

# ELECTRONIC FILING INSTRUCTIONS

## **Babcock & Wilcox Enterprises, Inc.**

### **Securities Litigation**

#### **Part I**

##### ELECTRONIC FILING INSTRUCTIONS

- Electronic Claim submission is available to institutions filing on their own behalf or on behalf of others as well as to claim preparers filing on behalf of clients, or to individuals filing a large number of transactions who have requested or have been requested to file claims electronically.
- **ALL ELECTRONIC CLAIMS SUBMISSIONS MUST BE ENTERED ON THE TEMPLATE THAT FOLLOWS THESE INSTRUCTIONS.** Electronic claim submissions **MUST** be submitted in the **required** format, specified in this document.
- **One Claim is to be submitted for each separate legal entity.** A separate Claim, but only one Claim, should be submitted for each separate legal entity (e.g., a Claim on behalf of joint owners should not include separate transactions of just one of the joint owners, and a Claim on behalf of an individual should not combine his or her IRA transactions with transactions made solely in the individual's name). Conversely, **a single Claim is to be submitted on behalf of one legal entity including all transactions made by that person or entity no matter how many separate accounts that person or entity has** (e.g., a Claim on behalf of a corporation with multiple brokerage accounts **MUST** include all transactions made in all accounts in one Claim).
- You **MUST** provide the correct complete, unabbreviated name of the beneficial owner(s) of the security supporting each Claim. **Your submission may be rejected if you do not provide this information.** Do not include honorifics (e.g., Mr., Mrs., Ms., Dr., Capt., Sgt.) and do not put "FBO" or the like in front of the beneficial owner's name. **PLEASE NOTE: A trustee, in that capacity, is not the beneficial owner of the security; the full name of the trust should be entered followed by the full name(s) of the trustee(s). A comma should separate the name of the trust and the name(s) of the trustee(s).**
- The required documentation set forth below **MUST** be submitted with your electronic file. Your electronic Claims will not be eligible for consideration until all required documents are received. Please note that one document may meet more than one requirement.

## 1. ONE SIGNED PROOF OF CLAIM AND RELEASE

- You **MUST** complete the Claimant Information Page, (Part I, page 4) and Certification Page, (Pages 7-8) of a single Proof of Claim and Release Form ("Claim Form"), which will serve as an "umbrella" or "master" claim form for all Claims in your electronic file.
- The Claim Form **MUST** be signed by an authorized signatory who is listed on your signature verification document and state the capacity (job title) of the signatory.
- If you are filing on behalf of multiple beneficial owners, use the term "Various Beneficial Owners" for the beneficial owners' names. However, as noted above, the correct complete unabbreviated name of each beneficial owner (without honorifics) **MUST** be provided for each Claim in your electronic Claim submission.

## 2. SIGNATURE VERIFICATION DOCUMENT

- If you are an institution filing on your own behalf or on behalf of other beneficial owners or a claim preparer filing on behalf of beneficial owners, you **MUST** provide a document verifying that the individual who signs the Claim Form and any supplemental documents is authorized to sign on your behalf. Some common types of documents that fulfill this requirement include the following (this list is not exclusive and non-US entities may have different documents that fulfill this requirement. If you are a non-US entity, you **MUST** submit an equivalent document):
  - Copy of filer's By-Laws, including signature page(s)
  - Copy of filer's Corporate Resolution, including signature page(s)
  - Notarized Affidavit signed by an officer of the filing institution or company clearly granting a specific individual(s) authorization or confirming his/her authority to sign on behalf of his/her institution or company.

## 3. DATA VERIFICATION DOCUMENT(S)

- If you are an institution filing on your own behalf or on behalf of other beneficial owners or a claim preparer filing on behalf of beneficial owners, you **MUST** provide a notarized affidavit or signed letter on your firm's letterhead which meets the following criteria:
  - Confirms the number of distinct Claims and transactions in your file.
  - Sets forth the source of the data for each Claim included in your file.
  - Attests to the truth and accuracy of the data for each Claim in your file.
  - Is executed by an authorized signatory who is listed on your firm's signature verification document, and specifies both the capacity and contact information of that signatory.

#### 4. AUTHORIZATION DOCUMENT (If filing on behalf of clients or customers)

- If you are an institution or claim preparer filing on behalf of beneficial owners other than yourself, you must provide a current document verifying that you are authorized to file and sign claims on behalf of the beneficial owners of the securities. Some common types of documents that fulfill this requirement include the following (this list is not exclusive and non-US entities may have different documents that fulfill this requirement. If you are a non-US entity, you must submit an equivalent document):
  - Power of Attorney
  - Service Agreement
  - Signed/dated letter on client's company letterhead specifically granting your company authority to file/sign claims on their behalf
  - Notarized affidavit or signed letter on your company's letterhead confirming your authority to file and sign claims on behalf of each client for whom you filed a claim. It must be executed by an officer of the company who is also listed on your signature verification document and reference the capacity and contact information of the signatory.

#### 5. ADDITIONAL DOCUMENTATION (IF REQUESTED) - DATA INTEGRITY AUDIT

- Filers may be requested, as deemed appropriate by JND Legal Administration and/or Lead Counsel, to provide additional documentation to support the Claims submitted. This data integrity audit is designed to verify the overall integrity of a data file. Accordingly, you **MUST** provide all the requested documentation and the documentation provided **MUST** be independent in nature.
- Even if you provided a letter/affidavit attesting to the truth and accuracy of the data you initially submitted with your electronic file, we may ask for additional specific documentary evidence, which may include trade confirmations, complete monthly statements, or equivalent, to independently verify the details of transactions and/or holding positions. If your file is selected for a data integrity audit, you **MUST** provide all the requested information.

### **FAILURE TO COMPLY WITH THIS AUDIT REQUEST WILL RESULT IN THE REJECTION OF ALL CLAIMS ON YOUR ELECTRONIC SUBMISSION**

Electronic files will not be deemed submitted unless JND Legal Administration sends you an email acknowledging receipt of your file. Do not assume that your file has been received until you receive this email. If you do not receive such an email within 10 days of your submission, you should contact the electronic filing department at [BABSecurities@jndla.com](mailto:BABSecurities@jndla.com) to inquire about your file and confirm it was received.

## **PART II**

### **SUBMISSION - CONTACT INFORMATION**

#### **YOUR FILE**

Before entering any information on the E-Claim filing template, carefully examine the data required as set forth in the "Data Layout" section located in the Electronic Filing Template. Be sure to enter the data in the required format into corresponding column(s) in the template.

#### **SUBMITTING YOUR MASTER PROOF OF CLAIM.**

To submit your Master Proof of Claim, you must send all forms, documents and data files to one of the addresses below:

<b>Mailing Address:</b>	Babcock & Wilcox Ent., Inc. Securities Litigation c/o JND Legal Administration PO Box 91095 Seattle, Washington 98111
<b>Overnight Address:</b>	Babcock & Wilcox Ent., Inc. Securities Litigation c/o JND Legal Administration 1100 2 <sup>nd</sup> Ave, Suite 300 Seattle, Washington 98101
<b>Email:</b>	BABSecurities@jndla.com
<b>FTP Upload:</b>	Call 1-833-759-2979 for directions on uploading files securely.

*If you have any questions about submitting your e-claim, please call: 1-833-759-2979*