

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

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|---|---|--|
| In re TINTRI, INC. SECURITIES LITIGATION <hr/> |) | Lead Case No. 17-CIV-04312 (Consolidated with Nos. 17-CIV-04321; 17-CIV-04618; and 20-CIV-00980) |
| This Document Relates To: |) | <u>CLASS ACTION</u> |
| ALL ACTIONS. |) | |
| <hr/> |) | |

PROOF OF CLAIM AND RELEASE

I. GENERAL INSTRUCTIONS

1. To recover as a Class Member based on the claims in the action entitled *In re Tintri, Inc. Securities Litigation*, Lead Case No. 17-CIV-04312 (the “Action”),¹ you must complete and, on page 6 hereof, sign this Proof of Claim. If you fail to file a properly addressed (as set forth in paragraph 3 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.

2. Submission of this Proof of Claim, however, does not assure that you will share in the proceeds of the Settlement of the Action.

3. YOU MUST MAIL OR SUBMIT ONLINE YOUR COMPLETED AND SIGNED PROOF OF CLAIM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, **ON OR BEFORE APRIL 16, 2024**, ADDRESSED AS FOLLOWS:

Tintri Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 301171
Los Angeles, CA 90030-1171
Online Submissions: www.TintriSecuritiesLitigation.com

If you are NOT a Class Member, as defined in the Notice of Pendency and Proposed Settlement of Class Action (“Notice”), DO NOT submit a Proof of Claim.

4. **PLEASE NOTE:** The Venture Investment Funds are not eligible to participate in the Settlement.² No limited partner, shareholder, member, manager, managing member, or director of any of the Venture Investment Funds should include on the Claim Form any information relating to (a) transactions by the Venture Investment Funds in Tintri common stock between June 30, 2017 and December 26, 2017, inclusive, or (b) shares of Tintri common stock acquired in any manner from a Venture Investment Fund, including (but not limited to) by distribution. Any limited partner, shareholder, member, manager, managing member, or director of any of the Venture Investment Funds should include on this Proof of Claim only those shares, if any, that were purchased or acquired in an open market transaction or some other transaction independent from any of the Venture Investment Funds and otherwise not directly or indirectly acquired by such person from any of the Venture Investment Funds.

5. If you are a Class Member and you do not timely request exclusion, you are bound by the terms of any judgment entered in the Action, including the releases provided therein, **WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM.**

¹ This Proof of Claim and Release (“Proof of Claim”) incorporates by reference the definitions in the Stipulation of Settlement (“Stipulation”), which can be obtained at www.TintriSecuritiesLitigation.com.

² “Venture Investment Funds” mean New Enterprise Associates 12, Limited Partnership, NEA Ventures 2008, Limited Partnership, NEA Partners 12, Limited Partnership, NEA 12 GP, LLC, Silver Lake Kraftwerk Fund, L.P., Silver Lake Technology Investors Kraftwerk, L.P., Silver Lake Group, L.L.C., SLTA Kraftwerk (GP), L.L.C., Silver Lake Technology Associates Kraftwerk, L.P., Insight Venture Partners VIII, L.P., Insight Venture Partners (Delaware) VIII, L.P., Insight Venture Partners (Cayman) VIII, L.P., Insight Venture Partners VIII (Co-Investors), L.P., Star Trinity, L.P., Star Trinity GP, LLC, Insight Venture Management, LLC, Insight Venture Associates VIII, L.P., Insight Venture Associates VIII, Ltd., Insight Holdings Group, LLC, Lightspeed Venture Partners VIII, L.P., Lightspeed Ultimate General Partner VIII, Ltd., and Lightspeed General Partner VIII, L.P.

II. CLAIMANT IDENTIFICATION

You are a member of the Class if you purchased or otherwise acquired Tintri, Inc. ("Tintri") common stock pursuant or traceable to the Registration Statement and Prospectus filed in connection with Tintri's June 30, 2017 Initial Public Offering ("IPO"). For purposes of this Settlement only, you are a Class Member if you purchased or otherwise acquired Tintri common stock between June 30, 2017, and December 26, 2017, inclusive.

