

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:12-CV-213-MOC-DCK

CAMERON MCINTYRE,

Plaintiff,

v.

CHELSEA THERAPEUTICS INTERNATIONAL,
LTD., ET AL.,

Defendants.

PROOF OF CLAIM AND RELEASE FORM

GENERAL INSTRUCTIONS

To recover as a Class Member based on your claims in the action entitled *McIntyre v. Chelsea Therapeutics International, Ltd., et al.*, No. 3:12-CV-213-MOC-DCK, you must complete and sign this Proof of Claim form.

If you fail to submit a timely and properly addressed Proof of Claim form, your claim may be rejected and you may not receive any recovery from the Settlement Fund created in connection with the proposed Settlement. Submission of this Proof of Claim form, however, does not assure that you will share in proceeds of the settlement of the Action.

YOU MUST MAIL YOUR COMPLETED AND SIGNED PROOF OF CLAIM FORM POSTMARKED ON OR BEFORE SEPTEMBER 4, 2016, ADDRESSED AS FOLLOWS:

McIntyre v. Chelsea Therapeutics International, Ltd., et al.
c/o Rust Consulting, Inc.
Claims Administrator
P.O. Box 3065003
Des Moines, IA 50306-5003

If you are NOT a Class Member (as defined in the Notice of Pendency and Settlement of Class Action (“Settlement Notice”)), DO NOT submit a Proof of Claim form. Also, NOTE THAT CLAIMS CALCULATING TO AN AWARD LESS THAN \$10.00 WILL NOT BE PAID.

If you are a Class Member and you do not timely request exclusion in connection with the proposed Settlement, you will be bound by the terms of any judgment entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A PROOF OF CLAIM FORM.

CLAIMANT IDENTIFICATION

If you purchased or otherwise acquired Chelsea Therapeutics International Ltd. (“Chelsea”) common stock, you are the beneficial purchaser as well as the record purchaser. If however, you purchased or otherwise acquired Chelsea common stock that was registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser and the third party is the record purchaser.

Use Part I of this form, entitled “Claimant Identification” to identify each purchaser or seller of record (“nominee”), if different from the beneficial purchaser of the Chelsea common stock which forms the basis of this claim. **THIS PROOF OF CLAIM FORM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE CHELSEA COMMON STOCK UPON WHICH THIS CLAIM IS BASED.**

All joint purchasers must sign this Proof of Claim form. Executors, administrators, guardians, conservators, and trustees must complete and sign this Proof of Claim form on behalf of persons represented by them and their authority must accompany this Proof of Claim form and their titles or capacities must be stated. The Social Security (or taxpayer identification) number and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

PROOF OF CLAIM FORM

Use Part II of the form entitled “Schedule of Transactions in Chelsea Common Stock” to supply all required details of your transaction(s) in Chelsea common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

On the schedules, provide all of the requested information with respect to all of your purchases or acquisitions of Chelsea common stock which took place at any time from September 20, 2010 to August 17, 2012, inclusive and all of your sales of Chelsea common stock which took place at any time from September 20, 2010 to August 17, 2012, inclusive.

List each transaction separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

Copies of broker confirmations or other documentation of your transactions in Chelsea common stock should be attached to your Proof of Claim form. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested to, submit information regarding their transactions in electronic files. All claimants **MUST** submit a manually signed paper Proof of Claim form whether or not they also submit electronic copies. If you wish to file your claim electronically, you must contact the Claims Administrator at 1-877-251-1451, or info@ChelseaTherapeuticsSettlement.com, or visit their website at www.ChelseaTherapeuticsSettlement.com to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgement of receipt and acceptance of electronically submitted data.

ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.
THANK YOU FOR YOUR PATIENCE.

REMINDER CHECKLIST:

1. Please sign the enclosed release.
2. Remember to attach supporting documentation, if available.
3. Keep a copy of your Proof of Claim form and all supporting documentation for your records.
4. If you desire an acknowledgement of receipt of your Proof of Claim form, please send it Certified Mail, Return Receipt Requested.

**MUST BE POSTMARKED
NO LATER THAN
SEPTEMBER 4, 2016**

FOR OFFICIAL USE ONLY

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
MCINTYRE v. CHELSEA THERAPEUTICS INTERNATIONAL, LTD., ET AL.
No. 3:12-CV-00213-MOC-DCK

PROOF OF CLAIM AND RELEASE

Must be Postmarked No Later Than: SEPTEMBER 4, 2016

Please Type or Print

PART I: CLAIMANT IDENTIFICATION

Beneficial Owner's Name (First, Middle, Last): _____

Joint Beneficial Owner (if applicable): _____

Custodian Name (if different from beneficial owner listed above): _____

Entity Name and Representative (if applicable): _____

Street Address: _____

City: _____ State or Province: _____ Zip Code or Postal Code: _____

Country: _____

Social Security Number or Taxpayer Identification Number

Individual

Corporation/Other

IRA

Trust

Telephone Number: _____ Email Address: _____

Account Number: _____





PART II: SCHEDULE OF TRANSACTIONS IN CHELSEA COMMON STOCK

Number of shares of Chelsea common stock held at the close of trading on September 19, 2010: _____

