

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICHARD DENNIS and PORT 22, LLC, on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

THE ANDERSONS, INC., CARGILL, INC., and
JOHN/JANE DOES NOS. 1-50

Defendants.

Case No.: 1:20-cv-04090

PROOF OF CLAIM AND RELEASE

GENERAL INSTRUCTIONS

1. A Settlement has been reached in the above-referenced Action litigation styled, *Dennis, et al. v. The Andersons, Inc., et al.*, 1:20-cv-04090, pending in the United States District Court for the Northern District of Illinois Eastern Division. The matter involves plaintiffs who purchased a Chicago Board of Trade (“CBOT”) soft red winter (“SRW”) wheat December 2017 or March 2018 futures contract after November 29, 2017, or a CBOT call option on CBOT soft red winter wheat March 2018 futures contracts, or a CBOT put option on CBOT soft red winter wheat March 2018 futures contracts after November 29, 2017. The Settlement is subject to Court approval.
2. If you are a member of the Settlement Class (*see* definition in ¶1 above) you may be eligible for a payment from the Net Settlement Fund if you comply with the instructions in this Proof of Claim and Release (“Proof of Claim”) form and submit it in a timely manner. Payments from the Net Settlement Fund will be made only to Authorized Claimants and in accordance with and pursuant to a plan of distribution approved by the Court. An Authorized Claimant is a Settlement Class Member whose Proof of Claim is found by the Settlement Administrator to be timely, adequately supported, properly verified and otherwise valid.
3. Submission of this Proof of Claim form, however, does not assure that you will share in the Net Settlement Fund.
4. 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 December 14, 2026, to:

2017 CBOT WHEAT FUTURES CLASS ACTION SETTLEMENT
c/o A.B. DATA, LTD.
P.O. BOX 173107
MILWAUKEE, WI 53217
www.2017CBOTWheatFuturesClassAction.com

- b. You can complete and submit the Proof of Claim form through the Settlement website by visiting www.2017CBOTWheatFuturesClassAction.com.

DO NOT CALL OR CONTACT THE COURT OR THE CLERK’S OFFICE REGARDING THIS NOTICE OR FOR ADDITIONAL INFORMATION.

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 December 14, 2026.

5. If you are a member of the Settlement Class, then, by properly completing this Proof of Claim and furnishing the required supporting documentation, you may be entitled to share in the proceeds from the Net Settlement Fund.

Omission of necessary information and/or supporting documents will make your claim defective so that it may be rejected, in which case you will be notified of such rejection and be given an opportunity to remedy identified deficiencies. You must include all requested trade information for all transactions in SRW Wheat futures contracts and/or options on SRW Wheat futures contracts after November 29, 2017 (the “Settlement Class Period”) for all accounts you owned or controlled.

6. If you are NOT a member of the Settlement Class, DO NOT submit a Proof of Claim and Release form.
7. If you are a member of the Settlement Class and you fail to submit a valid and timely Proof of Claim pursuant to the instructions set forth herein or fail to provide adequate documentation of those transactions, you may be precluded from any recovery from the Net Settlement Fund. However, unless you have validly excluded yourself from the Settlement Class, you will be bound by the terms of the Settlement and any judgments entered in the Action related to the Settlement whether or not you submit a Proof of Claim form.

For official use only

CBOT Wheat Class Action Settlement

PROOF OF CLAIM AND RELEASE

Please print or type

**MUST BE POSTMARKED NO LATER
THAN DECEMBER 14, 2026**

ITEM 1—CLAIMANT IDENTIFICATION

1. Please provide the following information for you and your affiliates¹ that transacted in SRW futures contracts and/or options on SRW futures at any time during the Settlement Class Period:

Claimant Name(s) (“Claimant”):

☐ Individual ☐ Corporation ☐ Estate ☐ Other (specify) _____

Name of Person Executing Claim:

Capacity of Person Executing Claim:

Claimant Address:

City: _____ State: _____ Zip Code: _____

¹ “Affiliates” means any other person or entity that you control, either directly or through one or more intermediaries, or any person or entity that is controlled by or is under common control with such intermediary person or entity.

