

III. PROOF OF CLAIM FORM

Use Part II of the Proof of Claim Form entitled "Schedule of Transactions in Diamond Foods, Inc." to supply all required details of your purchase(s) of Diamond Foods common stock shares during the Relevant Period. If you need more space to list your transactions, make a copy of the applicable page. Additional copies of the schedule can also be found on the Fair Fund website, www.DiamondFoodsFairFund.com. Fill in the circle at the bottom of the transaction page, sign and print or type your name on each additional schedule.

On the schedules, provide all of the requested information with respect to **all** of your purchases and sales of Diamond Foods common stock shares during the period between February 26, 2010 and February 9, 2012, inclusive, whether such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to all of the shares of Diamond Foods common stock you held at the Close of Trading on February 25, 2010 and February 9, 2012. Failure to report all such transactions may result in the rejection of your claim.

List these transactions 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.

The date of covering a "short sale" is deemed to be the date of purchase of Diamond Foods common stock.

The date of a "short sale" is deemed to be the date of sale of Diamond Foods common stock.

Copies of broker confirmations or other documentation of your transactions should be attached to your Proof of Claim Form. If any such documents are not in your possession, please obtain a copy or equivalent documents from your broker, because these documents are necessary to prove and process your claim. 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 Distribution Agent at edata@kccllc.com to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Distribution Agent issues the claimant a written acknowledgment of receipt and acceptance of electronically submitted data.

You are required to provide a certification of your tax identification number and potential exceptions. The interest component of any potential distribution payment is U.S. source income. To ensure that the Diamond Foods Fair Fund can comply with its reporting and/or withholding obligations, please complete section IV of the Proof of Claim Form or include with your submission one (1) of the following forms, as applicable:

- IRS Form W-9; OR
- IRS Form W-8BEN, W-8BEN-E, or other W-8 series form

If you are a U.S. person, as that term is defined below, then you should complete Part IV entitled "Substitute W-9 Form" on page three of the Proof of Claim Form.

If you are not a U.S. person, then you should not complete the Substitute W-9 Form included with the Proof of Claim Form. Instead, you should complete IRS Form W-8BEN, W-8BEN-E, or other W-8 series form, which can be found by visiting the following IRS website: <https://www.irs.gov/forms-instructions>.

The term "U.S. person" means:

- A citizen or resident of the United States,
- A partnership created or organized in the United States or under the laws of the United States or of any State, or the District of Columbia,
- A corporation created or organized in the United States or under the laws of the United States or of any State, or the District of Columbia,
- Any estate or trust other than a foreign estate or foreign trust (see Internal Revenue Code § 7701(a)(31) for the definition of a foreign estate and a foreign trust), or
- Any other person that is not a foreign person.

If the Diamond Foods Fair Fund does not receive a valid and complete W-9 Form or W-8 from you, the Diamond Foods Fair Fund may be required under the Internal Revenue Code to make certain presumptions about you for purposes of tax reporting and, as applicable, withholding. The Diamond Foods Fair Fund may be required to presume the interest is being paid to: (1) a payee subject to 30% withholding under the Foreign Account Tax Compliance Act ("FATCA") and reporting on Form 1042-S; (2) a nonresident alien of the U.S. ("NRA") subject to reporting and 30% NRA withholding and reporting on Form 1042-S; or (3) a U.S. person subject to 24% backup withholding and reporting on Form 1099-INT.

Official
Office
Use
Only

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Securities and Exchange Commission
v. Diamond Foods, Inc.

Civil Action No. 3:14-cv-00123-WHA

PROOF OF CLAIM FORM

Please Type or Print in the Boxes Below
Do NOT use Red Ink, Pencil, or Staples

Must Be Postmarked
No Later Than
July 29, 2019

DXS

PART I:

CLAIMANT IDENTIFICATION

Last Name

M.I.

First Name

Last Name (Co-Beneficial Owner)

M.I.

First Name (Co-Beneficial Owner)

Individual (IRA/Joint) Entity (Other)

Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

Account#/Fund# (Not Necessary for Individual Filers)

Social Security Number

or

Taxpayer Identification Number

CONTACT INFORMATION

Telephone Number (Primary Daytime)

Telephone Number (Alternate)

Email Address

MAILING INFORMATION

Address

Address Cont.

City

State

Zip Code

Foreign Province

Foreign Postal Code

Foreign Country Name/Abbreviation

FOR CLAIMS
PROCESSING
ONLY

OB

CB

ATP
 KE
 ICI

BE
 DR
 EM

FL
 ME
 ND

OP
 RE
 SH

FOR CLAIMS
PROCESSING
ONLY



VI. CERTIFICATION

1. Defined terms used herein shall have the meaning ascribed to them in the Distribution Plan.
2. 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 this release or any other part or portion thereof.
3. I (We) hereby warrant and represent that I (we) have included information about all of my (our) transactions in Diamond Foods common stock shares which occurred during the Relevant Period as well as the number of shares of Diamond Foods common stock shares held by me (us) at the Close of Trading on February 9, 2012.
4. I (We) hereby warrant and represent that we are not excluded from participation in the Fair Fund based on the definition of a Potential Claimant as defined in the Distribution Plan.

I (We) declare under penalty of perjury under the laws of the United States of America that the foregoing information supplied by the undersigned is true and correct.

Executed this _____ day of _____ in _____
(Month/Year) (City/State/Country)

(Sign your name here)

(Sign your name here)

(Type or print your name here)

(Type or print your name here)

(Capacity of person(s) signing, e.g.,
Beneficial Purchaser or Acquirer, Executor or Administrator)

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

Reminder Checklist:

1. Please sign the above certification.
2. If this claim is being made on behalf of Joint Potentially Eligible Claimants, then both must sign.
3. Remember to attach copies of supporting documentation if available.
4. **Do not send** original certificates.
5. Keep a copy of your Proof of Claim Form and all supporting documentation for your records.
6. If you desire an acknowledgment of receipt of your Proof of Claim Form, please send it Certified Mail, Return Receipt Requested.
7. If you move, please send your new address to the address below or via email to info@DiamondFoodsFairFund.com.
8. **Do not use red pen or highlighter** on the Proof of Claim Form or supporting documentation.

**THIS PROOF OF CLAIM FORM MUST BE SUBMITTED TO THE BELOW ADDRESS
POSTMARKED NO LATER THAN JULY 29, 2019:**

Diamond Foods, Inc. Fair Fund
c/o KCC Class Action Services
Distribution Agent
P.O. Box 404050
Louisville, KY 40233-4050

