

# PROOF OF CLAIM AND RELEASE FORM

*In re Silvergate Capital Corporation Securities Litigation*  
No. 3:22-cv-01936-JES-MSB (S.D. Cal.)

**Toll-Free Number: 866-287-0746**

**Email: [info@SilvergateSecuritiesLitigation.com](mailto:info@SilvergateSecuritiesLitigation.com)**

**Website: [www.SilvergateSecuritiesLitigation.com](http://www.SilvergateSecuritiesLitigation.com)**

You must complete and submit the electronic version of this claim form available at [www.SilvergateSecuritiesLitigation.com](http://www.SilvergateSecuritiesLitigation.com) no later than 11:59 p.m. E.T. on October 21, 2025, or mail your completed and signed claim form postmarked on or before October 21, 2025.

**Mail to: *Silvergate Securities Litigation***  
**c/o JND Legal Administration**  
**P.O. Box 91072**  
**Seattle, WA 98111**

Failure to submit your Claim Form by the date specified will subject your claim to rejection and may preclude you from being eligible to receive any money in connection with the Settlement.

**Do not mail or deliver your Claim Form to the Court, the Parties to the Action, or their counsel. Submit your Claim Form only to the Claims Administrator at the address set forth above.**

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# INSTRUCTIONS FOR COMPLETING PROOF OF CLAIM AND RELEASE FORM

## **GENERAL RULES FOR RECOVERING**

1. To recover as a Settlement Class Member based on your claims in the action entitled *In re Silvergate Capital Corporation Securities Litigation*, No. 3:22-cv-01936-JES-MSB (S.D. Cal.) (the “Action”),<sup>1</sup> you must complete and, on page 10 hereof, sign this Proof of Claim and Release Form (“Claim Form”). If you fail to timely and completely file a properly addressed (as set forth in paragraph 3 below) Claim Form, your Claim may be rejected and you may be precluded from any recovery from the Net Settlement Fund created in connection with the proposed Settlement.
2. Submission of this Claim Form, however, does not assure that you will share in the proceeds of the Settlement. Your recovery, if any, will be calculated as described in the Plan of Allocation in the Notice of (I) Pendency of Class Action and Proposed Settlement of Class Action; (II) Settlement Hearing; and (III) Motion for Attorneys’ Fees and Litigation Expenses (“Notice”).
3. YOU MUST COMPLETE AND SUBMIT THE ELECTRONIC VERSION OF THIS CLAIM FORM AVAILABLE AT [WWW.SILVERGATESECURITIESLITIGATION.COM](http://WWW.SILVERGATESECURITIESLITIGATION.COM) NO LATER THAN 11:59 P.M. ET ON OCTOBER 21, 2025, OR MAIL YOUR COMPLETED AND SIGNED CLAIM FORM POSTMARKED ON OR BEFORE OCTOBER 21, 2025, ADDRESSED AS FOLLOWS:

*Silvergate Securities Litigation*  
c/o JND Legal Administration  
P.O. Box 91072  
Seattle, WA 98111

4. If you are NOT a Settlement Class Member (as defined in the Notice), DO NOT submit a Claim Form.
5. If you are a Settlement Class Member and you did not timely and validly request exclusion from the proposed Settlement Class (pursuant to the procedures set forth in the Notice), you will still be bound by the terms of the Settlement and proposed Judgment to be entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A CLAIM FORM.
6. **PLEASE NOTE:** As set forth in the Plan of Allocation, each Authorized Claimant shall receive his, her, or its *pro rata* share of the Net Settlement Fund. If the prorated payment to any Authorized Claimant calculates to less than \$10.00, it will not be included in the calculation, and no distribution will be made to that Authorized Claimant.

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<sup>1</sup> This Claim Form incorporates by reference the definitions in the Stipulation and Agreement of Settlement between the Parties, dated May 9, 2025 (the “Stipulation”), and all capitalized terms used, but not defined herein, shall have the same meanings as in the Stipulation or in the Notice of (I) Pendency of Class Action and Proposed Settlement of Class Action; (II) Settlement Hearing; and (III) Motion for Attorneys’ Fees and Litigation Expenses (“Notice”). Copies of both documents can be obtained at [www.SilvergateSecuritiesLitigation.com](http://www.SilvergateSecuritiesLitigation.com).