ITEM 4—LIST OF HOLDINGS AND TRANSACTIONS IN SRW FUTURES CONTRACTS AND/OR OPTIONS ON SRW FUTURES CONTRACTS

4(a). If you purchased or sold an SRW December 2017 and/or March 2018 futures contract on the CBOT, during the Settlement Class Period (*i.e.*, after November 29, 2017), then you must provide the information set forth in the Tables I and II below for all such transactions.

TABLE I—HOLDINGS OF SRW DECEMBER 2017 AND/OR MARCH 2018 FUTURES CONTRACTS AT THE CLOSE OF NOVEMBER 29, 2017

Contract Code & Exchange	Contract Month/Year	Number of Contracts

**TABLE II—PURCHASE(S) AND SALE(S) OF SRW DECEMBER 2017 AND/OR MARCH 2018 FUTURES CONTRACTS
FROM NOVEMBER 30, 2017 THROUGH MARCH 14, 2018**

Date of Transaction	Purchase or Sale (P/S)	Contract Code & Exchange	Contract Month/Year	Number of Contracts In Transaction	Price
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4(b). If you purchased or sold an SRW futures March 2018 Call Options on the CBOT, during the Settlement Class Period (*i.e.*, after November 29, 2017), then you must provide the information set forth in Tables III and IV below for all such transactions.

TABLE III—HOLDINGS OF SRW FUTURES MARCH 2018 CALL OPTIONS AT THE CLOSE OF NOVEMBER 29, 2017

Contract Code & Exchange	Contract Month/Year	Number of Contracts	Strike Price

TABLE IV—PURCHASE(S) AND SALE(S) OF SRW FUTURES MARCH 2018 CALL OPTIONS FROM NOVEMBER 30, 2017 THROUGH MARCH 14, 2018

Date of Transaction	Purchase or Sale (P/S)	Call (C)	Contract Code & Exchange	Contract Month/Year	Strike Price	Number of Options	Option Price	Insert “E” if Exercised. “A” if Assigned “X” if Expired.
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4(c). If you purchased or sold an SRW futures March 2018 Put Options on the CBOT, during the Settlement Class Period (*i.e.*, after November 29, 2017), then you must provide the information set forth in Tables V and VI below for all such transactions.

TABLE V—HOLDINGS OF SRW FUTURES MARCH 2018 PUT OPTIONS AT THE CLOSE OF NOVEMBER 29, 2017

Contract Code & Exchange	Contract Month/Year	Number of Contracts	Strike Price

TABLE VI—PURCHASE(S) AND SALE(S) OF SRW FUTURES MARCH 2018 PUT OPTIONS FROM NOVEMBER 30, 2017 THROUGH MARCH 14, 2018

Date of Transaction	Purchase or Sale (P/S)	Put (P)	Contract Code & Exchange	Contract Month/Year	Strike Price	Number of Options	Option Price	Insert “E” if Exercised. “A” if Assigned “X” if Expired.
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/ /								
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SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

The Claimant submits this Proof of Claim form under the terms of the Distribution Plan described in the Notice and available for review in full on the Settlement Website. The Claimant also submits to the jurisdiction of the United States District Court for the Northern District of Illinois (the “Court”), with respect to this Proof of Claim and for purposes of enforcing the releases set forth herein, the terms of the Settlement Agreements, and any order or judgment of the Court. The Claimant further acknowledges that he, she, or it will be bound by the terms of any judgment entered in connection with the Settlement in the Plaintiffs’ Action, including the releases set forth therein. The Claimant agrees to furnish additional information to the Settlement Administrator to support this claim, such as additional documentation for transactions in SRW futures contracts and/or options on SRW futures contracts, if required to do so. The Claimant has not submitted any claim covering the same holdings of SRW futures contracts and/or options on SRW futures contracts during the Settlement Class Period and knows of no other person having done so on his, her, or its behalf.

It is important that the Claimant accurately discloses all transactions in SRW futures contracts and/or options on SRW futures contracts open at the start of, made during, and open at the end of the Settlement Class Period. The Claimant expressly consents to the release to the Settlement Administrator of any and all documents reflecting the Claimant’s transactions in such SRW futures contracts and/or options that may be obtained from third parties, including, but not limited to, your brokerage firm(s) and/or the Commodity Futures Trading Commission (“CFTC”). By executing this Proof of Claim, the Claimant hereby permits the Settlement Administrator to request from the CBOT the Claimant’s account and relevant trade information in connection with evaluating the claim for payment from the Net Settlement Fund.

