

**UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS**

BUDICAK, INC., BLUE MARLIN  
ARBITRAGE, LLC, and PRIME TRADING,  
LLC, individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

LANSING TRADE GROUP, LLC, CASCADE  
COMMODITY CONSULTING, LLC, and  
JOHN DOES NOS. 6-10,

Defendants.

Case No. 2:19-cv-02449

Hon. Toby Crouse

Magistrate Judge Angel D. Mitchell

**PROOF OF CLAIM AND RELEASE**

**I. INSTRUCTIONS**

1. If you transacted in CBOT Wheat Futures or Options from February 1, 2015 through May 15, 2015 (the “Class Period”), you may be eligible to receive a payment from the \$18 million settlement reached between Plaintiffs and Defendant Lansing Trade Group, LLC (“Lansing”) in *Budicak, Inc., et al. v. Lansing, et al.*, No. 19-cv-2449 (D. Kan.).

2. “CBOT Wheat Futures or Options” means wheat futures and options contracts that trade on the Chicago Board of Trade (“CBOT”). Pursuant to the Distribution Plan, CBOT Wheat Futures or Options consist of:

- a. “Wheat Futures,” which means CBOT soft red winter wheat futures contracts expiring in March 2015, May 2015, July 2015, or September 2015; and
- b. “Options on Wheat Futures,” which means any options on the above-defined Wheat Futures contracts.

3. Unless otherwise defined herein, all capitalized terms contained in this Proof of Claim and Release (“Claim Form”) have the same meaning as in the **Notice of Proposed Class Action Settlements, June 9, 2023 Fairness Hearing Thereon, and Class Members’ Rights** (“Notice”), the Stipulation and Agreement of Settlement between Plaintiffs and Lansing, and the Distribution Plan, which are available at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com) (the “Settlement Website”).

4. It is important that you read the Notice. By signing and submitting this Claim Form, you will be certifying that you have read the Notice, including the terms of the Release and Covenant Not to Sue described in the Notice under the heading “What Am I Giving Up to Receive a Payment?” and provided for in the Lansing Settlement Agreement.

5. To be eligible to receive a payment from the Net Settlement Fund, you must submit a timely and valid Claim Form along with the required data and/or information described in Parts II through IV below. **To be considered timely, your Claim Form must be submitted online at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com) by 11:59 p.m. Eastern Time on July 10, 2023, OR mailed to the Settlement Administrator and postmarked no later than July 10, 2023.** If you are unable to submit the required data as described below at Parts II through IV, you should call the Settlement Administrator for further instructions.

6. As described in Part III below, you are required to submit additional information about your transactions in CBOT Wheat Futures or Options as part of your Claim Form to be submitted to the Settlement Administrator.

7. Your payment amount will be determined based on the Settlement Administrator’s review of your Claim Form and calculated pursuant to the Distribution Plan that the Court approves. Submission of a Claim Form does not guarantee that you will receive a payment from the Lansing Settlement. For more information, please refer to the Notice and Distribution Plan available at the Settlement Website.

8. Separate Claim Forms should be submitted for each separate legal entity. Conversely, a single Claim Form should be submitted on behalf of only one legal entity.





This Form Must Be Electronically  
Submitted OR Mailed AND Postmarked No  
Later Than July 10, 2023.

### III. REQUIREMENTS FOR CLAIM SUBMISSION

#### 1. YOU MUST SUBMIT YOUR CLAIM FORM ELECTRONICALLY OR ON PAPER IN THE REQUIRED FORMAT

Claimants must electronically submit their Claim Forms online at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com) by **11:59 p.m. Eastern Time on July 10, 2023**, OR mail the Claim Forms to the Settlement Administrator at CBOT Wheat Futures or Options Class Action Settlement, c/o A.B. Data, Ltd., P.O. Box 170300, Milwaukee, WI 53217 so they **are postmarked no later than July 10, 2023**. Claim Forms must be submitted in the format specified in this Claim Form or posted by the Settlement Administrator on the Settlement Website.

