

## Alterman & Boop LLP

99 Hudson Street, 8<sup>th</sup> Floor  
New York, NY 10013  
212-226-2800

Daniel L. Alterman  
Arlene F. Boop

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### Opt-In Class Members of *Gross v. United States*

Dear Opt-in Class Member:

We are pleased to report that the Government has completed its review of the methodology used by the Class Administrator and its calculation of the individual proposed judgments for each Class Member and has advised us that they have no objection as to the methodology or, with one exception, to the calculation of the proposed judgment amounts. The exception is that they still have to look at the calculations for one class member for whom data was provided to the Class Administrator after it had all the other data and for whom calculations were only done recently. We expect the review of this last calculation will be accomplished next week. Since there have been no other objections, we do not expect any objection to this single, remaining calculation. This is good news in that we anticipate that there will be no delay attributable to fighting over the calculations.

However, the Government has now also made plain that, despite its having no objection as to the calculations, it does intend to appeal once the judgments are entered, as is its right. Thus, while one hurdle to payment to you as Opt-In Class Members has been overcome, we now know that an appeal will be forthcoming, which will involve legal briefing by both sides for the appellate court, oral argument and, ultimately, a decision on the appeal.

As for timing, we expect to be able to submit our motion for the entry of individual judgments to the Court by mid-December. A copy of that motion will be posted on our website ([www.altermanboop.com](http://www.altermanboop.com)). The motion will have an attached list indicating the name of every Class Member and the judgment amount to which that Class Member will be entitled should the appellate Court affirm the decision of the Court of

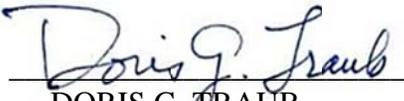
Federal Claims. Please understand that **we cannot provide this information over the phone or by email.**

With respect to the timing of the Government's appeal, they have two months to do so. After its appeal is filed, a briefing schedule will be set by the appellate court. We will notify you if and when the Government's appeal is filed and, subsequently, of the briefing schedule set by the appellate court.

Finally, as we mentioned in our last update, upon the passing of Alan Gross, we moved to have another class member named in the caption of the lawsuit. The Court has granted our motion and the case will proceed forward under the new caption of Joseph Gallimore v. U.S., Federal Court of Claims Docket No.: 11-715C. We thank Mr. Gallimore for his willingness to serve as the named plaintiff on behalf of all of the Class Members.

Very truly yours,

TRAUB & TRAUB PC

By:   
DORIS G. TRAUB

ALTERMAN & BOOP LLP

By:   
ARLENE F. BOOP