

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS

CITY OF PONTIAC GENERAL	)	No. 5:12-cv-05162-SOH
EMPLOYEES' RETIREMENT SYSTEM,	)	
Individually and on Behalf of All Others	)	<u>CLASS ACTION</u>
Similarly Situated,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
WAL-MART STORES, INC., et al.,	)	
	)	
Defendants.	)	

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SUPPLEMENTAL DECLARATION OF CAROLE K. SYLVESTER REGARDING  
NOTICE DISSEMINATION AND REQUESTS FOR EXCLUSION RECEIVED TO  
DATE

**I, CAROLE K. SYLVESTER, declare:**

1. I am employed as the Director of Securities by Gilardi & Co. LLC (“Gilardi”), located at 3301 Kerner Blvd., San Rafael, California. The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and, if called as a witness, I could and would testify competently thereto.

2. I previously submitted a declaration in connection with the administration of the settlement of the above-captioned action (the “Litigation”), which was executed on February 28, 2019 (the “Initial Declaration”) (ECF No. 449). I submit this supplemental declaration in order to provide the Court and the parties to the Litigation with updated information regarding: (i) mailing of the Court-approved Notice of Proposed Settlement of Class Action (the “Notice”) and the Proof of Claim and Release (the “Proof of Claim”) (collectively, the “Notice Package”); and (ii) the receipt of requests for exclusion from the Class received by Gilardi to date.<sup>1</sup>

**UPDATE ON THE DISSEMINATION OF THE NOTICE PACKAGE**

3. As more fully detailed in my Initial Declaration, as of February 25, 2019, Gilardi had mailed 1,706,485 Notice Packages to potential Class Members and their nominees. Initial Declaration, ¶11. Since February 25, 2019, Gilardi has mailed an additional 55,293 copies of the Notice Package in response to requests from potential Class Members, brokers, and nominees. Therefore, as of March 28, 2019, Gilardi has mailed a total of 1,761,778 Notice Packages to potential Class Members and nominees.

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the same meanings as set forth in the Stipulation of Settlement dated October 26, 2018 (ECF No. 433).

4. On January 4, 2019, Gilardi established and continues to maintain a case-specific, toll-free telephone helpline, 1-866-573-9992, to accommodate potential Class Member inquiries. The toll-free number was set forth in the Notice and on the case website. Gilardi has received and responded to 23,924 calls to the toll-free number.

5. Gilardi continues to maintain a website dedicated to this Settlement ([www.WalmartSecuritiesSettlement.com](http://www.WalmartSecuritiesSettlement.com)) to provide additional information to Class Members and to provide answers to frequently asked questions. The website includes information regarding the Litigation and the Settlement. Copies of the Notice, Proof of Claim, Stipulation of Settlement, Preliminary Approval Order and the briefs and declarations in support of final approval of the Settlement are posted on the website and are available for downloading. Class Members can also complete and submit a Proof of Claim through the website. As of the date of this declaration, the website has received 361,815 hits from 36,579 visitors.

#### **REQUESTS FOR EXCLUSION RECEIVED TO DATE**

6. Pursuant to this Court's Preliminary Approval Order (ECF No. 442), the Notice informed potential Class Members that written requests for exclusion from the Class must be mailed to Gilardi, postmarked no later than March 14, 2019. As reported in the Initial Declaration, as of February 28, 2019, Gilardi had received 66 requests for exclusion (no one requesting exclusion reported any actual damages).

7. Since the Initial Declaration was executed, Gilardi has received a total of 216 requests for exclusion and will continue to receive and process exclusions. No one requesting exclusion reported any actual damages. A list of all requests for exclusion processed as of March 22, 2019 is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
28th day of March, 2019, at San Rafael, California.

