



FILED
San Francisco County Superior Court

OCT 27 2023

CLERK OF THE COURT
BY: [Signature]
Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
DEPARTMENT 304

JONATHAN SHOMRONI, Individually and on behalf of others similarly situated,

Case No. CGC-22-598995

Plaintiff,

JUDGMENT

v.

FEI LABS INC., a Delaware Corporation,
JOSEPH SANTORO, an Individual, BRIANNA MONTGOMERY, an Individual, SEBASTIAN DELGADO, an Individual, and DOES 1-10,

Defendants.

1 Based upon, and subject to the Second Amended Stipulation of Settlement dated October 26,
2 2023 (the “Stipulation”) approved by this Court in the Litigation, and the Court’s Final Approval
3 Order:

4 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

5 1. This Judgment incorporates by reference the definitions in the Stipulation, as
6 submitted to the Court as Exhibit A to the October 26, 2023 Declaration of William R. Restis In
7 Support of Plaintiff’s Supplemental Filing for Final Approval of Class Action Settlement. All
8 capitalized terms used in this Judgment shall have the meanings and/or definitions given to them
9 in the Stipulation unless otherwise defined herein.

10 2. This Court has jurisdiction over the subject matter of the Litigation, the parties, all
11 Class Members, and over those persons and entities undertaking affirmative obligations to
12 effectuate the Settlement, including the Claims Administrator and Escrow Agent.

13 3. The Class Members subject to and bound by this Final Judgment are:

14 All Persons who, directly or through an intermediary, purchased the digital assets
15 “FEI” and “TRIBE” in exchange for ETH as part of the Genesis Group between
16 March 31, 2021 and April 3, 2021, including those who “pre-swapped” their
17 Genesis Group FEI token allocation for TRIBE tokens.

18 Excluded from the Class subject to and bound by this Judgment are: (i) Defendants; (ii) any person,
19 firm, trust, corporation, or other entity directly affiliated with any Defendant; and (iii) any justice or
20 judicial officer presiding over this matter and members of their immediate families and judicial staff.

21 4. The following Class Member, the Opt Out, is hereby excluded from any and all
22 terms of the Stipulation and Settlement, including the releases contained therein: Evgeny Boxer,
23 Unit 7 2-12 Crows Nest Road, Waverton NSW 2060, Australia.

24 5. No Class Member objected to the Settlement following a full and fair opportunity
25 to participate.

26 6. The Settlement Amount is \$17,850,000. In its Final Approval Order, the Court
27 authorized the following distributions from the Settlement Amount: (1) \$4,462,500 in attorneys’
28 fees; (2) \$50,713.27 in litigation expenses; and (3) a \$5,000 Service Award to the Class

1 Representative. Additionally, the Court capped Notice and Administration Expenses at
2 \$281,000.00.

3 7. The Claims Administrator is directed to calculate Claims submitted by Class
4 Members and distribute the Net Settlement Fund to Authorized Claimants in accordance with the
5 Stipulation and Plan of Allocation.

6 8. The Releases set forth in Paragraphs 1.32-1.35 and 4.1-4.8 of the Stipulation are
7 hereby expressly incorporated into this Judgment, and are effective as of the Effective Date, fully
8 releasing and forever discharging the Released Parties from the Released Claims in accordance
9 with Paragraphs 1.32-1.35 and 4.1-4.8 of the Stipulation.

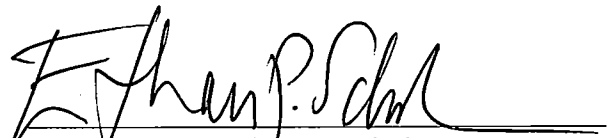
10 9. This Judgment is, and may be raised as, a complete defense to and precludes any
11 claim, action, or proceeding encompassed by the Releases, which are set forth in the Stipulation,
12 and are expressly incorporated into this Judgment.

13 10. Without affecting in any way the finality of this Judgment, and pursuant to
14 California Rules of Court, rule 3.769(h), the Court reserves continuing and exclusive jurisdiction
15 for purposes of administering, interpreting, implementing, effectuating, and enforcing the
16 Settlement as set forth in the Stipulation, the Plan of Allocation and distribution of the Settlement
17 Fund, and matters within the scope of the Final Approval Order and this Judgment, and matters
18 relating thereto.

19 11. This document shall constitute a judgment for purposes of California Rules of Court,
20 rule 3.769(h).

21
22 IT IS SO ORDERED.

23
24 Dated: October 27, 2023

25 
26 Ethan P. Schulman
27 Judge of the Superior Court
28


CERTIFICATE OF ELECTRONIC SERVICE
(CCP 1010.6(6) & CRC 2.251)

I, Ericka Larnauti, a Deputy Clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On October 27, 2023, I electronically served the attached document via File & ServeXpress on the recipients designated on the Transaction Receipt located on the File & ServeXpress website.

Dated: October 27, 2023

Brandon E. Riley, Clerk

By: 

Ericka Larnauti, Deputy Clerk