

SITO Mobile Securities Litigation
Claims Administrator, Analytics Consulting LLC
P.O. Box 2002
Chanhassen, MN 55317-2002
Toll-Free Number: 1-855-953-2395
Website: www.SITOMobileSecuritiesSettlement.com

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ROPER v. SITO MOBILE, LTD., et al.
Case No. 2:17-cv-01106-ES-MAH

Must be Postmarked No Later Than APRIL 16, 2020

PROOF OF CLAIM AND RELEASE

I. GENERAL INSTRUCTIONS

1. All capitalized terms not otherwise defined shall have the same meanings as set forth in the Stipulation of Settlement dated as of July 31, 2019, which can be downloaded at www.SITOMobileSecuritiesSettlement.com.
2. To recover as a Class Member based on claims in the action entitled *Roper v. SITO Mobile Ltd., et al.*, Case No. 2:17-cv-01106-ES-MAH (the "Litigation"), you must complete and, on page 5 hereof, sign this Proof of Claim and Release form ("Proof of Claim"). If you fail to file a properly addressed (as set forth in paragraph 4 below) Proof of Claim, your claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed settlement.
3. Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of the settlement of the Litigation.
4. **YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM POSTMARKED ON OR BEFORE APRIL 16, 2020, ADDRESSED AS FOLLOWS:**

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5. If you are a Class Member, you are bound by the terms of any judgment entered in the Litigation, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM AND RELEASE FORM unless you timely and validly request exclusion from the settlement class pursuant to the Notice.

II. CLAIMANT IDENTIFICATION

1. If you purchased and/or acquired SITO Mobile common stock and held the certificate(s) in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser and the third party is a record purchaser.

PART II – SCHEDULE OF TRANSACTIONS IN SITO MOBILE COMMON STOCK

A. Number of shares of SITO Mobile common stock held at the close of trading on August 14, 2016. (Must be documented) If none, write "zero" or "0." Confirm Proof of Position Enclosed

<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="checkbox"/>
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B. Purchases or acquisitions of SITO Mobile common stock between August 15, 2016 and January 2, 2017: (Must be documented)

	Trade Date <i>(List Chronologically)</i> M M / D D / Y Y	Number of Shares Purchased or Acquired	Total Purchase or Acquisition Price <i>(excluding any commissions, taxes and fees)</i>	Confirm Proof of Purchase Enclosed
1.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>
2.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>
3.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>

IMPORTANT: Identify by number listed above all purchases in which you covered a "short sale":

C. Sales of SITO Mobile common stock between August 15, 2016 and January 2, 2017, inclusive: (Must be documented)

	Trade Date <i>(List Chronologically)</i> M M / D D / Y Y	Number of Shares Sold	Total Sales Price <i>(excluding any commissions, taxes and fees)</i>	Confirm Proof of Sale Enclosed
1.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>
2.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>
3.	<input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/> / <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="text"/>	\$ <input style="width: 40px; height: 20px;" type="text"/> . <input style="width: 20px; height: 20px;" type="text"/>	<input style="width: 20px; height: 20px;" type="checkbox"/>

D. Number of shares of SITO Mobile common stock held at the close of trading on November 14, 2016. (Must be documented) If none, write "zero" or "0." Confirm Proof of Position Enclosed

<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="checkbox"/>
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E. Number of shares of SITO Mobile common stock held at the close of trading on January 2, 2017. (Must be documented) If none, write "zero" or "0." Confirm Proof of Position Enclosed

<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="checkbox"/>
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If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 5. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.

IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Proof of Claim under the terms of the Stipulation of Settlement, dated as of July 31, 2019 described in the Notice. I (We) also submit to the jurisdiction of the United States District Court for the District of New Jersey, with respect to my (our claim) as a Class Member and for purposes of enforcing the release set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Litigation. I (We) agree to furnish additional information to Lead Counsel to support this claim if required to do so. I (We) have not submitted any other claim covering the same purchases or sales of SITO Mobile common stock during the Class Period and know of no other Person having done so on my (our) behalf.