## **IDENTIFICATION OF CLAIMANT**

7. THIS CLAIM FORM MUST BE SUBMITTED BY THE ACTUAL BENEFICIAL PURCHASER(S), OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S), OF SILVERGATE CAPITAL CORPORATION (“SILVERGATE CAPITAL”) STOCK UPON WHICH THESE CLAIMS ARE BASED.
8. Use Part I of this form entitled “Claimant Identification” to identify each beneficial purchaser.
9. All joint purchasers must sign this Claim Form. Executors, administrators, guardians, conservators, and trustees must complete and sign this Claim Form on behalf of persons represented by them, and their authority must accompany this Claim and their titles or capacities must be stated. The last four digits of the Social Security (or taxpayer identification) number and telephone number of the beneficial owner(s) may be used in verifying the Claim. Failure to provide the foregoing information could delay verification of your Claim or result in rejection of the Claim.
10. **One Claim should be submitted for each separate legal entity or separately managed account.** Separate Claim Forms should be submitted for each separate legal entity (e.g., an individual should not combine his or her IRA transactions with transactions made solely in the individual’s name). Generally, a single Claim Form should be submitted on behalf of one legal entity including all holdings and transactions made by that entity on one Claim Form. However, if a single person or legal entity had multiple accounts that were separately managed, separate Claims may be submitted for each such account. The Claims Administrator reserves the right to request information on all the holdings and transactions in Silvergate Capital Stock made on behalf of a single beneficial owner.
11. Agents, executors, administrators, guardians, and trustees must complete and sign the Claim Form on behalf of persons represented by them, and they must:
  - (a) expressly state the capacity in which they are acting;
  - (b) identify the name, account number, Social Security Number (or taxpayer identification number), address, and telephone number of the beneficial owner of (or other person or entity on whose behalf they are acting with respect to) the Silvergate Capital Stock; and
  - (c) furnish herewith evidence of their authority to bind to the Claim Form the person or entity on whose behalf they are acting. (Authority to complete and sign a Claim Form cannot be established by stockbrokers demonstrating only that they have discretionary authority to trade securities in another person’s accounts.)

## **IDENTIFICATION OF TRANSACTION(S)**

12. Use Parts II and III of this form to supply all required details of your transaction(s) in (a) Silvergate Capital common stock and (b) depositary shares representing a 1/40th interest in a share of 5.375% Fixed Rate Non-Cumulative Perpetual Preferred Stock, Series A (“Silvergate Capital Preferred Stock” and with Silvergate Capital common stock, “Silvergate Capital Stock”). If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.
13. On the schedules, provide all of the requested transaction and holding information with respect to **all** of your transactions in Silvergate Capital Stock, whether or not such transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your Claim.
14. List each transaction separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

15. You should attach documentation verifying your transactions in Silvergate Capital Stock, such as copies of broker statements or transaction confirmations. Failure to provide this documentation could delay verification of your Claim or result in rejection of your Claim.
16. By submitting a signed Claim Form, you will be swearing to the truth of the statements contained therein and the genuineness of the documents attached thereto, subject to penalties of perjury under the laws of the United States of America. The making of false statements, or the submission of forged or fraudulent documentation, will result in the rejection of your claim and may subject you to civil liability or criminal prosecution.

## **OTHER**

17. Payments to eligible Authorized Claimants will be made only if the Court approves the Settlement, after any appeals are resolved, and after the completion of all claims processing.
18. If you have questions concerning the Claim Form, or need additional copies of the Claim Form or the Notice, you may contact the Claims Administrator, JND Legal Administration, at the above address, by email at [info@SilvergateSecuritiesLitigation.com](mailto:info@SilvergateSecuritiesLitigation.com) or by toll-free phone at 866-287-0746, or you can visit the website, [www.SilvergateSecuritiesLitigation.com](http://www.SilvergateSecuritiesLitigation.com), where copies of the Claim Form and Notice are available for downloading.
19. **NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. To obtain the mandatory electronic filing requirements and file layout, you may visit the settlement website at [www.SilvergateSecuritiesLitigation.com](http://www.SilvergateSecuritiesLitigation.com) or you may email the Claims Administrator's electronic filing department at [SVGSecurities@SilvergateSecuritiesLitigation.com](mailto:SVGSecurities@SilvergateSecuritiesLitigation.com). Any file not in accordance with the required electronic filing format will be subject to rejection. The complete name of the beneficial owner of the securities must be entered where called for. No electronic files will be considered to have been submitted unless the Claims Administrator issues an email confirming receipt of your submission. Do not assume that your file has been received until you receive that email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at [SVGSecurities@SilvergateSecuritiesLitigation.com](mailto:SVGSecurities@SilvergateSecuritiesLitigation.com) to inquire about your file and confirm it was received.