Purchases or acquisitions of Chelsea common stock (September 20, 2010 – August 17, 2012, inclusive):

Trade Date Month / Day / Year	Number of Shares Purchased or Acquired	Purchase Price per Share	Total Amount Paid (Excluding fees, taxes and commissions)
1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____

Sales of Chelsea common stock (September 20, 2010 – August 17, 2012, inclusive):

Trade Date Month/Day/Year	Number of Shares Sold	Sale Price per Share	Total Amount Received (Excluding fees, taxes and commissions)
1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____

Number of shares of Chelsea common stock held at the close of trading on August 17, 2012: _____.

If you require additional space, attach extra schedules in the same format as above. Sign and print your name on each additional page. NOTE THAT CLAIMS CALCULATING TO AN AWARD AMOUNT LESS THAN \$10.00 WILL NOT BE PAID.



YOU MUST READ AND SIGN THE RELEASE BELOW. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.

PART III: SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGEMENTS

I (We) submit this Proof of Claim form under the terms of the Stipulation described in the Settlement Notice. I (We) also submit to the jurisdiction of the United States District Court for the Western District of North Carolina with respect to my (our) claim as a Class Member and for purposes of enforcing the releases set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Action. I (We) agree to furnish additional information to the Claims Administrator to support this claim if requested to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions, or sales of Chelsea common stock during the Settlement Class Period and know of no other person having done so on my (our) behalf.

RELEASE

I (We) hereby acknowledge full and complete satisfaction of, and do hereby fully, finally, and forever settle, release, and discharge from the Settled Claims each and all of the “Defendant Releasees,” defined as Defendants Chelsea, Pedder, Schwieterman, Defendants’ Counsel, and each of their past, present or future directors, officers, employees, partners, agents, representatives, parents, subsidiaries and affiliates, members, principals, agents, underwriters, insurers, co-insurers, reinsurers, controlling shareholders, attorneys, accountants or auditors, financial or investment advisors or consultants, banks or investment bankers, personal or legal representatives, predecessors, successors, assigns, spouses, marital communities, heirs, related or affiliated entities, any entity in which a Defendants has a controlling interest, any member of an individual defendant’s immediate family, or any trust of which any individual defendant is the settler or which is for the benefit of any Defendant and/or member(s) of his or his family.

“Settled Claims” means any and all rights, claims or causes of action of every nature and description, including both known and Unknown Claims, asserted by Lead Plaintiff or the Class in this Action, including those alleged in the Amended Complaint and Third Amended Complaint, that could have been asserted by Lead Plaintiff arising out of, or relating to, or in connection with the facts, allegations, events, transactions, acts, failures to act, occurrences, statements, disclosures, representations, misrepresentations, or omissions by any of the Defendants and/or the Defendant Releasees that were alleged or could have been alleged in this Action, and relate to the purchase or acquisition of Chelsea common stock during the Settlement Class Period. Settled Claims includes without limitation claims based on or related to the Securities Exchange Act of 1934, the Securities Act of 1933, and violations of any other federal or state statute or common law. Settled Claims includes without limitation any claims based on allegedly intentional, reckless, or negligent conduct, misstatements, or omissions.

“Unknown Claims” means any and all Settled Claims which Lead Plaintiff or any Class Member does not know to exist in his, her, or its favor at the time of the release of Defendants’ Releasees, and any Defendants’ Claims which Defendants did not know to exist in their favor at the time of the release of the Released Plaintiff Parties, which if known might have affected the decision to enter into the Settlement. With respect to any and all Settled Claims and Defendants’ Claims, the parties stipulate and agree that upon the Effective Date, Lead Plaintiff and Defendants shall expressly, and each Class Member shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights and benefits conferred by any law of any state or territory of the United States or principle of common law, which is similar, comparable, or equivalent to Cal. Civ. Code § 1542, which provides:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Lead Plaintiff and Defendants acknowledge, and other Class Members by operation of law shall be deemed to have acknowledged, that the inclusion of “Unknown Claims” in the definition of Settled Claims and Defendants’ Claims was separately bargained for and was a key element of this Settlement.

This release shall be of no force or effect unless and until the Court approves the Settlement and the Stipulation becomes effective.

I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any rights or claims released pursuant to this release or any other part or portion thereof.

I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Chelsea common stock which are the subject of this claim, and which occurred during the Settlement Class Period.

I declare under penalty of perjury under the laws of the United States of America that all of the foregoing information supplied on this Proof of Claim form by the undersigned is true and correct.



Executed this _____ day of _____
(Month/Year)

in _____
(City) (State/Country)

Signature of Claimant

Signature of Joint Claimant (if any)

Full Printed Name

Full Printed Name

Social Security No or Taxpayer Identification No

Social Security No or Taxpayer Identification No

(Capacity of person(s) signing, e.g., beneficial purchaser, executor, or administrator)