Along with your Claim Form, you are required to submit the details of your transactions in CBOT Wheat Futures or Options reflected in Part IV, below. A Data Template, including the information you must provide about your transactions in CBOT Wheat Futures or Options, is below and also available at the Settlement Website. In addition, please provide any of the following types of supporting documentation that verifies the transaction information you provide:

- a. Transaction data from your bank, broker, or internal trade system;
- b. Bank confirmations by individual trade;
- c. Bank transaction reports or statements;
- d. Trading venue transaction reports or statements;
- e. Prime broker reports or statements;
- f. Custodian reports or statements;
- g. Daily or monthly account statements or position reports;
- h. Email confirmations from counterparty evidencing transactions;
- i. Bloomberg confirmations or communications evidencing transactions; and/or
- j. Other documents evidencing transactions in CBOT Wheat Futures or Options during the Class Period.

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**IV. TABLE OF TRANSACTIONS IN CBOT WHEAT FUTURES OR OPTIONS**

Complete this Part IV if and only if you entered into transactions in CBOT Wheat Futures or Options from February 1, 2015, through May 15, 2015. Do not include information regarding instruments other than CBOT Wheat Futures or Options and do not include transactions in CBOT Wheat Futures or Options in which you acquired the instrument as an agent for another individual or entity.

**List of Brokers or Futures Commission Merchants**

Please list all brokers or futures commission merchants (“FCMs”) at which you maintained accounts in which you traded or held CBOT Wheat Futures or Options.


**List of Account Names and Account Numbers**

Please provide a list of all account names and account numbers for each entity you listed in response above in which you traded or held CBOT Wheat Futures or Options.


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**WHEAT FUTURES**

For your **Wheat Futures contracts**, provide your end of day positions and the average price of those positions as of **JANUARY 31, 2015**:

<b>Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Net Number of Contracts</b>	<b>Average Price (U.S. dollars per bushel)</b>	<b>Net Position (Long ("L")/ Short ("S"))</b>

For each purchase or sale of **Wheat Futures contracts** during the Class Period, provide the following information for each transaction:

<b>Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Trade Date</b>	<b>Number of Contracts</b>	<b>Transaction Price (U.S. dollars per bushel)</b>	<b>Purchase or Sale</b>	<b>Brokerage Firm and Account Number in Which Transaction Was Made</b>

This Form Must Be Electronically Submitted OR Mailed AND Postmarked No Later Than July 10, 2023.

For your **Wheat Futures contracts**, provide your end of day positions and the average price of those positions as of **MAY 15, 2015**:

<b>Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Net Number of Contracts</b>	<b>Average Price (U.S. dollars per bushel)</b>	<b>Net Position (Long ("L")/ Short ("S"))</b>

**OPTIONS ON WHEAT FUTURES**

For your **Options on Wheat Futures**, provide your end of day positions and the average price of those positions as of **JANUARY 31, 2015**:

<b>Option Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Net Number of Contracts</b>	<b>Average Price (U.S. dollars per bushel)</b>	<b>Strike Price</b>	<b>Net Position</b>	<b>Put ("P") or Call ("C")</b>

This Form Must Be Electronically Submitted OR Mailed AND Postmarked No Later Than July 10, 2023.

For each purchase or sale of **Options on Wheat Futures** during the Class Period, please provide the following information for each transaction:

<b>Option Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Trade Date</b>	<b>Number of Contracts</b>	<b>Traded Price (price of futures contract)</b>	<b>Option Type (Call/Put)</b>	<b>Option Expiry Type</b>	<b>Option Strike Price</b>	<b>Option Premium</b>	<b>Option Settlement/Exercise Date</b>	<b>Brokerage Firm and Account Number in Which Transaction Was Made</b>

For your **Options on Wheat Futures**, provide your end of day positions and the average price of those positions as of **May 15, 2015**:

<b>Option Contract Traded (Description, Code, or Contract Month/Year)</b>	<b>Net Number of Contracts</b>	<b>Average Price (U.S. dollars per bushel)</b>	<b>Strike Price</b>	<b>Net Position</b>	<b>Put ("P") or Call ("C")</b>



