EFiled: Nov 12 2026 03:07PM EST
Transaction ID 81346823
Case No. 2023-0820-CDW

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November 12, 2026

VIA HAND DELIVERY AND FILE&SERVE*XPRESS*

The Honorable Christian Douglas Wright
Magistrate in Chancery
Court of Chancery of the State of Delaware
Leonard L. Williams Justice Center
500 North King Street
Wilmington, Delaware 19801

Re: *Paul Berger Revocable Trust v. Falcon Equity Investors LLC*, C.A. No. 2023-0820-CDW

Dear Magistrate Wright:

I write on behalf of plaintiff Paul Berger Revocable Trust and the Class in the above-referenced action to provide the Court with a status update on the claims process and distribution of settlement proceeds. I have conferred with counsel for defendants Falcon Equity Investors LLC, Eagle Falcon JV Co LLC, Alan G. Mnuchin, Jeff Sagansky, Edgar Bronfman, Jr., Karen Finerman, Michael Ronen, and Saif Rahman Falcon Equity Investors LLC, Eagle Falcon JV Co LLC, Alan G. Mnuchin, Jeff Sagansky, Edgar Bronfman, Jr., Karen Finerman, Michael Ronen, and

Saif Rahman (collectively, "Defendants"), and Defendants have no objection to the contents hereof.

The large majority of claimants—typically in excess of 90%—who submit claims on behalf of stockholders in connection with de-SPAC merger settlements are third-party filers. Third-party filers are companies that are retained to file claims on behalf of beneficial and record owners of securities. Third-party filers are very familiar with the claims process in federal securities litigation, but are typically unfamiliar with the claims requirements in de-SPAC merger settlements. Here, unlike in securities class action settlements, claimants must provide *both* proof of their transactions to establish their damages, if any, but also additional documentation depending on the shares they held. Because of this, the claims process has faced some unique challenges and high deficiency rates.

To receive payment as holders of Non-Redeemed Shares,[1] claimants must provide adequate documentation demonstrating that they held pre-Merger FCAC Class A common Stock immediately following the redemption deadline of June 25, 2021. Notice at ¶¶ 33, 37(a)-(c). The Plan of Allocation in this action is particularly

[1] Unless otherwise defined, capitalized have the same meaning as set forth in the Notice of: (I) Settlement and Plan of Allocation; and (II) An Award of Attorneys' Fees and Expenses (Del. Ch. Feb. 10, 2025) (Trans. ID 75613505) ("Notice").

unique, as it also provides for payments to current Sharecare stockholders (as of the claims deadline). To receive maximum payment, claimants must demonstrate that the Sharecare shares they hold are traceable to pre-Merger FCAC shares. Notice at ¶¶ 34, 37(d). Otherwise, they will be paid a lesser amount calculated pursuant to the Plan of Allocation. Notice at ¶¶ 35, 37(e).

To date, 1,329 claims have been submitted without documentation supporting the claims, and 136 claims have been submitted on behalf of purported non-redeeming FCAC stockholders, but have been submitted without proof of ownership of FCAC stock immediately following the redemption deadline. The Settlement Administrator has followed up with these claimants and advised them of the deficiencies, but to date they have been unable to provide the requested proof. Class counsel wants to ensure that all Class members receive the funds to which they are entitled, but also that Class members who properly filed their claims are not unduly delayed in receiving payment of settlement proceeds. Accordingly, Class counsel instructed the settlement administrator to provide a final deficiency notice to claimants who have yet to provide adequate documentation. The notice will advise these claimants that they have 30 days to provide proof of their ownership of FCAC and Sharecare shares and/or that their Sharecare shares are traceable to pre-Merger

FCAC shares, or they will be foreclosed from distribution. The notice will be provided by email for those claimants for who provided email addresses to the claims administrator or via mail if the claimant has not provided an email address and will be sent by no later than November 20, 2026. Claimants will have until December 20, 2026 to perfect their claims. The Settlement Administrator will then process all additional documentation to determine whether these claimants qualify for a settlement distribution.

After conferring with the Settlement Administrator as to timing, Class counsel anticipates that they will be able to file a motion for distribution in January 2027.

The parties are available at the Court's convenience should Your Honor have any questions.

Respectfully,

/s/ Kelly L. Tucker

Kelly L. Tucker (#6382)

WORDS: 640/1,000

cc: Kevin M. Gallagher, Esq. (via File & ServeXpress)
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