Use Part I of this form entitled "Claimant Identification" to identify each purchaser of record ("nominee") of the Tintri common stock that forms the basis of this claim. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE TINTRI COMMON STOCK UPON WHICH THIS CLAIM IS BASED.**

All joint purchasers or acquirers 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. CLAIM FORM

Use Part II of this form entitled "Schedule of Transactions in Tintri Common Stock" to supply all required details of your transaction(s). 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.

On the schedules, provide all of the requested information with respect to **all** of your purchases, acquisitions, and sales of Tintri common stock that took place between June 30, 2017 and March 19, 2018, inclusive, whether such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to the number of shares of Tintri common stock you held at the close of trading on March 19, 2018. Failure to report all such transactions may result in the rejection of your claim.

List each transaction separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

The date of covering a "short sale" is deemed to be the date of purchase of Tintri common stock. The date of a "short sale" is deemed to be the date of sale of Tintri common stock.

COPIES OF BROKER CONFIRMATIONS OR OTHER DOCUMENTATION OF YOUR TRANSACTIONS IN TINTRI COMMON STOCK SHOULD BE ATTACHED TO YOUR CLAIM. FAILURE TO PROVIDE THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR CLAIM OR RESULT IN REJECTION OF YOUR CLAIM.

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 such claimants **MUST** also submit a manually signed paper Proof of Claim whether or not they also submit electronic copies. If you wish to submit your claim electronically, you must contact the Claims Administrator at edata@gilardi.com to obtain the required file layout. Any file not in accordance with the required electronic filing format will be subject to rejection. Only one claim should be submitted for each separate legal entity and the complete name of the beneficial owner(s) of the securities must be entered where called for. Distribution payments must be made by check or electronic payment payable to the Authorized Claimant (beneficial account owner). The Third-Party Filer shall not be the payee of any distribution payment check or electronic distribution payment. 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.

Official
Office
Use
Only



**Must Be Postmarked (if Mailed)
or Received (if Submitted Online)
No Later Than April 16, 2024**

**SUPERIOR COURT OF THE STATE OF
CALIFORNIA COUNTY OF SAN MATEO**

In re Tintri, Inc. Securities Litigation

Lead Case No. 17-CIV-04312

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PROOF OF CLAIM AND RELEASE

Please Type or Print in the Boxes Below
Must use Black or Blue Ink or your claim
may be deemed deficient.

**REMEMBER TO ATTACH COPIES OF BROKER CONFIRMATIONS OR OTHER DOCUMENTATION OF YOUR TRANSACTIONS
IN TINTRI COMMON STOCK. FAILURE TO PROVIDE THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR
CLAIM OR RESULT IN REJECTION OF YOUR CLAIM.**

PART I. CLAIMANT IDENTIFICATION

Last Name M.I. First Name

Last Name (Co-Beneficial Owner) M.I. First Name (Co-Beneficial Owner)

IRA Joint Tenancy Employee Individual Other

Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA (specify)

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

Account#/Fund# (Not Necessary for Individual Filers)

Last Four Digits of Social Security Number or Taxpayer Identification Number

Telephone Number (Primary Daytime) Telephone Number (Alternate)

Email Address

MAILING INFORMATION

Address

Address (cont.)

City State ZIP Code

Foreign Province Foreign Postal Code Foreign Country Name/Abbreviation

| | | | | | | | | |
|----------------------------------|-------------------------|-------------------------|--|--|--|--|----------------|----------------------------------|
| FOR CLAIMS PROCESSING ONLY | OB <input type="text"/> | CB <input type="text"/> | <input type="radio"/> ATP <input type="radio"/> KE <input type="radio"/> ICI | <input type="radio"/> BE <input type="radio"/> DR <input type="radio"/> EM | <input type="radio"/> FL <input type="radio"/> ME <input type="radio"/> ND | <input type="radio"/> OP <input type="radio"/> RE <input type="radio"/> SH | MM / DD / YYYY | FOR CLAIMS PROCESSING ONLY |
|----------------------------------|-------------------------|-------------------------|--|--|--|--|----------------|----------------------------------|