  
\_\_\_\_\_  
CAROLE K. SYLVESTER

# EXHIBIT A

## Walmart Stores, Inc. Opt-Outs/Exclusions –

CLAIM ID	FIRST NAME	LAST NAME	NAME1	NAME2
WAO-EXCL00001	TIMOTHY & SALLY	O'LEARY		
WAO-EXCL00002	SONDRA	BEAN		
WAO-EXCL00003	LISA	SCHMITT		
WAO-EXCL00004	NORMAN L	MILLER		
WAO-EXCL00005	GERALD L	SHUMAKER		
WAO-EXCL00006	KAREN	DENNY		
WAO-EXCL00007	JOHN	KONG		
WAO-EXCL00008	JOYCE A	ROSE		
WAO-EXCL00009	WILLIAM E	HAYS		
WAO-EXCL00010	CARL & IMOGENE	RALEY REV LIV TRUST	CARL OR IMOGENE RALEY Ttees	
WAO-EXCL00011	ELIZABETH	REEP		
WAO-EXCL00012	PRISCILLA JANE	POWERS TRUST	PRISCILLA JANE POWERS Ttee	
WAO-EXCL00013	LISA R	ADAMS		
WAO-EXCL00014	LINDA A	HADDAD		
WAO-EXCL00015	KAREN S	GERBER		
WAO-EXCL00016	LINDA	WENSEL(DECEASED)	ERHARD D WENSEL	
WAO-EXCL00017	VONNIE R	VONNIE R		
WAO-EXCL00018	AMANDA	FULLER-WHITE		
WAO-EXCL00019	EDWARD L	HARRIS		
WAO-EXCL00020	MARGARET	COTTINGHAM		
WAO-EXCL00021		THE BALENTINE FAM LIV TR	LINDA D BLOOD TTEE	
WAO-EXCL00022	SARAH MARIE	SIWULA		
WAO-EXCL00023	CONNIE L	CHAVEZ		
WAO-EXCL00024	MARC J	ALLEN		
WAO-EXCL00025	PATRICK J	HENNESSEY	TERESA L HENNESSEY	
WAO-EXCL00026	CHARLES A	CHEVAZ		
WAO-EXCL00027	SALLY	WILHITE		
WAO-EXCL00028	ROSEMARIE	MARUSCHAK		
WAO-EXCL00029	JEANNINE A	PALMER		
WAO-EXCL00030	M E	HYE		
WAO-EXCL00031	JOHN H	FURRER		
WAO-EXCL00032	CARLA N	BAKER		

WAO-EXCL00033	DON M	NORTON	
WAO-EXCL00034	CONCEPCION	ANCHONDO	
WAO-EXCL00035	AARON M	SPRUELL	
WAO-EXCL00036	TRENA H	ADAMS	
WAO-EXCL00037	PAULA	DILLON	
WAO-EXCL00038	KATHERINE H	ROBINSON	
WAO-EXCL00039	RAYN	BARNES	
WAO-EXCL00040	SOMJAI	CANNON	
WAO-EXCL00041	ORLENE	KANTOR	
WAO-EXCL00042	PATRICIA L	WILLIAMS	
WAO-EXCL00043	TERRIE	SCHNEEMANN &	DAN SCHNEEMANN(JTWROS)(JTTIC)
WAO-EXCL00044	JOHN M	FITZGERALD	NORMA J FITZGERALD
WAO-EXCL00045	CLARENCE H	SWANSON JR ESTATE	C/O MARK SWANSON
WAO-EXCL00046	TINA	GOSLING	
WAO-EXCL00047	RYAN	CASEY	
WAO-EXCL00048	VICKI	BENSON	
WAO-EXCL00049	GEORGIAN	MESSENS(DEC'D)	MELANIE PAUCH
WAO-EXCL00050	JAMES R	YOUNG	
WAO-EXCL00051	KARL R	KROTKE -CRANDALL	
WAO-EXCL00052	CAROL	POE	
WAO-EXCL00053	DEBRA A	KAUER	
WAO-EXCL00054		TICKER TICKER TAPE INVESTM	CAROL POE(SECRETARY)
WAO-EXCL00055	SARAH	HEWITT	
WAO-EXCL00056	KATHY	HARDING	
WAO-EXCL00057	JOHN	SIEGWARTH	
WAO-EXCL00058	DAVID CLARKE	FREEMAN	
WAO-EXCL00059	LE	PHUNG	
WAO-EXCL00060	CAROL E	WILLIAMS	
WAO-EXCL00061	JOHN W	HUEY	PATRICIA ANN HUEY
WAO-EXCL00062	AVELINA B	OCAMPO	FRANCIS OCAMPO JT TEN
WAO-EXCL00063	CARL LEE	SCHULZE	MARY L SCHULZE(DECEASED)
WAO-EXCL00064	MARY ANN	GAVIN	
WAO-EXCL00065	PHILLIP T	KRILEY	
WAO-EXCL00066	SUSAN	JACKSON	

