

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

ROBERT STROUGO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

TIVITY HEALTH, INC., et al.,

Defendants.

) Civil Action No. 3:20-cv-00165

) CLASS ACTION

) Judge Waverly D. Crenshaw, Jr.

) Magistrate Judge Jeffery S. Frensley

) SUPPLEMENTAL DECLARATION OF

) ROSS D. MURRAY REGARDING

) CONTINUED NOTICE DISSEMINATION

) AND REQUESTS FOR EXCLUSION

) RECEIVED

I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Verita Global, located at 1 McInnis Parkway, Suite 250, San Rafael, California. Pursuant to this Court's June 30, 2025 Order (ECF 446) (the "Preliminary Approval Order"), Verita Global was appointed as the Claims Administrator in connection with the proposed Settlement of the above-captioned litigation (the "Litigation").¹ Verita Global was previously appointed by the Court in connection with providing notice of the pendency of the Litigation. I oversaw the notice services that Verita Global provided in accordance with the Preliminary Approval Order.

2. I submit this declaration as a supplement to my previously filed declaration, the Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion (ECF 453) (the "Initial Mailing Declaration"). The following statements are based on my personal knowledge and information provided to me by other Verita Global employees, and, if called as a witness, I could and would testify competently thereto.

CONTINUED DISSEMINATION OF NOTICE

3. As more fully detailed in the Initial Mailing Declaration, as of October 6, 2025, Verita Global had mailed or emailed a total of 25,753 Postcard Notices to potential Class Members and their nominees. In addition, one institution reported that they anticipated sending Postcard Notices via email to 6,143 potential Class Members. *See* Initial Mailing Declaration, ¶11.

4. Since October 6, 2025, Verita Global has not mailed or emailed any additional Postcard Notices in response to requests from potential Class Members, brokers, and nominees or as a result of mail returned as undeliverable for which new addresses were identified and re-mailed to those new addresses.² Therefore, as of November 3, 2025, Verita Global has mailed or emailed a total of 25,753 Postcard Notices to potential Class Members and nominees.

¹ Any capitalized terms used that are not otherwise defined herein shall have the meanings ascribed to them in the Stipulation of Settlement dated June 23, 2025 (ECF 445) (the "Stipulation"), which is available on the website established for the Litigation at www.TivityHealthSecuritiesLitigation.com.

² Verita Global has re-mailed a total of eight Postcard Notices to persons whose original mailings were returned by the United States Postal Service ("USPS") and for whom updated addresses were provided to Verita Global by the USPS or were obtained through other means.

UPDATE ON TELEPHONE HELPLINE AND WEBSITE

5. Verita Global continues to maintain the toll-free telephone number (1-888-756-7630) to accommodate inquiries about the Settlement from potential Class Members. Verita Global has been and will continue to promptly respond to all inquiries to the toll-free telephone helpline.

6. Verita Global also continues to maintain the website dedicated to the Settlement, www.TivityHealthSecuritiesLitigation.com (the “Settlement Website”), to assist potential Class Members. Following Lead Counsel’s filing of their briefing in support of the Settlement on October 8, 2025, Verita Global posted to the Settlement Website copies of the papers in support of the Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation and Memorandum of Law in Support Thereof and the Motion for an Award of Attorneys’ Fees and Expenses and Award to Plaintiff Pursuant to 15 U.S.C. §78u-4(a)(4) and Memorandum of Law in Support Thereof. Verita Global will continue operating, maintaining and, as appropriate, updating the Settlement Website until the conclusion of the administration of this Settlement.

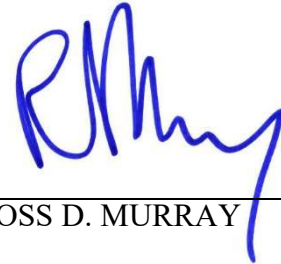
REQUESTS FOR EXCLUSION AND OBJECTIONS RECEIVED TO DATE

7. The Notice of Pendency informed potential Class Members that written requests for exclusion from the Class were to be sent to Verita Global, such that they were postmarked or received no later than December 2, 2024.

8. The Notice of Pendency also set forth the information that must be included in each request for exclusion. As noted in my previously submitted declarations (ECF 276 and 453), Verita Global did not receive any requests for exclusion in response to the Notice of Pendency. As an update, as of the date of this declaration, Verita Global has not received any requests for exclusion from the Class.

9. Although the Preliminary Approval Order (and the Notice) provides that Class Members who wish to file objections must file them with the Court and copy them to relevant counsel (rather than send them to Verita Global), I also note for the sake of completeness that as of the date of this declaration, Verita Global has not received any objections.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 3rd day of November, 2025, at San Rafael, California.



ROSS D. MURRAY