### **IMPORTANT: PLEASE NOTE**

**YOUR CLAIM IS NOT DEEMED FILED UNTIL YOU RECEIVE AN ACKNOWLEDGEMENT POSTCARD. THE CLAIMS ADMINISTRATOR WILL ACKNOWLEDGE RECEIPT OF YOUR CLAIM FORM BY MAIL, WITHIN 60 DAYS. IF YOU DO NOT RECEIVE AN ACKNOWLEDGEMENT POSTCARD WITHIN 60 DAYS, CALL THE CLAIMS ADMINISTRATOR TOLL FREE AT 866-287-0746.**

# PART I – CLAIMANT IDENTIFICATION

## Claimant/Representative Contact Information:

The Claims Administrator will use the contact information for all correspondence relevant to this Claim (including the issuance of the distribution check, if the Claim is ultimately determined to be eligible for payment). If the contact information changes, then you must notify the Claims Administrator in writing at the address identified above.

Beneficial Owner's Name

First Name

MI

Last Name

Joint Beneficial Owner's Name (if applicable)

First Name

MI

Last Name

If this claim is submitted for an IRA, and if you would like any check that you MAY be eligible to receive made payable to the IRA, please include "IRA" in the "Last Name" box above (e.g., Jones IRA).

Entity Name (if the Beneficial Owner is not an individual)

Name of Representative, if applicable (executor, administrator, trustee, c/o, etc.), if different from Beneficial Owner

Street Address

Address (Second line, if needed)

City

State/Province

Zip Code

Foreign Country (if applicable)

Last 4 digits of Social Security Number or T.I.N

Telephone Number (Day)

Telephone Number (Evening)

Email Address (email address is not required, but if you provide it you authorize the Claims Administrator to use it in providing you with information relevant to this claim):

Account Number

Type of Beneficial Owner (Specify one of the following):

- Individual(s)       Corporation       UGMA Custodian       IRA       Partnership  
 Estate       Trust       Other (describe): \_\_\_\_\_

# PART II – SCHEDULE OF TRANSACTIONS IN SILVERGATE CAPITAL COMMON STOCK

**A. Purchases:** List all purchases or acquisitions of Silvergate Capital common stock (CUSIP: 82837P408, Symbol: SI, later SICP and SICPQ) (“Silvergate Capital Common Stock”) from November 7, 2019 (including in the November 7, 2019 initial public offering), through May 11, 2023, inclusive. Be sure to attach documentation verifying your transactions.

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares	Price Per Share	Total Purchase Price (Excluding Commissions)	Check this box if the shares were purchased in or traceable to a 2021 Offering*
/ /		\$	\$	<input type="checkbox"/>
/ /		\$	\$	<input type="checkbox"/>
/ /		\$	\$	<input type="checkbox"/>
/ /		\$	\$	<input type="checkbox"/>

\* The 2021 Offerings of Silvergate Capital Common Stock were conducted on or about January 22, 2021 (at an offering price of \$63 per share); from March 9, 2021, through May 18, 2021 (at market prices); and on or about December 7, 2021 (at an offering price of \$145 per share). If you purchased shares that were not purchased directly in one of the 2021 Offerings at the offering price, but that you believe are specifically traceable to one of those offerings, you must submit documents with your Claim Form showing that the specific shares that you purchased were issued in that offering.

**B. Purchases:** List the total number of shares of Silvergate Capital Common Stock purchased or otherwise acquired from May 12, 2023, through May 9, 2025, inclusive.

**C. Sales:** List all sales of Silvergate Capital Common Stock from November 7, 2019, through May 9, 2025, inclusive. Be sure to attach documentation verifying your transactions.

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares Sold	Sale Price Per Share	Total Sales Price (Excluding commissions, taxes and fees)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

**D. Unsold Holdings:** List the number of shares of Silvergate Capital Common Stock held as of the close of trading on May 9, 2025. Be sure to attach documentation verifying your holdings such as a current account statement.

Quantity of Shares Held

If you require additional space to list your transactions, use photocopies of this page and check this box.

# PART III – SCHEDULE OF TRANSACTIONS IN SILVERGATE CAPITAL PREFERRED STOCK

**A. Purchases:** List all purchases or acquisitions of depository shares representing a 1/40th interest in a share of 5.375% Fixed Rate Non-Cumulative Perpetual Preferred Stock, Series A (CUSIP: 82837P507) (“Silvergate Capital Preferred Stock”) from July 29, 2021 (including in the July 29, 2021 initial public offering), through May 11, 2023, inclusive. Be sure to attach documentation verifying your transactions.

