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*Attorneys for Defendants*

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 11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO**

14 JULIA JUNGE and RICHARD JUNGE, on  
 behalf of themselves and a class of similarly  
 15 situated investors,

Plaintiffs,

v.

18 GERON CORPORATION and JOHN A.  
 SCARLETT,

Defendants.

Case No. 3:20-cv-00547-WHA

(Related Case: 3:22-cv-80051-WHA)

**CLASS ACTION**

**DECLARATION OF RYAN E. BLAIR RE:  
 CLASS ACTION FAIRNESS ACT, 28 U.S.C. §  
 1715**

**Courtroom 12, 19<sup>th</sup> Floor  
 Judge: Hon. William H. Alsup**

1 I, Ryan E. Blair, hereby declare as follows:

2 1. I am a partner with the law firm Cooley LLP, counsel of record for  
3 Defendants Geron Corporation and Dr. John A. Scarlett (“Defendants”) in the above-  
4 captioned caption.

5 2. I am a member in good standing with the State Bar of California, and I  
6 am admitted to practice before this Court. I have personal knowledge of the facts set  
7 forth in this declaration and, if called as a witness, could and would testify  
8 competently thereto.

9 3. Pursuant to Paragraph 21 of the Stipulation and Agreement of  
10 Settlement (ECF No. 247), on September 9, 2022, my firm sent notices of the  
11 proposed class action settlement in the above-captioned action to the appropriate state  
12 and federal officials pursuant to the Class Action Fairness Act, 28 U.S.C. § 1715  
13 (“CAFA”).

14 4. Defendants’ CAFA notices included a CD containing copies of, among  
15 other things, the (1) Amended Consolidated Class Action Complaint for Violation of  
16 the Federal Securities Laws (“Amended Complaint”) filed on October 22, 2020 (ECF  
17 No. 103), (2) Court’s April 12, 2021, order granting in part and denying in part  
18 Defendants’ motion to dismiss the Amended Complaint (ECF No. 124), (3)  
19 Stipulation and Agreement of Settlement and all exhibits thereto, including the  
20 proposed notification to class members (ECF Nos. 247 through 247-5), and (4)  
21 Plaintiffs’ Notice of Unopposed Motion and Motion for Preliminary Approval of  
22 Proposed Class Action Settlement, including Memorandum of Points and Authorities  
23 in Support Thereof and all exhibits thereto (ECF Nos. 248 through 248-8).

24 5. Defendants’ CAFA notices were accompanied by a cover letter  
25 substantially in the form attached hereto as Exhibit A and were sent via United States  
26 Priority Express Mail to the persons identified in Exhibit B.

27 6. As of the date below, Defendants have not, to the best of my knowledge,  
28 received notification that any of the CAFA notices mailed to the persons identified

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in Exhibit B were returned as undeliverable nor have any of the persons identified in Exhibit B expressed any concerns to Defendants about the nature or scope of the proposed settlement.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 23, 2023, in San Diego, California.

/s/ Ryan E. Blair  
Ryan E. Blair

# Exhibit A



Jeffrey D. Lombard  
+1 206 452 8796  
jlombard@cooley.com

**Via Certified Mail**

September [ ], 2022

Attorney General, [INSERT NAME]  
[ADDRESS 1]  
[ADDRESS 2]  
[City, State Zip]

**Re: Notice of Class Action Settlement Pursuant to 28 U.S.C. § 1715**

To Whom It May Concern:

I write on behalf of Defendants<sup>1</sup> to serve notice of a proposed class action settlement pursuant to Section 3 of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715 *et seq.*, in the matter *Junge, et al. v. Geron Corporation, et al.*, Case No. 3:20-cv-547-WHA (DMR) (the "Action").

By providing this notice, Defendants intend to satisfy all notification obligations that the Defendants might have under CAFA with respect to the Action, without conceding that such notice is required by law.

Enclosed is a CD containing PDF copies of the following documents:<sup>2</sup>

1. Class Action Complaint for Violation of the Federal Securities Laws filed in the Action on January 23, 2020;
2. Class Action Complaint for Violation of the Federal Securities Laws filed in Case No. 3:20-cv-1163-WHA on February 14, 2020 (consolidated into the Action on May 14, 2020);
3. Consolidated Class Action Complaint for Violation of the Federal Securities Laws filed in the Action on August 20, 2020;
4. Amended Consolidated Class Action Complaint for Violation of the Federal Securities Laws ("Amended Complaint") filed in the Action on October 22, 2020;

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<sup>1</sup> "Defendants" are Geron Corporation and Dr. John A. Scarlett.

