

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re LIBOR-Based Financial Instruments  
Antitrust Litigation

THIS DOCUMENT RELATES TO:  
LENDER ACTION

MDL No. 11-MD-2262 (NRB)

**PROOF OF CLAIM  
FOR THE LENDER PLAINTIFFS' SETTLEMENTS  
WITH JPMORGAN, BANK OF AMERICA AND UBS**

**I. GENERAL INSTRUCTIONS**

1. To recover as an Authorized Claimant based on your claim in the action entitled *In re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262 (NRB), pending in the United States District Court for the Southern District of New York, involving plaintiffs who originated loans, held loans, held interests in loans, owned loans, owned interests in loans, purchased loans, purchased interests in loans, sold loans, or sold interests in loans with interest rates based upon U.S. Dollar LIBOR between August 1, 2007 and May 31, 2010 ("Lender Action"), you must complete a proof of claim form if you did not already submit a valid proof of claim form to the Claims Administrator in connection with the previous settlements in the Lender Action. If you fail to submit a properly completed and addressed proof of claim form, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the JPMorgan, Bank of America and UBS Settlements of the Lender Action.

2. Submission of this proof of claim form, however, does not assure that you will share in the Net Settlement Fund.

3. You have two options for completing a proof of claim form:

a. You can mail your completed and signed proof of claim form postmarked no later than **April 21, 2020**. to:

Lenders LIBOR Settlements  
c/o JND Legal Administration  
P.O. Box 91347  
Seattle, WA 98111

b. You can complete and submit the proof of claim form through the Settlement website by visiting [www.LendersLiborSettlements.com](http://www.LendersLiborSettlements.com). Upon completion of the online proof of claim form, you will receive an acknowledgment that your proof of claim has been submitted. If you choose this option and file a proof of claim electronically, you must file on or before **April 21, 2020**.

4. If you are NOT a Lender Class Member (as defined in the Notice), DO NOT submit a proof of claim form.

5. If you are a Lender Class Member and have not requested exclusion, you will be bound by the terms of the Settlements and any judgment entered in the Lender Action, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM FORM.

## II. DEFINITIONS

Capitalized terms not defined in this proof of claim have the same meaning as defined in the Settlement Agreements with JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (collectively, "JPMorgan") and Bank of America Corporation and Bank of America, N.A. (collectively, "BOA") and UBS AG ("UBS," and together with JPMorgan and BOA, the "Settling Defendants"), dated August 14, 2019 and December 20, 2019 (The Settlement Agreements, in their entirety, are available at [www.LendersLiborSettlements.com](http://www.LendersLiborSettlements.com).)

NOTE: A single proof of claim should be submitted on behalf of each institution. The proof of claim form shall include all loans with interest rates based upon U.S. Dollar LIBOR held by that entity at any time between August 1, 2007 and May 31, 2010.

## III. CLAIM FORM

1. Use Part II of this form entitled "Schedule of U.S. Dollar LIBOR-Rate Loans" to supply all required details of your loan(s). If you need more space, photocopy or 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 all of your holdings of interests in loan(s) based on U.S. Dollar LIBOR anytime from August 1, 2007 through May 31, 2010, inclusive. Failure to report all such information on the loan(s) may result in the rejection of your claim. You will also be required to identify how often the interest rate reset for each loan during the Class Period.

3. List each interest in a loan separately and in chronological order, by date of issuance or acquisition, beginning with the earliest. You must accurately provide the month, day, and year of each issuance or acquisition date for such loan.

4. Documentation to support the interest payments received on loans based upon U.S. Dollar LIBOR is NOT required at this time. However, the Claims Administrator may ask you to provide documentation to substantiate the interest payments received pursuant to such loans during auditing.

5. NOTICE TO LARGE CLAIMANTS: Certain claimants with large numbers of interest in loans may request, or may be requested, to submit information regarding their loans in electronic files. All claimants MUST submit a manually signed paper claim form whether or not they also submit electronic copies. If you wish to file your claim electronically, you must call the Claims Administrator toll-free at 833-609-9716, send an e-mail to [info@LendersLiborSettlements.com](mailto:info@LendersLiborSettlements.com), or visit the website for the Settlements at [www.LendersLiborSettlements.com](http://www.LendersLiborSettlements.com) to obtain the required file layout.

6. A proof of claim received by the Claims Administrator shall be deemed to have been submitted when posted, if mailed by **April 21, 2020** and if a postmark is indicated on the envelope and it is mailed first class, and addressed in accordance with the above instructions. In all other cases, a proof of claim shall be deemed to have been submitted when actually received by the Claims Administrator.

7. You should be aware that it will take a significant amount of time to process fully all of the proofs of claim and to administer the Settlements. This work will be completed as promptly as time permits, given the need to investigate and tabulate each proof of claim. Please notify the Claims Administrator of any change of address.

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

**MUST BE POSTMARKED  
ON OR BEFORE  
APRIL 21, 2020**

***In re LIBOR-Based  
Financial Instruments Antitrust Lit.*  
11-MD-2262 (NRB)  
PROOF OF CLAIM AND RELEASE  
Use Blue or Black Ink Only**

For Official Use Only  
01

**PART I. CLAIMANT IDENTIFICATION - Please type or print.**

A. Complete the following Section.

Entity Name/Beneficial Owner	
<input type="text"/>	
Beneficiary Taxpayer Identification No.	
<input type="text"/>	
Name of Representative submitting the Claim Form	
<input type="text"/>	
Title/Capacity	Account Number (if applicable)
<input type="text"/>	<input type="text"/>

B. Contact Information of Representative/Filer

Number and Street or P.O. Box		
<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Foreign Province and Postal Code	Foreign Country	
<input type="text"/>	<input type="text"/>	
Telephone Number (Day)	Telephone Number (Evening)	
<input type="text"/>	<input type="text"/>	
Email Address		
<input type="text"/>		

C. Beneficiary Address (If different from Representative/Filer)

Number and Street or P.O. Box		
<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Foreign Province and Postal Code	Foreign Country	
<input type="text"/>	<input type="text"/>	

**PART II: SCHEDULE OF U.S. DOLLAR LIBOR-BASED LOANS**

DOCUMENTATION TO SUPPORT YOUR INTEREST IN LOANS BASED UPON U.S. DOLLAR LIBOR IS NOT REQUIRED AT THIS TIME. HOWEVER, THE CLAIMS ADMINISTRATOR MAY ASK YOU TO PROVIDE DOCUMENTATION TO SUBSTANTIATE YOUR TRANSACTIONS DURING AUDITING.