V. RELEASE

By signing and submitting this Claim Form, the claimant(s) or the person(s) who represent(s) the claimant(s) agree(s) to the release above and certifies (certify) as follows:

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally and forever settle, release, relinquish and discharge and covenant not to sue with respect to, the Released Claims each and all of the Released Parties.
2. "Released Claims" means any and all claims, rights, actions, suits or causes of action of every nature and description, including Unknown Claims, debts, demands, disputes, matters, damages, obligations or liabilities of any kind, nature, and/or character whatsoever (including, but not limited to, any claims for damages, interest, attorneys' fees, expert or consulting fees, and any and all other costs, expenses or liabilities whatsoever), whether known or unknown, whether the claims arise under federal, state, local, statutory, regulatory, common, foreign or other law, or any other law, rule or regulation, whether fixed or contingent or absolute, accrued or unaccrued, liquidated or unliquidated, at law or in equity, matured or unmatured, concealed or hidden, foreseen or unforeseen, and whether asserted or that might have been asserted individually, directly, representatively, derivatively, or in any other capacity, by Lead Plaintiffs or the Class Members, or any of them, against the Released Persons based upon, arising out of, or related to (a) the purchase or acquisition of SITO common stock during the Class Period and any of the facts, transactions, events, occurrences, disclosures, statements, acts, omissions, or failures to act which were or could have been alleged in or embraced or otherwise referred to or encompassed by the Litigation, regardless of what legal theory based, including, without limitation, claims for negligence, gross negligence, recklessness, fraud, breach of duty of care and/or loyalty or violations of common law, administrative rule or regulation, tort, contract, equity, or otherwise of any federal statutes, rules, regulations or common law, or the law of any foreign jurisdiction; or (b) that Defendants improperly defended or settled the Litigation, the Released Claims, or both.
3. "Unknown Claims" means any and all Released Claims which Lead Plaintiffs, Lead Plaintiffs' Counsel, or any Class Members do not know or suspect to exist in his, her, or its favor at the time of the release of the Released Persons which, if known by him, her or it might have affected his, her or its settlement with and release of the Released Persons, or might have affected his, her, or its decision(s) with respect to the Settlement (including the decision not to object or exclude himself, herself, or itself from the Settlement). Unknown Claims include those Released Claims in which some or all of the facts comprising the claim may be suspected, or even undisclosed or hidden. With respect to any and all Released Claims, the Settling Parties stipulate and agree that, upon the Effective Date, Lead Plaintiffs and the Class Members shall be deemed to have, and by operation of the Judgment shall have, expressly waived and relinquished the provisions, rights, and benefits conferred by or under California Civil Code § 1542, or any other law of the United States or any state or territory of the United States, or principle of common law that is similar, comparable, or equivalent to § 1542, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

Lead Plaintiffs acknowledge that they may hereafter discover facts in addition to or different from those which he, she or it now knows or believes to be true with respect to the subject matter of the Released Claims, but

the Lead Plaintiffs shall expressly settle and release, and each Class Member, upon the Effective Date, shall be deemed to have, and by operation of the Judgment shall have fully, finally, and forever settled and released, any and all Released Claims, known or unknown, suspected or unsuspected, contingent or noncontingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, reckless, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts. The Settling Parties acknowledge, and the Class Members shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and is a key element of the Settlement of which this release is a part.

4. 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.
5. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in SITO Mobile common stock that occurred during the Class Period as well as the number and type of SITO Mobile shares held by me (us) on August 14, 2016, November 14, 2016, and January 2, 2017.
6. 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.

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.

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

Executed this _____ day of _____ in _____.
(Month/Year) (City/State/Country)

(Sign your name here)

(Sign your name here)

(Type or print your name here)

(Type or print your name here)

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

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Beneficial Purchaser, Executor or Administrator)

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

REMINDER CHECKLIST

1. Please sign the above declaration.
2. If this Claim is being made on behalf of Joint Claimants, then both must sign.
3. Remember to attach copies of supporting documentation, if available.
4. Do **not** send originals or certificates.
5. Keep a copy of your claim form and all supporting documentation for your records.
6. If you desire an acknowledgment of receipt of your claim form, please send it Certified Mail, Return Receipt Requested.
7. If you move, please send your new address to the address below.
8. **Do not use red pen or highlighter** on the Proof of Claim and Release Form or on supporting documentation.

**THIS PROOF OF CLAIM FORM MUST BE MAILED NO LATER THAN APRIL 16, 2020,
ADDRESSED AS FOLLOWS:**

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