<sup>2</sup> These and other public documents from the docket in the Action are available, for a fee, through the Court's Public Access to Court Electronic Records ("PACER") system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m. Pacific, Monday through Friday, excluding Court holidays. Please note, when searching on PACER, the Action originally was named *Tollen v. Geron Corp., et al.*, Case No. 3-20-cv-547-WHA, as that may assist in your search.



Attorney General, [INSERT NAME]  
September [ ], 2022  
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5. The Court's April 12, 2021, order granting in part and denying in part Defendants' motion to dismiss the Amended Complaint;
6. Stipulation and Agreement of Settlement (and all exhibits thereto, including the proposed notification to class members<sup>3</sup>); and
7. Notice of Unopposed Motion and Motion for Preliminary Approval of Proposed Class Action Settlement, including Memorandum of Points and Authorities in Support Thereof (and all exhibits thereto);

Defendants also advise that, contemporaneous with the Settlement Agreement, Plaintiffs and Defendants have, by and through their respective counsel, entered into a confidential Supplemental Agreement. The Supplemental Agreement sets forth certain conditions under which Defendants shall have the option to terminate and render the Settlement Agreement null and void. Plaintiffs and Defendants have agreed to maintain the confidentiality of the Supplemental Agreement, which shall not be disclosed or filed unless required by the Court.

A preliminary approval hearing regarding the proposed settlement is scheduled for October 13, 2022, at 8:30 a.m. Pacific, before the Honorable William H. Alsup, United States District Court Judge for the Northern District of California, at the San Francisco Courthouse, 450 Golden Gate Avenue, Courtroom 12, 19th Floor, San Francisco, CA 94102.

Sincerely,

Cooley LLP

A handwritten signature in black ink that reads "Jeffrey Lombard".

Jeffrey D. Lombard

Enclosures

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<sup>3</sup> At this time, Defendants are unable to provide an estimate of the number of class members residing in each state, or the proportionate share of the claims of such members to the entire proposed settlement, in part, because Geron's registered holders represent multiple underlying beneficial holders whose identities and residencies are not presently known to Defendants. In addition, Defendants cannot feasibly estimate the proportionate share of claims in each state because the amount of each class member's claimed damages will be unknown until the settlement claims administration process is well underway.