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares	Price Per Share	Total Purchase Price (Excluding Commissions)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

**B. Purchases:** List the total number of shares of Silvergate Capital Preferred Stock purchased or otherwise acquired from May 12, 2023, through May 9, 2025, inclusive.

**C. Sales:** List all sales of Silvergate Capital Preferred Stock from July 29, 2021, through May 9, 2025, inclusive. Be sure to attach documentation verifying your transactions.

Trade Date (List Chronologically) (Month/Day/Year)	Number of Shares	Price Per Share	Total Sales Proceeds (Excluding Commissions)
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$
/ /		\$	\$

**D. Unsold Holdings:** List the number of shares of Silvergate Capital Preferred Stock held as of the close of trading on May 9, 2025. Be sure to attach documentation verifying your holdings such as a current account statement.

Quantity of Shares Held

If you require additional space to list your transactions, use photocopies of this page and check this box.

**YOU MUST READ THE RELEASE AND YOUR SIGNATURE ON PAGE 10 WILL CONSTITUTE YOUR ACKNOWLEDGMENT OF THE RELEASE.**

## **PART IV – SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS**

I (we) submit this Claim Form under the terms of the Settlement described in the notice. I (we) also submit to the jurisdiction of the United States District Court for the Southern District of California with respect to my (our) claim as a Settlement Class Member and for purposes of enforcing the releases set forth in the Settlement and repeated herein. I (we) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Action. I (we) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (we) have not submitted any other claim covering the same purchases or sales of Silvergate Capital Stock and know of no other person having done so on my (our) behalf.

## **PART V – RELEASE**

1. I (we) hereby acknowledge, on behalf of myself (ourselves), and each of my (our) heirs, executors, administrators, predecessors, successors, and assigns, in their capacities as such, anyone claiming through or on behalf of any of them, and any other person or entity legally entitled to bring Released Plaintiffs' Claims on behalf of myself (ourselves), in that capacity (collectively, "Plaintiffs' Releasees"), regardless of whether I, we, or they share in the Settlement Fund, that I (we) fully, finally, and forever compromise, settle, release, resolve, relinquish, dismiss, waive, and discharge each and every Released Plaintiffs' Claim against Defendants and the other Defendants' Releasees, and will forever be barred and enjoined from commencing, instituting, intervening in, participating in, continuing, maintaining, asserting or prosecuting, either directly or indirectly, whether in the United States or elsewhere, on their own behalf or on behalf of any class or any other person, any action, suit, cause of action, claim, or demand with respect to any or all of the Released Plaintiffs' Claims against any of the Defendant Releasees in any court of law or equity, arbitration, tribunal, administrative forum, or other forum of any kind or character, whether brought directly, in a representative capacity, derivatively, or in any other capacity.
2. "Defendants' Releasees" means Defendants and each of their current and former parents, affiliates, subsidiaries, officers, directors, agents, successors, predecessors, assigns, assignees, heirs, executors, estates, administrators, joint ventures, entities in which they have a controlling interest, partnerships, partners, members, trustees, trusts, employees, Immediate Family Members, insurers, reinsurers, accountants, auditors, and attorneys, in their capacities as such.
3. "Released Plaintiffs' Claims" means all claims, demands, losses, rights, and causes of action of any nature whatsoever, whether known claims or Unknown Claims, that have been or could have been asserted in this Action or could in the future be asserted in any forum, whether foreign or domestic, whether arising under federal, state, common, or foreign law or any other law, rule or regulation, by Plaintiffs, any member of the Settlement Class, or their successors, assigns, executors, administrators, representatives, attorneys, and agents, in their capacities as such, whether brought directly or indirectly against any of the Defendants, which arise out of, are based upon, or relate in any way to (i) any of the allegations, acts, transactions, facts, events, matters, occurrences, representations or omissions involved, set forth, alleged or referred to, in the Action, or which could have been alleged in the Action, and/or (ii) the purchase, acquisition, holding, sale,

or disposition of the publicly traded common stock of Silvergate Capital during the Class Period and/or the securities issued in or traceable to any of Silvergate Capital's securities offerings during 2021. This release does not include any claims relating to the enforcement of the Settlement.