The Claimant certifies that reasonable efforts have been made to locate all information requested in Items 1-4 above and that all information supplied in connection with this Proof of Claim is true, correct and complete.

The Claimant understands that the information provided herein is subject to verification and the Claimant agrees to cooperate in any such verification including by furnishing additional information to support this claim and by assisting the Settlement Administrator if requested to do so.

The Claimant understands that the Settlement Administrator will determine the adequacy of the Claimant’s Proof of Claim and supporting documentation.

RELEASES AND WARRANTIES

1. The Claimant hereby acknowledges that he, she, or it has read and agrees to be bound by the terms of the Releases, the definition of Released Claims, and the terms of the Release and Covenant Not to Sue as set forth below and in the Settlement Agreements.
2. The Claimant hereby warrants and represents that he, she, or it is a Class Member as defined in the Notices, that the Claimant is not one of the Released Parties as defined in the Settlement Agreements or otherwise excluded from the Settlement, and that the Claimant believes that he, she, or it is eligible to receive a distribution from the Net Settlement Fund under the terms and conditions of the Distribution Plan.

3. The Claimant hereby certifies that the Claimant is NOT subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code because: (a) the Claimant is exempt from backup withholding; or (b) the Claimant has not been notified by the Internal Revenue Service (the "I.R.S.") that the Claimant is subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the I.R.S. has notified the Claimant that he, she, or it is no longer subject to backup withholding.
4. By signing and submitting this Proof of Claim form, Claimant (a) consents to the disclosure of information relating to Claimant's transactions in SRW futures and/or options on SRW futures contracts from November 30, 2017 through March 14, 2018, for use in the claims administration process; and (b) waives any protections provided by applicable bank secrecy, data privacy law, or any similar confidentiality protections, including with respect to futures exchanges, with respect to information relating to Claimant's transactions in SRW futures and/or options on SRW futures contracts from November 30, 2017 through March 14, 2018, for use in the claims administration process.

NOTE: If the Claimant has been notified by the I.R.S. that he, she, or it is subject to backup withholding, please strike out the language that the Claimant is not subject to backup withholding in the certification above.

5. The Claimant agrees to execute a release and covenant not to sue in conformity with the Settlement Agreements in order to receive the Claimant's pro rata share of the Net Settlement Fund. The Claimant agrees that the submission of this Proof of Claim constitutes a full release of and covenant not to sue on the Released Claims against the Releasees as set forth in the Settlement Agreements and at the end of this Proof of Claim.
6. The releases shall be of no force or effect unless and until the Court approves the Settlement and it becomes effective on the Effective Date.
7. The Claimant hereby warrants and represents that he, she, or it has not yet 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.

I declare and affirm under penalties of perjury that the foregoing statements and the documents and information attached hereto, including the Social Security or Employee Identification Number shown on this Proof of Claim, are true, correct, and complete. I understand that the withholding or misrepresentation of any information described herein may constitute a criminal offense subject to penalties.

This Proof of Claim and Release was executed this _____ day of _____, 202__ in _____, _____
(City/Province) (State/Country)

Signature of Claimant

Type or Print Name

Capacity of Person Signing (e.g., President, Trustee, Custodian, etc.)

If you are acting for an entity, please submit proof of your authority (e.g., corporate resolution, trust agreement, etc.).

REMINDER CHECKLIST:

1. Please sign the above release and declaration.
2. PLEASE DO NOT USE HIGHLIGHTER ON THE PROOF OF CLAIM FORM.
3. Please keep a copy of your Proof of Claim form and all documentation submitted for your records.
4. If your mailing address changes after submitting this Proof of Claim, please send your new address to the Settlement Administrator at the address below:

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c/o A.B. DATA, LTD.
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MILWAUKEE, WI 53217
www.2017CBOTWheatFuturesClassAction.com
info@2017CBOTWheatFuturesClassAction.com

RELEASES AND CONVENANTS NOT TO SUE