**INSTRUCTIONS:** List all interests in loans with interest rates based upon U.S. Dollar LIBOR held at any time between August 1, 2007 through May 31, 2010 (Class Period). The Settlements do not include U.S. Dollar LIBOR-based instruments other than loans (for example, swaps and bonds are not included). If you do not know every term for a loan, fill in the form with as many fields for which you know the answer — the Claims Administrator will attempt to fill in any blanks, but may reject the claim if it is unable to.

An example for how to fill out the form is:

Loan Number	First Date Held (i.e. Origination / Acquisition Date) – mm/dd/yyyy	Last Date Held (i.e. Repayment / Maturity / Sale Date) – mm/dd/yyyy	Nominal Amount On First Date Loan Held	Nominal Amount On Last Date Loan Held (if unavailable, indicate whether loan was amortizing – Y/N)	LIBOR Tenor	LIBOR Interest Reset Frequency
123456789	09/01/2008	09/01/2013	\$1,000,000	\$800,000	3M LIBOR	3 Months

SCHEDULE OF LOANS BASED UPON U.S. DOLLAR LIBOR

Loan Number	First Date Held (i.e. Origination / Acquisition Date) – mm/dd/yyyy	Last Date Held (i.e. Repayment / Maturity / Sale Date) – mm/dd/yyyy	Nominal Amount On First Date Loan Held	Nominal Amount On Last Date Loan Held (if unavailable, indicate whether loan was amortizing – Y/N)	LIBOR Tenor	LIBOR Interest Reset Frequency

**PART III. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (We) submit this proof of claim form under the terms of the Distribution Plan of the Net Settlement Fund described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the Southern District of New York (the "Court"), with respect to my (our) claim as a Class Member 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 Lender Action, including the releases set forth therein. I (We) agree to furnish additional information to the Settlement Administrator to support this claim, such as additional documentation for interest(s) in loans which paid me (us) interest based upon U.S. Dollar LIBOR, if required to do so. I (We) have not submitted any other claim covering the same interest(s) in loans and know of no other person having done so on my (our) behalf.

**PART IV. RELEASES AND WARRANTIES**

1. I (We) hereby acknowledge that we have read and agree to the terms of the releases set forth in the Settlement Agreements.

2. I (We) hereby warrant and represent that I am (we are) a Class Member as defined in the Notices, that I am (we are) not excluded from participating in the Settlement pursuant to the Settlement Agreements, and that I (we) believe I am (we are) eligible to receive a distribution from the Net Settlement Fund under the terms and conditions of the Distribution Plan.

3. I (WE) UNDERSTAND AND INTEND THAT THE SIGNATURE BELOW REGARDING CERTAIN INFORMATION FOR THE INTERNAL REVENUE SERVICE CONCERNING BACKUP WITHHOLDING ALSO SERVES AS THE SIGNATURE VERIFYING THE INFORMATION AND REPRESENTATIONS IN THIS PROOF OF CLAIM.

4. 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.

5. 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.

**PART V. CERTIFICATION**

Enter Taxpayer Identification Number ("TIN") on the appropriate line.

- For sole proprietors, you must show your individual name, but you may also enter your business or "doing business as" name. You may enter either your SSN or your Employer Identification Number ("EIN").
- For other entities, it is your EIN.

Social Security No. (for individuals)

or

Employer Identification Number

If you are exempt from backup withholding, enter your current TIN above and write "exempt" on the following line:

\_\_\_\_\_

UNDER THE PENALTY OF PERJURY, I (WE) CERTIFY THAT:

6. The number shown on this form is my current TIN; and

7. I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code because: (a) I am (we are) exempt from backup withholding; or (b) I (we) have not been notified by the Internal Revenue Service that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the Internal Revenue Service has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

The Internal Revenue Service does not require your consent to any provision other than the certification required to avoid backup withholding.

I (We) declare under penalty of perjury under the laws of the United States of America that all of the foregoing information supplied on this proof of claim by the undersigned is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ in \_\_\_\_\_  
(City) (State/Country)

\_\_\_\_\_  
(Type or Print Name of Claimant)

\_\_\_\_\_  
Signature of person signing  
on behalf of Claimant

\_\_\_\_\_  
(Type or print name of person signing  
on behalf of Claimant)

\_\_\_\_\_  
Capacity of person signing on behalf of Claimant

### Reminder Checklist:

1. Please sign the above release and declaration.
2. If this proof of claim and Release form is being made on behalf of Joint Claimants, then both must sign.
3. **DO NOT USE HIGHLIGHTER ON THE PROOF OF CLAIM FORM.**
4. Keep a copy of your proof of claim form and all documentation submitted for your records.
5. If you move after submitting this proof of claim, please send your new address to the Claims Administrator at the address below:

Lenders LIBOR Settlements  
c/o JND Legal Administration  
P.O. Box 91347  
Seattle, WA 98111  
Email: [info@LendersLiborSettlements.com](mailto:info@LendersLiborSettlements.com)