WAO-EXCL00067	MALCOM E	POPE'S ESTATE	VIRGINIA L POPE(SOLE HEIR)	RICHARD L BLACK EXECUTOR/POA
WAO-EXCL00068	RHONDA	GUILLAUME		
WAO-EXCL00069	JENNY L	LUKAS	WAYNE A COOK	
WAO-EXCL00070	JENNY L	COOK	WAYNE A COOK	
WAO-EXCL00071	HEATHER H	THOMAS		
WAO-EXCL00072	JOE	BLUNK		
WAO-EXCL00073	MIRIAM DENISE	ETRIS	TIMOTHY DON ETRIS JT TEN	
WAO-EXCL00074	MARY E	GOEHRING		
WAO-EXCL00075	JAMES W	LONG	SUSAN K LONG	
WAO-EXCL00076	OLENE K	WRIGHT		
WAO-EXCL00077	IRENE	FERINGA		
WAO-EXCL00078	BETTY JEAN	STOUFFER		
WAO-EXCL00079	BONNIE L	RODRIGUEZ	BOB L RODRIGUEZ	
WAO-EXCL00080	NICOLA	LYNCH		
WAO-EXCL00081	MATTHEW	BRYANT		
WAO-EXCL00082	ALWYNE	ALWYNE		
WAO-EXCL00083	PATRICIA	UNGER		
WAO-EXCL00084	JEAN	BRADLEY		
WAO-EXCL00085	MARILYN	MORE		
WAO-EXCL00086	CHARLENE M	BATSON	LARRY G BATSON	
WAO-EXCL00087	MATTHEW	CAMPOS		
WAO-EXCL00088	JAMES J	EBER	LINDA EBER	
WAO-EXCL00089	FAY MAXWELL	REAPE		
WAO-EXCL00090	SYLVIA T	CLEMENTS TRUSTEE	SYLVIA T CLEMENTS TRUST	U/A DTD 06/10/1996
WAO-EXCL00091	JULIE R(NEWTON)	BOATRRIGHT		
WAO-EXCL00092	LUCAS S	YOUNG		
WAO-EXCL00093	GEORGINA	FRIEL		
WAO-EXCL00094	GLORIA J	FINSON		
WAO-EXCL00095	EVA	EBER		
WAO-EXCL00096	ARLENE E	ARNETH		
WAO-EXCL00097	R S	BUSBY		
WAO-EXCL00098	MICHAEL	FOSTER		
WAO-EXCL00099	PAMELA	FACEMIRE		
WAO-EXCL00100	JENIFER	HILL		