## V. CLAIMANT'S CERTIFICATION & SIGNATURE

### SECTION A: CERTIFICATION

#### **BY SIGNING AND SUBMITTING THIS CLAIM FORM, CLAIMANT OR CLAIMANT'S AUTHORIZED REPRESENTATIVE CERTIFIES ON CLAIMANT'S BEHALF AS FOLLOWS:**

1. I (we) have read the Notice and Claim Form, including the descriptions of the Release and Covenant Not to Sue provided for in the Settlement Agreement;
2. I (we) am (are) a Class Member and am (are) not one of the individuals or entities excluded from the Settlement Class;
3. I (we) have not submitted a Request for Exclusion;
4. I (we) have made the transactions submitted with this Claim Form for myself (ourselves) and not as agents of another, and have not assigned my (our) Settled Claims to another;
5. I (we) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to the release or any other part or portion thereof;
6. I (we) have not submitted any other claim in this Action covering the same transactions and know of no other person having done so on his/her/its/their behalf;
7. I (we) hereby consent to the disclosure of, waive any protections provided by any applicable bank secrecy or data privacy laws (whether foreign or domestic), or any similar confidentiality protections with respect thereto, and instruct Settling Defendants or any authorized third party to disclose my (our) information and transaction data relating to my (our) trades for use in the claims administration process;
8. I (we) submit to the jurisdiction of the Court with respect to my (our) claim and for purposes of enforcing the releases set forth in any Final Judgment that may be entered in the Action;
9. I (we) agree to furnish such additional information with respect to this Claim Form as the Settlement Administrator or the Court may require; and
10. I (we) acknowledge that I (we) will be bound by and subject to the terms of the Final Judgment that will be entered in the Action if the Settlement is approved.

**SECTION B: SIGNATURE**

**PLEASE READ THE RELEASE, CONSENT TO DISCLOSURE, AND CERTIFICATION, AND SIGN BELOW.**

I (we) acknowledge that, as of the Effective Date of the Settlement, pursuant to the terms set forth in the Settlement Agreement, and by operation of law and the Final Judgment, I (we) shall be deemed to release and forever discharge and shall be forever enjoined from prosecuting the Settled Claims against the Released Parties (as defined in the Settlement Agreement and/or Final Judgment). I (we) shall not hereafter seek to establish liability against any Released Party or any other Person based on the facts, conduct, or events during the Class Period underlying this Action.

By signing and submitting this Claim Form, I (we) consent to the disclosure of information relating to my (our) transactions in CBOT Wheat Futures or Options during the Class Period, and waive any protections provided by any applicable bank secrecy or data privacy laws (whether foreign or domestic), or any similar confidentiality protections with respect to information and transaction data relating to my (our) trades, for use in the claims administration process.

If signing as an Authorized Representative on behalf of an entity, I (we) certify that I (we) have legal rights and authorization from the entity to file this Claim Form on the entity's behalf.

**UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA, I (WE) CERTIFY THAT ALL THE INFORMATION PROVIDED BY ME (US) ON THIS CLAIM FORM IS TRUE, CORRECT, AND COMPLETE AND THAT THE DATA SUBMITTED IN CONNECTION WITH THIS CLAIM FORM ARE TRUE AND CORRECT COPIES OF WHAT THEY PURPORT TO BE.**

\_\_\_\_\_  
Signature of Claimant (if Claimant is an individual filing on his or her own behalf)

Date: \_\_\_\_\_  
MM/DD/YY

\_\_\_\_\_  
Print Name of Claimant (if Claimant is an individual filing on his or her own behalf)

\_\_\_\_\_  
Authorized Representative Completing Claim Form (if any)

Date: \_\_\_\_\_  
MM/DD/YY

\_\_\_\_\_  
Print name of Authorized Representative Completing Claim Form (if any)

\_\_\_\_\_  
Capacity of Authorized Representative (if other than an individual (e.g., trustee, executor, administrator, custodian, or other nominee))

**REMINDER: YOUR CLAIM FORM AND REQUIRED DATA MUST BE SUBMITTED ONLINE BY 11:59 P.M. EASTERN TIME ON JULY 10, 2023, OR MAILED AND POSTMARKED NO LATER THAN JULY 10, 2023.**