

## CLASS ACTION SUMMARY

## GOLD COMMODITIES

## ANTITRUST CLASS ACTION SETTLEMENTS

# DID YOUR BUSINESS TRANSACT IN EXCHANGE-TRADED GOLD FUTURES AND OPTIONS AND COMMODITIES UNDERLYING THESE INSTRUMENTS?

## YOU MAY BE ELIGIBLE TO RECOVER MONEY!

### ELIGIBILITY SUMMARY

Fund Amount:  
**\$152 Million (approx.)**

Purchase Dates:  
**January 1, 2004 -  
June 30, 2013**

Filing Deadline:  
**1st Round: Passed  
2nd Round: N/A**

#### Eligible Class Members:

*Eligible class members include all persons and/or entities (excluding the United States Government and other governments) who or which, from January 1, 2004 through June 30, 2013:*

*(A) sold any physical gold or financial or derivative instrument in which gold is the underlying reference asset, including, but not limited to, those who sold (i) gold bullion, gold bullion coins, gold bars, gold ingots or any form of physical gold, (ii) gold futures contracts in transactions conducted in whole or in part on Commodities Exchange, Inc. ("COMEX") or any other exchange operated in the United States, (iii) shares in gold exchange-traded funds (known as "ETFs"), (iv) gold call options in transactions conducted over-the-counter or in whole or in part on COMEX or any other exchange operated in the United States; (v) gold spot, gold forwards or gold swaps over-the-counter; or*

*(B) bought gold put options in transactions conducted over the-counter or in whole or in part on COMEX or on any other exchange operated in the United States.*

#### "Defendants":

*The Defendants include:*

- 1) The Bank of Nova Scotia ("BNS");*
- 2) Barclays Bank plc and Barclays Capital Inc. (collectively, "Barclays");*
- 3) Deutsche Bank AG ("Deutsche");*
- 4) HSBC Bank plc ("HSBC");*
- 5) Société Générale SA ("Soc Gen"); and*
- 6) The London Gold Market Fixing Limited ("LGMFL").*

**THIS IS NOT AN OFFICIAL COURT NOTICE.  
INFORMATION CONTAINED IN THIS SUMMARY IS SUBJECT TO CHANGE.**

**The Services FRS Provides:** Financial Recovery Strategies (FRS) is a class action claims management consultant; we are not a court appointed claims administrator or class counsel. If you hire FRS, FRS will work within your guidelines to manage the claims process. The services that FRS provides include the following: (i) notifying you when we believe that you may be eligible to participate in settlements likely to be valuable to you; (ii) endeavoring to enhance the likelihood that all of your eligible business units (e.g., subsidiaries, divisions, acquisitions and divestitures) are included in the claims process; (iii) to reduce the support needed from your in-house staff, providing advice on what, if any, documents need to be collected and maintained, and, when requested, assisting in that effort; (iv) when required documents are not available or are too burdensome to collect, attempting to develop innovative alternatives to satisfy documentation requirements and striving to obtain approval of those alternatives; (v) preparing, assembling and submitting your claim package, and managing it throughout the claims processing phase, including working with you to address any concerns or questions claims administrators may have; (vi) providing regular updates on the recovery process; (vii) reviewing your payment to assure that it has not been under calculated; and (viii) following up with you to assure that your recovery check is deposited. FRS's recovery specialists are always available to answer any questions you may have.

**How to Retain FRS:** If you wish to hire FRS to file and manage a claim on your behalf, you must return a signed Claims Management Agreement and a signed Authority to File and Manage Claims. Before doing so, it is important that you understand their terms and make sure that all information about you is correct.

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## Case History

A class action was filed in 2014 alleging the Defendants conspired to fix, raise, maintain, stabilize and/or otherwise manipulate the gold benchmark price in violation of federal antitrust laws. Since then, the class has reached settlements with the Defendants in the total amount of \$152 million.

**First Round Settlements:** The first round of settlements with Deutsche (\$60 million) and HSBC (\$42 million) total \$102 million (these settlements received final Court approval). The claim filing deadline for this first round of settlements was August 23, 2021. Claims may still be filed subject to Court approval. Distributions of all funds secured in the first round of settlements will occur after the completion of the claims process.

**Second Round Settlement:** The final settlement with BNS, Barclays, Soc Gen and LGMFL totals \$50 million (this settlement is pending preliminary approval). Distributions of all funds secured in this settlement will occur after the completion of a claims process.

**Class Counsel or the Settlement Administrator may be contacted for additional settlement information.**

**You also may visit the Court-approved website.**

**Please understand that you have the right to file on your own.**

**To learn more about our services, visit [www.FRSCO.com](http://www.FRSCO.com).**

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