

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martinez**

Civil Action No. 22-cv-2105-WJM-CYC

TAO WANG, individually and on behalf of  
all others similarly situated; and  
SYNWORLD TECHNOLOGIES  
CORPORATION, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

AMPIO PHARMACEUTICALS, INC.  
MICHAEL A. MARTINO,  
MICHAEL MACALUSO,  
HOLLI CHEREVKA,  
DAN STOKELY,  
DAVID BAR-OR,  
PHILIP H. COELHO, and  
RICHARD B. GILES

Defendants.

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**AMENDED ORDER GRANTING LEAD PLAINTIFFS' MOTION  
FOR DISTRIBUTION OF THE NET SETTLEMENT FUND**

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Before the Court is Lead Plaintiffs Tao Wang and his wholly-owned company, SynWorld Technologies Corporation's ("SynWorld," together with Mr. Wang, "Plaintiffs") Motion for Distribution of the Net Settlement Fund ("Motion"). (ECF No. 110.) Having reviewed and considered all the materials and arguments submitted in support of the Motion, IT IS HEREBY ORDERED that:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated May 13, 2024 ("Stipulation") (ECF No. 93), and all terms

used herein shall have the same meaning as set forth in the Stipulation, unless otherwise set forth herein.

2. The Motion is granted in its entirety and the Court approves the administrative determinations of Simpluris, the Court-approved Claims Administrator, in accepting and rejecting the Proof of Claim Forms (“Claim Forms” or “Claims”).

3. The Net Settlement Fund established by the settlement of this Action shall be distributed to the Authorized Claimants identified in Exhibits B-1 and B-2 to the Declaration of Megan Todd in Support of Lead Plaintiffs’ Motion for Approval of Distribution of Net Settlement Fund (“Todd Distribution Declaration”) (ECF No. 111) at the direction of Lead Counsel, Faruqi & Faruqi, LLP, pursuant to the Stipulation, and the Plan of Allocation of the Net Settlement Fund set forth in the Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Hearing; and (III) Motion for Attorneys’ Fees and Litigation Expenses (the “Notice”), ECF No. 93-2.

4. Simpluris’ administrative determinations rejecting the ineligible or otherwise deficient Claims, which are set forth in Exhibit B-3 of the Todd Distribution Declaration, are approved. Such claims may not receive any distributions from the Settlement Fund.

5. Simpluris will conduct an initial distribution (the “Initial Distribution”) of the Net Settlement Fund, after deducting all payments approved by the Court, and after payment of any estimated Taxes, the costs of preparing appropriate tax returns, and any escrow fees, as follows:

a. Simpluris will calculate award amounts to all Authorized Claimants by calculating their *pro rata* share of the Net Settlement Fund in accordance with

the Plan of Allocation;

b. Simpluris will, pursuant to the Plan of Allocation, eliminate from the Initial Distribution any Authorized Claimant whose *pro rata* share of the Net Settlement Fund, as calculated under subparagraph (a) above, is less than \$10.00. Such claimants will not receive any distribution from the Net Settlement Fund;

c. After eliminating claimants who would have received less than \$10.00, Simpluris will calculate the *pro rata* distribution payments for Authorized Claimants who would have received \$10.00 or more, as calculated under subparagraph (a) above, and will prepare and submit payments accordingly.

6. Consistent with the Plan of Allocation, after Simpluris has made reasonable and diligent efforts to have Authorized Claimants negotiate their distribution checks, but no earlier than six months after the Initial Distribution, Lead Counsel, in consultation with Simpluris, will determine whether it is cost-effective to conduct a second distribution of the Net Settlement Fund (the "Second Distribution"). The Second Distribution will be distributed to all Authorized Claimants who: (i) cashed their Initial Distribution checks; and (ii) would receive at least \$10.00 from such distribution based on their *pro rata* share of the remaining funds, after payment of the estimated costs, expenses, or fees to be incurred in administering the Net Settlement Fund and making this Second Distribution.

7. Additional re-distributions, after deduction of costs and expenses as described above, may occur thereafter until Lead Counsel, in consultation with Simpluris, determines that further redistribution would not be cost-effective. If further

redistribution of the funds remaining in the Net Settlement Fund is not feasible or economical to reallocate, the remaining balance shall be donated to the CII Research and Education Fund (“CII-REF”).

8. No new claims may be accepted after May 8, 2025, and no further adjustments to previously received claims that would result in an increased Recognized Loss may be made after January 30, 2026.

9. The outstanding fees and expenses already incurred by Simpluris and its estimate to complete the Initial Distribution are approved. Simpluris shall be paid the sum of \$105,481.21 from the Settlement Fund for its costs and expenses in connection with the services performed in administering the Settlement to date and the estimated \$11,246.90 it anticipates incurring through the Initial Distribution. If the cost of the Initial Distribution is less than \$11,246.90, the excess shall be returned to the Net Settlement Fund.

10. Simpluris may destroy paper copies of the Proof of Claim Forms and all supporting documentation one year after the Initial Distribution, and electronic copies of the same three years after the Initial Distribution.

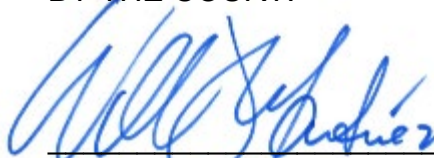
11. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the Claims submitted in this matter, or otherwise involved in the administration or taxation of the Settlement Fund or Net Settlement Fund, including Plaintiff, Lead Counsel, and Simpluris, are hereby released and discharged from any and all claims arising out of such involvement, and all Class Members, whether or not they are to receive payment from the Net Settlement Fund, are hereby barred from making any further claims against the Net Settlement Fund or

the released persons beyond the amount allocated to them pursuant to this Order.

12. The Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

Dated this 30<sup>th</sup> day of April, 2026.

BY THE COURT:



William J. Martínez  
Senior United States District Judge