# Exhibit B

<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE NUMBER</b>
U.S. Attorney General, Merrick B. Garland	U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530-0001	Department Comment Line: 202-353-1555 Department of Justice Main Switchboard: 202-514-2000
Alabama Attorney General, Steve Marshall	501 Washington Ave. P.O. Box 300152 Montgomery, AL 36130-0152	Telephone: (334) 242-7300
Alaska Attorney General, Treg Taylor	1031 W. 4th Avenue, Suite 200 Anchorage, AK 99501-1994	Telephone: (907) 269-5602
Arizona Attorney General, Mark Brnovich	2005 N. Central Ave. Phoenix, AZ 85004-2926	Telephone: (602) 542-5025
Arkansas Attorney General, Leslie Rutledge	323 Center St., Suite 200 Little Rock, AR 72201-2610	Telephone: (800) 482-8982 200
California Attorney General, Rob Bonta	1300 I St., Ste. 1740 Sacramento, CA 95814	Telephone: (916) 445-9555 1300
Colorado Attorney General, Phil Weiser	Office of the Attorney General Colorado Department of Law Ralph L. Carr Judicial Building 1300 Broadway, 10th Floor Denver, CO 80203	Telephone: (720) 508-6000
Connecticut Attorney General, William Tong	165 Capitol Avenue Hartford, CT 06106	Telephone: (860) 808-5318
Delaware Attorney General, Kathleen Jennings	Carvel State Office Bldg. 820 N. French St. Wilmington, DE 19801	Telephone: (302) 577-8400
District of Columbia Attorney General, Karl Racine	400 6 <sup>th</sup> Street N.W. Washington, DC 20001	Telephone: (202) 727-3400
Florida Attorney General, Ashley Moody	The Capitol, PL 01, Tallahassee, FL 32399-1050	Telephone: (850) 414-3300
Georgia Attorney General, Chris Carr	40 Capitol Square, SW Atlanta, GA 30334-1300	Telephone: (404) 656-3300
Hawaii Attorney General, Clare E. Connors	425 Queen St. Honolulu, HI 96813	Telephone: (808) 586-1500
Idaho Attorney General, Lawrence Wasden	700 W. Jefferson Street, Suite 210 P.O. Box 83720 Boise, ID 83720-0010	Telephone: (208) 334-2400
Illinois Attorney General, Kwame Raoul	James R. Thompson Ctr. 100 W. Randolph St. Chicago, IL 60601	Telephone: (312) 814-3000
Indiana Attorney General, Todd Rokita	Indiana Government Center South – 5th Floor 302 West Washington Street Indianapolis, IN 46204	Telephone: (317) 232-6201
Iowa Attorney General, Thomas Miller	Hoover State Office Bldg. 1305 E. Walnut Des Moines, IA 50319	Telephone: (515) 281-5164
Kansas Attorney General, Derek Schmidt	120 S.W. 10th Ave., 2nd Fl. Topeka, KS 66612-1597	Telephone: (785) 296-2215
Kentucky Attorney General, Daniel Cameron	700 Capitol Avenue Capitol Building, Suite 118 Frankfort, KY 40601	Telephone: (502) 696-5300
Louisiana Attorney General, Jeffrey Landry	P.O. Box 94095 Baton Rouge, LA 70804-4095	Telephone: (225) 326-6000
Maine Attorney General, Aaron Frey	State House Station 6 Augusta, ME 04333	Telephone: (207) 626-8800
Maryland Attorney General, Brian Frosh	200 St. Paul Place Baltimore, MD 21202-2202	Telephone: (410) 576-6300
Massachusetts Attorney General, Maura Healey	1 Ashburton Place Boston, MA 02108-1698	Telephone: (617) 727-2200



Michigan Attorney General, Dana Nessel	P.O. Box 30212 525 W. Ottawa St. Lansing, MI 48909-0212	Telephone: (517) 373-1110
Minnesota Attorney General, Keith Ellison	445 Minnesota Street Suite 1400 St. Paul, MN 55101-2131  75 Dr. Martin Luther King, Jr. Blvd State Capital, Suite 102 St. Paul, MN 55155	Telephone: (651) 296-3353
Mississippi Attorney General, Lynn Fitch	Department of Justice P.O. Box 220 Jackson, MS 39205  Department of Justice 550 High Street Jackson, MS 39201	Telephone: (601) 359-3680
Missouri Attorney General, Eric Schmitt	Supreme Ct. Bldg. 207 W. High St. Jefferson City, MO 65101	Telephone: (573) 751-3321
Montana Attorney General, Austin Knudsen	Justice Bldg. 215 N. Sanders Helena, MT 59620-1401	Telephone: (406) 444-2026
Nebraska Attorney General, Doug Peterson	State Capitol P.O. Box 98920 Lincoln, NE 68509-8920	Telephone: (402) 471-2682
Nevada Attorney General, Aaron Ford	Old Supreme Ct. Bldg. 100 N. Carson St. Carson City, NV 89701	Telephone: (775) 684-1100
New Hampshire Attorney General, John Formella	33 Capitol St. Concord, NH 03301	Telephone: (603) 271-3658
New Jersey Attorney General, Matthew J. Platkin	Richard J. Hughes Justice Complex 25 Market Street P.O. Box 080 Trenton, NJ 08625	Telephone: (609) 292-8740
New Mexico Attorney General, Hector Balderas	P.O. Drawer 1508 Santa Fe, NM 87504-1508  408 Galisteo Street Villagra Building Santa Fe, NM 87501	Telephone: (505) 490-4060
New York Attorney General, Letitia James	Dept. of Law - The Capitol, 2nd Fl. Albany, NY 12224	Telephone: (518) 776-2000
North Carolina Attorney General, Joshua Stein	Dept. of Justice P.O. Box 629 Raleigh, NC 27602-0629	Telephone: (919) 716-6400
North Dakota Attorney General, Drew Wrigley	State Capitol 600 E. Boulevard Ave. Bismarck, ND 58505-0040	Telephone: (701) 328-2210
Ohio Attorney General, Dave Yost	State Office Tower 30 E. Broad St. Columbus, OH 43266-0410	Telephone: (614) 466-4320
Oklahoma Attorney General, John O'Connor	313 N. E. 21 <sup>st</sup> Street Oklahoma City, OK 73105	Telephone: (405) 521-3921
Oregon Attorney General, Ellen Rosenblum	Justice Bldg. 1162 Court St., NE Salem, OR 97301	Telephone: (503) 378-6002
Pennsylvania Attorney General, Joshua Shapiro	Pennsylvania Office of Attorney General 16th Floor, Strawberry Square Harrisburg, PA 17120	Telephone: (717) 787-3391

