

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re PEGASYSTEMS INC. SECURITIES
LITIGATION

) No. 1:22-cv-11220-WGY
)
) LEAD PLAINTIFFS' DECLARATION IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF SETTLEMENT, PLAN OF
ALLOCATION, AWARD OF ATTORNEYS'
FEES AND EXPENSES, AND AWARD TO
LEAD PLAINTIFFS PURSUANT TO 15
U.S.C. §78u-4(a)(4)

I, Joseph J. Samolewicz, declare as follows:

1. I am the Administrator of the Central Pennsylvania Teamsters Pension Fund - Defined Benefit Plan and the Central Pennsylvania Teamsters Pension Fund - Retirement Income Plan 1987 (the "Plans"). On August 9, 2022, the Court appointed the Plans as Lead Plaintiffs in this Action along with Construction Industry Laborers Pension Fund. The Plans are multiemployer plans that, at the time they were appointed Lead Plaintiffs, held over \$2 billion in collective assets under management for the benefit of over 35,000 participants and their beneficiaries.

2. I respectfully submit this Declaration in support of final approval of the Settlement of \$35 million in cash (the "Settlement"), the Plan of Allocation, Lead Counsel's fee and expense requests, and the Plans' request for an award pursuant to 15 U.S.C. §78u-4(a)(4) relating to its representation of the Class. I have personal knowledge of the matters related to the Plans' request, and of the other matters set forth in this Declaration, and if called upon, I could and would competently testify thereto.

3. The Plans understand that the Private Securities Litigation Reform Act of 1995 encourages institutional investors to oversee securities class actions. The Plans are institutional investors that committed themselves to prosecuting this litigation on the Class' behalf. In seeking appointment as Lead Plaintiffs and Class Representatives in this Action, the Plans understood their fiduciary duties to serve in the interests of the Class by participating in the management and prosecution of the Action.

4. Since the Plans were appointed as Lead Plaintiffs on August 9, 2022, the Plans have, among other things: (i) conferred with Lead Counsel on the overall strategy for prosecuting the Action; (ii) responded to Defendants' demands for document requests, responded to Defendants' interrogatories, and collected and provided documents and information for purposes of discovery;

(iii) kept informed regarding the status of this Action; (iv) reviewed pleadings and documents filed in this Action; (v) provided input regarding litigation and settlement strategy; (vi) supervised and remained informed about mediation and settlement negotiations; and (vii) considered and ultimately approved the proposed Settlement. In addition to the Plans producing documents and information in discovery, the Plans' non-party investment managers/advisors also received, and provided documents in response to, subpoenas issued by Defendants.

5. In serving as a primary point of contact between the Plans and Lead Counsel (Robbins Geller Rudman & Dowd LLP) in connection with this Action, I monitored the litigation, communicated with Lead Counsel on major developments in the case, including Lead Counsel's negotiation of the Settlement, and participated in telephonic conferences with Lead Counsel during the course of the Action.

6. After seriously considering the grounds for the Settlement, as well as the risks and uncertainties associated with continued litigation, trial and appeals, the Plans agreed to accept the mediator's recommendation to settle this Action for \$35,000,000. Based on its involvement during the prosecution and resolution of the Action, the Plans believe that the Settlement represents a recovery that would not have been possible without the vigorous efforts of Lead Counsel. In agreeing to the Settlement, the Plans considered the real possibility that Lead Plaintiffs' claims might not ultimately succeed or that a jury could significantly limit the Class's damages. The Plans also understood that even if Lead Plaintiffs prevailed at trial, the Defendants would likely appeal that decision and that the appeal process would, at a minimum, substantially delay any recovery by the Class. Weighing these substantial risks against the immediacy and amount of the recovery, the Plans believe that the \$35,000,000 Settlement is an excellent result for the Class.


7. The Plans support Lead Counsel's request for a 30% attorneys' fee award plus \$419,618.39 of expenses incurred by Lead Counsel in litigating this Action, and believe that Lead Counsel's request is fair and reasonable in light of the Settlement obtained on behalf of Lead Plaintiffs and the Class.

8. The Plans have evaluated Lead Counsel's fee request by considering, among other things: the amount and quality of work performed; the recovery obtained; and the complexities and challenges that counsel faced. The Plans further believe that the litigation expenses requested by Lead Counsel are reasonable, and represent costs and expenses necessary for the prosecution and resolution of this securities action. Based on the foregoing, the Plans support Lead Counsel's motion for attorneys' fees and litigation expenses.

9. The Plans understand that reimbursement of a lead plaintiff's reasonable costs and expenses, including lost wages, is authorized under 15 U.S.C. §78u-4(a)(4). Since the Plans' involvement in this Action beginning in July 2022, the Plans have spent considerable time in representing the Class, including with respect to the actions described in ¶¶4-5, which would otherwise have been focused on daily business activities of the Plans. Therefore, I believe the Plans' request for an award of \$2,000 is appropriate.

10. In light of the foregoing, the Plans respectfully request that the Court grant final approval of the Settlement, Lead Counsel's attorneys' fee and expense application, and the Plans' application for an award in the total amount of \$2,000 in consideration of the Plans' time incurred in representing the Class.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of August, 2024, in Wilmington, PA.


JOSEPH J. SANKIEWICZ

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 15, 2024.

/s/ Chad Johnson

CHAD JOHNSON