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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION

|  |   |  |
|--|---|--|
| LEWIS STEIN, et al., Individually and on | ) | Civil Action No. 1:19-cv-00098-TRM-CHS |
| Behalf of All Others Similarly Situated, | ) |  |
|  | ) | <u>CLASS ACTION</u>                    |
| Plaintiffs,                              | ) |  |
| vs.                                      | ) | Judge Travis R. McDonough              |
|  | ) | Magistrate Judge Christopher H. Steger |
| U.S. XPRESS ENTERPRISES, INC., et al.,   | ) |  |
|  | ) |  |
| Defendants.                              | ) |  |
|  | ) |  |

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SUPPLEMENTAL DECLARATION OF ROSS D. MURRAY REGARDING NOTICE  
DISSEMINATION AND REQUESTS FOR EXCLUSION RECEIVED TO DATE

I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court’s March 28, 2023 Order granting preliminary approval of the Settlement (“Notice Order”) (ECF 222), Gilardi was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”). I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

2. I submit this declaration as a supplement to my earlier declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date (the “Initial Mailing Declaration”) (ECF 234). The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

#### **UPDATE ON DISSEMINATION OF THE CLAIM PACKAGE**

3. As more fully detailed in the Initial Mailing Declaration, as of June 3, 2023, Gilardi had mailed 14,872 copies of the Court-approved Notice of Proposed Settlement of Class Action (the “Notice”) and Proof of Claim and Release form (the “Proof of Claim”) (collectively, the “Claim Package”) to potential Class Members and their nominees. *See* Initial Mailing Declaration, ¶11.

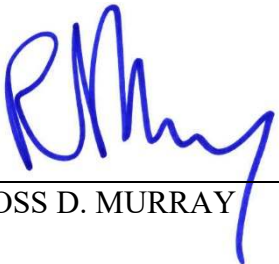
4. Since June 3, 2023, Gilardi has mailed an additional 291 copies of the Claim Package in response to requests from potential Class Members, brokers, and nominees and as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses. Therefore, as of June 29, 2023, Gilardi has mailed a total of 15,163 Claim Packages to potential Class Members and nominees.

## REQUESTS FOR EXCLUSION RECEIVED TO DATE

5. Pursuant to the Notice Order, the Notice informed potential Class Members that written requests for exclusion from the Class must be mailed *USXpress Securities Litigation*, Claims Administrator, c/o Gilardi & Co. LLC, EXCLUSIONS, P.O. Box 5100, Larkspur, CA 94977-5100, such that they are postmarked no later than June 19, 2023. At the time of the Initial Mailing Declaration, Gilardi reported that it had not received any requests for exclusion in connection with this Settlement, but that it had received six timely and one late request for exclusion in connection with the Notice of Pendency. *See* Initial Mailing Declaration, ¶¶15-16.

6. Since the Initial Mailing Declaration was executed, and as of the date of this declaration, Gilardi has not received any requests for exclusion.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 29th day of June, 2023, at San Rafael, California.



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ROSS D. MURRAY

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on June 30, 2023, 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 email addresses of the CM/ECF participants in this case.

s/ Christopher M. Wood

CHRISTOPHER M. WOOD

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