PART II. SCHEDULE OF TRANSACTIONS IN TINTRI COMMON STOCK

A. Purchases or acquisitions of Tintri common stock (June 30, 2017-March 19, 2018, inclusive):

| PURCHASES | | | | | | | | | | Total Purchase or Acquisition Price (Excluding commissions, taxes and fees) | | Proof of Purchase Enclosed? | | | | | |
|---|---|---|---|---|---|---|---|--|--|---|--|-----------------------------|--|--|----|-------------------------|-------------------------|
| Trade Date(s) (List Chronologically) | | | | | | | | | | Number of Shares Purchased or Acquired | | | | | | | |
| M | M | D | D | Y | Y | Y | Y | | | | | | | | | | |
| 1. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 2. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 3. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 4. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 5. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |

IMPORTANT: (i) If any purchase listed covered a "short sale," please mark Yes: Yes

(ii) If you received shares through an acquisition or merger, please identify the date, the share amount and the company acquired:

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|----------------|----------|
| M | M | D | D | Y | Y | Y | Y | Merger Shares: | Company: |
| | | / | | / | | | | | |

B. Sales of Tintri common stock (June 30, 2017-March 19, 2018, inclusive):

| SALES | | | | | | | | | | Total Sales Price (Excluding commissions, taxes and fees) | | Proof of Sales Enclosed? | | | | | |
|---|---|---|---|---|---|---|---|--|--|---|--|--------------------------|--|--|----|-------------------------|-------------------------|
| Trade Date(s) (List Chronologically) | | | | | | | | | | Number of Shares Sold | | | | | | | |
| M | M | D | D | Y | Y | Y | Y | | | | | | | | | | |
| 1. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 2. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 3. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 4. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |
| 5. | | | / | | | / | | | | \$ | | | | | 00 | <input type="radio"/> Y | <input type="radio"/> N |

C. Number of shares of Tintri common stock held at the close of trading on March 19, 2018. (Must be documented.) If none, write "zero": Proof Enclosed? Y N

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 6. 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 described in the Notice. I (We) also submit to the jurisdiction of the Superior Court of the State of California, County of San Mateo, 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 Action. I (We) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions or sales of Tintri common stock during the relevant period and know of no other person having done so on my (our) behalf.

V. RELEASES

1. I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, and discharge from the Released Claims each and all of the "Released Persons," defined as Defendants and each and all of their Related Persons.

2. "Related Persons" means each of a Defendant's past, present, or future parents, subsidiaries, and affiliates, and their respective directors, officers, employees, partners, members, principals, agents, underwriters, insurers, co-insurers, reinsurers, majority ownership shareholders, attorneys, accountants or auditors, financial or investment advisors or consultants, banks or investment bankers, personal or legal representatives, predecessors, successors, assigns, spouses, heirs, related or affiliated entities, any entity in which a Defendant holds more than a majority ownership interest, Investment Vehicles of which any Underwriter Defendant or any of its affiliates is a majority owner or holds a majority beneficial interest, any member of an Individual Defendant's immediate family, or any trust of which any Individual Defendant is the settler or which is for the benefit of any Individual Defendant and/or member(s) of his or her family, all in their capacities as such.

3. "Released Claims" means any and all claims, demands, losses, rights, liability, and causes of action of every nature and description whatsoever, including Unknown Claims as defined below, whether arising under federal, state, local, common, statutory, administrative, or foreign law, or any other law, rule, or regulation, at law or in equity, whether fixed or contingent, whether foreseen or unforeseen, whether accrued or unaccrued, whether liquidated or unliquidated, whether matured or unmatured, whether direct, representative, class, or individual in nature, that either were or could have been asserted in this Action, or could be in the future asserted in any forum, arising out of, relating to, or in connection with both (a) the purchase or acquisition of Tintri common stock pursuant or traceable to the Registration Statement issued in connection with Tintri's June 30, 2017 IPO, and (b) the allegations, acts, facts, transactions, matters, occurrences, disclosures, filings, representations, or omissions that were or could have been involved, set forth, alleged or referred to in this Action. "Released Claims" also includes any and all claims arising out of, relating to, or in connection with the Settlement or resolution of the Action against the Released Persons (including Unknown Claims), except for claims to enforce any of the terms of the Stipulation.

