

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MARK COLWELL, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

EXICURE, INC., DAVID A. GILJOHANN,  
BRIAN C. BOCK, and GRANT T. CORBETT,

Defendants.

Case No. 1:21-CV-06637

Honorable John F. Kness

**LEAD PLAINTIFF’S NOTICE OF MOTION FOR  
FINAL APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure and the Court’s October 8, 2024 Notice Order (ECF No. 103), Lead Plaintiff James Mathew, on behalf of himself and each member of the Settlement Class, hereby moves for (i) approval of the proposed Settlement of this Litigation; and (ii) approval of the proposed Plan of Allocation.<sup>1</sup>

This motion is based on the accompanying Memorandum of Law in Support of Lead Plaintiff’s Motion for Final Approval of Proposed Class Action Settlement; the Declaration of Evan A. Kubota in Support of: (I) Lead Plaintiff’s Motion for Final Approval of Proposed Class Action Settlement and (II) Lead Counsel’s Motion for Attorneys’ Fees, Litigation Expenses, and Lead Plaintiff’s Reasonable Costs and Expenses (the “Kubota Declaration”); the exhibits to the Kubota Declaration; the Stipulation and its exhibits (ECF Nos. 99 & 99-1 to 99-6); and all prior and further papers and proceedings herein.

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<sup>1</sup> Capitalized terms not defined herein have the meanings stated in the Stipulation of Settlement (the “Stipulation,” ECF No. 99).

Submitted with this motion are a proposed Final Judgment Approving Settlement (substantially in the form attached to the Stipulation, ECF No. 99-6) and proposed Order Approving Plan of Allocation.

Pursuant to the Court's Notice Order, any objections to the proposed Settlement are due on December 23, 2024. As of December 9, 2024, no objections have been received. As provided in the Notice Order, and in the interest of judicial economy, Lead Plaintiff will file reply papers by January 6, 2025 that will respond to any objections. In addition, because requests for exclusion from the Settlement Class are due on December 13, 2024, a final version of Exhibit 1 to the proposed Final Judgment Approving Settlement (listing persons excluded from the Settlement Class) will be provided on or before January 10, 2025.

Dated: December 9, 2024

By: /s/ Joseph A. Fonti

Joseph A. Fonti (*pro hac vice*)  
Evan A. Kubota (*pro hac vice*)  
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