Rhode Island Attorney General, Peter F. Neronha	150 S. Main St. Providence, RI 02903	Telephone: (401) 274-4400
South Carolina Attorney General, Alan Wilson	Rembert C. Dennis Office Bldg. P.O. Box 11549 Columbia, SC 29211-1549	Telephone: (803) 734-3970
South Dakota Attorney General, Mark Vargo	1302 E. Hwy. 14, Suite 1 Pierre, SD 57501- 8501	Telephone: (605) 773-3215
Tennessee Attorney General, Jonathan Skrmetti	425 5th Avenue North Nashville, TN 37243  P.O. Box 20207 Nashville, TN 37202-0207	Telephone: (615) 741-3491
Texas Attorney General, Ken Paxton	Capitol Station P.O. Box 12548 Austin, TX 78711-2548	Telephone: (512) 463-2100
Utah Attorney General, Sean Reyes	State Capitol, Rm. 236 Salt Lake City, UT 84114-0810	Telephone: (801) 538-9600
Vermont Attorney General, Susanne R. Young	109 State St. Montpelier, VT 05609-1001	Telephone: (802) 828-3173
Virginia Attorney General, Jason Miyares	202 North Ninth Street Richmond, Virginia 23219	Telephone: (804) 786-2071
Washington Attorney General, Robert Ferguson	1125 Washington Street SE P.O. Box 40100 Olympia, WA 98504-0100	Telephone: (360) 753-6200
West Virginia Attorney General, Patrick Morrissey	State Capitol 1900 Kanawha Blvd. E. Charleston, WV 25305	Telephone: (304) 558-2021
Wisconsin Attorney General, Josh Kaul	Wisconsin Department of Justice State Capitol Room 114 E. P.O. Box 7857 Madison, WI 53707-7857	Telephone: (608) 266-1221
Wyoming Attorney General, Bridget Hill	State Capitol Bldg. Cheyenne, WY 82002	Telephone: (307) 777-7841
American Samoa, Fainu'ulelei Falefatu Ala'ilima-Utu	American Samoa Government Executive Office Building Utulei Territory of American Samoa Pago Pago, AS 96799  Department of Legal Affairs Executive Office Bldg. 3rd Floor P.O. Box 7 Utulei, American Samoa 96799	Telephone: (684) 633-4163
Guam, Leevin T. Camacho	Office of Attorney General ITC Building 590 S. Marine Corps Dr, Ste. 706 Tamuning, Guam 96913  Office of the Attorney General Guam 590 S. Marine Corps Dr., Suite 901 Tamuning, Guam 96913	Telephone: (671) 475-2580
Northern Mariana Islands, Edward Manibusan	Administration Building P.O. Box 10007 Saipan, MP 96950-8907	Telephone: (670) 664-2341
Puerto Rico, Domingo Emanuelli Hernandez	P.O. Box 9020192 San Juan, Puerto Rico 00902-0192  Calle Teniente César González 677	Telephone: (787) 721-2900

	Esq. Ave. Jesús T. Piñero San Juan, Puerto Rico	
U.S. Virgin Islands, Denis N. George	3438 Kronprindsens Gade, GERS Building, 2nd Floor St. Thomas, Virgin Islands 00802  #213 Estate La Reine 6151 RR1 St. Croix, Virgin Islands 00850	Telephone: (340) 774-5666