WAO-EXCL00101	LINDA J	FOSTER	
WAO-EXCL00102	FRIDA DE	SANTI	
WAO-EXCL00103	BILLIE J	KINNAIRD	
WAO-EXCL00104	BARBARA A	RUSSO	
WAO-EXCL00105	DAVID S	BROOKS	
WAO-EXCL00106	BRIAN E	AMMERMAN	
WAO-EXCL00107	DAGNY	POLITT	
WAO-EXCL00108	PERRY	FRITZ	
WAO-EXCL00109	JANET	KIEL	
WAO-EXCL00110	CONSTANCE	HIBBLER	
WAO-EXCL00111	JOYCE	HODNETT	
WAO-EXCL00112	BARBARA A	GROOMBRIDGE	
WAO-EXCL00113	JAMES C	BASSETT	
WAO-EXCL00114	FATIMA R	REHMANN	ANDREAS REHMANN
WAO-EXCL00115	MURIEL	MILLS	
WAO-EXCL00116	LOVIE	MCQUEEN	
WAO-EXCL00117	CHRISTINE ANNE	HEWITSON	
WAO-EXCL00118	ANDREW	LEGAN	
WAO-EXCL00119	DAVID A	BERRY	
WAO-EXCL00120	SHEILA	DOOTSON	
WAO-EXCL00121	OLIVE A	BAKER	
WAO-EXCL00122	WILLIAM	KITIUK	
WAO-EXCL00123	DAVID DOUGLAS	CURDIE IV	
WAO-EXCL00124	MARVIN E	LANGSDORF	
WAO-EXCL00125	MYRA A	TURNER	
WAO-EXCL00126	BETTY	WOODYDY	
WAO-EXCL00127	MYRNA H	WELTER	
WAO-EXCL00128	MICHAEL P	O'BRIEN	
WAO-EXCL00129	SUSAN K	COWGER	
WAO-EXCL00130	TERRY	PRENTICE	
WAO-EXCL00131	SARIAH A	TOLSMA	
WAO-EXCL00132	KIM L	KENNEDY	
WAO-EXCL00133	CARMEN L	KREEGER	
WAO-EXCL00134	JEFF	OLDHAM	MELISSA OLDHAM

WAO-EXCL00135	WALTER L	GORMONT	
WAO-EXCL00136	ANNA M	BROWN	GERALD F BROWN(DEC'D)
WAO-EXCL00137	RACHEL	MOORE	
WAO-EXCL00138	LESLIE M	JOHNSON	
WAO-EXCL00139	AUNDRAY	JOHNSON	
WAO-EXCL00140	GEORGE G	PORTER	ANN E PORTER JT TEN
WAO-EXCL00141	ANN E	PORTER	
WAO-EXCL00142	MARK G	PORTER	
WAO-EXCL00143	EDITH J	KORTUS	
WAO-EXCL00144	GEORGE	PORTER &	ANN E PORTER JT TEN
WAO-EXCL00145	PHYLLIS M	CRAWFORD	
WAO-EXCL00146	DARCY L	DUNBAR	
WAO-EXCL00147	JANIS E	FUSSEY	
WAO-EXCL00148	LUBA	KAROS	
WAO-EXCL00149	DEBBIE	HAMPSON	
WAO-EXCL00150	ANN	PORTER CUST	SCOTT BRIAN PORTER UTMA AR
WAO-EXCL00151	SHELLEY	VAIL	
WAO-EXCL00152	GEORGE A & DEBRA	HOWARD	
WAO-EXCL00153	CHARLOTTE HALLFC	ADAMS	
WAO-EXCL00154	MARION	HANIFF	
WAO-EXCL00155	JENNIFER	HANCOCK	
WAO-EXCL00156	JANETH L	BRIGGS	
WAO-EXCL00157	ROBERT L	HENDRICKSON	GAYLEN E SANDERS(GUARDIAN)
WAO-EXCL00158	KAREN D	NIGH	
WAO-EXCL00159	JACKIE	PITTS	
WAO-EXCL00160	IRENE	DENTON	
WAO-EXCL00161	PHYLLIS E	BUCHANAN	
WAO-EXCL00162	ADRIENNE M	MILLIREN	
WAO-EXCL00163	THERESA	PADORA	
WAO-EXCL00164	CHRISTOPHER	MILLER	
WAO-EXCL00165	DOROTHY	WILSON	
WAO-EXCL00166	ASHIQUE	LAKHO	
WAO-EXCL00167	JOSEPH	PEEVYHOUSE	
WAO-EXCL00168	SCOTT P	OSTROM	