4. "Unknown Claims" means: (i) any and all Released Claims and potential claims against the Released Persons which Plaintiffs or any Class Member does not know or suspect to exist in their, his, her, or its favor as of the Effective Date, including, without limitation, those that, if known by such Plaintiffs or Class Members, might have affected their, his, her, or its decision(s) with respect to the Settlement or the releases, including their, his, her, or its decision(s) to object or not to object to the Settlement or to exclude themselves, himself, herself, or itself from the Class, and (ii) any Released Defendants' Claims against Plaintiffs, which Defendants do not know or suspect to exist in their, his, her or its favor, which if known by them, him, her, or it might have affected their, his, her, or its decision(s) with respect to the Settlement. With respect to any and all Released Claims and Released Defendants' Claims, the Parties stipulate and agree that by operation of the Final Judgment, upon the Effective Date, Plaintiffs and Defendants shall have expressly waived, and each Class Member shall be deemed to have waived, and by operation of the Final Judgment shall have expressly waived, the provisions, rights, and benefits of Cal. Civ. Code §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.

Additionally, with respect to any and all Released Claims and Released Defendants' Claims, the Parties stipulate and agree that by operation of the Final Judgment, upon the Effective Date, Plaintiffs and Defendants shall have expressly waived, and each Class Member shall be deemed to have waived, and by operation of the Final Judgment shall have expressly waived, any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable, or equivalent to Cal. Civ. Code §1542. Plaintiffs, Class Members, and Defendants may hereafter discover facts in addition to or different from those which they, he, she, or it now knows or believes to be true with respect to the subject matter of the Released Claims and Released Defendants' Claims, but the Parties shall expressly fully, finally, and forever settle and release, and each Class Member, upon the Effective Date, shall be deemed to have, and by operation of the Final Judgment shall have, fully, finally, and forever settled and released, any and all Released Claims and Released Defendants' Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, 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, 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 Parties acknowledge, and Class Members shall be deemed to have acknowledged, that the inclusion of "Unknown Claims" in the definition of Released Claims and Released Defendants' Claims was separately bargained for and is an essential element of the Settlement.

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.

6. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Tintri common stock that occurred during the relevant period as well as the number of shares of Tintri common stock held by me (us) at the close of trading on March 19, 2018.

7. By filling in this circle, I (We) hereby warrant and represent that I (we) am (are) not, nor have I (we) ever have been a general partner of any of the following entities: New Enterprise Associates 12, Limited Partnership, NEA Ventures 2008, Limited Partnership, NEA Partners 12, Limited Partnership, NEA 12 GP, LLC, Silver Lake Kraftwerk Fund, L.P., Silver Lake Technology Investors Kraftwerk, L.P., Silver Lake Group, L.L.C., SLTA Kraftwerk (GP), L.L.C., Silver Lake Technology Associates Kraftwerk, L.P., Insight Venture Partners VIII, L.P., Insight Venture Partners (Delaware) VIII, L.P., Insight Venture Partners (Cayman) VIII, L.P., Insight Venture Partners VIII (Co-Investors), L.P., Star Trinity, L.P., Star Trinity GP, LLC, Insight Venture Management, LLC, Insight Venture Associates VIII, L.P., Insight Venture Associates VIII, Ltd., Insight Holdings Group, LLC, Lightspeed Venture Partners VIII, L.P., Lightspeed Ultimate General Partner VIII, Ltd., or Lightspeed General Partner VIII, L.P.

I (We) declare under penalty of perjury under the laws of the State of California that all of 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 or Acquirer, Executor or Administrator)

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Beneficial Purchaser or Acquirer, Executor or Administrator)

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

Reminder Checklist:

1. Please sign the above release and acknowledgment.
2. Remember to attach copies of supporting documentation.
3. **Do not send** originals of certificates or other documentation as they will not be returned.
4. Keep a copy of your Proof of Claim and all supporting documentation for your records.
5. If you desire an acknowledgment of receipt of your Proof of Claim, please send it Certified Mail, Return Receipt Requested.
6. If you move, please send your new address to the address below.
7. Must use Black or Blue Ink or your claim may be deemed deficient.

**THIS PROOF OF CLAIM MUST BE SUBMITTED ONLINE OR MAILED
NO LATER THAN APRIL 16, 2024, ADDRESSED AS FOLLOWS:**

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