

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE LUCKIN COFFEE INC.  
SECURITIES LITIGATION

Case No. 1:20-cv-01293-JPC

**NOTICE OF LEAD PLAINTIFFS' MOTION FOR  
APPROVAL OF DISTRIBUTION PLAN**

TO: All Counsel of Record

PLEASE TAKE NOTICE that in accordance with Federal Rule of Civil Procedure 23(e) and this Court's Order Approving Plan of Allocation of Net Settlement Fund (ECF No. 339) and Judgment Approving Class Action Settlement (ECF No. 340), Lead Plaintiffs Sjunde AP-Fonden and Louisiana Sheriffs' Pension & Relief Fund, on behalf of themselves and the Class, will and do hereby move this Court, before the Honorable John P. Cronan, for entry of the accompanying [Proposed] Order Approving Distribution Plan ("Class Distribution Order").<sup>1</sup> This motion ("Motion") is based upon (a) the Declaration of Alexander P. Villanova in Support of Lead Plaintiffs' Motion for Approval of Distribution Plan ("Villanova Declaration") submitted herewith on behalf of the Court-authorized Claims Administrator, Epiq Class Action and Claims Solutions, Inc. ("Epiq"); (b) the accompanying Memorandum of Law in Support of Lead Plaintiffs' Motion for Approval of Distribution Plan ("Memorandum"); and (c) all other papers and proceedings herein.

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<sup>1</sup> All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated as of October 20, 2021 (ECF No. 315) ("Stipulation"), and in the Villanova Declaration filed herewith.

Among other things, the Class Distribution Order would: (i) approve the administrative determinations of Epiq accepting and rejecting Claims submitted in connection with the Settlement reached in the above-captioned Action; (ii) direct the distribution of the Net Settlement Fund to Claimants whose Claims are accepted by Epiq as valid and approved by the Court (“Authorized Claimants”), while maintaining a Reserve for any tax liability or claims administration-related contingencies that may arise; (iii) direct that distribution checks state that the check must be cashed within 90 days after the issue date; (iv) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to cash their distribution checks in a timely manner; (v) approve the recommended plan for any funds remaining after the distribution; (vi) approve Epiq’s fees and expenses incurred and estimated to be incurred in the administration of the Settlement; (vii) release claims related to the administration process; and (viii) authorize the destruction of Claim Forms and supporting documents at an appropriate time.

As set forth in the Villanova Declaration, there are currently 10 Claimants with outstanding requests for Court review of Epiq’s administrative determination with respect to their Claims (“Disputed Claims”). Upon the filing of this Motion, Class Counsel will send each Claimant with a Disputed Claim a copy of this Motion, the Memorandum, the Villanova Declaration, Exhibit D to the Villanova Declaration along with the supporting documentation that relates to the Claimant’s Disputed Claim, and the proposed Class Distribution Order. Class Counsel will inform the Claimants that they do not need to take any further action to have the Court consider their dispute; however, if Claimants wish to make an additional submission, they should direct it to the Court’s attention with a copy to Class Counsel postmarked no later than March 20, 2023. If any such submission is made, Class Counsel will submit a response by March 27, 2023, addressing such submission.

Pursuant to the terms of the Stipulation, Defendants have no interest in the relief sought by the Motion. Further, Class Counsel have provided Defendants' Counsel advance notice of the Motion and they have informed us that Defendants take no position on the Motion.

Dated: March 6, 2023

Respectfully submitted,

**KESSLER TOPAZ MELTZER  
& CHECK, LLP**

*S/ Sharan Nirmul*

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