WAO-EXCL00169	DONNA L	DRYSDALE	
WAO-EXCL00170	PAUL	SALMON	
WAO-EXCL00171	JASON & KARA	WILLIAMS	
WAO-EXCL00172	CAROL H	FREEDLE	
WAO-EXCL00173	ELVIRA C	NEMENZO	
WAO-EXCL00174	CAROL	RIMES	
WAO-EXCL00175	PATTI REE	MCKINNEY	
WAO-EXCL00176	ROBERT E	DEERMAN	
WAO-EXCL00177	CHRISTINE M	COLEMAN	
WAO-EXCL00178	RON & MARYLOU	NEBINGER	
WAO-EXCL00179	CAROL ANN	COOKE	
WAO-EXCL00180	MARYLYNN	BOATRIGTH	
WAO-EXCL00181	ROBERT	SEIGAFUSE	
WAO-EXCL00182	BELINA R	WEAVER	
WAO-EXCL00183	BARBARA J	VOEHRINGER	
WAO-EXCL00184	JEWELL	CHRISTMAN	
WAO-EXCL00185	JERRY E	MARTIN	
WAO-EXCL00186	JANICE L	DILLINGHAM	
WAO-EXCL00187	EDWARD C	BRYDLE	
WAO-EXCL00188	SARAH MARIE	SIWULA	
WAO-EXCL00189	SUSAN	ARRIOLA	
WAO-EXCL00190	KELLY	BRYDLE	
WAO-EXCL00191	RUTH A	CROSS	
WAO-EXCL00192	PATSY A	WITMAN	
WAO-EXCL00193	LORRAINE	MCGUIRE IRREV TRUST	
WAO-EXCL00194	KRISTA	WOOD	JANET WOOD
WAO-EXCL00195	BEVERLY A	LYONS	DONALD LYONS(DECEASED)
WAO-EXCL00196	JK & PW	KNOTTS TRUST	JOHN & PATRICIA KNOTTS TTEES
WAO-EXCL00197	JOYCE LAVERNE	CLARK	SAMUEL EDWARD CLARK UTMA
WAO-EXCL00198	JOHN H	DUESBURY	
WAO-EXCL00199	WENDY E	CLOUTHIER	
WAO-EXCL00200	MARY	CONQUEST	
WAO-EXCL00201	PATRICIA S	MARTIN	
WAO-EXCL00202	MARION	JOHNSON	

WAO-EXCL00203	LINDA F & HOWARD	HATFIELD		
WAO-EXCL00204	WILLIAM K	DUGAN		
WAO-EXCL00205	ALTON & JUNE	WHETSELL		
WAO-EXCL00206	DIANA L	BARLOW		
WAO-EXCL00207	MARY	HUNTER		
WAO-EXCL00208	JAMES H	DOWNS		
WAO-EXCL00209	DANIEL GLEN	SNYDER		
WAO-EXCL00210	JO	RUETER		
WAO-EXCL00211	MARSHA J	SAUTER		
WAO-EXCL00212	JOANNE	WALDERBACH		
WAO-EXCL00213	DEBRA	PRUITT		
WAO-EXCL00214	LINDA	HOGAN		
WAO-EXCL00215	JUDY	WOOLDRIDGE		
WAO-EXCL80001	MICHELLE	MCCALL		

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on March 28, 2019, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

*/s/ Jason A. Forge*

\_\_\_\_\_  
JASON A. FORGE

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## Mailing Information for a Case 5:12-cv-05162-SOH City of Pontiac General Employees' Retirement System v. Wal-Mart Stores, Inc. et al

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- **Jason A. Forge**  
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- **Brian T. Glennon**  
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- **Scott H. Saham**  
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- **Teresa M. Wineland**  
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- **Debra J. Wyman**  
Debraw@rgrdlaw.com,karenc@rgrdlaw.com

### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Meghan**                      **C. Dougherty**  
Neal & Harwell  
150 Fourth Avenue, N  
Suite 2000  
Nashville, TN 37219

**Aubrey**                      **B. Harwell**                      , **Jr**  
Neal & Harwell  
150 Fourth Avenue, N  
2000 First Union Tower  
Nashville, TN 37219-2498

**Gerald**                      **David Neenan**  
Neal & Harwell  
150 Fourth Avenue, N  
2000 First Union Tower  
Nashville, TN 37219-2498

**David**                      **C. Walton**  
Robbins Geller Rudman & Dowd LLP  
655 W Broadway  
Suite 1900  
San Diego, CA 92101