4. "Unknown Claims" means any Released Plaintiffs' Claims which any Plaintiff or any other Settlement Class Member or any other Plaintiff Releasor does not know or suspect to exist in his, her, or its favor at the time of the release of such claims, and any Released Defendants' Claims which any Defendant or any other Defendant Releasor does not know or suspect to exist in his, her, or its favor at the time of the release of such claims, in each case which, if known by him, her, or it, might have affected his, her, or its decision(s) with respect to this Settlement, including but not limited to whether to object to the Settlement or seek exclusion from the Settlement Class. With respect to any and all Released Claims, the Parties stipulate and agree that, upon the Effective Date of the Settlement, Plaintiffs and Defendants shall expressly waive, and each of the other Settlement Class Members and each of the other Plaintiff Releasors and Defendant Releasors shall be deemed to have waived, and by operation of the Judgment shall have expressly waived, to the fullest extent permitted by law, any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law or foreign law, which is similar, comparable, or equivalent to California Civil Code § 1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

Plaintiffs, Settlement Class Members, and Defendants acknowledge that they may hereafter discover facts in addition to or different from those which he, she, or it or their counsel now knows or believes to be true with respect to the subject matter of the Released Claims, but, upon the Effective Date of the Settlement, Plaintiffs and Defendants shall expressly fully, finally, and forever settle and release, and each of the other Settlement Class Members shall be deemed to have, and by operation of the Judgment shall have, fully, finally, and forever settled and released, any and all Released Claims, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule without regard to the subsequent discovery or existence of such different or additional facts. Plaintiffs and Defendants acknowledge, and each of the other Settlement Class Members and each of the other Plaintiff Releasors and Defendant Releasors shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and a material element of the Settlement.

5. This release shall be of no force or effect unless and until the Court approves the Settlement and the Effective Date of the Settlement (as defined in the Stipulation) occurs.
6. I (we) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to the Settlement or any other part or portion thereof.
7. I (we) hereby warrant and represent that I (we) have included information about all of my (our) purchases and sales of Silvergate Capital Stock during the required periods as set forth above.
8. I (we) hereby warrant and represent that I (we) have not submitted any other claim covering the same purchases of Silvergate Capital Stock and knows (know) of no other person having done so on my (our) behalf.

9. I (we) hereby warrant and represent that I am (we are) not excluded from the Settlement Class as defined in the Notice and that I (we) have not requested to be excluded from the Settlement Class pursuant to the procedures set forth in the notice.
10. The claimant(s) submit(s) to the jurisdiction of the Court with respect to claimant's (claimants') claim and for purposes of enforcing the releases set forth herein.
11. I (we) agree to furnish such additional information with respect to this Claim Form as Lead Counsel, the Claims Administrator, or the Court may require.
12. The claimant(s) waive(s) the right to trial by jury, to the extent it exists, and agree(s) to the determination by the Court of the validity or amount of this Claim, and waive(s) any right of appeal or review with respect to such determination.
13. I (we) acknowledge that the claimant(s) will be bound by and subject to the terms of any judgment(s) that may be entered in the Action; and
14. I (we) certify that I am (we are) not subject to backup withholding under the provisions of section 3406(a)(1)(c) of the Internal Revenue Code.

Note: if you have been notified by the Internal Revenue Service that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

**I (WE) DECLARE THAT THE FOREGOING INFORMATION SUPPLIED BY THE UNDERSIGNED IS TRUE AND CORRECT.**

Executed this \_\_\_\_ day of \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_  
 (Month/Year) (City) (State/Country)

\_\_\_\_\_  
 Signature of Claimant

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Type or print Name of Claimant

\_\_\_\_\_  
 Signature of Joint Claimant, if any

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Type or print Joint Claimant, if any

***If Claimant is other than an individual, or is not the person completing this form, the following also must be provided:***

\_\_\_\_\_  
 Signature of Person Completing Form

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Print Name of Person Completing Form

\_\_\_\_\_  
 Capacity of Person(s) Signing (e.g., Beneficial Purchaser, Executor or Administrator, see ¶ 11 on page 3)

# REMINDER CHECKLIST



1. Please be sure to sign this Claim Form.
2. Remember to attach **COPIES OF** documentation verifying your transactions listed above.
3. **DO NOT SEND ORIGINALS OF ANY DOCUMENTS VERIFYING YOUR TRANSACTIONS.**



4. Keep a copy of your Claim Form for your records.
5. If you move, please send your new address to the Claims Administrator at the address below:

*Silvergate Securities Litigation*  
c/o JND Legal Administration  
P.O. Box 91072  
Seattle, WA 98111  
866-287-0746



[info@SilvergateSecuritiesLitigation.com](mailto:info@SilvergateSecuritiesLitigation.com)



6. **Do not use highlighter on the Claim Form or supporting documentation.**