United States District Court
Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIUSEPPE PAMPENA, et al.,
Plaintiffs,
v.
ELON MUSK,
Defendant.

Case No. 22-cv-05937-CRB

VERDICT FORM

A. LIABILITY

Statement 1: "Twitter deal temporarily on hold pending details supporting calculation that spam/fake accounts do indeed represent less than 5% of users."

1. Did the Plaintiffs prove their Rule 10b-5(b) claim against the defendant for Statement 1 identified above?

Yes: ✓ No: _____

PLEASE PROCEED TO STATEMENT 2 ON THE NEXT PAGE

Statement 2: "I think it's some number that is probably at least four or five times that number. I'd say at – if you did sort of the – the lowest estimate would be probably 20 percent. And this – and this is – a bunch of quite smart outside firms have done analysis of Twitter and looked at the – the sort of daily – daily users, and their conclusion is also about – it's about 20 percent."

2. Did the Plaintiffs prove their Rule 10b-5(b) claim against the defendant for Statement 2 identified above?

Yes: _____ No: ✓

PLEASE PROCEED TO STATEMENT 3 ON THE NEXT PAGE

Statement 3: "20% fake/spam accounts, while 4 times what Twitter claims, could be *much* higher. My offer was based on Twitter's SEC filings being accurate. Yesterday, Twitter's CEO publicly refused to show proof of <5%. This deal cannot move forward until he does."

3. Did the Plaintiffs prove their Rule 10b-5(b) claim against the defendant for Statement 3 identified above?

Yes: X   No: _____

PLEASE PROCEED TO SCHEME ON THE NEXT PAGE

United States District Court
Northern District of California

4. Did the Plaintiffs prove their Rule 10b-5(a) and/or (c) claim against the defendant for engaging in a scheme to defraud Twitter investors?

Yes: _____ No: ✓

If you answered yes to question 1, 2, 3, or 4, please proceed to ***Part B*** *on the next page. If you did not, you are finished with the Verdict Form. Please turn to the last page, sign and date the Verdict Form and inform the Court you have finished.*

United States District Court
Northern District of California

*Only fill out **Part B**, below, if you answered yes to question 1, 2, 3, or 4. If you did not answer yes to any of those questions, you are finished with the Verdict Form. Please turn to the last page, sign and date the Verdict Form and inform the Court you have finished.*

B. <u>DAMAGES</u> Reference Exhibit 342

4. Determine the amount of artificial deflation per share of Twitter stock proved by Plaintiffs on each date during the Class Period and write it in the table below. If you find that Plaintiffs did not prove artificial deflation on any particular day or days, please leave that date blank.

Date	Amount of Artificial Deflation Per Share
May 13, 2022	$__.__ 6.17
May 16, 2022	$__.__ 7.69
May 17, 2022	$__.__ 7.26
May 18, 2022	$__.__ 7.94
May 19, 2022	$__.__ 7.74
May 20, 2022	$__.__ 7.28
May 23, 2022	$__.__ 7.47
May 24, 2022	$__.__ 8.44
May 25, 2022	$__.__ 7.80
May 26, 2022	$__.__ 6.72
May 27, 2022	$__.__ 6.42
May 31, 2022	$__.__ 6.68
June 1, 2022	$__.__ 6.82

United States District Court
Northern District of California

June 2, 2022	$__.__ 6.54
June 3, 2022	$__.__ 6.42
June 6, 2022	$__.__ 6.70
June 7, 2022	$__.__ 6.44
June 8, 2022	$__.__ 6.29
June 9, 2022	$__.__ 6.71
June 10, 2022	$__.__ 6.96
June 13, 2022	$__.__ 7.85
June 14, 2022	$__.__ 7.77
June 15, 2022	$__.__ 7.42
June 16, 2022	$__.__ 7.70
June 17, 2022	$__.__ 7.51
June 21, 2022	$__.__ 6.99
June 22, 2022	$__.__ 7.17
June 23, 2022	$__.__ 7.10
June 24, 2022	$__.__ 6.77
June 27, 2022	$__.__ 6.87
June 28, 2022	$__.__ 7.05
June 29, 2022	$__.__ 7.50
June 30, 2022	$__.__ 7.69
July 1, 2022	$__.__ 7.31
July 5, 2022	$__.__ 7.24
July 6, 2022	$__.__ 7.31
July 7, 2022	$__.__ 7.05
July 8, 2022	$__.__ 7.96
July 11, 2022	$__.__ 7.96
July 12, 2022	$__.__ 7.43

