furnish additional information to the Claims Administrator to support this claim, such as additional documentation for transactions in eligible Berry common stock, if required to do so. I (We) have not submitted any other claim covering the same transactions in Berry common stock during the Class Period and know of no other person having done so on my (our) behalf.

#### **V. RELEASES, WARRANTIES, AND CERTIFICATION**

1. I (We) hereby warrant and represent that I am (we are) a Class Member as defined in the Notice, that I am (we are) not excluded from the Class, and that I am (we are) not one of the “Released Defendant Parties” as defined in the Notice.

2. As a Class Member, I (we) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, and discharge with prejudice the Released Plaintiff Claims as to each and all of the Released Defendant Parties (as these terms are defined in the Notice). This release shall be of no force or effect unless and until the Court approves the Settlement and it becomes effective on the Effective Date.

3. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

4. I (We) hereby warrant and represent that I (we) have included information about all of my (our) purchases, acquisitions, and sales of Berry common stock that occurred during the Class Period and the number of common stock held by me (us), to the extent requested.

5. I (We) certify that I am (we are) NOT subject to backup tax withholding. (If you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the prior sentence.)

I declare under penalty of perjury under the laws of the United States of America that all of the foregoing information supplied on this Claim Form by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_  
(Month / Year) (City) (State/Country)

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Signature of Joint Claimant, if any

\_\_\_\_\_  
Print Name of Claimant

\_\_\_\_\_  
Print Name of Joint Claimant, if any

\_\_\_\_\_  
(Capacity of person(s) signing, e.g., Beneficial Purchaser, Executor, or Administrator)

ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE.

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### **REMINDER CHECKLIST:**

1. Please sign this Claim Form.
2. DO NOT HIGHLIGHT THE CLAIM FORM OR YOUR SUPPORTING DOCUMENTATION.
3. Attach only copies of supporting documentation as these documents will not be returned to you.
4. Keep a copy of your Proof of Claim for your records.
5. If you desire an acknowledgment of receipt of your Claim Form, please send it by Certified Mail, Return Receipt Requested, or its equivalent. You will bear all risks of delay or non-delivery of your claim.
6. If you move after submitting this Claim Form, please notify the Claims Administrator of the change in your address, otherwise you may not receive additional notices or payment.