July 13, 2022	$__.__ 6.44
July 14, 2022	$__.__ 6.61
July 15, 2022	$__.__ 6.08
July 18, 2022	$__.__ 5.83
July 19, 2022	$__.__ 5.43
July 20, 2022	$__.__ 5.39
July 21, 2022	$__.__ 5.42
July 22, 2022	$__.__ 5.30
July 25, 2022	$__.__ 5.52
July 26, 2022	$__.__ 5.49
July 27, 2022	$__.__ 5.30
July 28, 2022	$__.__ 4.91
July 29, 2022	$__.__ 4.65
August 1, 2022	$__.__ 4.91
August 2, 2022	$__.__ 4.88
August 3, 2022	$__.__ 4.87
August 4, 2022	$__.__ 4.85
August 5, 2022	$__.__ 4.31
August 8, 2022	$__.__ 4.16
August 9, 2022	$__.__ 4.20
August 10, 2022	$__.__ 3.61
August 11, 2022	$__.__ 3.79
August 12, 2022	$__.__ 3.67
August 15, 2022	$__.__ 3.58
August 16, 2022	$__.__ 3.62
August 17, 2022	$__.__ 3.77
August 18, 2022	$__.__ 3.82

United States District Court
Northern District of California

August 19, 2022	$__.__ 3.77
August 22, 2022	$__.__ 4.13
August 23, 2022	$__.__ 4.13
August 24, 2022	$__.__ 3.86
August 25, 2022	$__.__ 3.79
August 26, 2022	$__.__ 3.96
August 29, 2022	$__.__ 4.08
August 30, 2022	$__.__ 4.29
August 31, 2022	$__.__ 4.45
September 1, 2022	$__.__ 4.49
September 2, 2022	$__.__ 4.49
September 6, 2022	$__.__ 4.48
September 7, 2022	$__.__ 3.74
September 8, 2022	$__.__ 3.56
September 9, 2022	$__.__ 3.46
September 12, 2022	$__.__ 3.68
September 13, 2022	$__.__ 3.59
September 14, 2022	$__.__ 3.54
September 15, 2022	$__.__ 3.47
September 16, 2022	$__.__ 3.67
September 19, 2022	$__.__ 3.61
September 20, 2022	$__.__ 3.61
September 21, 2022	$__.__ 3.72
September 22, 2022	$__.__ 3.69
September 23, 2022	$__.__ 3.64
September 26, 2022	$__.__ 3.65
September 27, 2022	$__.__ 3.49

September 28, 2022	$__.__ 3.15
September 29, 2022	$__.__ 3.30
September 30, 2022	$__.__ 2.98
October 3, 2022	$__.__ 3.36

PLEASE PROCEED TO THE NEXT PAGE

United States District Court
Northern District of California

5. Determine the amount of damages to Twitter options proved by Plaintiffs (check only one box)

☐ The amount of damages Plaintiffs' expert calculated in Exhibit 298 based on the existence of a scheme to defraud.

☑ The amount of damages Plaintiffs' expert calculated in Exhibit 298 based on the false statements made by Musk.

☐ An amount of damages consistent with the amount of stock deflation we selected in paragraph four above (choose this box only if you selected an amount of deflation in paragraph 4 that is different that an amount calculated by Plaintiffs' expert).

☐ We do not award any damages for the options.

PLEASE PROCEED TO THE NEXT PAGE

United States District Court
Northern District of California

United States District Court
Northern District of California

C. RETURN OF VERDICT

Once the form is completed, the foreperson for the jury must sign and date it below:

Dated: 3-20-26 Signed: #1
Jury Foreperson